

MARCH 5, 2018 COUNCIL MEETING MINUTES

Mayor Kuhn - Good evening everyone it being 7:32, we will call the March 5, 2018 Council Meeting to order. Our Agenda will stand as presented and would you all stand for the Pledge of Allegiance.

APPROVAL OF AGENDA ITEMS

Mayor Kuhn - The Agenda will stand as presented.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

Mayor Kuhn
Mr. Petrucci
Mr. Underwood - Absent
Mrs. Sapp
Mr. Brodnicki

Also attending were Rayan, Municipal Manager, Scaglione, Purchasing Secretary, Blackwell, Planning Director, Solicitor Alexander, Engineer Minsterman and O'Grady Water Pollution Director.

CITIZENS TO ADDRESS COUNCIL

Bill Jeffcoat - From Number 7 Fire Department.

Mayor Kuhn - I am sorry Bill you are representing the Fire Association tonight.

Bill Jeffcoat - Yes Mayor. For those of you who don't know me my name is Bill Jeffcoat. I am the Fire Chief of Penn Hills Number 7 and I have the pleasure of speaking to you on behalf of the Fire Association tonight. On January 17, I read an article in the Trib and the article stated that on the previous evening the Baldwin's Borough Council had voted to adopt their version of the Pennsylvania Act 147-2016 which is the Volunteer Fire Fighter Tax Credit. After seeing that Article I thought to myself there is no reason why we couldn't do this for the Penn Hills Fire Departments. Baldwin Borough passed an Ordinance that allows their Firefighters to earn an income tax credit of \$300.00 if they meet a certain criteria. What Baldwin Borough did was a great start, however, I am not satisfied with a \$300.00 tax credit for the members of the Penn Hills Fire Department. I feel our members are worth way more than that and I am going to give you a couple of examples why. Baldwin Borough is 5.9 Square Miles so if you round that out to say 6 square miles. So if you use that model every six square

miles is worth a \$300.00 tax credit. Penn Hills is 19 square miles so 19 divided by 6 you come out to 3.16. $3.16 \times \$300.00$ comes to \$948.00 and that is the tax credit that I am trying to push for. Baldwin Borough they have three fire departments. Penn Hills has six. Their highest fire department that ran the most calls ran 341 calls in 2017. The highest company running fire calls in Penn Hills ran 1,040 calls collectively and the six fire departments as a whole answered 2,715 calls per service in 2017. If you are not good on the math that is seven calls per day every three hours a fire call comes in. The insurance service office better known as ISO they set Commercial and Residential Building Insurance rates for our area. One being the best and ten being the worst. In 2016 The Penn Hills Volunteer Fire Departments were evaluated by the ISO. Despite decertifying one of the seven volunteer fire companies, at that time, the six other volunteer fire companies were able to show they improved their services from the previous evaluation. Changing our ranking from a four to a three. The Pennsylvania Office of the State Fire Commissioner estimates there is about 2400 volunteer fire companies in the State of Pennsylvania. The Penn Hills Volunteer Fire Department shares an ISO level 3 with only 116 others. There are ten level 2's and currently three level 1's. We hope that with the completion of the Fire Academy we will achieve our goal of an ISO level 2 at our next evaluation. That is extremely impressive for a Volunteer Fire Company like ours when you have career departments that aren't functioning at an ISO Level 3. Members of the Penn Hills Volunteer Fire Departments they come from all walks of life. Mechanics, Construction Workers, Entrepreneurs, Landscapers, Police Officers, Paramedics and the list is endless. No matter what our career titles are the one thing that we can say is we all want the best for our Community. Chief Officers like some of the gentlemen sitting behind me we all share a common problem. It is called recruitment and retention. How do we get new fire fighters to join and once they have joined how do we keep them. Once you have a member join you have somebody knock on the door, they ask for an application, they fill it out and that potential member comes back a few weeks later and turns their application in and goes through the interview process and that is when you see the shock look appear on their face and as the interview goes on you see it more and more and more. They are stunned to hear that company training is the first and third Monday of every month. Board of Director's Meetings second Monday, Business Meeting fourth Monday. That new potential member will also have to complete 188 hours of fire school training, 24 more hours of hazardous materials training before they can enter a burning building. If that fire company does vehicle rescue that is another 48 hours of training for Vehicle Rescue Certification. Add on another four hours for CPR. This average member is completing this training in roughly a year and a half or more like two years. Each fire company must try new and interesting ways of fundraising. Stations are almost forced, they sell Gun Bash Tickets, Purse Bash Ticket, Cash Bash Tickets, Meat Tickets, Lottery Calendars all to alleviate the short fall of the declining donations. Existing members and potential new members must complete all of this training and fund raising while maintaining a full time job, family obligations and or schooling. Please the time is now to help us get a new tool to drum up some support and some interest in volunteering in the Penn Hills Fire Service and thank those that have paved the way for us in the past. What we are proposing is for active fire fighters to be eligible

for this Tax Credit. He or she would have to attend 20% of the previous year's fire calls or 50% of the previous year's drills and meetings. Life members, social members, associate members or any other classification of membership they would have to attend 50% of company meetings and participate in a minimum of two fund raising events for that previous year. Any fire fighter achieving a Life Membership Status through The Penn Hills Volunteer Fire Association would automatically be eligible for this Tax Credit. This would act as a Length of Service Award for that past member who has dedicated countless years of service to be eligible for a Life Membership in the Fire Association you have to have Thirty (30) Years of service. Each Fire Chief is going to be responsible to provide the statistical data to the Manager's Office by the designated date and time for that list to be eligible to be certified. Myself and the Fire Chief sitting behind me asked if you that when this Ordinance does come before you in the next two months you unanimously support and approve the Ordinance at the \$948 Tax Rate. On behalf of myself and The Penn Hills Volunteer Fire Departments, I would like to thank you for the opportunity. If there are any other questions, I would be happy to answer them.

Mayor Kuhn - Bill, I just have a few questions. First of all everyone knows what the Volunteer Fire Department means to myself and I am sure all of the Council Members here. As I speak throughout the Municipality, I constantly try to inform the residents if you had to pay for a full fire department your taxes would be unbearable to reach.

Bill Jeffcoat - Agree.

Mayor Kuhn - Now, through the Manager who I commended for sending, he sent this information to Mayor & Council regarding Act 142 in our weekly packets and at the last meeting I believe it was the 19th Meeting, I did bring it up and I did ask the Manager and the Solicitor to look into all the particulars and to bring it to all the Chiefs so that they can educate everyone on what they have to do and not have to do. Now I have a question for my Solicitor, I am not real versed on the Act 142 or is it 172?

Bill Jeffcoat - It is 172-2016.

Mayor Kuhn - I need to with the State passing this Act are we as a Municipality permitted to put in any amounts that we feel we choose to do or do we have to do something on our own?

Craig Alexander - (inaudible - microphone trouble).

Mayor Kuhn - So once we would present the Ordinance and then you are saying we would have to have a Resolution after the Ordinance?

Bill Jeffcoat - I can give you this packet that I got from The State Fire Commissioner's Office.

Mayor Kuhn - O.K.

Bill Jeffcoat - You can be glad to take it with you and make copies. It does spell out all the stuff in there.

Mayor Kuhn - Now I know that there is a time element from what I read last two weeks ago at the meeting that they have to have this information in so many days or that before the tax come in is that correct?

Bill Jeffcoat - Yes, we are doing this and it will take effect next year. This is not something that is feasible to reap the benefits of it right now. It even specifies in here roughly sixty days is about the fastest this can go through legally.

Mayor Kuhn - O.K. so with all of the paperwork and meetings and Resolutions that we have to do and then send it to the State we are looking at 2019, is that correct?

Bill Jeffcoat - Yes Mayor. What I described in here was roughly the meat and potatoes of it. The finer details of it I wasn't going to spin our wheels if Council wasn't in favor or supporting this of us. After getting the o.k. that you guys were in support of this

Mayor Kuhn - I don't speak for the rest of the Council but I can't image our Council not being supportive of this.

Bill Jeffcoat - At that point in time I would get with the Manager and we can iron out the fine tooth details.

Mayor Kuhn - Now just off the top of your head do you happen to know the rough ballpark figure of how many volunteer firemen we have at this point in time?

Bill Jeffcoat - If I had to guess I would probably put it somewhere in the door of maybe 200. The different fire departments, not speaking for myself I have members that not all 30 of my roster live in Penn Hills. I have members that have moved out to Monroeville or even individuals that live in the City of Pittsburgh that this would not affect them. This is only for the people that reside in Penn Hills, the Penn Hills 15235 or the 15147 exchange.

Mayor Kuhn - And I do agree with you 100% that our volunteers are not just in Penn Hills or in Pennsylvania but throughout the United States. Volunteer Firemen who the numbers have gone down tremendously. It wasn't like it was 15 - 20 years ago. It is very difficult to get people to volunteer their time and plus as you touched on there is so much schooling now that they have to do on top of that and our volunteer fire men not only answer the calls but as you say they work so hard fundraising. So, we have talked

about a fire tax and nobody wants to do that for whatever reason and so anything that I feel that we can do to show our appreciation to the volunteer fire fighters I think that is our job to do. So I guess we would start at the very beginning and then we would make a decision on the amount that would be given is that correct, where we are standing right now?

Bill Jeffcoat - Yes Mayor we are more in favor of the dollar amount rather than the percentage.

Mayor Kuhn - Those are the things that need to be worked out between you and the Manager and then he will present it to Mayor and Council. If the firemen are more interested in the dollar amount then I feel that that is probably what Mayor & Council would go along with. Then what we will do is we will come up I can't say tonight Bill but we will come up with what you are asking and what the Manager is saying is feasible but no matter what in my opinion for all that you and for the time that is taken from your families and my husband has an illness right now and he has been in the house for six weeks and he tells me everyday No. 7's alarm went off six times today. No. 7's alarm went off seven times today. So I know.

Bill Jeffcoat - Ours is just the tip of the iceberg. There is normally three or four others.

Mayor Kuhn - I only mean because of the fact he hears we live on Springdale so he hears No. 7's alarm. I think it is wonderful that the State has done this and given us a way of supporting and thanking our firemen for what they do and I think it might be a good way to bring in new volunteer firemen if they see that they are getting something for the time that they are putting in. I guess we will hand it over Bill if you want to get in touch with the Manager and then he will do whatever he has to do with the Solicitor and then it will come back to Mayor and Council. Thank you.

Bill Jeffcoat - Thank you very much for the time.

Moe Rayan - I have a model Ordinance here with me with full guidelines for Act 172. Actually I received through the Solicitor's Office so I will be distributing these documents to all of you along with the Fire Chief as well so they can take it back to their respective companies. In a nut shell requires all the companies to submit the notarized list, 45 days prior to receiving the tax bill. We all know we just got our tax bills the other day so the distribution of these tax bills generally starts somewhere in the middle of January through March 1st. So going back 45 days on that so the recommendation to start the credit sometime in November of the prior year but I have all that stuff here that I will be distributing to all of you for review.

Mayor Kuhn - And the other thing I will make sure of is that the public is aware of the fact that this in no way has any bearing on the fund raising that is sent out to the residents because I don't want it to get out in the Media or Social Media that well you

don't have to give to the firemen now because of this. This is a separate issue in itself and we have to make sure

Bill Jeffcoat - That is right.

Mayor Kuhn - that we make the public aware of that so that our contributions aren't what they should be to begin with. I don't want them to be any less.

Bill Jeffcoat - The gentlemen behind me will talk about it till they are blue in the face the yearly donations that they send out getting back 2 or 3% of what they send out when your postage is more than what you are returning back there is a definite problem.

Mayor Kuhn - And for the life of me I don't understand that and as you and all the firemen know every opportunity I get I ask the public and I remind them if they had to pay for so I am happy for this and I think it is a good tool and you and the Manager can get together and the solicitor has to get involved then they will bring it back to Mayor and Council and we will go from there.

Bill Jeffcoat - Thank you guys very much for your time.

Mayor Kuhn - Thank you for all that you do for Penn Hills.

Mayor Kuhn - Is Susan Ostrowski in the audience? I did read her letter so even though she is not here I will address her concerns with the Manager, o.k.

MINUTES

Mrs. Sapp made a Motion to approve the **Minutes of February 19, 2018 Council Meeting Minutes.**

Mr. Petrucci seconded the Motion.

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

EXPENDITURES

Mr. Brodnicki made a Motion to approve the **Expenditures of March 5, 2018.**
Journal Vouchers - 0 - \$0.00, C.D. Requisition - 1 - \$240.00 and Master 39969 - 40061 - \$1,096,338.97 making a Grand Total of \$1,096,578.97.

Mr. Petrucci seconded the Motion.

Mrs. Sapp (in-audible).

Moe Rayan - That is a Progress Payment to East West Contracting HVAC Contractor on the New Municipal Government Construction Site.

Mrs. Sapp (in-audible).

Moe Rayan - That is part of the Contract itself for the mechanical portion of the project within the \$12.8 Million Dollars.

Mrs. Sapp - Thank you.

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

ORDINANCES

Mr. Brodnicki made a Motion to approve **Ordinance No. 2618 of 2018** - amending Section 3.2 of Ordinance 2420 The Penn Hills Zoning Ordinance and Ordinance 1939 The Penn Hills Existing Structures Code to Regulate Bulk Rubbish Containers in Residential areas.

Mrs. Sapp seconded the Motion.

Rebecca Finolletto - 232 McAllister Drive - I had a question because I am not understanding exactly what is was that is being amended. I know it is Section 3.2. I am just a little bit confused as to what is being amended. Usually you will see text underlined as to

Mayor Kuhn - Exactly what they do if anything that is underlined means it is added to.

Rebecca Finolletto - So then it would look like all of J, All of Section 2, All of Bulk Rubbish Containers and Section 3 all of that is underlined. The sub-heads are underlined but not the actual text. So what you are telling me is all of that

Mayor Kuhn - That is

Chris Blackwell - When you are inserting text into an existing Ordinance like on the Section 1 it says Section 3.2 of Ordinance 2420 of The Penn Hills Zoning Ordinance definitions is amended as follows to insert the following underlined text? So in that case it is underlined. In Section 2 it is a completely new section of the Ordinance so it says to insert the following text. So the bulk rubbish containers is underlined because that is being inserted into the existing Ordinance so then Section 2 is the entire thing is being inserted so I say to insert the following text.

Rebecca Finolletto - O.K. cool so is the \$25.00 registration fee is that new or did we always have that?

Chris Blackwell - That is all new. This entire document is brand new.

Rebecca Finolletto - Do you mind if I ask another question? This is the first time to address issues of litter, do you think there is a concern that the \$25.00 registration fee would have a negative effect to dis-encouraging people to use those if they know they have to buy it and then pay a fee.

Mayor Kuhn - What your comment is then you think then there should be no fee

Rebecca Finolletto - No No No No I don't think anything I am just asking.

Mayor Kuhn - What you are saying is you are concerned if they have to pay a fee they won't get the rubbish container to get rid of the rubbish, is that what you are asking.

Rebecca Finolletto - Would that be a concern do you think?

Moe Rayan - Well in the past we had issues with people just going and buying them from Home Depot and thinking that the garbage company will go and pick them up and that is not the case. They are responsible for it and they have to make arrangements with a separate hauler to come and get it so with this process here they come into the Municipal Building and they get educated as what they need to do because it is a big problem for the Municipality. They leave them outside and now they are a ton, ton 1/2 and they can't pick them up and they need a special hauler so by posting that fee the public will get educated as to how to go about that particular

Mayor Kuhn - I think what the fee covers is because of the fact under this Ordinance we the people have to let the Municipality know that they are putting one of these containers in front of their homes and that way then it is up to the Municipality to then enforce how long they have them because of the fact the big dumpsters that people use like for remodeling homes and that they are generally picked up because you pay for them but our problem was we were getting so many calls and if you ride through the Municipality you will see there are so many homes that have them in their front yard or on their driveway and they are deteriorating and everything in them is deteriorating and so we felt this was not an issue years ago because people didn't use them. This is relatively new that everyone is using them to get rid of their disposal and I think that is why the fee was put into place because of the fact it would take

Moe Rayan - A follow up inspection as well.

Mayor Kuhn - So it is a cost to the tax payers because we have to have our Code Enforcement go out and check it and it is not fair as a tax payer if you live at 102 Mill Street and you have never used one but your neighbor has used it three times a year you are in fact then paying the Code people to go out and check it.

That is why we didn't think it was a fee that was to like a \$100.00 fee. That was the premise on why we put a fee in there just because I said it is not fair to pay taxes, to pay our Code Enforcement if they never used the service.

Rebecca Finoletto - So the people who are getting them and paying the registration fee are offsetting their cost that the Municipal cost plus it gives them more of a sense of responsibility because they have paid this fee.

Mayor Kuhn - Right because first of all they now know they have come to the Municipality and the Municipality has their name and their address and what date they have put it there so they will be more likely to get rid of it in a timely fashion and that takes office personnel's time and that so we had to have some type of fee so that is my understanding unless I am not correct Moe.

Moe Rayan - There is a fee for everything Mayor. These people they don't work for free so we have to pay them and the public them self they have to be responsible for their actions and collect their rubbish and hire the folks to come up and pick them up and it provides responsibility.

Rebecca Finoletto - Thank you. You all explained it perfectly for me.

Mayor Kuhn - Look through the Ordinance itself and it covers every possibility that it possibly could be so that we don't have litter all over the roads and the next door neighbors yard.

John Petrucci - I don't think the Bagster Idea with the \$25.00 is going to work. This is just my opinion. I know you have been working on this, I think we should do something like Wilkins Township has it on their signage. You do a \$75.00 check made out to the Municipality. You do \$25.00 cash at the window. That pays for the permit. If you do not pick up the bag the Municipality keeps the \$75.00 and sends the truck and they pick the bag up and they dispose of it. o.k. This way it is guaranteed that bag is going to leave. If the customer or the person in the Community gets rid of the bag they get the check back and it is made out for the \$75.00 and we still collect the \$25.00 for the permit.

Mayor Kuhn - So John you are saying that you are in favor of a fee but you feel that if they come up and pay \$75.00 and then if the rubbish in the container is removed they will get a portion back?

John Petrucci - Right, how it works over there is we keep the \$25.00. They make the check out for \$75.00. The \$75.00 goes back to them if the bag is removed.

Mayor Kuhn - Where then they only get \$50.00 back.

John Petrucci - We are getting two payments. One is \$25.00 Cash and \$75.00 check. If they remove the bag they get their check back and we still keep the \$25.00. Wilkins Township does it. If they don't then we keep the \$75.00 and we send our truck up. At least we are paying to get rid of this rubbish.

Chris Blackwell - First of all I need to speak to the residents comments. If you don't get this \$25.00 fee it is a \$1,000.00 fine. It is a violation. It is an incentive I think more than the \$25.00 is actually it is a violation of the Ordinance. If they get a bagster and it is at the curb and it is not registered they can get a violation notice just not for doing that. Then also in the case of the pods. If you go on the Pods web site they have done it themselves, they state the requirements of the 15235 zip code and there says there is a \$25.00 registration fee. I went on there tonight about the bagsters and I haven't seen that but I would image it does say that in some towns you can put electronics in it but in Penn Hills you don't because we pick up electronics at the curb so it is specific to each zip code and I think that the \$25.00 fee could be placed in there but I think also but Councilman Petrucci is talking about Wilkinsburg and they must have Waste Management because our guys can't pick this thing up we don't have the tools to pick this up and also it would be a deal because the way this works is that you pay \$25.00 at Home Depot and \$140.00 minimum to pick it up from Waste Management so I would go to pay the \$25.00 and give Penn Hills \$75.00 and leave it at the curb. They must have Waste Management because Waste Management picks these up and we don't. That is not the point though I think Wilkinsburg I don't understand if it cost me \$140.00 to have a bagster to pick this up I am going to just leave it at the curb and let Wilkinsburg pick it up.

Mayor Kuhn - I see what your point is.

Chris Blackwell - I am not understanding. Our Haulers don't have the equipment to pick this up.

Mayor Kuhn - So it wouldn't be any money that the Municipality would be receiving because of the fact we are not able or capable of picking it up so we would have to pay Waste Management.

Chris Blackwell - Wilkinsburg may have Waste Management, I don't know so maybe they have a deal with Waste Management.

John Petrucci - (not at mike - inaudible).

Chris Blackwell - We don't have the equipment to pick this stuff up.

Mayor Kuhn - Well that is a problem in itself because of the fact John if we can't pick it up and we are able to keep the \$75.00 check.

Moe Rayan - We have the equipment to pick it up but it is going to cost \$250.00 by the time it is all over.

Chris Blackwell - What you are saying is I misunderstood you are saying we would not have a \$25.00 we would get a \$250.00 fee and a \$200.00 but at \$75.00 it costs \$250.00. I am not understanding I am sorry.

Faith Milazzo - 121 Castle Drive - I have a concern also about this. I am glad Chris that you explained that if someone just puts a dumpster in their yard if they don't bother to put a dumpster in their yard and don't register their dumpster is what you are saying they are going to be fined. Is that what you are saying? Code will come out and they will make sure someone has registered their dumpster.

Chris Blackwell - We know how that works. We would come out and we would inform them and give them a violation and they hopefully would run right up here and get the registration and thinks like that. We are trying to get compliance not \$1,000.00.

Faith Milazzo - I guess what I am trying to understand, I have two issues which I do think is a good idea for the most part but I know just even in my own neighborhood I called Code recently because someone bought a house in my neighborhood a little over a month ago and they have been remodeling it and there is just a ton of trash in the yard. Fans, railings, pieces of wood, just random things and I called Code about it and I said shouldn't they have a dumpster. We had that conversation I think it was last week and Corey said he would go and check it out but my original concern was well I don't want to pay the \$25.00 so I am just not going to register it now I know it sounds like though they will be compliant but my other concern related to that is so is Code now going to take the time to drive through neighborhoods just to see is people are

Mayor Kuhn - Well we and you can correct me Moe if I am wrong. Naturally anything that we put in as Ordinance or Resolutions we do not have the employees who are going to be able to police the streets everyday to see who has and who hasn't. What we use a lot of times is our Police Departments. If they know that this is put into place as a law then when they go by and they are going through the neighborhoods if they see a violation then they would bring it to Codes attention. Now are we going to have everyone in Penn Hills abide by this Ordinance, absolutely not. Do we have the personnel to check on a daily basis if they are absolutely not. But having the Ordinance we have the ability that if it is shown to us either by a neighbor or by the Police Department that somebody has left this out on their driveway for a month or three weeks then we have the law on our side that we can go and we can go and fine them under this but to say are we going to have Code Enforcement it is just with anything I mean we have to put the laws on so that we can make the people accountable but there is no way that we can have enough people to go out but what is the other option not to have anything. Then if someone is in violation and it is seen by the neighbor and the neighbor calls in if we have nothing then we have no way of making them accountable for leaving it in their yard.

Faith Milazzio - Now I understand that. Would you recommend to residents that if we see a dumpster go up in our neighborhood we call Code?

Mayor Kuhn - I absolutely would because if you call and you have a street number you don't have to have the person's name but if you have their address then Code can go out on that but if you are asking are we going to send Code out everyday riding up and down the streets, no but by having an Ordinance in place if we do see someone who is violating this Ordinance gives us the ability to make them be accountable.

Faith Milazzio - And it does sound like you would go the warning route first. If someone called in and said hey my neighbor has a dumpster I want to make sure they are registered.

Chris Blackwell - I think the way it works now I think it will work the same way you will see it on the side of the curb and you will call in and say this thing has been sitting here and we are going to respond to it so we are relying also on you to see them at the curb and we all see them and right now we have no recourse and we have no Ordinance in place to make them call Waste Management and pay the money so they have filled this thing and it is sitting there. But I think I also wanted to make sure earlier you said that you said you have somebody remodeling and throwing things in the yard this Ordinance doesn't say they have to get a dumpster.

Faith Milazzio - That was going to be my other question.

Chris Blackwell - When you said that this doesn't mean that is a violation of itself.

Mayor Kuhn - If that is the case you call into Code that doesn't go under this but there are restrictions that you aren't permitted to do that.

Chris Blackwell - Absolutely yes.

Faith Milazzio - I do want to go on record that I am still slightly concerned about dumping. I did bring pictures and I think some of us at another meeting wanted to talk about this but recently a member of the Penn Hills Anti Litter Group drove around the Lincoln Park Area and I know you know this because attempts have been made to clean this up but there is such a tremendous amount of dumping I truly feel sorry for anyone who lives in that area. One area of dumping is near a park and it is near a kids school . When I first read about this amendment to the Ordinance I got a little nervous because I thought here's someone in a truck who is not going to bother to get a dumpster so they are not going to register and they are going to continue to dump their stuff down the road and I just feel as I mentioned we would like to come up to a future meeting but I just wanted to go on record that I am concerned about dumping and I hope it doesn't lead to more dumping but I do worry about that.

Mayor Kuhn - And like I said that is very hard to catch someone doing it and actually the Police Officers would actually have to see and take their license plate but this Ordinance is a tool to at least not have this rubbish laying around in someone's front yard.

Faith Milazzio - O.K. Thank you.

Moe Rayan - Mayor if I may. Faith if you would please what streets are you referring to.

(In - audible).

Shawn Kerestus - 413 Crescent Gardens Drive - Just one quick comment I think the bagster fee is a little high. I would personally put it at ten dollars and the reason I say that is for \$165.00 total fee we are talking about a 17% tax on a bagster. Keep in mind most residents of Penn Hills are using these to improve their Community and their homes which is something we obviously want to help and keep people doing. \$25.00 personally I just wouldn't register it I would do my task do what I have to get done and I would fill it up and get it out of there before your folks even knew about it.

Mayor Kuhn - Well that would be good though because then you are going to get rid of it and it is not going to be sitting there for weeks.

Shawn Kerestus - But I guess my point is \$10.00 you aren't really affecting honest Penn Hills Residents for using these things properly. At \$25.00 you are hurting them more than you are helping this issue. Let's be honest if people are just filling them up the way it is they are not going to pay that fee either so something to think about. I would do it for \$10.00.

Dave Sherman - 11606 Gardenia Drive - As far as like the \$1,000.00 fine for being late on picking up the dumpster what would happen if you called Waste Management and they didn't show up because they were busy that day. So then it would be up to you to go to court or whatever and try to prove that you called Waste Management.

Mayor Kuhn - Well I know that there is one section in here that saying Code Enforcement has the right to extend the time, am I correct?

Chris Blackwell - Yes.

Mayor Kuhn - So in that situation if they can show all they would have to do is write the date and the time and who they spoke to at Waste Management to show the Municipality that they did in fact call. Just because you call Waste Management the first day doesn't mean they are going to come the first day. This is not an attempt to put

any burden on the residents of Penn Hills. This is for the people who are neighbors and have had to sit and look and the one was off of Foltz Drive when she called me and I went up there and it was sitting there probably and I went every week and it was sitting there for three weeks in a row. Now I couldn't do anything about that because I have no Ordinance but this is to protect just like Faith will constantly bring up about Litter. Well if you want to see some of these containers that have been set out for months in the weather the litter is horrible on them and I wouldn't want to go out on my porch or out in my yard and look at it for three, four, five weeks. So that is why this Ordinance was put into place. Now as far as the fee, like I said that was just to offset the cost for the municipal employees. I am not tied to that fee in any way shape or form. I mean that is up to all of Mayor & Council but it is not like someone says I called Waste Management on this day and spoke to Jane Smith and now you are going to charge me a \$1,000.00 that is not what this is intended to do.

Chris Blackwell - The \$1,000.00 Fee is the and if you violate any part of the Codified Ordinances any Ordinance in Penn Hills it is \$1,000.00 per day. So what it is we are trying to get compliance. So what happens is say we came to your home and you have it out there, typically we have to by law we have to give you a specific amount of time to correct the violation. So we might say when are you going to be done with that project? The weekend the weather was terrible. No problem we will give you three days and two weeks when it is sitting there then we give you a violation notice and then if you don't respond to that then we take you to the Magistrate and the Magistrate sets the fine. We don't set the fine. So then and it is a maximum of \$1,000.00.

Dave Sherman - I just don't want to see it not improving property. Also it was mentioned come up and get your permit and you can come up and get your bagster and get your permit and maybe not start your project for two three weeks and all of a sudden my time is running out.

Mayor Kuhn - Well but I think as Chris said when you come up for your permit if you give an estimated time of when you are going to start and to be honest with you the people who are concerned about their homes and their Municipality they probably are going to be the people who come up and get the permits, but this gives us then the opportunity if you call or if the Police see it then we can go to that house and we can fine them.

Dave Sherman - I guess one other question or comment I don't think an actual dumpster has been a dumpster, has it? Because you are paying the vendor.

Mayor Kuhn - Right and that is what I had stated earlier the big dumpsters that you rent you aren't going to leave them because you pay on a daily basis for it but that was incorporated in here.

Chris Blackwell - It does happen occasionally but you are correct. We are calling the number to find out who is paying for and why it is still sitting there. It does happen occasionally.

Dave Sherman - Thank you very much.

Chris Blackwell - I think with the fee also it could say a onetime fee will be required at the time of registration. I think the \$25.00 is reasonable but the fee could also be set in the schedule of fees elsewhere.

Mayor Kuhn - Are you saying Chris that there has to be a fee?

Chris Blackwell - No I am just saying if you wanted to have the flexibility of the fee you could make it whatever you want.

Mayor Kuhn - Or what you could do is exactly what John was saying to take a piece of what he was saying when they come up for the permit they give us \$25.00 and then they can show us that it is removed and then we can give them the \$25.00 check back. How would that work?

(In-audible).

Mayor Kuhn - But because then that way like I said the people who are honest and who are coming up here in attempt to abide by the rule I don't see anything wrong with adding that verbiage and then again we are not charging them anything really if they in fact abide by what they are saying then there is not a lot of financial for Ed to be going crazy with who is paying what. If they come up we just give them their check back.

Chris Blackwell - We have other fees like this like swimming pool fees are \$25.00. I think like the Manager said earlier there is a fee for going and inspecting and making sure it is gone and so I think that it is work that we are trying to cover.

Mayor Kuhn - I realize that but like when we have fees for swimming pools that really is a major problem to make sure for safety for the Municipality. We are trying to help the Community by getting rid of the green bags that they get from Home Depot and Lowes and not have your street littered with these green bags. To mean the fee isn't that important to me and I do think that maybe we could do it as was stated have them give you a check if they show proof that it is gone then we just return their check.

Moe Rayan - Well that is going to be a financial night mare for the finance department because we balance every day. When we get a check it gets deposited so that money goes into the general fund. In order for you to get a refund we are going to have to do a requisition and we are going to have to issue a check and it has to come

through you here and your vouchers to approve it . It is not as simple as just give them their check back.

Mayor Kuhn - Legally would the Municipality be permitted to keep the check and not have them deposit it?

Chris Blackwell - I don't think anybody is going to come up and give me a \$25.00 check without a receipt. I am going to have to go to the Finance Department and get a receipt.

Mayor Kuhn - Well then you know what I can't believe this discussion on

Mrs. Sapp - I would like a question just for clarification could you just clear up the onetime \$25.00 fee what does that mean?

Chris Blackwell - You would come into the building and you would say I want to get a dumpster at my home and it is going to be on March 22 and you pay the \$25.00 fee. I fill out a form.

Mayor Kuhn - Being that there are so many questions on this do I have a Motion to Table it?

Mr. Petrucci made a Motion to Table **Ordinance No. 2018-2618**.

Mrs. Sapp seconded the Motion.

Mayor Kuhn - O.K. there is no discussion when you are Tabling so we will go for Roll Call.

There being no further discussion the Motion was tabled by a 4-0 vote.

Chris Blackwell - I appreciate all the comments. I know we aren't allowed to comment but yes. We will get it right.

Mayor Kuhn - Right. Do I have a Motion for **Resolution 2018-008?**

RESOLUTIONS

Mr. Brodnicki made a Motion to approve **Resolution No. 2018-008** - awarding a Three-Year Contract to Shank Water Service, Inc., to remove and Dispose of Sludge for The Water Pollution Control Department in the Total Amount of \$201,000.00.

Mr. Petrucci seconded the Motion.

Mayor Kuhn - Just to make the public and the media aware this again is showing the amount that the Municipality is paying over \$200,000.00 because of the fact that this goes as to why my sewer rates aren't being lowered is because of the cost such as this. Because this is what we have to do and it is coming out of our Sewer Fund Budget so this is when we say that we have to continue updating and following the Man Dates that are in place. This is one of them is that correct Moe?

Moe Rayan - Yes we have to dispose of it properly and this particular bid this year it went up \$20.00/ton it used to be \$46.00/ton now it is \$66.00/ton.

Mayor Kuhn - Right as I saw in here it went to the low bidder was \$9.00 over and then the next two were \$11.00 and \$13.00 over from what it was last year. Is that correct?

Moe Rayan - But it is \$20.00 from what we were paying in 2017 in the old contract.

Mayor Kuhn - O.K. right I am sorry you are right because we were paying \$46.00 and now we are paying \$65.00, \$67.00 and \$69.00 and we did change our hauler because of the fact that this is the low bidder and with Tom O'Grady giving us his report that he thinks that this contractor is capable and reliable I think that there is no problem with changing the vendor when we are saving money on it.

Moe Rayan - Well they are all in the same ball park Mayor even our existing hauler their price went up \$20.00.

Mayor Kuhn - Right that is what I am saying. Our existing hauler we changed because he was higher than the Shank Waste Service, correct?

Moe Rayan - Correct, yes.

Mayor Kuhn - O.K.

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

Mr. Brodnicki made a Motion to approve **Resolution No. 2018-009** - authorizing a Right of Way Agreement with Verizon Pennsylvania, LLC for The Construction of Entrance Facilities for The Penn Hills Municipal Complex.

Mr. Petrucci seconded the Motion.

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

Mr. Brodnicki made a Motion to approve **Resolution No. 2018-010** - awarding a Contract to Urban Design Ventures for Consulting Services for preparation of The Five

Year Consolidated Plan, Action Plan, Caper, and Technical Services related to The Penn Hills Community Development Block Grant Program.

Mr. Petrucci seconded the Motion.

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

ITEMS FOR CONSIDERATION

Chris Blackwell - There was an article on March 1 in the Tribune Review and the title says Habitat Program Falls Short for some families in Penn Hills. This is about a story about five homes that were renovated in Penn Hills. Habitat for Humanity we are used to the large scale projects where they build homes with volunteers throughout the Country so Habitat for Humanity has come to Pittsburgh and they are looking for in fill and rehab and they came to Penn Hills and they bought five dilapidated homes from the redevelopment authority and spent a considerable amount of money on each one and these are low income families that received and they bought a \$70,000.00 house at zero percent interest with nothing down and I called the Executive Director of Habitat because it says Habitat Program falls short for some Penn Hills families. I don't know if you saw this article but these folks they had some issues and Habitat corrected them all. What you have is people who never owned a home before and they may be up in years and they have never owned a home and here is a program giving them an opportunity to purchase a home. So I called Habitat because I said in no way do I want to discourage Habitat from coming to Penn Hills, renovating homes and selling them to low income families. I think it is an incredible program, we are glad to see them and I hope that they do more. Mr. Slaughter said in fact that he went to the Tribune Office to complain about the article. I just want to point out and I don't know if this is the place to do it but I just want you all to know that we all want Habitat to be here and they are doing a great job and this is five families, low income families that got homes at zero percent interest through Habitat.

Mayor Kuhn - Right and what you have to realize is the homes that they have rehabbed are homes that are in terrible condition and an eye sore to the Community so you have them coming in and they are revamping them so that in fact they are presentable and for someone who qualifies and you have to qualify for the program they would probably not be able to purchase a home because they don't have a down payment on it. So it is a win plus the fact I don't know Chris are they on the tax

Chris Blackwell - Oh absolutely.

Mayor Kuhn - Right so even though they are getting these homes at zero percent interest and getting them with no down payment they still have to pay the payment or it will be taken off of them and now something that was an eye sore for the Municipality is in fact back on the tax revenue.

Chris Blackwell - And I think the article was the perfect opportunity to say something really positive about Penn Hills and unfortunately that didn't happen.

Mayor Kuhn - And that is very sad.

Chris Blackwell - I want to state that we are glad to have them here and I think you are too.

Mayor Kuhn - Exactly.

Chris Blackwell - It could have been a great story.

Mayor Kuhn - Thanks Chris.

INTRODUCTION OF ORDINANCES, RESOLUTIONS, ETC.

John Petrucci - Thank you all for coming tonight. It is a bigger crowd than normal. A couple things that happened to start off with the amendments for The Home Rule Charter. Mr. Alexander would you like to speak about it now or at the Executive Meeting.

Craig Alexander - I can speak about it now. I have brought some reading material for everybody just to get a handle on what it entails to amend a Home Rule Charter. I brought the whole Home Rule Option Form of Government Section from the Pennsylvania Code and in there it talks about creating a Home Rule Charter, form of government and also talks about amending the Home Rule Planning Government. I also included a pamphlet I printed out called a primer on Home Rule Form of Government that gives you some further insight on what a Home Rule is and the Charter process and finally I gave you a copy of an Ordinance that was prepared by Monroeville back in 1997 when they amended their charter. They have amended their charter from time to time and little bits and pieces and not a big overhaul like you are proposing. What you are proposing John I believe is almost a complete new Charter so you might have to go back and look at the new charter provisions because you might have to elect a government commission to review what you want to do as opposed as simply preparing an Ordinance and sending it down to the elections bureau to get it on the referendum. You can do that if you want to amend this section or that section and just clarify a certain section but I think what you are doing is a complete over haul it seems like to me. The Home Rule Charter you really want to change what it says and I think by doing that you are almost creating a new Charter so you are probably going to need to create a new charter commission to review your proposals like they did back in 1972.

John Petrucci - So like getting the new group together, do we still want to do that?

Craig Alexander - I think that is up to Mayor & Council. I think it is a great idea. This is going to be a significant process.

Mayor Kuhn - I know like I said Monroeville as you stated has amended their charter not completely but different things throughout the years that are not what is adequate at this point in time compared to when our charter was first put in but by doing this this is going to be the rules for the Municipality and so this is not a minor issue. This is not something that you are just going to be able to get a committee like you do for Library or such as that because of the fact you are changing every well not every but nearly every status of what our Home Rule Charter was and so this is a very serious situation. Do I believe myself that there are things in the Charter that should be changed, yes I do because of the fact as I have stated before the charter was put in place in 1973 and so 1972 I don't think the actual Mayor & Council that the Charter initiated they didn't come into place until 1975 I don't think. The actual started in 1972 and of course it was on referendum and then they had once that was passed then they had to have an election for the Mayor and Council because at that time it was Commissioners. That was when there was a Commissioner for each section of Penn Hills and The Penn Hills Charter changed that and they had Mayor & Council at large. Now some people are in favor of that and some people aren't. They like having a Commissioner for this section of Penn Hills and that section and what have you where under The Home Rule Charter you could have everyone from Crescent Hills on the whole Council and those people didn't feel then that they were being represented so and as I stated last meeting they also made it that the Manager is in charge of the day to day running of the Municipality and Mayor & Council legislate and the reason for doing that was because of the fact they didn't want a Mayor or Council to be involved in hiring or firing because of the fact unfortunately when that comes about well I want my cousin to have a job or my next door neighbor. I don't like this guy because he didn't give me a permit so I want to get rid of him. So the purpose of having it as the Manager in charge was so that politics didn't come into it but this is a very serious step to be made so I believe that we need to take the advice of the solicitor because of the fact he has the legal minds which none of us on board have and he can tell us exactly what steps we need to take. This step first then this and what have you. But this is a very very serious project to undertake because as I said it is changing the whole way that the Municipality will be governed but I see no problem with having it that way but we did have probably maybe ten years ago a committee to look into the Home Rule Charter but unfortunately that fell on the way side and nothing came from it so I think it is a good idea but I just want to caution Mayor and Council that this is something very serious and we have to be very careful with how we go about doing it.

Mr. Petrucci - (in-audible).

Craig Alexander - The problem with that is you can't. That comes from the State and it would be great. A lot of the provisions of The Home Rule Charter just incorporates what the legislature already requires and whether you are a Home Rule Charter form of government or whether Borough, a first class township which is what

Penn Hills used to be, a second class Township, a city third class like McKeesport. Everybody is required to advertise in the newspaper of general circulation with their Community and the problem is that you just pointed out they might not even be there anymore. The Tribune quit publishing in a lot of different Communities but you still have the Post Gazette but what if they stop publishing.

Mr. Petrucci - (in-audible)

Mayor Kuhn - John I think what maybe what we can do is if you would share your thoughts, whatever, you have with the rest of Mayor & Council then we can look over it and especially with the Solicitor so he can say just like he did now you can add but you can't take out. I think and then the rest of Mayor & Council look through it and see if there is anything that you think should be removed and of course you have to ask the solicitor if we can remove so when you are doing you should probably put on it remove or replace. How come you didn't send the Mayor one?

Mr. Petrucci - in-audible - microphone must not be working properly.

Mayor Kuhn - Right that would be and I think that is the start we look into that but there again I need the solicitor to tell me if I do have to get a Commission because if that is the case that has to be on referendum and voted for?

Craig Alexander - It does. I need to get together with John and come up with some real changes that they plug in not just things on a piece of paper. Present it a little better and maybe we can come up with an Ordinance that we can get on there as quickly as possible.

Mayor Kuhn - O.K. because of the fact that like I said it really I don't want the changes to the Charter to be just made by Mayor & Council.

Craig Alexander - I agree with that. I think it has to be through an in house commission which has to be elected.

Mayor Kuhn - Right so I need you to find out what I have to do to do that because of the fact if it is a Commission then we have to have that on referendum and we need to move on that and if that would be the case that doesn't mean that we cannot still put in things that each of us feel and that can be given then to the Committee to look over and then the Committee would give Mayor & Council their information back. How do we as a Mayor & Council if we choose to change something in the Charter now do we have to vote and have three votes or can we just automatically put it on the referendum?

Craig Alexander - I believe that you have to vote, a majority vote to get in on to the referendum.

Mayor Kuhn - O.K. that is what I need to know. It does have to come back to Mayor & Council and whatever we are changing what section we have to go through and we would have to vote one each section for approval to change and we would have to have a majority vote on it, correct?

Craig Alexander - That is Correct.

Mayor Kuhn - O.K. That way that gives us some information. Is that O.K. John?

John Petrucci - (in-audible)

Craig Alexander - I prepared an Ordinance and forwarded it over to the Municipality and I don't know if Moe passed it out for everybody. Does everybody have copies, o.k. So what I need everybody to do is just make sure that you are o.k. with the verbiage that is contained in there. I clarified a couple points that where in there and if it is acceptable I think it could be placed on the Agenda or passing next month. In two weeks not next month.

Mayor Kuhn - O.K. and I was contacted by WTAE asking if the Bullying Ordinance was going to be passed tonight and I explained to them that on the 19th Meeting is when it first came up and it was discussed and I said and Mayor & Council all seemed to be in favor of it and I said but you have to realize that was Monday night then we have Tuesday, Wednesday, Thursday and Friday because the Agenda comes out Monday so I only had four days for it to go to the Solicitor so I said it will not be on March 5 Agenda but that doesn't mean that Mayor & Council are not moving to have it on but I don't tell my solicitor that he has to make something up in four days for it to be on our Agenda which we get the Monday prior so there was not enough time period there but I told the reporter that that does not mean that we are not moving forward on it. It is just that a four day period was just too difficult to get it done and have Mayor & Council examine it so it would in all probability be on our mid-monthly meeting in March.

John Petrucci - Next item I have might be a consideration for a Resolution and add this into our Political Signs. (In-audible). Rectify the situation of the signs still be up.

Mayor Kuhn - But John I know that you are not permitted to have signs up before such and such date, correct? I thought you did have to have them done by such date.

John Petrucci - But they are not down.

Mayor Kuhn - Is it necessary to have a new Ordinance or being that it is because I often thought when you ride by and you see them you should call the candidate whose name is on it and say you need to get out to Penn Hills and take these signs down.

John Petrucci - I did that and they are still up.

Craig Alexander - What it does what it accomplishes and I am not certain exactly what our says if you don't bring them down within a time period that you are suppose to bring them down that is a violation and you can be sited. So then you have to go through the Magisterial process. What this does it makes you pay a fee up front and if you don't bring them down within a time period you lose that fee.

Mayor Kuhn - O.K. now with that being said is this going to cause the same problem that we were going to do with the Rubbish?

Craig Alexander - These are all questions for Mayor & Council.

Mayor Kuhn - Because we just had to Table the picking up of the bulk containers and now John you are giving us another scenario. I know my Finance Director is ready to give his resignation here. Before you write up an Ordinance let us see because I don't want to pay the solicitor to write up an Ordinance that isn't going to be passable so let us see where we stand with how we are going to do this because this is identical to what we were trying to do with the bulk containers. John would that be alright with you?

John Petrucci - Yes.

Mayor Kuhn - O.K.

John Petrucci - Next thing I would like to have a Resolution for April 22 is Earth Day. Penn Hills to get involved and believe I talked to Faith Milazzio about it and she will talk to Getsey and he will get the CDC and I have Melissa Waldron down and she will get involved and we will canvas the whole town and I believe this was run by Parks and Recreation at one time. A long time ago. I believe the Mayor drove the dump truck.

Mayor Kuhn - Yes I know the Mayor drove the dump truck John because I was coming to the meetings since 1975 but if you are asking this Mayor to drive a dump truck it better be automatic.

John Petrucci - (in-audible).

Mayor Kuhn - That is fine I will be driving and you will be picking up.

John Petrucci - Do you think Faith you could organize with Melissa and Mr. Getsey?

Faith Milazzio - We are doing our pick up on the 14th so I will help out but I will be there to help pick up but I don't think I will be the one to organize.

John Petrucci - Mr. Getsey is going to get the CDC.

Moe Rayan - You have to come up to the microphone.

Mayor Kuhn - Nothing is being recorded so if you want to start over again.

Faith Milazzo - 121 Castle Drive - I have talked with John before. We are doing our first pick up on April 14th which is part of the Great American Clean Up. We have done that the last two years. We just purposely don't do it the same time as the Earth Day. I am happy to help out and I am going to be there the 21st but just because we are planning that pick up on Long Road on the 14th I really can't lead this pick up but I will talk to Jim Getsey and I can talk to Melissa and I will talk to whomever but I will be there but I really don't think I am the person to lead it just because I will be leading The Great American Clean Up.

Mayor Kuhn - I know that we have clean up day.

Moe Rayan - We had it every year Mayor.

Mayor Kuhn - Right because I know Mr. & Mrs. Getsey did Lime Hollow Road. Now I don't know is there a special date.

Moe Rayan - They do all the roads that our designated State Roads.

Mayor Kuhn - What is it called Moe, I know we have Clean Up Day, is it just Clean Up Day or something else because it is advertised?

Moe Rayan - The name changes every year. It is litter pick up organized by the Parks & Recreation and we provide gloves and vests and signs. I believe it is in April sometime and sometimes they do it in the summer. The best individual to talk to is the Assistant Superintendent down at Public Works, John Scaglione.

Mayor Kuhn - Because I know that the Municipality

Moe Rayan - He gets the supplies and they do it all the time down there.

Mayor Kuhn - And I knew we did it once a year and that the Parks and Recreation or Public Works gave gloves and vests and if I am not mistaken I thought that they put the bags that they fill on the roadway

Moe Rayan - They put them on the roadway and Penn Dot in conjunction with Public Works they pick them up.

Mayor Kuhn - Right that is what I thought.

Moe Rayan - Our roads I know we pick them up ourselves and you are correct with the program with Mayor & Council and the Magistrate they used to come out and drive the dump truck for a couple of hours.

Mayor Kuhn - As long as I am driving and you are picking John. I see no problem being that Earth Day is in April and we usually do it in April. We could just make it for Earth Day.

Moe Rayan - Early Spring is recommended before the growth along the right of way and stuff like that it becomes harder. Like right now our Public Works is getting geared up to do it in between the pot holes and other early Spring programs so you are going to be seeing them out there picking up litter. Primarily the main roads, State & County. Barb Zimmerman from the Public Works Department she notified the County and the State on Friday to start paying attention to the roads so hopefully we can get the town cleaned up here pretty soon.

Mayor Kuhn - O.K. so we will put it on the Web Site that when it will be and who they get in touch with as far as getting the gloves, vests and that.

Moe Rayan - Pretty much I believe John is going to be gearing up to do that on his own right now but maybe Faith you can contact John and work with him.

Mayor Kuhn - Well I think Faith said that she is doing another one so she didn't want be in charge, right Faith you were planning on being there but you just didn't want to be in charge.

John Petrucci - We need bags and garbage cans but you have to tell me what stops. The one in front of McDonalds I will get you a garbage can and maybe Moe can get me about two feet of cable.

Moe Rayan - That is correct. Actually I have a meeting with Larissa from LaMar next week and we have our annual meeting.

Mayor Kuhn - Moe not to interrupt you but we have a contract with LaMar.

Moe Rayan - Yes that is why we are meeting with her. It has nothing to do with the litter. This is our Annual Meeting that the Finance Director and myself will meet with them and collect our money from them for having the advertisement on the shelters. Also they are responsible for picking up the garbage on a weekly basis.

Mayor Kuhn - Correct, I was going to say our original contract with LaMar when they came before Mayor & Council they are responsible for picking up the debris that is in their area.

Moe Rayan - They have to clean the shelter and

Mayor Kuhn - They have to maintain it, right?

John Petrucci - They will work with us. If I donate some garbage cans and put them at the stops and we will cable them to the stops well within reason she said.

Faith Milazzo - Is just a stop like a shelter or can it be a bench?

John Petrucci - If you want one at Erhart, we will put one at Erhart.

Faith Milazzo - 121 Castle Drive - I was thinking specifically I will talk to members of the litter group but I have mentioned that you to before the bus stop that is by the CVS and the Walgreens. There is always trash there. It is just a bench. I am pretty sure there isn't a shelter.

Moe Rayan - I will recommend that you get me all the details that you have and during the meeting I will get confirmation because people will promise oh yes we will do it and we will take care of it and then it will be full of garbage and nobody will pick it up. We will mediate there and see if she is willing to do that.

Mayor Kuhn - So what you are saying then is LaMar is under our contract that we have with them they already have containers. These are for containers within their own shelters like there is one at Crescent Hills, o.k.

Mrs. Sapp - I would like to say that sounds like a contract something that needs to be inserted into a contract. Not just something that we would just have a verbal agreement with them to say that we are going to put trash cans there and we thank you for dumping them for us. So I think if that is to be considered that that needs to be put in a contract not just a verbal agreement between a Council Member and

Moe Rayan - Yes that is why I want to get confirmation from the individual.

Mrs. Sapp - I would like to see that actually in the contract so then we become liable if something were to happen.

Mayor Kuhn - I think that is a good idea because of the fact like you had stated verbally LaMar or Penn Dot might say yes we will do this. They will do it for three months and then we are going to have a problem with debris all over there. So that would be I think Cathy that was a good addition for that.

Chris Blackwell - We are talking about non LaMar Bus Stops.

Mr. Petrucci - (In-audible).

Mrs. Sapp - So you want to put garbage cans at non LaMar Stops and have LaMar pick them up?

John Petrucci - She said she would pick them up within reason so if she is coming down to the one at Rodi she will come up to the one that the boy scouts put up.

Mrs. Sapp - That definitely has to go into a contract. You are talking about a liability.

Mayor Kuhn - O.K.

John Petrucci - Update on the pot hole situation. I called, I know Mr. Rayan has called and one of the problems the County is having right now they are on winter shift. Winter shift will be over March 15th or 17th and then they will go out and patch the pot holes. So many guys on the trucks, so many guys on the flaggers so many guys that have senior licenses and we go through the same thing here with our people so they told me about two weeks the 15th and the 17th and they can go out and patch all the holes. I called the State about all of the debris down on Verona Road and it is blocking the sewer down there. (in-audible) Christine DeCarlos took pictures of mounds of trash and posted it to Social Media. Leechburg is going to need another dumpster down there again like you and I talked about before. (in-audible) This is getting out of hand, completely out of hand. Leechburg is a mess again and cost the taxpayers \$300.00.

Moe Rayan - Every time we put a dumpster about \$450.00, yes.

John Petrucci - (in-audible) .

Moe Rayan - You are talking about lower.

John Petrucci - Yes.

Mayor Kuhn - It is very hard John, right.

John Petrucci - Unless you physically see the person and physically get the license plate number if you are willing to testify and be there it is tough. People who usually throw litter out usually don't do it when there is a Police Car in front of them.

Mayor Kuhn - No, and as I had mentioned when Joyce was in the audience her sister Rose Davis and I every Spring and right before Winter we would walk all the streets that had the known dumping places and when we were walking the one day there was a dump truck and when they saw us walking they just kept riding around and riding around and we knew as soon as we moved from the location they were going to dump. Now the Municipality at that location which was right by the park that we closed down there. Well anyhow it was we put lights up. We put signs up and even with a

cable they cut the cable and they go in so the only way to resolve it is like I said I don't know if we had a camera there but there again they said that they will just break the camera.

Chris Blackwell - Mayor, I met with Allegheny Clean Ways and Keep Pennsylvania Beautiful with the Superintendent and Assistant Superintendent of Public Works and we are going to be joining their camera loaner program. So I believe I am not sure if I need a Resolution to come before you but we are working with that and I have met with them a couple weeks ago and we are trying to get the details of training on how to work the cameras but we are going to get the cameras from the Keep Pennsylvania Beautiful shortly and I specifically took them to Leechburg Road.

Mayor Kuhn - Right, and I like I said it is an ongoing problem that has been going on for years not just recently and if we could possibly find a few of them that are doing it and give them a hefty fine then maybe it will get through their Community of Construction Workers that you can't go up to Penn Hills any more. But it is like I said we tried everything we possibly could and it is very difficult unless you have somebody at the location 24/7 because a lot of them do it in the middle of the night also.

John Petrucci - Another thing I took the liberty of getting information from the Sheriff's Office 4689 Verona Road the gas station. They are starting to park cars in there, (in-audible).

Mayor Kuhn - Right and I know if you come down Coal Hollow or come out Lime Hollow you will be able to see where the weeds are so high they have vehicles hidden back behind those weeds.

John Petrucci - The Sheriff's Office on March 5th the gas station they are behind on taxes. There is a \$354,000 mortgage and the sale is going to be September 4th. I am going to go down there. (in-audible).

Mayor Kuhn - That would not be a huge cost or take a lot of time if you would cable off. As it is now anyway but being that it is private property the Municipality can't go put the cable across there because we are not permitted to under the law and it is a shame that the owners can't take the time to put some cable across the driveways.

John Petrucci - (inaudible). Either microphone does not work or button not pushed down.

Mayor Kuhn - Right, because like I said it isn't a cost factor and it is not that much of a time factor but because as the Municipality we are not permitted to do it but it would be nice if the owners were good neighbors and they would do it for us.

Chris Blackwell - Mayor & Council the Code Enforcement has filed charges on them and they do know the local address of where they live and we have some issues with them as well.

Mayor Kuhn - Now what I was wondering is I know we are not permitted to go on the property to block it off but if there are vehicles on there and if they are abandoned we have our Ordinance in place now where we can go and the Police can write them up.

Chris Blackwell - We actually met with Molyneaux Carpet because many of the vehicles are employees and we told them they couldn't park there. We believe that the building is unsafe and the canopy is unsafe and they shouldn't be on the property because it is trespassing.

John Petrucci - (in-audible).

Mayor Kuhn - Just so Mayor & Council I mean Council and the audience understands Joanne Alexander was her father who was killed in East Hills and she contacted John and she also contacted me as did John DeBasi and asked for us to meet with them up at the building to see where the monument was going to go and the Crashaw's were there also and I was going to say this in my report. I wanted to tell Moe to again extend my appreciation to the contractor because he came and met with the families and with John, myself and Moe and took us into his office and showed the plans and with his explanation the families then understood exactly why the monument couldn't be placed where they were hoping to put it and they gave them three options and they realized that the only true option was coming in which in my opinion I think is probably the best because of the fact it is not coming into the Police Department side but the majority of the people that come up to the complex are going to be coming in the Administration side and when they do that is what they are going to see when they come in so it was a situation that was very personal and I think we got everything resolved and it was to the family's satisfaction which was Mayor & Council's number one priority was to make sure that the families were satisfied with where the monument would be and as I said Joanne Alexander also called me and told me that she appreciated the help and I have to say that Lenny HRomyak also called me since I scolded him and he also wanted to thank Mayor & Council for working with the families and settling the situation so that was a problem that was solved amicably.

John Petrucci - There seems to be a lot of questions on social media that seems to be popping up every so many months to talk about our sewage problem. Let me tell you something there is not a day goes by that I don't think about it, the Mayor doesn't think about it. Mr. Rayan is working with ALCOSAN to try to do some Resolution and the Mayor has talked to ALCOSAN herself and the whole thing about this is you have to understand something some people just missed this part of the meeting or what. The whole thing is we spend a fortune on these lines o.k. The \$150,000.00 fine is gone and the Mayor has said that it is paid off. Right now we are at some (in-audible) we want

paid something for the work that we did. You as the Community have paid for these EPA mandates and revitalization. Correct me if I am wrong but we will know something in June or July, right?

Mayor Kuhn - What had transpired is Mayor & Council and our Administration and our Engineer for four to five years have been in dispute with the Regionalization which I have explained numerous times to everyone and the bottom line was that they were proposing this Regionalization and what for a better term was a flat rate that each Community would put in per household and then when something was needed in a Community they were able to pull from that amount that was collected per household per Community. Now there are 83 Communities in Allegheny County that this was going to affect and Penn Hills has fought from the first day. We didn't let any stoppage, we and our Engineer and our Solicitor were as soon as it came out about the Regionalization they go to the meetings and they were instructed by Mayor & Council to inform ALCOSAN and the people who were supporting the Regionalization that Penn Hills was not giving any money to this because of the fact we already paid to have everything done. As I tell you when we have these costs that come up we are out of the Consent Order and we are basically being permitted to take care of our sewage on our own because Penn Hills has done such a good job but that doesn't mean that the sewer rate is going to go away because as you saw tonight we had to pass a Resolution for \$200,000 plus dollars and that is going to be ongoing because we still have to comply with the Mandates but if you take the number of houses in Penn Hills and if it was a flat rate and you take the number of houses of the surrounding Communities which I showed all the people at the meetings what Wilkins would be paying, what Oakmont, what Plum Borough then that means that outside the City of Pittsburgh, Penn Hills is putting the major amount of money in this flat rate that everyone can draw on. So number one we have already taken care of ours, number two we would be the largest contributor but number three Penn Hills wouldn't be taking out of that flat rate 83 Communities because we don't have to. So in essence they were asking Penn Hills to now help take care of surrounding Communities and we let them know at conferences. I spoke to the County Executive, I spoke to Arletta from ALCOSAN, I spoke to everyone that I could explaining to them Penn Hills is not playing a game and they thought Penn Hills would fall and their comment to Penn Hills when we presented this to the County Executive and to Arletta who is in charge of ALCOSAN (Williams) they said well you don't have to go in but then you are going to have EPA watching your every move and my answer to them was that is nothing new to Penn Hills. We had EPA watching our moves for twenty years now so that doesn't frighten Penn Hills. Plus with the Regionalization they are going to have to have some Communities come through Penn Hills whether we have and if we don't go with the Regionalization they are going to have to go around Penn Hills.

Moe Rayan - They are proposing different options to use some of our facilities to send our sewage down to ALCOSAN in lieu of constructing a new pump station. The pump station they have is deteriorating to the point that it is going to cost them a lot of

money to reconstruct it and a feasible way of sending the sewage down to ALCOSAN one of the options was to go through Penn Hills.

Mayor Kuhn - But Moe correct me if I am wrong there is no Communities that have been brought into Penn Hills free of charge.

Moe Rayan - No. Not at this point. We have Plum Borough that comes into our Plum Creek.

Mayor Kuhn - Well we have had that forever. That was a joint situation with Plum Creek which was forty years.

Moe Rayan - No Municipalities are coming in at no charge.

Mayor Kuhn - Right because of the fact that Penn Hills is not giving away to other Communities what our taxpayers and residents have paid all of these years. So we finally had a glimpse of hope and that is when the Manager and I met with several of the ALCOSAN people and they seem to be softening now. Am I going to be able to tell you that they are going to give us something I don't know but now at least we are seeing that they want to at least talk and negotiate. So it was very hard and I explained to them that Penn Hills is not being difficult as the County is trying to state that we are it is just that we are completely different than the other 82 Municipalities because we have already taken care of ours and we aren't going to take care of our neighbors. So that is where we are at but we will see and we are hoping and like I said we at least have some hope that some answers will come to us. We just told them that they have to present some type of funding to Penn Hills for what we have done otherwise we will not go into the Regionalization Plan.

Moe Rayan - In exchange for capacity, Mayor.

Mayor Kuhn - Correct, I mean the fact that we had already given them a solution of taking over some of our piping up at The East Hills Area and they denied it so it is not that Penn Hills is being difficult it is just that Penn Hills is not going to be run over and other Communities are going to benefit from what we have done. We have a convention at Seven Springs in the first weekend of April and that is usually when we get our say because that is when all the officials are there and we get to speak so we have been doing that now for three years so maybe this year we will have some answers.

John Petrucci - (in-audible).

Moe Rayan - 7 1/2% every year.

ADJOURNMENT

John Petrucci entertained a Motion to adjourn.

Mrs. Sapp seconded the Motion.

Mayor Kuhn - Meeting is adjourned.

The meeting was adjourned at 9:35 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY