

OCTOBER 6, 2014 COUNCIL MEETING MINUTES

The October 6, 2014 Council Meeting was called to order at 7:35 P.M. in the Council Chambers at the Municipal Building.

APPROVAL OF AGENDA ITEMS

Mayor DeLuca – Good Evening, we will call this meeting to order. The Agenda will stand as presented. Will you please stand for the Pledge of Allegiance?

ROLL CALL

Mr. Palumbo
Mr. Underwood
Mayor DeLuca
Dr. Kincaid
Mrs. Kuhn

Also present were Manager Rayan, Purchasing Secretary Yeager, Finance Director Schrecengost, Planning Director Davidson, Controller Futules and Solicitor Alexander.

OATH OF OFFICE

Mayor DeLuca – First item of business we have three new officers being sworn into tonight, Chief.

Mayor DeLuca – let me be the first to welcome you to Penn Hills. You are going to find Penn Hills is a great community and the residents are great people. They are trying to help out whenever they can and hopefully you will find your way to maybe even moving into Penn Hills. Council do you have anything?

Mrs. Kuhn – I would like to welcome you we just had four new officers sworn in a couple of weeks ago and now it is just wonderful to see three new ones who are all so very young but to me but that is fine and again we welcome you, you will find that the people of Penn Hills think very highly of our Police Department so they will be very helpful to you and just be sure to continue to be safe and cautious and good luck.

Dr. Kincaid – I also will add my public welcome. I have already done that personally to each of you and certainly we are proud of you as your family is proud of you and we know that this will be a great place for you to continue your career and continue to move up the ladder and as Deputy Mayor Kuhn has said above all remain safe because safety is important for the job that you do and as I also had said to you personally we will keep you in our prayers as you continue to do the good work here in Penn Hills. So welcome.

Mayor DeLuca – raise your right hand.

Oath of Office – I, Josh Martinelli, Christofer Broker, Alyssa Doudna do solemnly swear that I will support, obey and defend the Constitution of the United States of America. The Constitution of the Commonwealth of Pennsylvania and The Home Rule Charter and Ordinances of the Municipality of Penn Hills. I also swear that I will uphold, obey and enforce the law without consideration to a person's race, color, sex, religious creed, sexual orientation, age, national origin, ancestry, handicap or disability. I will perform the duties of a Police Officer of the Municipality of Penn Hills, Allegheny County, Pennsylvania with honesty, integrity and fidelity, so help me God.

Mayor DeLuca – Congratulations.

APPROVAL OF MINUTES

Mr. Underwood approved the Minutes of September 15, 2014 – Council Meeting Minutes.

Mr. Palumbo seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

EXPEDITURES – OCTOBER 6, 2014

Dr. Kincaid made a motion to approve the Expenditures of October 6, 2014, Journal Vouchers 0 - \$0.00, C.D. Requisitions – 12 - \$18,165.02, Master – 28892 – 29073 - \$1,035,310.22 makes a grand total of \$1,053,475.24.

Mr. Underwood seconded the motion.

Mrs. Kuhn – I see on page 8 it begins on page 7 is our account for the grass cutting oh I am sorry that is the wrong page it is on page 10 and continues over to 11 and 12. Moe it is a substantial amount and I am assuming that is because of the fact that it is several of them together, but I was wondering Moe how many of those are like the grass cutting for the abandoned homes, are they included in this disbursement?

Moe Rayan – without looking at the actual invoices Mrs. Kuhn it will be hard to determine that but I can get you the list off of that.

Mrs. Kuhn – the only reason I am asking Moe is because as you know I get several people calling me about the grass cutting and that and I explain to them that the Municipality does have a list and that we do cut abandoned properties but I also explain to them that the cost is so great that we can't do it on an every week or every two week basis

Moe Rayan – true.

Mrs. Kuhn – and I just would like to have a ball park figure so I can explain to them how much it cost us to do what we do do. It is no big important thing Moe but if you can just give me a ball park figure I would appreciate it.

Moe Rayan – we can run it that is not a problem. That should be available.

Mayor DeLuca – Moe since Sarah brought it up how come the invoices from grass cutting is all the way back from May.

Moe Rayan – they are not fast on getting their invoices in to get paid. We try to keep up with them and ask them to submit their bills and actually the Public Works and the Parks Staff just had a meeting with them about a week ago with regards to their being late in submitting their invoices and other issues that we had with that company.

Mayor DeLuca – another thing like when you talk to Parks like I know stuff at Friendship Park aren't they suppose to be weed whacking under the fence line?

Moe Rayan – yes the fence line and the bleachers and stuff like that and that was part of the meeting with the company.

Mrs. Kuhn – on page 7 unfortunately Rick is not here tonight. It is Gateway Engineers. I see that we have spent over \$8,000.00 on the DeNinno Claim is that finalizing somewhere down the road shortly Moe?

Moe Rayan – well actually the \$8,000 it was supposed to be shared with DeNinno we are not paying the entire thing it is an upfront we are supposed to be reimbursed for that through the courts and hopefully that issue will get resolved soon and we are going to talk about some of that in the executive session tonight. Our Solicitor and myself are going to a status conference with the Federal Court on Tuesday, the 14th.

Craig Alexander – just to follow up on that with regard to Gateway Engineering, the amount of money that was spent on Engineering was done pursuant to the settlement and I believe that all the Engineering Work is substantially complete so regardless of what might happen with the settlement whether it is eminent or there might be road blocks along the way the Engineering Work is done.

Mrs. Kuhn – The Engineering, because it was unusual for me to see Engineering be that high for that case but that had to be done for us to present the case to the Courts. Is that correct?

Craig Alexander – that is correct. For the settlement purposes.

Mrs. Kuhn – thank you.

Mrs. Kuhn abstained from Check Numbers 29001 and 29049 to Don Kuhn Auto Body and yes to all other.

There being no further discussion the motion was approved by a 5-0 vote.

PUBLIC HEARING

Mayor DeLuca – o.k. next we will open up the Public Hearing for the 2014-2019 Capital Program. Are there any comments about the Capital Program. How do you want to give a brief run down?

Howard Davidson – I wanted to point out the major typographical error the decimal point it is under Public Works, Thompson Run Interceptor that is \$320,000.00 not \$3,200,000.00. (Inaudible).

Pete MacQuillan – I am wearing a different hat tonight. I am from the Penn Hills Community Development Corporation.

Craig Alexander – could you just give your address for the minutes?

Pete MacQuillan – yes – 1713 Hummel Street, Pittsburgh, PA 15212 but I am in the process of moving to a house at 227 Kansas Street, Penn Hills, PA 15235. I am the Chair of the Community Development Corporation I just want to introduce myself in that role. I had hoped to get to your meeting last week that was cancelled for the lack of a quorum to put forward some of the things we are thinking about for the Beautification Committee. I will just do them tonight. I am not asking for any particular sum of money I just wanted you to know that we are looking for some help from the Municipality. We are involved in what I call remarkable road sides, we are working on five locations now. For example the Triangle up at Coal Hollow and Frankstown and Beulah Road. We want to turn that into a nice garden. We are working on the one on the top of Rodi Road and three others and we are putting perennials plants and we are putting some other features and so forth and we are also going to put in some signs. Welcome to Penn Hills or Penn Hills Welcomes You Sign is what we are looking at and we also have a signs committee that is looking at signs in several other locations for example coming up from Allegheny River Blvd., coming up Sandy Creek, perhaps Nadine we even talked about that water tower at Nadine Road putting a welcome to Penn Hills sign there. People don't know that is Penn Hills and a few other places and just to throw some numbers out we are thinking maybe each of these signs might cost \$10,000 and we would ask the Municipality to raise some funds this is just thinking out loud we don't have a budget we don't have a plan but I want to get it on record that that is one of the things that our committee is looking at. We have project managers for each of these

committees and we will go out and get funding from foundation money and other places if we can but we would like some help from the Municipality in the future. Thank you.

Howard Davidson – if I could help him out under Public Works 6322 Traffic Signals and Signs in 2015 I put \$22,000.00 there that was anticipating a request like this because I have been working with the Beautification Committee and I know what their plans where. Again as Mr. MacQuillan said there is nothing cast in stone yet. If they are successful they would raise the money for the first sign come to you show it to you and ask you for probably a couple more locations and I think if I am not mistaken they will probably start with right across from The Rivers Edge there is the turn around there. There is a Welcome to Penn Hills on that sight. A Welcome to Penn Hills sign. I think you will be impressed with the work that the Community Development Corporation Beautification Committee is doing. They have already completed the site across from the White Hawk Café you see what they have done across from the White Hawk Café there at Frankstown and Rodi and the Planning Department has been attending their meetings working with them and I think that is what it is going to lead to.

Mayor DeLuca – that will close the Public Hearing. Howard, if we adopt this next month is this the first meeting or the second meeting?

Howard Davidson – you will adopt the Capital Program next month and that should guide you as you delve into the first meeting on your Real Capital Budget, your Annual Capital Budget. I think since we have some CDC people, they have been working, they would like to see the sidewalk between the Senior Citizen Center and The Garden Club, Penn Hebron Garden Club to help the seniors walk over to that building. There is just a short missing piece. There is an existing sidewalk in front of our Senior Citizen Center and there is a beat up sidewalk in front of the Garden Club and a piece of it needs repaired and there is a missing link in it and if you know Mr. Stoner it is in front of Mr. Stoner's home.

Mayor DeLuca – yes we did talk about that.

Howard Davidson – I wanted them to know that we talked about it and that it is a possible sidewalk project in the future. That is all.

Mrs. Kuhn – on that subject Howard, I see that you have \$90,000 in the 2014 Budget for sidewalks, has that budget been used?

Howard Davidson – are you talking about the CD Budget?

Mrs. Kuhn – yes.

Howard Davidson – that is Frankstown West. Gateway is designing that sidewalk right now.

Mrs. Kuhn – o.k. so that is what that \$90,000 is for?

Howard Davidson – yes and that missing piece down on Rodi down by Mr. Donut in between. Gateway Engineers is full speed ahead with specs for that we should be going out for bids for that anytime now. I think there is room over the next five or six years for that matter for continuing to fund sidewalks for the Community Development Program and the potential to use CD Funds for that project as well because it totally benefits senior citizens. One of the golden rules of CD language if it benefits senior citizens it is eligible under the Federal Rules and Regulations.

Dr. Kincaid – Howard relevant to the sidewalks on Jefferson Road and going South toward Loughey Road my query is I read everything in the packet is it in the plan to have the sidewalks go all the way to Loughey Road on that side of the street, South.

Howard Davidson – well one step at a time we would certainly like to connect both of the buildings, it is a nice stretch for sidewalks there is a lot of pedestrian traffic.

Dr. Kincaid – what I had in mind specifically which everyone knows in this room that we lost a senior citizen's life a few years back who was walking on the side of that same side of the street inside the white line, however but I think if a side walk were to be put there it would at least be a safety factor for everyone and especially senior citizens and this particular gentlemen people who lived in that area he went to Giant Eagle everyday it was just his habit I think you know that and unfortunately a person lost control of the car and he lost his life right there just North of Loughey.

Howard Davidson – I thank you for that reminder and it is just all the more important to build sidewalks.

ORDIDNANCES

Dr. Kincaid made a motion to approve **Ordinance 2565 of 2014** amending **Ordinance 2559**, adopting the 2014 Municipal Budget (Capital Improvements Fund).

Mr. Underwood seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mr. Palumbo made a motion to approve **Ordinance 2566 of 2014** adopting a vacant and abandoned property ordinance which provides measures for addressing deterioration and blight in the community and prescribes registration, maintenance, and security requirements.

Mr. Underwood seconded the motion.

Pete MacQuillan – 1713 Hummel Street – I have a question it might be more of a comment than a question but this house I am buying on Kansas Street it is 227 Kansas Street and next door there is a house 231 Kansas Street which was foreclosed on by Wells Fargo Bank in May of 2011 and that house has been sitting empty ever since. I know of at least four other people that would buy that house and restore it and bring it up to code and I have been unsuccessful in getting any contact from Wells Fargo and Wells Fargo says they offer this web-site that we will tell you whenever we are going to put it on the Market for sale and according to their rules you have a week to come in and see if you want to make an offer and if you don't want to live there then they have another round of bidding. That is the only process they have you get no comments back from them so my question is will this Ordinance address that issue and if so how?

Mayor DeLuca – yes it will address it because it would be considered abandoned under the Ordinance and it would have to be registered with the Municipality and that applies to banks and any legal entity.

Howard Davidson – they are going to pay a fee and along with that fee have to give us names, addresses and telephone numbers of contact people and they are going to have to appoint a manager for that property from Wells Fargo and they are going to have to identify a person that we can call and talk to. Now we can't force them to sell the property at any particular price but if somebody throws a brick through the window we can force them to fix the window. We certainly already have Ordinances to force them to mow lawns. This Ordinance is a good Ordinance and it gives Code Enforcement an additional tool and it requires that banks register the property simply for foreclosing on the property. It is automatically considered abandoned if they foreclose so we have that information. We can't guarantee compliance with the Ordinance but one thing I wanted to remind Council by the way as the Hearing continues we ask you to table it for one month I would like to send it off to Mr. Alexander and have him take a closer look at it and take a closer look at how we define how people would be exempt from the Ordinance. Give you an example is people that go to Florida for the summer and how do you treat somebody who leaves for three months, how do you treat somebody that leaves for six months looking for a job somewhere else in the Country or something like that. Take a closer look at those two paragraphs. I want to thank Irene for helping me obtain a good copy of a good Ordinance from Allentown, this is modeled after Allentown, a city that is pretty out front on Code Enforcement issues we have been told that this Ordinance has stood up under a couple challenges and I want to thank Irene for helping me get a digital copy of it and I want to say that she is coming up here to talk, but I wanted to point out first that Community Development Corporation Housing Committee has been looking into fighting blight issues and I think they are going to tell you that they promote this Ordinance.

Mrs. Kuhn – before we go into that Howard I went over this Ordinance and it seems to be answering what Mayor and Council had asked for. Mayor and Council had specified really that our interest was in getting the banks that holds these house mortgages to be accountable because all too often the banks just sit on these and they

just use it as a form of a write off so the intent was for everything else that you put in there but the main issue was that these people who have these houses and just don't look to sell them to people so that they can be kept up that that is incorporated in this Ordinance and I have called Moe and have the Solicitor look at this if he hadn't because that is the direction that Mayor and Council had wanted and that is what we wanted to make sure was in here so that it would cover that and I believe Moe said the Solicitor would be looking over it before we voted on it tonight.

Howard Davidson – well quite frankly we are not sure how successful we are going to be with some of the banks and some of the mortgage companies and calling them a responsible owner. For example first you have to maintain a piece of property when they simply hold the mortgage and they are not the owner of the property.

Craig Alexander – that is right. That is the key. Often times when a foreclosure action is initiated it is initiated to get the people out and then the bank sits on the foreclosure and never pursues it and never takes ownership of the property so they are not the title property owner but what I am hearing you say and what I have read a little bit in the Ordinance is that this Ordinance attempts to address that loop hole where the mortgage company refuses to take ownership but yet holds the mortgage on the property.

Howard Davidson – it is a step in that direction and it puts us in a position if we ever get a Pennsylvania Court to reverse those previous decisions and go the other way which I understand they are considering in Harrisburg right now at least it puts us in a position of I think reasonably asking for contact information and being ready to go with it. And I understand that the fee is justifiable because vacant properties result in calls to the Police Department, calls to Public Works maintenance issues, Code Enforcement issues, it is a public cost and the fee simply just offsets the cost. Some Ordinances have gone further I think the Mayor is even pushing me further we have a \$100.00 fee first year, \$200.00 fee second year, \$400.00 fee after that. I have seen Ordinances go further than that in terms of fees. I think Code Enforcements main interest is the contact information the person assigned to the property that they can get on to the telephone with.

Irene McLaughlin – 8908 Upland Terrace – Just speaking as an individual but as you know I am a member of the CDC and I head up the Community Economic Development Committee and many members are here as was pointed out because we really do appreciate the steps that you are taking around blighted and abandoned properties to work into what you already do and as this discussion has already presented there are so many technicalities around these problem properties anymore so you really do need more tools in the toolbox to deal with almost every different category of property. I just wanted to point out that there is a great resource for all of you in this manual from blight to bright and I don't think Penn Hills is entirely having to go from blight but it certainly as this registration Ordinance is intended to do will provide a lot of ways to prevent blight in our various Communities in Penn Hills. So I just

wanted to correct the record real quick the challenges that Allentown had was against the Rental Registration Ordinance not their Vacant Property Registration Ordinance but they did withstand some challenges and there is still a challenge to their Rental Registration Ordinance. I think it is important to help to have a conversation for our committee and others in the Community around all of these different kinds of tools and how they fit into what is already put into place in Penn Hills and what we still need in this ever changing economic landscape that Penn Hills is a part of as our housing stock continues to change. So thank you and I know you are just getting into this introduction and hopefully there will be more opportunity to study it, I have not actually read what Howard produced entirely and I am sure the committee wants to be able to look at it and understand how it is going to work so we do have questions we just don't know what the questions are yet. So is there an opportunity to talk about this?

Mayor DeLuca – yes I believe so we will probably table it tonight.

Craig Alexander – Irene, whose Ordinance did you say was currently being challenged Rental Ordinance?

Irene McLaughlin – Allentown.

Craig Alexander – so the Ordinance that we are modeled off of is being challenged in court?

Irene McLaughlin – no it is a separate Ordinance, it is Rental Registration that has been challenged but their Vacant Property Registration Ordinance that this was modeled after I understand from Howard has not been challenged.

Craig Alexander – o.k. there have been two Regulated Rental Ordinances that I am aware of that have sustained challenge. One in Mt. Pleasant in Westmoreland County.

Howard Davidson – we have had an Ordinance for many years simply requiring owners of rental property to give us a list of tenants. That Ordinance we get pretty good cooperation from the owners of multifamily units.

Craig Alexander – it is the more that you regulate them that brings them into challenge and the fee whether it is a reasonable fee and things like that

Howard Davidson – when I was in Code we do this around January we would enforce this Ordinance around January. We would ask the landlords to give us a list of their tenants and then we would compare them against our occupancy permit files just to make sure

Irene McLaughlin – so there is not a fee associated with that rental

Howard Davidson – it wasn't even a fee we simply just required the list.

Irene McLaughlin – and that is where the challenges are.

Craig Alexander – you can't make a profit.

Irene McLaughlin – well thank you.

Mayor DeLuca – any other comments.

Sara Kuhn – after reading the Ordinance I did contact the Manager and asked him at one time we did have a committee on blight and asked him where we were on that and I believe if I am correct Moe you had told us that we are piggy backing with the Turtle Creek COG and hoping that we could get all three of the taxing bodies the County, the School District and the Municipality and the other communities around us to do the same to work on this problem. Am I correct on this?

Moe Rayan – that is correct. Chris Blackwell and Howard and the Mayor have attended several meetings with the Tri-COG and our Turtle Creek COG with regards to the blight and the commitment to move forward and get all the Municipalities and the School District working together with the Land Bank Program and that is going to happen here pretty soon like I said the Mayor attended several meetings and Chris Blackwell and Howard are working on that.

Howard Davidson – I should say that Irene is at all these sessions as well. So the CDC is being represented as well.

Moe Rayan – o.k. I wasn't aware of that.

Howard Davidson – they are involved in a wide variety of activities not just this Ordinance. Have the Tri-COG contacted you yet Moe? They want to come and make a presentation, did they tell you that?

Moe Rayan - yes, actually Mayor and Council have all the brochures that I get from Amanda the concentration right now and that action is going to be discussed tonight and to try and get Mayor and Council's approval for me to send a letter to get the school board on board with this thing. That is actually in the works.

Howard Davidson - I wanted to ask there are a couple of paragraphs which are pretty tough in here one for example was if somebody breaks a window this Ordinance says you cannot board it up you must replace the glass. I personally like that paragraph, I was wondering if you had a comment on that paragraph.

Sara Kuhn – no not on that but it was very detailed and went into different specifications but also my main look at it Howard was the ownership because of the fact

that is where we are falling behind is because of the fact if we don't make people who own the property accountable for the property that is the problem and many of my residents that call me I tell them that this is very important to Mayor and Council because you can have a street that there are twenty houses on it and nineteen houses keep their homes up and you have one house that is either across the street or down the road from you and it is in total disrepair and that takes away not only from the value of the house but who wants to go out in their front yard when they have taken care of their property and have to look at something like that and Mayor and Council work on this but it seems like that we were always taken back to the point well you have to find the owner of the property so the small issues are important but the main issue is the fact that we have to find a way legally to make these owners be responsible and the banks are really using a cop out with saying that they don't want the ownership. Well there has to be something that they have to be responsible for.

Howard Davidson – well you need some help from Harrisburg. Some Ordinances require drapes in the windows not only can you not only board up the window but you have to give the house the appearance that it is truly occupied. Maybe there is a segment of population that thinks government goes too far but I thought we weren't going too far by requiring replacement of glass because a boarded up house to me personally is still blight.

Mrs. Kuhn – I think that is important because when you ride by a house and there are boards on the windows that doesn't look good for Penn Hills.

Howard Davidson – thank you.

Mayor DeLuca – Howard under 100.05 Paragraph D it is talking about the third party registration fees they are not allowed to be waived. I don't like to have authorized designee.

Howard Davidson – it is interesting that language comes from some towns actually contract the enforcement of this Ordinance out to a private company so leaving that in there gives you that option, you can always amend the Ordinance anytime you want and then I can take that out if you like but that is where that language comes from.

Mayor DeLuca – right here it is talking about waiving the fees, all registration fees must be paid directly from the mortgage servicer then third party registration fees are not allowed without the extent of the Municipality, so that is like a third party. If someone is going to authorize a third party to pay that fee I would rather have the Manager, the Manager report to Mayor and Council so they know what is going on.

Howard Davidson – no problem I will make a note.

Mayor DeLuca – Howard on the fees I don't want to go to high because then you might have a court challenge but for the registration for the first year I think it should be

\$150.00 the renewal should be \$250.00 and then \$500.00 after because by the third year if they are willing to pay \$500.00 they should be putting that property up for sale. Now if they violate the Ordinance I think like \$2,000.00 or \$3,000.00 for violation of the Ordinance. If the bank is not going to take care of the property then they should pay for not maintaining it.

Howard Davidson – you can always tell the courts what it costs to hire three police officers that were hired this evening.

Mayor DeLuca – the cost for having a landscaper go out there and cut the grass we do it once a season.

Moe Rayan - \$100.00 each time.

Mayor DeLuca – motion to table.

Dr. Kincaid – so moved.

Mayor DeLuca - all in favor say I.

There being no further discussion the motion was tabled with a 5-0 vote.

Mayor DeLuca – this motion is tabled.

RESOLUTIONS

Mr. Underwood made a motion to approve **Resolution 2014-057** ratifying the action of the Municipal Manager or his designee to dispose of bids received through The Municibid On-Line Program for obsolete and outmoded vehicles.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mrs. Kuhn made a motion to approve **Resolution 2014-058** amending the Penn Hills Rehabilitation Loan Program Senior Aide Program Guidelines, revising the conditions that determine eligibility, approved activities, and various requirements.

Mr. Underwood seconded the motion.

Mayor DeLuca – Howard do you want to give a brief summary of the changes?

Howard Davidson – nothing major here as far as the Planning Department is concerned this is more of a house keeping matter perhaps a major one would we have a lot of Seniors for example having trouble getting three bids we are going to accept two

bids if they at least make the effort and the two bids seem to be reasonable bids. Another one is we have a situation where people can easily get on a program to pay taxes to get on a payment plan to pay taxes where our regulations have said you have to be current on taxes before we give you a loan. We are saying you have to be on that payment plan for six months that makes them show good faith that they are on a payment plan and they are capable, if they can't stay on a payment plan for six months on taxes there is a good chance they can't pay us back the loan either so those two areas are probably the major ones the other ones are minor housekeeping issues.

Mrs. Kuhn – I am glad you recognized the one about the bids because that was my question Howard why we went down to two bids and in that paragraph it also the change is from determined by the Municipality and the home owner is taken out you put or does that mean the home owner can make the decision without the Municipality?

Howard Davidson – no.

Mrs. Kuhn – it says here since the Municipality would like to assist as many individuals as possible and funds are limited the homeowner must accept the lowest acceptable bid as determined by the Municipality and it used to be and the homeowner and now it says the Municipality or the homeowner.

Howard Davidson – can I just make it part of the record it should be Municipality and we want to be involved as well we want to be able to say the Municipality and the homeowner.

Sara Kuhn – o.k, but as you see the and

Howard Davidson – I want to change that.

Sara Kuhn – so we are going to change that?

Howard Davidson – yes.

Sara Kuhn – o.k. that was my concern. Thank you.

There being no further discussion the motion was approved by a 5-0 vote.

Mr. Underwood made a motion to approve **Resolution No. 2014-059** authorizing the submission of The Consolidated Annual Performance and Evaluation Report to The Department of Housing and Urban Development.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

REPORTS

Mrs. Kuhn – the Firemen’s Appreciation Day was held at Rapp Funeral Home and it was a huge success because it was a beautiful day out and I just want to acknowledge the Rapp Funeral and all the administrators that are in because they do so much work at no cost for the Firemen so I think that is wonderful what they do. They send out letters to everyone in the business community for Chinese Auction and they made if I am not mistaken maybe you know Moe but I heard that they made over \$5,000.00.

Moe Rayan – yes that is my understanding as well, it was a good day.

Mrs. Kuhn – right and that \$5,000 is given not only to our seven fire departments but including Verona so it is divided equally amongst the eight fire departments. So I just want to acknowledge the wonderful work that the Rapp Funeral Home does for our Volunteer Firemen.

Mrs. Kuhn – the other is quite lengthy. I am concerned about the LLC Properties so I had a meeting with Moe on it and we went over so much and I am so glad to see that we are really seeing some light at the end of the tunnel. The LLC Properties which is Limited Liability Corporation the company seems to purchase these properties in bundles and then they sell them to foreign countries and they purchase the properties not only in Penn Hills but throughout the County. Now to Penn Hills to my knowledge 28 properties that were purchased by this particular company. Twenty six of them at this point in time are in compliance with our occupancy permits and they have been occupied. Two of the ones that their properties are vacant they seem to have serious problems and they will not receive the permits if I am correct Moe?

Moe Rayan – that is correct. There are two properties still outstanding and most likely they will not be able to bring them up to date and meet the code requirements. One was related to a septic issue they were not able to receive the report from the Health Department and the other one sustained severe foundation damage.

Mrs. Kuhn – right. Five properties were fined and they were found guilty and they appealed it and they have since had the repairs completed and they are under compliance, is that correct?

Moe Rayan – yes three out of the five that were fined and the two that remain outstanding. That is correct.

Mrs. Kuhn – and at this point in time Penn Hills is not issuing any occupancy permits to this particular company based on their non-compliance.

Moe Rayan – at one point we are going back quite some time with these people we are running back and forth with them in court here locally and downtown. They

haven't applied for any additional occupancy permits and I believe they haven't purchased anything in addition to the existing twenty-eight properties that they have so right now they are pretty quiet we haven't heard anything from them and hopefully they remain quiet. My understanding talking to John the owner of that company just wants to get out of that type of business at this point if it true or not I don't know.

Mrs. Kuhn – the reason why they are probably quiet and this is probably what we would like to happen is that Penn Hills is not looking the other way and we are coming after them so it is not to their advantage to continue in Penn Hills when they know that we are pursuing it in that manner.

Moe Rayan – that is correct.

Mrs. Kuhn – right and it has also been brought to my attention that occupancy permits now are not being issued until all the work is completed.

Moe Rayan – that was always the case. The occupancy permits are not issued if there is outstanding work that needs to be done.

Mrs. Kuhn – well I want to commend you and Code for going after this and having such a success on this particular sets of properties but there are still LLC Properties that could be coming in. So I don't know how do we improve on all properties receiving occupancy permits before they become occupied and I know that is a task.

Moe Rayan – it is because if we don't know about it the people sneak tenants into the buildings and sometimes we are successful enough that we get the neighbors complaining to us and we are able to go in there and take them to court and prosecute them but our Code Enforcement Department they are constantly sighting individuals that are not in compliance and they don't go away. All of them showed up in court, each officer had their own properties that were under their jurisdictions in terms of their reviews of the occupancy permit, they all sited the property owner and that is how they were able to manage to get the individual to comply with our codes.

Mrs. Kuhn – but there again I know it is a difficult task but it is a task that we have to improve on and keep on top of. But again I do want to commend you and the Code Enforcement for settling the ones that were so terribly non compliant.

Moe Rayan – it was a terrible project that is for sure.

Mrs. Kuhn – I received a call from a resident and they had asked with Veteran's Day approaching that there are some Communities throughout the County that have Veteran Flags like you know how we did that one campaign with the flags on the poles and they show like pictures of the Veterans and when they served and things like that. I didn't know if we have ever looked into what that would be or what the cost would be.

Mayor DeLuca – I tell you Howard those flags at one time that were on the poles it was the Chamber of Commerce Building I think that was the last time.

Mrs. Kuhn – I just thought that would be a nice idea and if the Municipality can't fund it maybe we could have on the bottom donated by and the business who would donate something like that and it would be a way of showing the Veterans the appreciation that we have for the work that they have done. So if you could just look into something like that I would appreciate it.

Moe Rayan – we will look into that, it is not a problem.

Mrs. Kuhn – that is all. Thank you.

Dr. Kincaid – this is to commend our Manager, Mr. Rayan for his persistence in dealing with Penn Dot in regards to Frye Road, the road caved in and it took place approximately two and half years ago on Frye Road, South of Laurie intersection. That road has been a nuisance to our residents and our community people who live in that immediate community have complained about it and Mr. Rayan has written many letters that I am aware of and so the report tonight is to thank him for his persistence and to announce that Penn Dot has finally as of last week have begun that project of repairing the road and it is now starting and I just wanted to commend him because Penn Dot had put Penn Hills in my observation at the way end of the list of repair. It seems like that was a long period of time to get a road that is a major thru way in Penn Hills repaired. So I thank Mr. Moe and hope in the future they will respond to Penn Hills in a more quickly fashion. Thank you.

Mayor DeLuca – we still have one more road, right? Hunter Road.

Moe Rayan – actually they moved equipment today. They moved the equipment and the Planning Department reviewed the geotechnical report on that so hopefully within the next two weeks some type of work starts. They started hauling some material over there, stone and other equipment and materials.

Mayor DeLuca – I just have a real quick report. We had over the weekend our Rosedale Fire Department was celebrating their 90th year of service, so again I want to congratulate them for 90 years.

Mayor DeLuca – with that we will go into an Executive Session for Personnel Matters.

ADJOURNMENT

Mayor Deluca entertained motion to adjourn.

Dr. Kincaid made a motion to adjourn.

Mr. Underwood seconded the motion.

The meeting was adjourned at 8:36 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY