

DECEMBER 7, 2015 COUNCIL MEETING MINUTES

The December 7, 2015 Council Meeting was called to order at 7:50 P.M. in Council Chambers at the Municipal Building.

APPROVAL OF AGENDA ITEMS

Mrs. Kuhn – Good evening I will call this meeting to order. The Agenda will stand as posted. Will you please rise for the Pledge of Allegiance?

ROLL CALL

**Dr. Kincaid
Mayor DeLuca – absent
Mr. Underwood
Mr. Palumbo
Mrs. Kuhn**

Also present were Manager Rayan, Secretary Sorce, Planning Director Blackwell, Finance Director Schrecengost, and Solicitor's Office Chelsey.

CITIZENS TO ADDRESS COUNCIL

Mrs. Kuhn – First we have Mr. Gerald Ingold.

Gerald Ingold – Good Evening. My name is Gerard Ingold and I live at 712 Fifth Street. I have a question and also two comments. I will start with the question and I would like to know if an Occupancy Permit for the property at 705 Fourth Street had been submitted and placed on file with the Municipality because this is something that could be investigated I would be very curious to know what the status of that situation would be and certainly at your convenience.

Moe Rayan – 705 Fourth Street.

Gerald Ingold – yes sir 705 Fourth Street.

Gerald Ingold – and then I have two comments. The sewer repair program underway the portion of the project that occurred behind my property and my neighbors is worthy of high marks. The contractor I believe did in my opinion an extremely good job, was very professional, was very considerate and accommodating to everybody who was effective immediately in that area and I think that needs to be noted and the selection process for that contractor I think needs to be recognized. I am not really an expert in these areas but when you see a project progress and the things you are told are going to happen do occur that is a pretty good indication that things are going well and there were no surprises and we anticipated a lot of inconvenience which didn't happen. To those responsible thank you and keep up the good work and the last comment regarding Howard's comment regarding Chris I also agree and I totally am convinced that Chris is worthy of the position on a complete, entire full time basis and very worthy of it and I would certainly recommend him strongly and thank you very much.

Mrs. Kuhn – thank you.

APPROVAL OF MINUTES

Mrs. Kuhn – approval of minutes for October 19, 2015 these minutes were put on the agenda at our last meeting but unfortunately being that there were only four of us and unfortunately Dr. Kincaid and I were not present at that meeting so they could not be passed. I knew that the Mayor was not going to be able to attend this meeting so I did go over the minutes and as I always say Maureen the Minutes that you give to Mayor & Council are always excellent and when I read them I feel as though I am at the meeting and I did ask the Manager if there was anything other than what was in the Minutes and he said no so I feel comfortable on voting on this.

Maureen Sorce – thank you.

Mr. Underwood made a motion to approve the Minutes of October 19, 2015.

Mr. Palumbo seconded the motion.

There being no further discussion the motion was approved by a 3-0 vote.

Dr. Kincaid abstained from the voting of the October 19, 2015 Council Meeting Minutes.

EXPENDITURES

Dr. Kincaid made a motion to approve the Expenditures of December 7, 2015, Journal Vouchers, 0 - \$0.00, C.D Requisitions 9 - \$17,066.15, Master 32820 – 33005 - \$1,653,528.92 making a grand total of \$1,670,595.07.

Mr. Underwood seconded the motion.

There being no further discussion the motion was approved by a 4-0 vote.

RESOLUTIONS

Mr. Underwood made a motion to approve Resolution No. 2015-066 adopting The Municipality of Penn Hills Cafeteria Plan.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 4-0 vote.

Mr. Palumbo made a motion to approve Resolution No. 2015-067 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 4-0 vote.

INTRODUCTION OF ORDINANCES OR RESOLUTIONS

Dr. Kincaid – This is relevant to a question and I guess I will direct it to the Manager but any Council person it is a question that may precede a future Ordinance. The question specifically is and has been asked by several of our citizens whether or not the Municipality has any Ordinance or law that would govern the use of Drones in our public places and I have not heard any discussion relevant to that and my real question is are we governed by State Law or Federal Law or Allegheny Law.

Chelsey – Solicitor’s Office – it would be my opinion with Drones would probably be covered by the FAA. The Federal Law and also Allegheny County and locally you also have air space in Monroeville there is a local airport and they have an Ordinance. I don’t know if it specifically deals with Drones because this is an up and coming issue but they are all regulated by the FAA.

Dr. Kincaid – yes I understand that Attorney Counsel but I also guess in the back of my mind want to know if we have any need I guess for example to have a subsequent law relevant to school space, air, public parks and other places and I am really thinking more or less without getting too dramatic here sometimes people get very dramatic but I am mainly concerned in the current situation that we are dealing with Nationally and Internationally with ISIS, etc. that we protect our citizens and be proactive and I guess that is the root of my concern.

Chelsey – Solicitor’s Office – I would like to do some research on it just to see what types of regulations we could and how we could control it. I know that there are ways that local Municipalities can control other avenues like in oil and gas where we can control the time of operation or noise or things like that and so I just don’t know how much we are preempted by the Federal Law without looking at it.

Moe Rayan – I believe we do have and I don't want to be quoted I will research on it as well but we do have restrictions for flying recreational air planes in parks and we do have restrictions for that. I am not sure if that would be for flying drones etc. so I don't have an Ordinance Number and I can't remember where exactly it is located but I will look into it.

Mrs. Kuhn – I would appreciate that Moe, Dr. Kincaid I think has a genuine concern because of the fact that I know when I met with Stephen Zapalla and he was showing how Drones will help considerably in the Police Protection because of the fact they can cover the area where Police Officers cannot cover by foot and if they are looking for someone who has escaped or has committed a crime or what have you a Drone can go over and lead them in the right direction but as far as personnel use I think that we should instruct the solicitor to look into it to see exactly what we are permitted to do by law and what we aren't because of the private citizens rights. So if you could look into that I would appreciate that Chelsey.

Chelsey – Solicitor's office – I will do that.

REPORTS

Mrs. Kuhn - I have some reports that I want to go into. One moment. There was a letter that was presented in the Penn Hills Chamber of Commerce from one of our local businesses that has been in business in Penn Hills for 40 years. I just would like to read some of the highlights as I said it was in the letters that the Chambers sends out and his name is Francesco Pasqualino. Penn Hills is a great place to do business. I have owned a restaurant in Penn Hills for over 40 years. I have the opportunity to talk to many other business owners overwhelmingly most tell me business is great. Not many communities can boost of having six super markets we are home to multiple Walgreens, Rite Aids, Get go's and McDonalds and Dollar Generals. Most were built within the last few years. Penn Hills with Rodi Road at the fore front has also quickly turned into a medical community. The Reproductive Health Center did an impressive job in remodeling, Premier Medical has poured tremendous resources into

the acquisition and construction of their site at the former Bailey Fitness. Bio Mat USA is now in the process of opening a plasma donation center in the Municipal Shopping Center. In medical education The Institute of Medical Careers on Jefferson Road has doubled its parking lot to accommodate its growth with the Pittsburgh School of Massage Therapy. Penn Hills is also a leader in holistic health education. Penn Hills greatest strength has always been its small locally owned businesses. Turner Dairy is the best example of a great Penn Hills business and neighborhood. Penn Hills has been the home of Turner Dairy since its humble beginning in 1930. Another great family business is Penn Hills Lawn and Garden Center they have acquired multiple properties to expand and grow into one of the finest lawn, garden and gift shops in the area and if one great garden isn't enough Penn Hills has two. Frankstown's Gardens has continued to grow. Penn Hills also home to many family businesses that have relocated to the Community, Labriola's Italian Food Stores, The Penn Hills location is considered the flagship store of its small empire of Italian specialty foods. Other businesses have relocated their entire operations to Penn Hills including Stocklein Bakery, Penn Hills Shopping Center Brothers Peter & Jay Cravata recently purchased the entire building that houses the Giant Eagle and relocated their own furniture warehouse. The two young entrepreneurs have also secured Planet Fitness as a tenant. I realized that Penn Hills like every other community has faults. I have been more proud and hopeful of the future with Penn Hills. It is not just businesses that make a good community. Mayor & Council aware of the problems Penn Hills faces with its aging housing stock has become very pro-active in fighting blight. The Municipality has just hired additional Code Enforcement Officers and Mayor & Council recently enacted tougher Ordinances (this is for rental properties). Mayor & Council along with the Planning Department Code Enforcement, Police Department School District, Manager and many Civic Organizations are working to solve the many problems this community faces and ensure that Penn Hills will continue to be a great place to live and work. I thought that was a wonderful testimony and I also think it was wonderful to realize how many new businesses have come into Penn Hills and how many businesses have relocated to Penn Hills from other areas. So I thought it was worthwhile to recognize and I appreciate what he had

said. The other is I want to thank the Manager for sending and including in our weekly information the letter that he sent to the young man who was here about wage tax. I appreciate that because of the fact that way the residents know that we are responding to them and the other is I did want to say I didn't know if there was any information given to Mr. Ferris on the Frey Road about light industrial.

Moe Rayan – I believe John McCafferty, the Code Enforcement Director and the Fire Marshal Chuck Miller paid a friendly visit to the site and observing individuals doing some excavation and gave them a warning and to cease all operations and come into the Municipal Building and get a permit. Also they briefly discussed with them the noise and all the construction activity that is taking place there but it is currently not permitted to do so due to lack of permit.

Mrs. Kuhn – well Moe I appreciate that tremendously and if you could send a notice to Mr. Ferris letting him know what the Municipality reaction was to his complaint I would appreciate it.

Moe Rayan – I will I believe the Code and Fire Marshal's Office are in the process of making contact with the individual.

Mrs. Kuhn – and the final thing was our Light Up Night was a great success. The weather was absolutely fantastic we had a wonderful crowd and everyone enjoyed themselves and it was a happy time and I commend everyone who worked on the project at the Light Up Night itself. I commended our Public Works, I think they have done a wonderful job every time I ride by the Municipality it looks very festive and I also wanted to thank the ROTC and the Cub Scouts and the Girl Scouts for doing all the decorations on the inside and for all the businesses that helped with contributions and for Meg and the Planning Department and Beth DeLuca who has been such a supporter from the very beginning. So it was a wonderful, joyful evening. So we had a very good time.

Moe Rayan – Mrs. Kuhn I just wanted to add a comment to Mr. Pasqualino's letter we have a veteran business owner here for 45 years Don Kuhn Auto Body in Penn Hills as well.

Mrs. Kuhn – well thank you very much.

Moe Rayan – 45 years.

EXECUTIVE SESSION

Mrs. Kuhn - we will have an Executive Meeting with Mayor and Council and the Manager after the meeting tonight pertaining to Personnel Matters.

ADJOURNMENT

Deputy Mayor Kuhn entertained a motion to adjourn.

Dr. Kincaid made a motion to adjourn.

Mr. Underwood seconded the motion.

The meeting was adjourned at 8:11 P.M.

DATE

**MAUREEN M. SORCE
MANAGER'S SECRETARY**