

MAY 16, 2016 COUNCIL MEETING MINUTES

The May 16, 2016 Council Meeting was called to order at 7:32 P.M. in Council Chambers at the Municipal Building. Mayor Sara Kuhn presiding.

APPROVAL OF AGENDA ITEMS

Mayor Sara Kuhn – Before I call the meeting to order for those who aren't aware on Friday, May 6th we lost our Deputy Mayor to a fight against cancer that he has been fighting for three years. I not only lost my Deputy Mayor, I lost my true friend. There is only one way to describe Joe and that is simply he was the best of the best. His loyalty for those he represented is beyond words to explain. His integrity, he had it every minute of every day. His responsibility he followed through on every commitment he gave his word to. His personality was untouchable. He had a smile that not only lit up his face but when you looked at him it lit up yours. He was fair and always true to his beliefs. He was true and honest to each and every person that he represented in the Municipality. He was always ready for the challenges and difficult decisions that one has to make when one serves on Council. He never played to the audience. His votes were always based in what he believed was in the best interest for all of Penn Hills. Joe was always prepared. He researched and always gave a fair decision. He was my Deputy Mayor. I could not have asked for anyone better. I wish that every resident in Penn Hills had the opportunity to know Deputy Mayor Joe Palumbo as we on Council knew him. He will truly be missed by all. After the Pledge of Allegiance if we could all stand for a moment of silence, I would appreciate it. Now I will call the meeting to order. The Agenda will stand as presented and could we please stand for the Pledge of Allegiance and then a moment of silence.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

Mayor Kuhn
Dr. Kincaid
Mrs. Sapp

Also present were Manager Rayan, Secretary Scaglione, Planning Director Blackwell, Finance Director Schrecengost, Solicitor Alexander and Department of Water Pollution Director O'Grady and Engineer Minsterman.

CITIZENS TO ADDRESS COUNCIL

Mayor Kuhn - Pam Fitzroy - regarding Delinquent Sewage.

Pam Fitzroy - 6923 Shannon Road and I want to ask. I am not accustomed to Public Speaking.

Mayor Kuhn - that is o.k. just take your time. Just make sure that you speak into the microphone so that the secretary can hear you.

Pam Fitzroy - o.k. thank you. I am here because just like many people in the township on April 5th I received an amnesty bill for delinquent sewage. Now I got this bill from Portnoff and there was no itemized bill with it. I tried to get that information. I tried five times contacting Portnoff and it finally took a call from my attorney to get any information from them. I also contacted the township several times and left several messages. My calls were not answered at first, finally the last time that I called I left my name and they said we will get somebody to call me back and I said nobody calls me back. The Manager did call me back and I do thank you and he set up an appointment with Mr. Schrecengost and we went over my bill. Now the amount that the township gave me was different from the amount that Portnoff gave me. Mr. Schrecengost broke it down for me and said that we did not pay two bills. Now there is a good possibility that I did not pay that last bill thinking it was a duplicate. I can't prove this because this came about eight years after that bill was sent out. I went back to my bank trying to get those records. They don't keep them past seven years. I didn't keep my records past seven years because even the IRS doesn't expect you to keep your records past seven years so I can't prove if I even paid that last one but I guarantee you I pay my bills. That second bill I am sure that we paid. Now this second bill says that we used 38,000 units of water and we average between 9 and 10 units a quarter. This bill says we used four times the amount of water. I find that suspect. Reading everything everybody says how messed up the tax bills or the records were from Central Tax knowing that I didn't use 38,000 units of water I have to find this to be suspect. I am sorry. Also talking to Mr. Schrecengost he basically said to me well why didn't you keep your records. I kept every piece of paper from the first time I moved into Penn Hills. I never thought I had to. You are not required to keep them past seven years and I think that is a little ridiculous to expect us to. The answer that I am basically getting is you just have to pay it. We have no recourse. I can't prove that we paid it, I can't prove that we didn't because this hit us after the eight years. So I am very frustrated by this and I kind of would like to know why this went on for eight years. Why didn't the Council say to Portnoff why is this taking so long to collect this. Truly they should have been held accountable. What they do is collect Debt. Why did it drag on this long?

Mayor Kuhn - If I can give you some answers and then I am going to ask you for some information afterwards. The information that was given to us from the Manager and the Finance Director is the Delinquent Sewage Bills from 2007 as a result from when they changed from Central Tax to the two water companies. Now there are

22,000 households in Penn Hills who received these double bills. Was it easy for some to not realize because of the fact that you used to only get one bill and now you got two. Central Tax was always behind in their billing so they billed for the quarter and Moe you can correct me if I am wrong here but they billed for the quarter prior and they shouldn't have they should have billed for the quarter present so when the bills went out you got one from Central Tax for the quarter prior and then you got one from either Oakmont Water or Wilkinsburg Penn Joint for the one actually that was due. They were behind two quarters. That is why Central Tax was taken out of the picture by Mayor & Council because of the fact that they were a nightmare and so what happened like I said we have 700 I believe, is that right Moe?

Moe Rayan - I don't have the correct number but it was pretty substantial.

Mayor Kuhn - so there were like 700 people who for some reason I am assuming not that they did not want to pay but because of the confusion out of the 22,000 households 21,000 paid, 700 thought that they only owed the one bill. Now that being said it is very upsetting that it took this long. Now what they had said to us when we asked this question was that they could not get records from Central Tax. When they did get the records from Central Tax they were in such disarray that it was difficult to take care of. Why it would take any company seven years I question so that is why Mayor & Council felt that it was not fair to charge anyone who didn't pay both any interest or penalty. We have to charge you for the amount that you used and the reason why is because as I said the 21,000 people paid it and the 700 that were confused they have to pay at least what their usage was and if you stay for the meeting you will see that we have two Resolutions that are coming up that are well over a million dollars together \$1.4 million dollars that we are paying for the sewer usage that we have to do for us to stay within the mandates of EPA so we have to get the rates paid by each individual resident. Do I apologize for you not receiving this for seven years I don't know if I would have mine back for seven years but we were also told that the Municipality can show exactly who owes and what they owe. Now as far as your usage goes I don't know was that usage on a Central Tax Bill or what that on Oakmont or Wilkinsburg Penn Joint?

Pam Fitzroy - It was on Central Tax because I went back to Oakmont and had them print out and they only go back to 2009 because that is all the further that they go and that is where I was seeing we were using between 9 and 10.

Mayor Kuhn - Now do you have

Moe Rayan - We have records indicating that you were using 21,000 April 17, 2007, 13,000 on July 11, 2007, September 27, 2007 it was 21,000 and in January 21, 2008 it was 38,000 and April 29, 2008 back to 13,000.

Pam Fitzroy - O.K. the 38,000 is the one

Moe Rayan - those are the records that we received I am not sure if you came up to the Manager's Office we have that document room with all the printouts that we received from Central Tax. The reason we have books upon books and boxes and these are the numbers that we present to the residents based on the information that we have from Central Tax.

Pam Fitzroy - Mr. Schrecengost printed out for me that 38,000 even if there was a spike and there might have been a summer that we watered the garden it might have spiked a little but not to 38,000 we don't have a swimming pool we don't have any leaks in the house in the 31 years I have lived there.

Moe Rayan - that is the information that we have and I can't say you are correct or you are not correct I have to go by the documents that are presented to us and that were turned over to us in 2008. I can't dispute what I have unless you have something for me to look at.

Pam Fitzroy - what would I have to look at because once again it is eight years old?

Mayor Kuhn - I do see the amounts that the Manager has represented here from our records, 21,000, 13,000, 21,000, 13,000 and then the one is 38,000 which is a very large spike but

Moe Rayan - Mayor Kuhn on the next page you will see the consumption from 2006 you have 27,000, 24,000

Pam Fitzroy - but still they are in the 20's. It is almost doubled.

Moe Rayan - I am sorry I don't know what the answer is. I don't have an answer other than what I have from Central Tax.

Pam Fitzroy - so basically you just gave me an answer there is nothing really that can be done or will be done or do you even care. So thank you very much I appreciate your time.

Mayor Kuhn - o.k. did they leave. I am sorry that they did because our business manager has already contacted Oakmont Water Authority to see if they can give an explanation as to why it spiked to 38,000 but the Municipality can only go by what the water companies give the Municipality but I didn't want them to think that we just weren't looking into it because of the fact that we are trying to examine every avenue that we can so as I said Mr. Schrecengost has gotten in touch with Oakmont Water Authority and they are going to look into why there was such a spike and we would go from there but as I said I apologize for the time limit but that is why we put an amnesty on so they wouldn't be charged for the penalty or the interest however everyone has to pay for their

usage because that would be very unfair to the other residents who paid it. O.K. moving on.

APPROVAL OF MINUTES

Mrs. Sapp made a motion to approve the Minutes of March 21, 2016.

Dr. Kincaid seconded the motion.

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

Dr. Kincaid made a motion to approve the minutes of April 18, 2016.

Mrs. Sapp seconded the motion.

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

EXPENDITURES

Dr. Kincaid made a motion to approve the Expenditures of May 16, 2016, Journal Vouchers 0, \$0.00, CD Requisitions 13, \$62,328.90, Checks 34161 – 34398, \$1,191,652.85 making a Grand Total of \$1,253,981.75.

Mrs. Sapp seconded the motion.

Mayor Kuhn – I have a few Moe. I will put them altogether on Page Five #34309 to Dave Ford for five new vehicles and I am assuming that these are for our Police Department?

Moe Rayan - correct and those are the marked vehicles.

Mayor Kuhn - Check #34219 to Star Ford for one new vehicle for the Parks & Recreation, is that correct?

Moe Rayan - that is correct. That is a dump truck for Parks & Recreation.

Mayor Kuhn - Page 20 I have a bill from Nick's Auto Repair for a little over \$9,000 so Moe you know what my question is.

Moe Rayan - yes I do.

Mayor Kuhn - my question is I am hoping to see our repairs go down now that we continue to increase the fleet with new vehicles because I know the reason before is because of the fact with the police and their cars being on the road 24 hours a day that

there is a lot of mileage on them so I am hoping that we are continually replacing the fleet that our repairs will start to see some decline.

Moe Rayan - I will take a look at the invoices but my thoughts will be at this point perhaps these vehicles are the four or five year old vehicles that you stated. They do have anywhere between 70 to 100 thousand miles although they are three to four years old they are being rotated to three shifts daily and these vehicles are constantly running. I understand what you are saying and hopefully we will get a break like we have been we get a break for a little bit and these vehicles get old and they require some maintenance so we are hoping to see a lowering in cost just for maintenance and repair since we have new vehicles that is going to go under warranties and so on so we are hoping for the best here.

Mayor Kuhn - I question and ask that Moe because of the fact of the business that I am in and our vehicles run basically twenty four hours a day also and I know that we generally our vehicles have well over 100,000 and when they get to that point that they start to cost us repairs it is better management to buy the new vehicles than to keep putting repairs in the old. So that is why I question this just hoping that it is being watched so that the repairs do not get out of hand so that is the only reason for my questioning.

Moe Rayan - that is correct. All of these repairs are monitored by Lt. Meyers. He reviews the invoices and reviews all requests for repairs and it is being monitored very closely.

Mayor Kuhn - o.k. thank you I just want to make sure it doesn't get slipped away from us so as long as you ask Lt. Meyers whom I admire tremendously so as long as it is in his hands I feel a little bit safer. On Page 12 we have Gateway Engineer, Check No. 34319 Penn Hebron. I am assuming I believe it is \$34,205.00 I am assuming that that is money that is already funded from our Budget. Is that correct?

Moe Rayan - that is correct. That is based on the scope of work for construction monitoring of change order negotiations and preparation of specs and drawings.

Mayor Kuhn - o.k. and then the same question for Page 6, Check No. 34311 to Design Stream I am just making sure that amount is also what we had already funded for the building?

Moe Rayan - all these invoices are based on work performed, based on the lump sum break down that was submitted and approved. Each task has a percentage of the total cost of the project and it is being applied accordingly.

Mayor Kuhn - o.k. so I just want to make sure that we are not being that we have already put so much into the budget for Penn Hebron's building that this is within that budget money.

Moe Rayan - it is within.

Mayor Kuhn - then on Page 24 - Rittneour and Sons, Check No. 34258 Penn Hebron Demolition.

Moe Rayan - Rittneour is the Demolition Contract and that was for his second pay application.

Mayor Kuhn - I just want to bring to the Council and to the public's attention that when the demolition took place on Penn Hebron there was a lot of asbestos that was found, is that right?

Moe Rayan - asbestos that is correct yes.

Mayor Kuhn - and unfortunately they came in with an estimate that they thought it was going to be close to \$100,000.00 over and above what their estimate was because of the asbestos that was not able to be seen and through the work of our Manager who he himself is an engineer he met with them several times and researched it through the County and that bill went down to \$3,000.00. So from \$100,000.00 to \$3,000.00 Moe congratulations you always always over due what I even expect from you. I appreciate all that you do for Mayor & Council and for the residents of Penn Hills. So job well done.

Moe Rayan - Mayor it took a bunch of us to do that. Gateway Engineers was included into that. Our Public Works Department folks were included it was a team effort. We prepared our own estimates versus the one they submitted which we were way less and we conducted additional testing and found the area where it contained the asbestos a lot less than what was presented to us which created an extremely lower cost almost insignificant which was presented to us.

Mayor Kuhn - I would like to thank Tom O'Grady and also Rick from Gateway for a job well done and I just want the public to understand as we had stated when this project started we are the watch dogs for the residents money and taxes that they pay so I wanted everyone to be aware that we don't take that lightly and either does our staff so this just shows you an example of how we watch every single dollar that we are in charge of.

Dr. Kincaid - I asked this several meetings back and I need to be refreshed about our street lights and our bills that we pay to Duquesne Light. I think that the Manager answered and I just wanted to be reminded who is monitoring the lights that are not burning in the Community and are we actually paying for them or are we being not billed for those not legally or officially out?

Moe Rayan - we pay for twelve hours of illumination a day 365 days a year. Anytime that we get a request for a burnt out street light we turn it into Duquesne Light and they handle it right away and a couple of meetings ago Mayor Kuhn asked that we talk to the Police Department and have the Police Officers in their route to report any nonfunctioning light fixture to be repaired and our Public Works as well. So it has been monitored to the best that we can but as far as payment we pay twelve hours for twelve hours of illumination a day.

Dr. Kincaid - the base of inquiry is and I am sure many residents see a lot of lights that flicker and when they flicker sometimes you think it is because you drove under them but they go out and you don't know if they go back on and I guess like you said maybe it is a malfunctioning element and if that is the case maybe those are the lights that would be high priority to be replaced.

Moe Rayan - yes any time that we receive requests from the residents we turn it into Duquesne Light right away. We have a form that we submit and it is normally handled right away. We send it to Duquesne Light with the street name and pole number.

Dr. Kincaid - thank you very much.

Mayor Kuhn - Dr. Kincaid, Councilwoman Cathy Sapp and I had met with Duquesne Light Representative and we explained the problem to them and they did get in touch with the Manager's office and the Manager and Duquesne Light's representative have this form that the Manager has stated and any lights that are not working then they fill the form out and give it to Duquesne Light and they come because I told Duquesne Light Penn Hill's is not going to pay for these lights when they aren't even working and that suggestion then that they just reinforced is what we already stated that our Police Department and our Public Works when they are out if they see a street light that isn't working the Manager sent a memo to them to make sure that they let us know which one it is and I would also like to ask the residents if in your neighborhood if you see any street light that isn't working because we can't be everywhere. There are many miles in the Penn Hills area.

Moe Rayan - 170 miles

Mayor Kuhn - and so we can't see them so you would be our best eyes if in your neighborhood you would see street lights that are not working if you could get in touch with the Manager's office you don't have to speak to him directly you can just give the information to the office.

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

Mayor Kuhn - I abstain from Check #34321 to Don Kuhn Auto Body and Check No. 34363 to Don Kuhn Auto Body and yes on all others.

ORDINANCE

Mrs. Sapp - Mayor Kuhn may I ask a question?

Mayor Kuhn - sure.

Mrs. Sapp - I would like to address the question to the residents of Faybern and I would like to know if you were satisfied with what we have come up with?

Mayor Kuhn - Cathy before we have that honey we need to put it on the floor.

Mrs. Sapp - I do apologize.

Mrs. Sapp made a motion to approve Ordinance No. 2016-2587 amending Ordinance No. 927 of 1961, Section 1: No Parking Regulations on Faybern Court.

Mrs. Kuhn seconded the motion.

Moses Simpkins - 169 Faybern Court - First of all I want to thank Mayor Kuhn and the Council for all your help in trying to help us get the problem solved. I received a letter that I believe was sent to the Manager also and what it said in the letter was completely different from what we had presented to Council. I have both of them with me the one that we presented to Council and the one that they sent to me. We were trying to get a problem solved where people were parking on the bend of the road on Faybern where people were not able to get through because the cars were parked so close together. We felt that it was not right for them to park there and we were asking for Council to place no parking there at the corner because we had a problem with snow and ice up in that area and the snow trucks could not get through. We have problems there with garbage pick-up where the garbage truck could not get through but what they are saying in this letter that they want to make the whole thing no parking and we have never had a problem with parking above there and if they make the whole thing no parking I am going to be honest with you in my opinion that they are then penalizing the people that wanted to get the problem solved. Because all of the people that signed the sheet that I gave to you are the people that above that curve in the road and I believe that is not going to be fair to us to make the whole thing no parking. I believe that the problem needs to be solved on the corner or I should say the bend.

Mayor Kuhn - is there anyone else who would like to speak or is that basically what everyone's opinion is?

Moses Simpkins - by the way I got them all to come out tonight.

Mayor Kuhn - Good job. We need to have more residents involved in our meetings. I really don't know where we go from here because of the fact Mayor & Council and please correct me if I am wrong Moe. Mayor & Council did not make that

decision. That is why when you came to Mayor & Council we had said we had to give it to the Traffic Safety Committee and they are the ones that go out and look at the situation to see what it needs to resolve the problem and there is a Police Officer who goes and looks at it too and they come back with what their recommendation is now if the recommendation that they give is not what the residents want I don't really know what Mayor & Council's authority is in overriding them.

Moses Simpkins - can what they sent back can that be adjusted?

Mayor Kuhn - I guess I would have to ask the solicitor that.

Moe Rayan - well there are no legal issues here what you came in and requested was a no parking sign and The Traffic Safety Committee they are all volunteers and they are headed by a specialist a Police Officer he heads that committee. If you recall when the request came in they needed additional time so they could all go out into the field and view the situation and that is what they came back with. To go back to them, I wish you would have called my office because I could have talked to them to see what to do because now the Resolution here the legal part of that would be the Solicitor to answer to Table this Ordinance at this time and get it revisited.

Mayor Kuhn - I think that is what we can do. We will table this for tonight.

Moses Simpkins - When I got this I did come up here to try and get in touch with somebody here and I was told that the person that sent this out was on night duty the last day that I was here and would be leaving on vacation the following day so I was not able to get a hold of him.

Mayor Kuhn - can I have a motion to table.

Dr. Kincaid made a motion to table Ordinance 2016-2587.

Mrs. Sapp seconded the motion to table Ordinance 2016-2587.

Mayor Kuhn - the Solicitor stated there is no discussion when we table it so we will just take a vote on tabling it.

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

Mayor Kuhn - By tabling this now I guess Moe you can get in touch with the Traffic Safety people and see if they can revisit it and again tell them exactly what the residents were looking for and they felt that this was more of a restriction than they wanted.

Moe Rayan - yes, I would ask that Mr. Simpkins send another letter with your intention again or you can just refer to the first letter. These are volunteers they are not

staff. People who get called in they meet once a month they are not employed by the Municipality.

Mr. Simpkins - is it possible that when they meet maybe we could talk to them. Because one person mentioned to me that maybe it was a misunderstanding of what we were asking.

Moe Rayan - I just forwarded your letter to them. I didn't change the language or anything I just forwarded the letter the exact letter that you submitted.

Mayor Kuhn - what I would suggest is that you write another letter and address that you are not happy what is in this letter that they sent.

Mr. Simpkins - how much longer is that going to take now?

Moe Rayan - you were lucky enough tonight that Mr. Grove who is one of the committee members is present here tonight. Mayor Kuhn if you can permit.

Mayor Kuhn - take your time. Rich do you want to give some information on this?

Richard Grove - 317 Lougeauy Road - I am a member of that committee. Our officer went out and took pictures of every inch back, forward, upside down, inside out. We met twice on this request. The pictures at that time happen to be taken where one car was parked here and one car parked here and the third car was having a very difficult time getting down through so we looked at it we talked about it. We went back and forth on it and we did recommend that there would be no parking because of this incident that was actually taken a picture of. So if you want us to look at it again the procedures will be we need a letter but I can tell you or assure that we looked at this very carefully and this is what we recommended. Thank you.

Mayor Kuhn - thank you. Like I said we really aren't suppose to have any input when we table it.

Moe Rayan - just send a letter in.

RESOLUTIONS

Mrs. Sapp made a motion to approve **Resolution No. 2016-029** – authorizing the destruction of certain Municipal Records in accordance with Pennsylvania Municipal Records Manual.

Dr. Kincaid seconded the motion.

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

Mayor Kuhn - these are the two Resolutions that I referenced before. They are Resolution No. 2016-030. Do I have a motion?

Dr. Kincaid made a motion to approve **Resolution No 2016-030** awarding a contract to W.A. Petrakis, Inc., for the Penn Hills Phase VIII 2016 Sewer Repair Contract A Project n the total amount of \$767,447.50.

Mrs. Sapp seconded the motion.

Mayor Kuhn - just to again explain that this is again under our Consent Decree Compliance and as you see the total amount for this Resolution alone is \$767,447.50 and it is coming out of our budget account so Moe I am assuming once again that we are paying this without any increase and without borrowing.

Moe Rayan - we haven't borrowed any money since 2008 Mayor Kuhn for that type of work.

Mayor Kuhn - we haven't had a increase on the rate since?

Moe Rayan - I can't remember the date but recently we lowered the sewer fees.

Mayor Kuhn - well I know that it is well over five years because we had it when Mayor Deluca was Mayor we had meetings throughout the Municipality and when we had to increase the rates and we promised the residents that we would not increase them for five years and if my calculations are right it has been seven.

Moe Rayan - yes, you are correct it was in 2008 and now it is 2016 so a little bit over seven years.

Mayor Kuhn - so I just want the public to know that with this Resolution and the one that we are passing next is \$1,306,543.00. We lowered the service fee in half in that eight year period and that is due to Tom O'Grady. I really need to thank him because of the fact he is in charge of Water Pollution and also our Manager and Finance Director for all the work that they do. \$1,306,000.00 is a lot of money to pay for our Compliance without having to raise and without having to borrow any money in the last eight years so it is something the Mayor & Council and all the Directors involved should be very proud of.

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

Dr. Kincaid made a motion to approve **Resolution No. 2016-031** awarding a contract to Jet Jack., Inc. for the Penn Hills Phase VIII 2016 Sewer Repair Contract B Project in the total amount of \$539.095.00.

Mrs. Sapp seconded the motion.

Lisa Foster, 164 Faybern Court - I was wondering you said that these were repairs that were needed so Penn Hills would be in compliance?

Mayor Kuhn - correct.

Lisa Foster - The Decree that we were out of compliance we paid that total amount due?

Mayor Kuhn - that was about 25 years ago.

Moe Rayan - 1991.

Mayor Kuhn - right, long before any of us were on Council. The Municipality was at fault because the Municipality was discharging raw sewage into the Allegheny River. EPA came in and fined the Municipality. Now people think we have been paying that fine for this long but that is not accurate. The fine was only around \$150,000.00. If you are doing something to your house and you don't get a permit and someone comes and gives you a permit and before you know it they are starting to check everything. EPA used Penn Hills as the poster child for all the communities. They made us bring our sewers and our sewer systems up to mandate which they should be. Unfortunately previous administrations they didn't want to repair the sewers because you can't see the sewers. You can see new paved roads, you can see new parks and everybody is happy because look Council gave us paved roads but nobody can see sewers that are underneath so for a very very long time the sewers were not addressed and they deteriorated and Penn Hills is a very large Municipality. We have spent a hundred million dollars to repair our sewer system.

Lisa Foster - not including this \$1.3 million?

Mayor Kuhn - no and we at that time the Municipality was put under a Criminal Consent Decree. Other communities were under a Consent Order. Penn Hills was under that Criminal Consent Decree for many many years. When Mayor DeLuca and Dr. Kincaid and I came on in 2004 that was our number one priority was to get out of the Criminal Consent Decree and my apologies to Gateway because of the fact at that time they were not our engineers and we then spoke to them and through their efforts and the State Representatives efforts and Mayor & Council's efforts we went to everyone in the State and in the Federal to see what we could do to get out of the Criminal Consent Decree and we finally did and we are now in a Consent Order which is what everyone else in the neighboring communities are in. Now we went a step further because it was probably only four months ago

Moe Rayan - earlier in the year yes.

Mayor Kuhn - DEP sent Penn Hills a notice that we have reached our Consent Decree and what we had to have done. Now having that been said I don't want people to say well then is the sewage going to go down because of the fact we are still as everyone is having to continue to keep everything up to date. We televise which we have to do throughout the whole Municipality which is a very large expense is televising. They want us to make sure that we continue to keep the sewer in the conditions that they are and by doing that they are permitting Penn Hills now to more or less be in charge of our own sewer system so that is where we are at. We have come a very long way and it has taken a very long time, but that is why you will continue to see a million dollars, \$1.3 million dollars because of the fact we have to continue doing everything to make sure that our lines in our sewer systems are in the condition that EPA accepts.

Lisa Foster - so is this a phase amount that will occur over a one year amount estimated cost or a phase of improvements that put us in compliance?

Mayor Kuhn - we are in compliance but this is keeping us in compliance.

Lisa Foster - is it estimated that next year

Mayor Kuhn - the amounts will continue because of the fact what we repaired last year that is all good but now the ones that were repaired ten years ago might need repaired so this is going to be a constant.

Moe Rayan - Operation and maintenance of the system since 2009 to date we would probably have to spend about \$13 million dollars in just to keep up with the televising, the spot repairs, the lining of the existing lines, excavation, removing the bad parts and installing new lines and other improvements. All the network itself. It will continue forever. You have to televise them in order for us to repair it.

Mayor Kuhn - The EPA has sent down regulations that every community has to do so we have to continue doing those regulations if we don't then we fall back to where we were and then we don't want to get into that so it is an ongoing cost not to put you on the spot some projects that we had to do were major projects that we have completed now so this is more or less keeping the maintenance but keeping up with what EPA is asking the Municipality to do on a regular basis.

Lisa foster - well thank you. I was wondering if that was going to be an ongoing estimate of \$1.3 million.

Moe Rayan - also it is all 83 Municipalities in Allegheny County that are doing the same thing but like Mayor Kuhn mentioned earlier we were first. We are not the only violators we have a lot of friends in that category.

Lisa Foster - I know I have been a resident of Penn hills for over twenty five years I remember when the \$25.00 per quarter back to Oakmont Water and Penn Hills Sewage.

Mayor Kuhn - and just to touch briefly on this the Manager said all communities are handling this. The Mayor & Council are fighting very hard because of the fact they are trying to bring Penn Hills into what they are calling Regionalization and what that is I believe there are 83 Municipalities in Allegheny County and they want the user fee to be a flat fee but what that means is every household would pay ALCOSAN this flat fee. Well we are fighting that because of the fact we have 22,000 households so Penn Hills versus a community that might only have 5,000 or 10,000 residents then Penn Hills will be putting the bulk of the money into that Regionalization and really and truthfully we have already done everything so we do not feel that it is fair for Penn Hills Residents to have a flat user fee across Allegheny County and we are going to be putting money into this pot that they are going to be fixing sewers in all the communities when we have already done that so we are fighting very very hard and we are talking to every person that we can, County, DEP and EPA plus there are some communities that want to connect into our sewer system under the Regionalization they would not have to pay Penn Hills and we will not accept that. So Penn Hills Mayor & Council has stated to the County and to ALCOSAN if that is the case we will not go into the Regionalization and we will take care of our own sewer system and we have been threatened that the EPA will be watching us every day and we said that is nothing new they have been watching us every day for twenty five years. We are working very very hard whether we are going to win or not but we are certainly trying because that is so unfair to Penn Hills and our residents when we have already paid to have our sewers up to date. We are not going to pay other communities. No one offered to be what is the term that they say we all have to work together to help one another out well my answer was nobody was there when Penn Hills was doing it. I didn't get help from anyone. So we are fighting that so I want you to know that is a hard fight but we are not taking it lightly.

Lisa Foster - thank you.

Mayor Kuhn - You are welcome.

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

REPORTS

Mrs. Sapp - it is not really a report but I would like to acknowledge and make aware that it is EMS National Recognition Week and since our EMS Department has been doing such a fabulous job in our community I was just wondering if there was a way that we could show them some recognition to say thank you and keep up the good work and invite the residents to stop by or send a card and tell them thank you because they are there for us and they are very accurate and they are very caring and it is EMS

National Recognition Week so let's support our very own we never know when we may need them.

Mayor Kuhn - thank you and I will say that the majority of the thank you letters that I receive from the residents they are from residents who have had to use our paramedics and they get nothing but praise for them actually saving some people's lives and for them being there on such a quick response. Like I tell everyone we are very fortunate in Penn Hills that we have our own in-house paramedics. A lot of other surrounding areas do not so we are very lucky that we have that service for our community. And we also have been fortunate in our budgets that we have purchased several new ambulances for on the roads also but they do a wonderful job and I can say that personally because they just took my son to Shadyside Hospital for heart problems on Sunday and they were faster than I could have got out to the car in the driveway. So thank you Cathy for bringing that to our attention.

Mayor Kuhn - Mayor and Council will have an Executive Session on Personnel Matters.

Mayor Kuhn - With that I will ask for a Motion for Adjournment.

AJOURNMENT

Mayor Kuhn entertained a Motion to adjourn.

Dr. Kincaid made a Motion to adjourn.

Mrs. Sapp seconded the Motion.

The meeting was adjourned at 9:00 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY

