

AUGUST 14, 2017 COUNCIL MEETING MINUTES

APPROVAL OF AGENDA ITEMS

Mayor Kuhn - Good Evening. It being 7:34 P.M. I will call tonight's meeting to order. The Agenda will stand as presented. Could you please rise for the Pledge of Allegiance?

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

Mayor Kuhn

Dr. Kincaid

Mr. Underwood - Councilman Underwood called earlier and he had a conflicting Appointment that he had tonight so he was unable to attend.

Mrs. Sapp

Mr. Brodnicki

Also attending were Rayan, Manager, Yeager, Police Secretary, Schrecengost, Finance Director, Alexander, Solicitor, Blackwell, Planning Director, Minsterman, Gateway Engineers.

Mayor Kuhn - First on the Agenda we have William R. McLafferty and he is going to speak on Public Safety, Public Concern and Conditions of Municipal Roads. Come up to the microphone Bill and give your name and address. I know you are familiar with the policies. Bill was a Police Officer for Penn Hills for many many years.

William R. McLafferty - 121 Earlwood Road, Penn Hills - Mayor it has been about twenty years since I have been here though. The last time I was here I think I was our Union President. In any event, I wanted to ask you about the roadways on Earlwood Road that is where I live. I have been a long time resident to Penn Hills since the mid-70's. I lived on Earlwood Road since the mid-80's. In any event recently the Oakmont Water Authority began to replace water lines along Earlwood Road. Now this has been going on since the spring time. The roadway there is in atrocious condition. It happens and I have almost been hit head on and I have lost count and that is because we have blind curves there. Motorists in an attempt to avoid the rough road come into the oncoming lane. During the day light you get no warning what so ever. At night sometimes you see the glow of the headlights of the oncoming traffic and you get a little bit of warning. How long is this going to go on? That is my number one question. Number two when will the Municipality begin enforcing Chapter Ten Twenty Four of the Codified Ordinances which requires these utilities to restore the road to the condition it

was in before the excavation? Number three did the utility post the bond that is required under Chapter Ten Twenty Four?

Mayor Kuhn - I know that there is a problem that Oakmont Water Authority had created and I believe that Moe you could explain what exactly took place.

Moe Rayan - yes Mayor I can answer all three questions to Mr. McLafferty. Your question number one how long it is going to take to pave the road actually that road is not on the Agenda this year it is on next year and the reason being you are familiar with the area. I will give you an example, Landfield, the water line was installed last year and you saw all the sediment that happened in the ditch as a result we had to contact the water company to come out and restore the ditch so our specs called for a period of time waiting after any ditches installed for whatever utilities that may be just for the simple fact to prevent any settlement for the roadway so when we pave it we don't have to have the problem and have an indentation in the roadway so normally of course the line on Earlwood was just finished in the spring I believe and subsequently the water company came out and started installing the service lines, am I correct, recently?

William McLafferty - well they have been playing around with it now for the last couple of months and the road is in an atrocious condition. My question is when is Penn Hills going to follow its own law?

Moe Rayan - well we do follow it.

William McLafferty - when will that road way be restored to how it is required?

Moe Rayan - next year.

William McLafferty - it says sixty days sir. Would you like to read it, to have it restored.

Moe Rayan - o.k. well the road is restored.

William McLafferty - negative sir. It is not in the condition that it was in.

Moe Rayan - it is in the condition.

William McLafferty - absolutely not. Now I want to come here to Council to make each and every one of you folks individually aware that it is a dangerous condition. You can officially be notified of a dangerous condition. If there should be an accident you have become liable. I don't know if you become liable individually, your Solicitor should be able to answer that but we have fatalities on Earlwood Road. I am quite familiar with them. You might recall Rowdy Herrington he produced the Bruce Willis Movie here in Pittsburgh. His son was a victim of a fatal accident at Earlwood and Glenfield so don't

say that fatalities don't happen on Earlwood, they do and I just believe it is just a matter of time before we have another one.

Moe Rayan - I am not sure that yes fatal accidents happen everywhere sir.

William McLafferty - I know that they happened on Earlwood.

Moe Rayan - right.

William McLafferty - and now you know it.

Moe Rayan - the contractor is required to restore the roadway. The entire paving of the road they are not responsible for. The restoration of the ditch itself they are required in accordance with the Chapter Ten Twenty Four of the Codified. They do that. They comply with our requirements however we do extend that with the utility company in cooperation with maintaining the roadway system they go ahead and they are responsible for paving at least half of the roadway.

William McLafferty - when do they plan to do that?

Moe Rayan - well that is going to happen next year.

William McLafferty - now I draw your attention to Saltsburg Road. There is similar excavation on that roadway. They restored Saltsburg Road, it is not perfect, but it certainly is not in the same condition as Earlwood.

Moe Rayan - that is correct.

William McLafferty - but why if it is done on Saltsburg Road why can't the utility do it on Earlwood Road?

Moe Rayan - well here again the Saltsburg Road was a different situation. All they did was they milled about four to six inches of the roadway. They did not install any utilities into that ditch.

William McLafferty - you can still make it level. They can certainly make it level. I mean we can put people on the moon but we can't make a roadway level here in Penn Hills.

Moe Rayan - this is a different situation here sir. What I am saying is they excavate the roadway down to about three and a half to about four feet to install the water line and that ditch is backfilled with either open graded sub base which is the stone and you will never get a 100% compaction no matter what you do.

William McLafferty - we deserve better than what we have there right now.

Moe Rayan - I understand that.

William McLafferty - we deserve better and it is you folks who are responsible for it. I live in Penn Hills and I am not sure about everybody on this board. I am not even going to go there right now that is another time and another forum and number two you have excavations down there right now and you also note that your own Ordinance requires that there be warning lights. I defy you to show me warning lights right now.

Moe Rayan - I can look as far as the warning lights.

William McLafferty - do you care to come with me and I will show you?

Moe Rayan - I can find it myself I know where it is at. I will look at it and if there are no warning lights we will identify what needs to be done.

William McLafferty - it seems that the water authorities both of them seem to get a free pass from the Municipality. This has been going on for years and I have noticed it but it hasn't come to my attention until it has personally affected me.

Moe Rayan - well right it happens that they are reinstalling all new water lines in your area, Glenfield, Earlwood, Hathaway and then next year they are going to continue on to a portion of going out to Saltsburg around the loop so that whole area you have excavation happening in there for the past at least four or five years.

William McLafferty - well this Council has been advised of the safety hazards.

Mayor Kuhn - well let me interrupt here because we seem to be going back and forth. First of all what has come up from the resident is that there is an Ordinance that states that a utility company which Oakmont Water Authority is has not abided by our Ordinance. Now as I do want to just intervene on this Bill correct me if I am wrong but did you say that everyone on this Council isn't a resident of Penn Hills?

William McLafferty - I eluded to that yes. I haven't dug into it but this is what I have heard. I will dig into it if you would like me to.

Mayor Kuhn - well first of all I can certainly speak for myself but I have no knowledge that anybody doesn't live in the Municipality.

William McLafferty - well this is what I do in my job right now for sixteen years I figure out who lives where.

Mayor Kuhn - o.k. I am just addressing the statement that you brought up at a public meeting that is on record and could go in the media and plus probably before the meeting is over it will be on facebook.

William McLafferty - like I said if you would like me to look into it I will.

Mayor Kuhn - but I would have preferred if to elude to something unfortunately with press and social media it comes out that someone doesn't live here now if it was something that somebody told you and I know you from history you research every single thing to the letter so I would have thought before you made that type of comment you would have checked to see. Now I know that there are people who are working polls for certain people that were telling them that the Mayor lives in Plum Boro. Well I would like to know the address there and I would like to know why I am at 421 Springdale Drive every day. But this is what I am saying please don't make that comment.

William McLafferty - I have a First Amendment Right to say whatever I like. In fact the Municipality has an injunction against a permanent injunction that was issued at Judge Donetta W. Ambrose at CV 920980 permanently adjoining the Municipality and its officials from interfering with my First Amendment Rights.

Mayor Kuhn - I am not saying you don't have a right to say anything you want. You gave a comment and I am just giving a comment back and that it surprised me knowing you as I do that you would go and make such a comment and saying that you have heard it.

William McLafferty - well then you may know what might be coming.

Mayor Kuhn - pardon me.

William McLafferty - well then you may know what might be coming.

Mayor Kuhn - well let's go back to the road situation because I don't use this situation for personal

William McLafferty - it is not personal, I am strictly official and you ought to know that about me.

Mayor Kuhn - yes and that is why I was surprised. But we are going to move on you have a right to say what you do and I have a right to say what I did. But as far as we are discussing the road as I said if in fact and I am not an attorney and you know well under The Home Rule Charter we don't run the day to day business of the Municipality. If we did we would be charged with micro-managing. So that goes with which I am sure you are well aware of that term too.

William McLafferty - how many times have I been in court with all of you?

Mayor Kuhn - yes for micro managing. Well you weren't in court for micro managing with this Council.

William McLafferty - absolutely not.

Mayor Kuhn - o.k. so I am asking the Manager to inform because Mayor & Council are only as good as the information that we receive. We don't have offices up here, we don't come up here on a daily basis. We are very fortunate that our Manager that we have does every single Friday we receive a report from him on what has transpired during the week. So as to that and I have to say The Home Rule Charter is used quite frequently if you want to look and see but I wasn't familiar with the Ordinance that you quoted.

William McLafferty - that is Chapter 1024 Excavations.

Mayor Kuhn - o.k. but I will ask the Manager to research that and I know that sometimes if I am not mistaken and correct me if I am wrong Moe when a utility is going to redo a road they do a partial and then we will piggy back on it and we will do the complete road, is that correct?

Moe Rayan - if it is necessary to do the other half. If the road is deteriorated to the point that the entire width needs to be repaved then we will do it. They piggy back on our contract it is cost effective for the residents, for the water company. We are paving, our contractor that is going to be paving in September is going to be paving that area.

William McLafferty - are you going to be repaving Earlwood?

Moe Rayan - no it is going to be Glenfield from Sycamore and I believe Sycamore to I don't have the exact area.

William McLafferty - now had

Mayor Kuhn - just a minute Bill I have another question. Now my concern is because of the fact it is on our list for next year

Moe Rayan - well it is not on the list yet it will be on the list but we don't have the list available at this time but it will be since the water line was just recently installed.

Mayor Kuhn - right but I want to have verified is when that is going to be coming up why is it that the water authority has not brought it back to the condition it was before they did their work on it because of the fact just because it is supposedly going to be done in a year that has nothing to do with the water companies responsibility to bring that road back to where it is if we are doing it in six months, three months.

Moe Rayan - it is paved to the surface correct Bill?

William McLafferty - it is like you are on a roller coaster, dips, bends that is why people are coming into the oncoming lane to avoid that and to me that is understandable. Now if you get caught up on one of the blind curves you are going to have a head on crash. It is going to happen. If the Municipality doesn't care and you know they have been advised.

Mayor Kuhn - no it is not that we don't care you advised Mayor and Council and this is the first I have heard of the complaint. You didn't send anything up to the Municipality to forward to Mayor & Council so this meeting that you have now is the first time that I know myself and I am assuming Council because of the fact we get the same information.

William McLafferty - I don't expect you to know everything about all the streets.

mayor Kuhn - exactly. So we just got that I mean we just heard that now so it is not that Mayor and Council doesn't care we have to be informed of the problem and then if we just go away from it and not look into it then you can make that comment that we don't care. So I am asking the Manager if you will personally check it again for us and then if it would be your opinion or if you have to have Gerry Nosal's opinion on whether or not the Oakmont Water Authority has restored the road to the condition it was before they did their construction and if they didn't then they need to be contacted. I have nothing to do with the Oakmont Water Authority. I have nothing to do with The Wilkesburg Penn Joint Water Authority and I am not on the boards and my family is not on the boards and there is no nepotism or corruption.

Moe Rayan - Mayor that is why I was asking the question, Bill is it restored with asphalt all the way to the existing surface?

William McLafferty - to the existing surface above, the existing surface below, the existing surface and no it is not level.

Moe Rayan - no you didn't answer my question. My question to you is it paved all the way and is the ditch paved with asphalt? Because it goes into a different situation Bill now it is workmanship it is not restored to the Codified.

William McLafferty - well somebody is responsible.

Moe Rayan - yes, right it is their responsibility.

William McLafferty - have they posted the bond?

Moe Rayan - that is what I am trying to say Bill, I am asking you is it resurfaced all the way to the existing paving?

William McLafferty - it is but it is quite rough.

Moe Rayan - now we are at a different situation.

William McLafferty - o.k. now have they posted the bond?

Moe Rayan - yes they posted the bond to the water company.

William McLafferty - may I get a copy of that bond? Do I need to file an information request?

Moe Rayan - you can file that with the water company.

William McLafferty - no did they post the bond with the Municipality? 1024 requires them to post the bond with the Municipality.

Moe Rayan - I will have to check with Code Enforcement to see if there is one on file.

William McLafferty - would you let me know?

Moe Rayan - sure.

William McLafferty - ok

Moe Rayan - I was trying to get to what the problem is here Bill because you are saying they are not following the Codified Ordinance and now you are talking about workmanship. The restoration is complete.

William McLafferty - no sir the restoration, your Ordinance, your own law requires that it be restored to the condition that it was in prior to the excavation. That is what your law requires.

Moe Rayan - correct.

William McLafferty - Chapter 1024 of the Codified Ordinance.

Moe Rayan - I know that yes.

William McLafferty - it hasn't been done.

Moe Rayan - o.k.

Mayor Kuhn - gentlemen if I could interrupt. What it seems to be is

Moe Rayan - I will follow up Mayor.

Mayor Kuhn - right, we need to have a follow up and I can go look at it but I am not an Engineer and I don't know if it meets the requirements or not that is the job of the Municipality's Manager so I will have

William McLafferty - take a ride.

Mayor Kuhn - what we need to do to resolve this is the resident is stating that he does not believe the water authority redid the road to the specification that is in our Chapter, is that right?

William McLafferty - that is in Chapter 1024 of the Codified Ordinances restoring it to the condition it was in prior to the excavation.

Mayor Kuhn - I think the Manager is talking on two different things. You believe Moe that the restoration was done but perhaps the contractor who did it didn't do it correctly.

Moe Rayan - I will take a look at it Mayor.

Mayor Kuhn - o.k. if you could get back to us and then make sure that the two get back to you and if you do a personal look on it I would certainly appreciate it, would that suffice?

William McLafferty - Madam Mayor I thank you, Manager Rayan I thank you very much.

Mayor Kuhn - thanks and have a good day.

Mayor Kuhn - and just a small comment to the residents in the audience it is very concerning if we get to a point where we think it is you against us. That isn't the way this Council works. We work very hard, we do due diligence if anyone can show me that this Municipality, this Council has not if you could kindly put that in letter form to the Municipality so exactly where you feel the due diligence wasn't done by this Council we will certainly make every attempt to correct it. But we are not yes we get \$300.00 a month and the Mayor gets \$400.00 a month. We don't get \$100,000.00 as Professional Services that is in the Budget that is not us that is what we get. We don't have offices, we don't have telephones, we don't have gas charges nothing. \$300.00 a month before taxes and \$400.00 a month. We are only as good as the information we get and that is not just from the Manager and our Directors but also from the residents. I make every attempt to answer every complaint that we have. To my knowledge we are all Penn Hills residents and we all pay taxes because unfortunately a lot of times when I get a phone call they say I am a tax payer and I say so am I. My son lives in Penn Hills, both

my grandchildren graduated from Penn Hills and have wonderful jobs and both of them choose to buy homes in Penn Hills and my grandchildren who are very bright they have got all their education and my great grandchildren from Penn Hills School District. This job is very difficult. There are a lot of people in Penn Hills and a lot of households and a lot of roads and I tell everyone please come to the meetings and give us the problem. We can't look into the problem if we don't hear about it and not know that it exists. A lot of us work so we only can react on the information that is presented to us and as I tell everyone you might not like the answer we give you but we will give you an answer. Number two if you think that there is wasteful Government Spending or that we are corrupt in any way, shape or form you can attend our Budget Hearing Meetings. We have three of them every December. Our Home Rule Charter says we have to have at least two and we have three. That is your time to come up and give solutions if you think that the sewage is too high come up to the meeting and tell us how you think we can pay for the mandates that are put on us if we don't increase in eight years. I am sure most people who work probably make more now than they did eight years ago. It is fine to criticize. You have the right to say anything you want. We have the right to say anything we want but if you are going to make a comment I only simply ask please come and give a solution, give us a solution. Tell me what I can cut in the Budget to have a balanced Budget. You are the people who make the decisions. The Manager and the Directors make out the Budget. The First Budget Meeting is for the people in the audience who have concerns on the spending of the Municipal Funding and the only revenue we get is through grants and through taxes so it is up to you to tell us I would like you to cut this, I would like you to add this and as long as we get a balance sheet that balances with the income versus the expenditures then we can balance it. We present it to the public and it is up to the public to come and tell Mayor & Council what they want and what they don't want. And that is all we ask is that you do that and we might not do what is suggested but we will give you an option and we will give you a reason and then it is working together. I don't know why there is these opinions that you have to be negative. Penn Hills shoots themselves in the foot way too much with negativity. So it isn't us against you. It is us working for you but you have to present what it is you think you can and what it is you don't want us to do. Thank you very much.

APPOINTMENTS

Mayor Kuhn - I have a real pleasure tonight as Mayor I get to do the Appointments to Boards and Commissions and we had young people which I am so happy that there are so many young minds and young energy that come up and have been coming to the meetings that have come up with helpful solutions and also come up with ideas that will make Penn Hills so special. One was our Litter Campaign and they are working very hard to create cleaning up of the litter on the streets and of course that makes Penn Hills look better. Not just for our residents but for people who ride through the Municipality as well. And then we had someone come up about The Shade Tree Commission and littering is very important and that is something that individuals can do, businesses can do, families can do and it does make the Municipality look really

good but I am particularly and this is just one of my soft spots that I really try to encourage is The Shade Tree Commission because any well groomed Community with trees and shrubbery it's just when people ride through it just makes your Community look so inviting and so warm and so taken care of. I served on Planning when Chris was very new and young and Howard Davidson was the Director at that time and anyone that came before Planning for approval Howard made certain that they had to put trees and shrubbery around the buildings that they were asking approval on. So I think this is well needed and should have been done many years ago and I commend those who are involved in putting The Shade Tree Commission together. So I am putting up the names of Sandy Feather, should I put every name up individually or could I put all five?

Craig Alexander - you may put all five up.

Mayor Kuhn - o.k. The first name for The Shade Tree Commission is Sandy Feather and the next one is Brian Dolney, Katie Schuller, Tori DeJohn and Kathy Raborn and I have their resumes and I tried to talk to each one of them but unfortunately I had some health problems in my family but I did talk to Sandy and I told her that all five are not only well qualified they are over qualified for this position and I appreciated so much that they were contacted by a young lady who is working very hard to make Penn Hills a better place and they all gave her their resumes and it hard to get volunteers now a days but I was thrilled to get five immediately so those are the do I have to ask for this, is this just appointments right and under The Charter the Mayor makes Appointments but I do have to have the vote of Council so I am asking for a vote on the five names that I presented all in favor, or do I so I ask for a Motion to Appoint the five names that I presented for the Shade Tree Commission?

Dr. Kincaid made a motion to approve the five names Appointed for The Shade Tree Commission.

Mr. Brodnicki seconded the Motion.

Resident (did not give name or address) - Do we have any representatives from The Duquesne Light Company on that Commission?

Mayor Kuhn - for me to give all the qualifications each one of them have so many qualifications in the area of plants and planting of them.

Resident (same as above did not give name and address) - The only one I was concerned with would be anybody connected with Duquesne Light.

Mayor Kuhn - not to my knowledge. I don't think they even have to put in where they work.

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

Mayor Kuhn - if you could send all five of them a letter from The Municipality thanking them and just put in their terms and how long they are in and I guess they would set up their own times for the meetings and that, am I correct?

Moe Rayan - correct, will do.

Mayor Kuhn - thank you.

MINUTES

Mr. Brodnicki made a Motion to approve the **Minutes of July 17, 2017**, Council Meeting Minutes.

Mrs. Sapp seconded the Motion.

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

EXPENDITURES

Dr. Kincaid made a Motion to approve the **Expenditures of August 14, 2017**, Journal Vouchers 1, \$632,025.01, CD Requisitions 12, \$14,576.64, Checks 38155 - 38393 - \$1,624,023.07, making a Grand Total of \$2,270,624.72.

Mr. Brodnicki seconded the motion.

Mayor Kuhn - I just want to make a comment on page three check no. 38347, page four check no. 38349 these were all for our Funfest that we had on Saturday and one was a petting zoo another a bouncy house with balls for the kids. I was hoping John might have been in the audience he is our Parks & Recreation Supervisor. Now he started having this Funfest because of the fact we believe that Penn Hills is some place special and other Communities in surrounding areas have these festive activities. The small boro of Verona every year has a huge carnival type of activity and Mayor & Council felt that Penn Hills should have something similar. Something that was fun enjoyable and for people not just the residents of Penn Hills but surrounding Communities to come to and see exactly what Penn Hills has to offer. The first year John did it on a spur of the moment and he did a very good job. The second year it improved. This year all parking was taken because of the fact that is how many people were there and how many people showed up and we were very happy with the turnout and we hope that each year goes by word of mouth goes by and we are able to enlarge it as it goes by and make it something residents say don't forget Penn Hills Funfest is on August 10th make sure we go there so congratulations to John it is a lot of work and everything went smoothly and it spoke well for Penn Hills so if you could tell John we all appreciate the wonderful job that he did. On page 15 and page 30 there are check number 38306 and 38191 and one is for Home depot and one is for Sam's Club. I just

bring this up because of the fact every once in awhile I want the residents that are here and the media if they felt necessary to write a report to let it be known that our Finance Director, Mr. Schrcengost who does an excellent job the employees do not have cards for them and they cannot just go random and charge something at Home Depot or at Sam's Club or anywhere. Our charge cards are held in the Finance Department please correct me if I am wrong Moe and they have to come in and sign for it go to the store that they are buying something and then come back and give the card and receipt to the Finance Director so we don't have a problem with misuse of our cards. The one on page 24, check no. 38287 the Fireman's Convention I just wanted to bring that to the attention because of the fact that is something very special that is being brought to the Community of Penn Hills. It is the 138th convention of the Fireman's Association and it is being held at Penn Hills, Pennsylvania on September 20th through the 23rd 2017. So congratulations to Penn Hills for bringing in a State Convention to our Community and with that with no comments from the audience, any comments from council, roll call.

Mayor Kuhn abstained from check no 38373 page 19 to Don Kuhn Auto Body for the \$600.00 Rental and yes on all others.

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

ORDINANCES

Mr. Brodnicki made a motion to approve **Ordinance No. 2017-2603** - repealing **Ordinance 1842 of 1984** which created and established The Historical Committee.

Dr. Kincaid seconded the Motion.

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

Mrs. Sapp made a Motion to approve **Ordinance No. 2017-2604** - amending Part Two, Title Eight, Chapter 279, Section 279.02 of The Codified Ordinances of The Municipality of Penn Hills and amending Ordinance 2006 of 1988 to change the number of board members of The Arts Council of The Municipality of Penn Hills.

Mr. Brodnicki seconded the Motion.

Mayor Kuhn - just to make this clear this was a request am I right Chris from The Arts Council themselves. Under the provisions now the Art Council is suppose to have at least seven members and they have written to the Mayor & Council and the Manager that they would like to change it to at least three to five based on the problem that we are having a difficult time filling all the positions that are vacant. So this is the Arts Recommendation and they are asking it to be changed from seven to at least three to five.

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

RESOLUTIONS

Dr. Kincaid made a Motion to approve **Resolution No. 2017-054** – awarding a Contract for The Penn Hills 2017 Demolition -- Package 10 to Lutterman Excavating for The Demolition of 88 Highland View, 7542 Ridgeview, 7460 Ridgeview, 8184/8186 Chaske, 10743 Frankstown, and 211 Parkridge for a Total Cost of \$44,300.00.

Mr. Brodnicki seconded the Motion.

Mayor Kuhn - just before I go to the audience I just want to give them some information. Proposals were opened on May 24, 2017. There were four contractors and the purchasing secretary has verified the validity of the bid bond and this fund is for the Project Community Development Block Grant Town Wide Demolition Account, 04-462-00021342. Any comments from the audience? Council?

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

Mr. Brodnicki made a Motion to approve **Resolution No. 2017-055** - approving a Minor Budget Amendment to The Community Development Block Grant Budget for Years 41 and 42.

Mayor Kuhn - once again for the audience's information this is a CD Project and we are making this line Budget amendment which it is a minor amendment and so we don't have to do the thirty day public comment period and basically Chris if I am right this is because the State did not approve the CD Budget Grants and so we are waiting for those grants and that grant funding is to come in from the State, is that correct?

Chris Blackwell - excuse me Mayor, you are correct but it is the Federal Government it is CBDG from the Federal Reserve, it is Washington.

Mayor Kuhn - so this will be coming though? But we don't want the project to be stopped because of the fact the Government hasn't distributed the funding yet, is that correct?

Chris Blackwell - yes that is correct. The allocation is severely delayed several monthly and we typically received our funding in July, August and we are now looking at November, December. We are not actually sure because we are in the construction season now. These are things like street paving, street reconstruction and the Service Association roof which have all been bid out and ready to be awarded in fact will be awarded tonight.

Mayor Kuhn - o.k. and before we could award what is coming up we had to have the minor adjustment on the Budget, correct?

Chris Blackwell - correct.

Mayor Kuhn - alright thank you.

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

Dr. Kincaid made a Motion to approve **Resolution No. 2017-056** - awarding a Contract to A. Liberoni, Inc., for The 2017 CDBG Street Reconstruction Project in The Total Amount of \$191,595.00.

Mr. Brodnicki seconded the Motion.

Mayor Kuhn - again Gateway Engineers had sent a letter to Gerry Nosal, Director of Public Works. Bids were received on July 27, 2017 and there were five bids and based on the bid tabulation prepared by Penn Hills Staff and Gateway they recommended Liberoni to do the projects. The base bid is \$171,939.20 the alternate is \$19,655.80 bringing the total of the contract to \$191,595.00. Any comments from the audience, from Council?

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

Mr. Brodnicki made a Motion to approve **Resolution No. 2017-057** - approving The Acquisition and Subsequent Disposition of Vacant Property located at 8017 Mount Carmel Road, 0230-M-00365-0000-00 in accordance with The Allegheny County Vacant Property Recovery Program and providing assurance that Acquisition is consistent with The Penn Hills Comprehensive Plan.

Dr. Kincaid seconded the Motion.

Mayor Kuhn - before I ask for comments from the audience this is the Vacant Property Recovery Program which is run by basically the County but Penn Hills is very happy with the way that this program runs. By doing this it is a good way to get vacant property in the hands of residents and developers and to clean those properties up and also to put them back on the tax rolls. So this is a win win situation in my opinion. Any comments from the audience, Council?

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

Dr. Kincaid made a Motion to approve **Resolution No. 2017-058** - authorizing The Manager to sign a Contract with Constellation Energy to provide the best energy rates and reduce energy costs for The Municipality and its Residents.

Mr. Brodnicki seconded the Motion.

Dr. Kincaid - after reading through all of this I am impressed with what we are doing however does anyone have any idea what happens after 2020. I was just thinking how quickly that would come and what do we do then?

Mayor Kuhn - Moe?

Moe Rayan - We will enter into a new contract at that time and we will have them go out for bids just like they have here for the best price. Just wanted to bring something to your attention, the Planning Department, Chris's Office received an updated quote and the quote for 36 months was \$5.26

Mayor Kuhn - is that what is down here

Moe Rayan - right the price that was quoted in the Resolution was \$5.24 today it was \$5.26 and we will make a correction but I wanted to bring that to your attention.

Mayor Kuhn - o.k. thank you Moe. I know that our Finance Director Ed has been on constantly searching for the best rates for The Municipality and the tax payers and all the work that Chris does and his staff and my main person who watches over everything is my Manager and what this is is it provides a savings for our supplier for the utility and on the one chart they give you if you take the contract for 36 months Constellation was \$5.24 and Tri-eagle was \$5.46 and now it is \$5.26. But as you can see it is as per kilowatt and that would be the savings that is to go with The Constellation versus the Tri- Eagle so as I said not only Mayor & Council but our Manager and our Directors work very very hard, very hard to keep Penn Hills running at the very best and at the very best prices. What they are always looking for is what is best for the Municipality and the price that is favorable for the tax payers. So I commend them because of the fact that they work very hard and in my opinion they and Mayor and Council have brought The Municipality from financial ruin in 2004 to financial stability where we are now and I would consider that fully accountable to the residents of Penn Hills and the tax payers of Penn Hills so thank you to all of you and please thank your staff that work with you.

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

Mrs. Sapp made a Motion to approve **Resolution No. 2017-059** - approving a Sewage Module for Plan Revision and New Land Development for 250 Eastgate Drive, Penn Hills U Pull and Pay, Penn Hills, PA.

Dr. Kincaid seconded the Motion.

Mayor Kuhn - I just have a comment because when this came before Planning and then came before Mayor & Council this was a new type of development that was coming into Penn Hills. Now of course we were somewhat bombarded because of the fact once again information is your best tool and misinformation is the most damaging.

And all it had to do was one person to say that there is a junk yard coming and Mayor & Council are in favor of it. Now of course it isn't a junk yard but that is all that we heard. The media covered it as that and the residents that came in they covered it as that. We had presentations from the Corporation and they had slides and they had any type of information that you wanted to receive. Mayor & Council had looked into it prior to the meeting. Councilwoman Cathy Sapp had done due diligence in researching it on the internet and also making personal phone calls so we researched it and researched until we came up with the conclusion that there are many people who are constantly asking Mayor & Council why can't you bring new developments into Penn Hills. I have plans for new developments in Penn Hills but unfortunately we never received the plans for development in Penn Hills so this was at The Old East Hills that has been empty for so many many years and so many times The Municipality and The County tried to bring businesses in The Old East Hills Property and it was on the border of Penn Hills and Wilksburg and it wasn't in a residential area in any way, shape or form and as I said we did our due diligence and researched it and presented everything to the Council and the Council was berated for bringing in a junk yard. I would fully recommend everyone especially those who had such serious doubts to ride up and go down and it is right across from the Wilksburg Penn Joint Water Authority, ride down and look at what Pull and Pay has put up for business. Believe me if anyone looks at that and wants to bring pictures to Mayor and Council and say look at this junk yard I will let you speak and show your pictures because it is exactly what the personnel for Pull and Pay said it would be and it has brought a piece of baron property that has laid stagnant for many years and that not only means for The County and The Municipality but it also will mean tax revenue coming to Penn Hills from Business Privilege Taxes and also bringing jobs to residents of Penn Hills which I got to speak to Scott from Pull and Pay at the Fun Festival and he was saying I can't remember exactly the percentage but a large percentage of the people that are being employed live in Penn Hills so I told him thank you very much for making the statements that Mayor & Council made accurate because it is a wonderful building and will be a great tax revenue for Penn Hills.

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

Mr. Brodnicki made a Motion to approve **Resolution No. 2017- 060** - authorizing the signing of an Intergovernmental Agreement for the Creation of a Joint Plum Creek Improvement Board.

Dr. Kincaid seconded the Motion.

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

Dr. Kincaid made a Motion to approve **Resolution No. 2017-061** - awarding a Contract for The Supplying of Police Uniforms to Kiski Valley Uniforms.

Mrs. Sapp seconded the Motion.

Mayor Kuhn - I do see that we did only receive one proposal even though we did send it out for bids, correct?

Moe Rayan - that is correct we always only receive one proposal for the uniforms.

REPORTS

Mrs. Sapp - It is a letter written to us by Faith Milazzo and in her letter she talks about making suggestion on different ways that Mayor & Council could communicate just Local Government in general better with the Community and one of the things that she suggested was a question and answer segment on the social internet and I just wanted to say I thought that was a good idea and at some point Mayor & Council should talk about that and I wanted to thank her for that because it was a very good suggestion. Thank you so much Faith Milazzo.

Mayor Kuhn - I think that any way that we can improve communication is worth looking into. Thanks Cathy.

Mayor Kuhn - I did have some clippings, here we go. In the newspaper some of it shows Penn Hills in some nice highlights. I don't know if when you are riding down Allegheny River Blvd. one of the beautiful signs is our new sign that is Penn Hills Positively Penn Hills and it is a welcome sign and it is from the Penn Hills Community Development Corporation and they received a grant to put it up and I think every time I ride down Allegheny River Blvd I look at it and I think it is absolutely wonderful to see when you are coming from the City into Penn Hills. I thought that we had in the budget money for signs and we were doing at least one sign and I see that the committee received a grant, was that grant part of the funding for the sign or did the grant pay for the sign and is the funding still in the Budget?

Moe Rayan - it is a combination. Mayor & Council approved I believe it was \$6000.00 to go towards the program. Actually I want to recognize my secretary Maureen Sorce she worked very hard on that grant with the assistance of Chris Blackwell's office to help with the CDC to get that grant. But it is a combination of the money that was allocated for Mayor & Council and there is \$6,000.00 and I don't believe it was issued yet. Chris did you do a draw down on it?

Chris Blackwell - no if I recall the \$6,000.00 was pledged if it was needed however when the grant came in we only used grant money and so there was no \$6,000.00 it wasn't required. That was my recollection.

Moe Rayan - it was like a combination but it was never required Mayor to be spent.

Chris Blackwell - the CDC used \$3,000.00 of their own funding plus I can't recall the exact amount from the Grant to do the three signs that they have done.

Moe Rayan - right around \$15,000.00 for the grant.

Mayor Kuhn - so that amount for the sign was I know that the CDC at the meeting for the budget they had said that they were putting \$3,000.00 of their money up, am I correct?

Chris Blackwell - that is correct and then with the \$16,000.00 grant they had enough funding to do the signs that they were going to do and that was something Penn Hills wanted too but Mayor & Council wanted too that there would be an opportunity in the future budget but the money wasn't necessary so it was taken out.

Mayor Kuhn - because I know the original request was for several and we said that we would start out with at least one on Allegheny River Blvd being we already had one on Rodi and I was just hoping then and I didn't know if there was any money left over from what we approved for the signs being that they received a grant but if not to see if there was any budget money still there. I see my Finance Director.

Chris Blackwell - he was going back to the Energy Program. He just wanted to point out that the rate that the Municipality gets for energy the residents also get too.

Mayor Kuhn - oh that is good to know. What our Finance Director was discussing with Chris was that the rate that The Municipality is getting for our electric supplier they also are offering that rate to the residents of Penn Hills so if you would be interested in getting the lower rate all you would have to do is contact them, is that right Ed?

Chris Blackwell - that is how we did it in the past.

Mayor Kuhn - it is good for you to know because you can always change your supplier and you can get it at a lesser rate then that is good for us.

Mayor Kuhn - I couldn't of asked for a better sign. I think it is absolutely a wonderful welcoming for people coming in and I know that the gazebo is the line for Penn Hills and The City also so it is nice for people to know that they are entering Penn Hills and what is really nice is that they are going to be entering a Community with very little litter and a lot of Shade.

ADJOURNMENT

Dr. Kincaid entertained a Motion to adjourn.

Mr. Brodnicki seconded the Motion.

Mayor Kuhn - Meeting adjourned.

The meeting was adjourned at 8:52 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY