

BEFORE THE
PLANNING COMMISSION OF PENN HILLS

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PUBLIC MEETING

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BEFORE: CATHERINE R. SAPP, Chair
Mark A. Brodnicki, Member
Gary Underwood, Member

HEARING: Monday, October 21, 2019
7:00 p.m.

LOCATION: Penn Hills Planning
Commission
102 Duff Road
Pittsburgh, PA 15235

Reporter: Alex Riegel

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Also Present:

Christopher C. Blackwell, Planning
Director

Rick Minsterman, Engineer

Scott Andrejchak, Manager

Craig Alexander, Solicitor

Sheree Strayer, Financial Director

Stephanie

I N D E X

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NONE OFFERED

P R O C E E D I N G S

DEPUTY MAYOR CATHERINE

SAPP:

Good evening, ladies and gentleman. We're meeting right now at 7:03. We'd like to call this meeting to order. We want to say good evening to all the Penn Hills residents.

Thank you so much for coming out on this Monday evening to voice your concerns.

We are going to start our meeting, but first of all, I have to tell you that the Mayor will not be here this evening. She's very sorry that she won't be able to attend. A situation that came up unexpectedly will prevent her from being here. We did try to get her on the telephone, but she didn't answer, so maybe she's not in a good location where she has service.

So with that being said, we are going to stand for the Pledge

1 of Allegiance.

2

3 (WHEREUPON, THE PLEDGE OF ALLEGIANCE
4 WAS CONDUCTED.)

5

6

DEPUTY MAYOR SAPP:

7

Roll call?

8

STEPHANIE:

9

Mayor Kuhn?

10

Mr. Petrucci?

11

Mr. Underwood?

12

MR. UNDERWOOD:

13

Here.

14

STEPHANIE:

15

Deputy Mayor Sapp?

16

DEPUTY MAYOR SAPP:

17

Present.

18

STEPHANIE:

19

Mr. Brodnicki?

20

MR. BRODNICKI:

21

Here.

22

DEPUTY MAYOR SAPP:

23

Our agenda will stand as

24

it states for this evening. We do not

25

have any agenda changes, so we are

1 going to keep the agenda as is.

2 Could I have a motion to
3 accept the minutes from the August
4 29th, 2019 special meeting?

5 MR. BRODNICKI:

6 Deputy Mayor Sapp?

7 DEPUTY MAYOR SAPP:

8 Yes, Councilman

9 Brodnicki?

10 MR. BRODNICKI:

11 I'd like to make a
12 motion that we accept the minutes of
13 August 29th, 2019 special meeting
14 minutes.

15 DEPUTY MAYOR SAPP:

16 Do I have a second?

17 MR. UNDERWOOD:

18 Second.

19 DEPUTY MAYOR SAPP:

20 Any questions or

21 comments from the audience?

22 Any from Council?

23 MR. UNDERWOOD:

24 No.

25 DEPUTY MAYOR SAPP:

1 Do I have a motion to
2 accept the September 23rd, 2019
3 Council meeting minutes?

4 Oh, I'm sorry. With
5 Maureen missing, I'm all off.

6 STEPHANIE:

7 Mr. Brodnicki?

8 MR. BRODNICKI:

9 I abstain because I
10 wasn't here.

11 STEPHANIE:

12 Mr. Underwood?

13 MR. UNDERWOOD:

14 Second, yes.

15 STEPHANIE:

16 Deputy Mayor Sapp?

17 DEPUTY MAYOR SAPP:

18 Yes.

19 MR. MINSTERMAN:

20 Just so everybody's
21 clear under the charter, every motion
22 has to be carried by a minimum vote of
23 three. So, Mark, even though you
24 weren't at the minutes --- the
25 meeting, as long as you reviewed the

1 minutes and you don't believe that
2 there's any inaccuracies in them,
3 you're still permitted to vote for
4 them.

5 MR. BRODNICKI:

6 Okay.

7 Then I vote yes.

8 MR. MINSTERMAN:

9 Thank you.

10 DEPUTY MAYOR SAPP:

11 Thank you, Councilman.

12 Do I have a motion to
13 accept the minutes from September
14 23rd, 2019 council meeting?

15 MR. BRODNICKI:

16 Deputy Mayor Sapp?

17 DEPUTY MAYOR SAPP:

18 Councilman Brodnicki?

19 MR. BRODNICKI:

20 I'd like to make a
21 motion we accept the September 23rd,
22 2019 council meeting minutes.

23 MR. UNDERWOOD:

24 I'll second.

25 DEPUTY MAYOR SAPP:

1 Any questions from the
2 audience?

3 Any questions from
4 Council?

5 STEPHANIE:

6 Deputy Mayor Sapp?

7 DEPUTY MAYOR SAPP:

8 Yes.

9 STEPHANIE:

10 Mr. Brodnicki?

11 MR. BRODNICKI:

12 Yes.

13 STEPHANIE:

14 Mr. Underwood?

15 MR. UNDERWOOD:

16 Yes.

17 DEPUTY MAYOR SAPP:

18 Do I have a motion to
19 accept the expenditures dated October
20 21st, 2019?

21 MR. BRODNICKI:

22 Deputy Mayor Sapp?

23 DEPUTY MAYOR SAPP:

24 Yes, Councilman

25 Brodnicki?

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MR. BRODNICKI:

I'd like to make a motion that we accept the expenditures from October 21st, 2019. Twenty-three (23) CD requisitions for \$491,000.14. The master of 44758 to 45024 for \$3,075,302.26 for a total of \$3,566,302.40.

DEPUTY MAYOR SAPP:

Thank you. Do I have a second?

MR. UNDERWOOD:

Second.

DEPUTY MAYOR SAPP:

Any questions from the audience?

Any questions from

Council?

Roll call.

STEPHANIE:

Mr. Underwood?

MR. UNDERWOOD:

Yes.

STEPHANIE:

Deputy Mayor Sapp?

1 DEPUTY MAYOR SAPP:

2 Yes.

3 STEPHANIE:

4 Mr. Brodnicki?

5 MR. BRODNICKI:

6 Yes.

7 DEPUTY MAYOR SAPP:

8 Do I have a motion to
9 accept the agreement, approve an
10 agreement with AM Coach, Inc. for one
11 --- for January 1st, 2020 through
12 December 31st, 2021 for ambulance
13 billing?

14 MR. BRODNICKI:

15 Deputy Mayor?

16 DEPUTY MAYOR SAPP:

17 Yes, Councilman?

18 MR. BRODNICKI:

19 I'd like to make a
20 motion to approve the agreement with
21 AM Coach, Incorp. for one --- January
22 1st of '20 through 12/31/21 for
23 ambulance billing.

24 DEPUTY MAYOR SAPP:

25 Do I have a second?

1 MR. UNDERWOOD:

2 Second.

3 DEPUTY MAYOR SAPP:

4 Any questions from the
5 audience?

6 Any questions from
7 Council?

8 I'd like to just make a
9 comment just so that we know that this
10 is the same vendor we will be using
11 and there is no change in the fee for
12 services.

13 STEPHANIE:

14 Mr. Underwood?

15 MR. UNDERWOOD:

16 Yes.

17 STEPHANIE:

18 Deputy Mayor Sapp?

19 DEPUTY MAYOR SAPP:

20 Yes.

21 STEPHANIE:

22 Mr. Brodnicki?

23 MR. BRODNICKI:

24 Yes.

25 DEPUTY MAYOR SAPP:

1 Next on the agenda, do I
2 have a motion to approve an agreement
3 with the municipal authority of the
4 Borough of Oakmont, PA for wastewater
5 billing?

6 MR. UNDERWOOD:

7 Deputy Mayor?

8 DEPUTY MAYOR SAPP:

9 Councilman Underwood?

10 MR. UNDERWOOD:

11 I'd like to make a
12 motion to approve an agreement with
13 the municipality authority of the
14 Borough of Oakmont, PA for wastewater
15 billing.

16 DEPUTY MAYOR SAPP:

17 Do I have a second?

18 MR. BRODNICKI:

19 Second.

20 DEPUTY MAYOR SAPP:

21 Any questions from the
22 audience?

23 Any questions from
24 Council?

25 Stephanie?

1 STEPHANIE:

2 Deputy Mayor Sapp?

3 DEPUTY MAYOR SAPP:

4 Yes.

5 STEPHANIE:

6 Mr. Brodnicki?

7 MR. BRODNICKI:

8 Yes.

9 STEPHANIE:

10 Mr. Underwood?

11 MR. UNDERWOOD:

12 Yes.

13 DEPUTY MAYOR SAPP:

14 Next on the agenda, do I
15 have a motion to approve an
16 administrative consent order with
17 Allegheny County Health Department and
18 authorize Mayor to sign?

19 MR. BRODNICKI:

20 Deputy Mayor Sapp?

21 DEPUTY MAYOR SAPP:

22 Councilman Brodnicki?

23 MR. BRODNICKI:

24 I'd like to make a
25 motion that we approve this agreement

1 to approve an administrative consent
2 order with Allegheny County Health
3 Department and authorize Mayor to
4 sign.

5 MR. UNDERWOOD:

6 Second.

7 DEPUTY MAYOR SAPP:

8 Do I have a second?

9 Any questions from the
10 audience?

11 Any questions from
12 Council?

13 MR. UNDERWOOD:

14 No.

15 DEPUTY MAYOR SAPP:

16 Rick, at this time I'm
17 just call on you, if you don't mind,
18 if you can just give us a brief
19 explanation of what's going on here,
20 I'd greatly appreciate it.

21 MR. MINSTERMAN:

22 Yes. Essentially, this
23 is an agreement with the Allegheny
24 County Health Department to allow us
25 more time to provide upgrades to the

1 Pomfret Sewage Plant. Where they're
2 having problems there with excessive
3 flow coming in the plant and exceeding
4 the design standard of the plant.
5 And, therefore, then discharging
6 exceedances of certain constituents
7 that exceed our permit requirements.

8 So it's just occasional
9 and it's during really high rain
10 events, but still not allowed, so that
11 there needs to be a revision to the
12 plant. We have it pinpointed down to
13 the ultraviolet system, seems to be
14 the weak link. And so we need some
15 time to design it, bid it and then
16 have the plant retrofitted with the
17 proper upgraded technology.

18 So this agreement
19 protects us from excessive fines and
20 violations during that work. So that
21 we have the time, it's an agreed to
22 timeframe, and so it'll work that if
23 we complete everything within that
24 timeframe, any exceedances during that
25 period will be very minimized as far

1 as any penalties or violations.

2 DEPUTY MAYOR SAPP:

3 Okay.

4 And so while we are in
5 this stage, how safe will our water
6 be?

7 MR. MINSTERMAN:

8 The water itself is ---
9 the sewage treatment plant discharges
10 to a pipe that eventually discharges
11 to a stream. So it's not coming in
12 contact with anyone other than the
13 stream. The water is clean and the
14 reasons for the exceedances is only
15 very brief durations during very heavy
16 rainfall events. So it's a minor
17 impact to the environment, however,
18 it's still considered an impact.

19 DEPUTY MAYOR SAPP:

20 Okay.

21 But it's safe to all of
22 our residents?

23 MR. MINSTERMAN:

24 Yes. There's nothing to
25 do with any of the drinking water,

1 it's irrespective of the drinking
2 water. This is just the discharge to
3 the treatment plant, a very short
4 period of a very minor, it's
5 microscopic, you know, exceedances.

6 DEPUTY MAYOR SAPP:

7 Okay.

8 Thank you.

9 Stephanie?

10 STEPHANIE:

11 Mr. Brodnicki?

12 MR. BRODNICKI:

13 Yes.

14 STEPHANIE:

15 Mr. Underwood?

16 MR. UNDERWOOD:

17 Yes.

18 STEPHANIE:

19 Deputy Mayor Sapp?

20 DEPUTY MAYOR SAPP:

21 Yes.

22 Thank you, Rick, for the
23 explanation.

24 All right.

25 Next on the agenda, do I

1 have a motion to approve agreement ---
2 an agreement --- approve an agreement
3 with Allegheny Library Association for
4 accounting services for January 1st,
5 2020 through December 31st, 2020?

6 MR. UNDERWOOD:

7 Deputy Mayor?

8 DEPUTY MAYOR SAPP:

9 Councilman Underwood?

10 MR. UNDERWOOD:

11 I'd like to make a
12 motion to approve an agreement with
13 the Allegheny Library Association for
14 accounting services for January 1st of
15 '20 through 12/31 of '20.

16 DEPUTY MAYOR SAPP:

17 Do I have a second?

18 MR. BRODNICKI:

19 Second.

20 DEPUTY MAYOR SAPP:

21 Any questions from the
22 audience?

23 Any questions from
24 Council?

25 I think I see our

1 library director in the audience. I'm
2 going to ask, Tina, if you don't mind,
3 would you come up and if you need your
4 little guy, he can come, too. And
5 what's his name?

6 MS. ZINS:

7 This is Dominique.

8 DEPUTY MAYOR SAPP:

9 Dominique?

10 Hi, Dominique.

11 So, again, can you ---
12 so give me --- this is --- and it's
13 okay, I have no worries, take your
14 time. I understand.

15 MS. ZINS:

16 So currently our
17 bookkeeping is being overseen by an
18 administrative assistant. Our
19 municipality --- so this is just an
20 effort to streamline our bookkeeping
21 practices.

22 DEPUTY MAYOR SAPP:

23 Okay. All right.

24 And this will basically
25 just clean up the book system ---

1 bookkeeping system.

2 Is that what you're
3 saying?

4 MS. ZINS:

5 Yes, efficient.

6 DEPUTY MAYOR SAPP:

7 All right.

8 Well, thank you. I'm
9 not going to force you to the
10 microphone if Dominique actually wants
11 it.

12 You're welcome. Thank
13 you for coming this evening.

14 And I don't know if
15 you're leaving or not, but I'm going
16 to give a report on the library later.
17 But in the event that you're leaving,
18 I just want you to know that you are
19 doing a fabulous job at the library.
20 In my tenure of being in Penn Hills
21 for 27 years, it's the best I've ever
22 seen it. So good job, keep up the
23 good work, please, and thank you.

24 Okay.

25 Next on the agenda under

1 ordinances we are going to ask for a
2 motion for ordinance number 2653 of
3 2019.

4 MR. BRODNICKI:

5 Deputy Mayor Sapp?

6 DEPUTY MAYOR SAPP:

7 Councilman Brodnicki?

8 MR. BRODNICKI:

9 I'd like to make a
10 motion that we approve ordinance
11 number 2653 of 2019, an ordinance of
12 the municipality of Penn Hills, County
13 of Allegheny, Commonwealth of
14 Pennsylvania accepting the bid
15 submitted by Dolney Properties, LLC
16 and authorizing the sale and
17 conveyance of real property located at
18 12245 Frankstown Road, Penn Hills, to
19 the same.

20 MR. UNDERWOOD:

21 Deputy Mayor, we have
22 not made a decision on the last. We
23 have not agreed or disagreed. That's
24 not ---.

25 DEPUTY MAYOR SAPP:

1 Councilman Underwood,
2 what are you talking about?

3 MR. UNDERWOOD:

4 Library.

5 DEPUTY MAYOR SAPP:

6 On which one?

7 MR. UNDERWOOD:

8 Library, library. D.

9 DEPUTY MAYOR SAPP:

10 Oh. Thank you,
11 Councilman. You're on it this
12 evening.

13 Stephanie, let's go
14 back. I got ahead of myself.
15 Stephanie, take roll call on the last
16 motion made and second about the
17 Library Association.

18 STEPHANIE:

19 Mr. Underwood?

20 MR. UNDERWOOD:

21 Yes.

22 STEPHANIE:

23 Deputy Mayor Sapp?

24 DEPUTY MAYOR SAPP:

25 Yes.

1 STEPHANIE:

2 Mr. Brodnicki?

3 MR. BRODNICKI:

4 Yes.

5 DEPUTY MAYOR SAPP:

6 Thank you, Councilman.

7 MR. UNDERWOOD:

8 Okay.

9 DEPUTY MAYOR SAPP:

10 Okay.

11 Now, we would like to
12 have a motion for ordinance number
13 2653 of 2019.

14 MR. BRODNICKI:

15 Deputy Mayor Sapp?

16 DEPUTY MAYOR SAPP:

17 Councilman Brodnicki?

18 MR. BRODNICKI:

19 I'd like to make a
20 motion that we approve ordinance
21 number 2653 of 2019, an ordinance of
22 the municipality of Penn Hills, County
23 of Allegheny, Commonwealth of
24 Pennsylvania accepting the bid
25 submitted by Dolney Properties, LLC

1 and authorizing the sale and
2 conveyance of real property located at
3 12245 Frankstown Road, Penn Hills, to
4 the same.

5 MR. UNDERWOOD:

6 Second.

7 DEPUTY MAYOR SAPP:

8 Any questions from the
9 audience?

10 Come up to the podium,
11 please. Speak clearly into the
12 microphone. State your name and
13 address, please?

14 MS. ARNDT:

15 Thank you.

16 My name is Betty Arndt
17 (phonetic). I live at 172 Highland
18 Road. And my question is, do we know
19 what the intended use is of the
20 property after they buy it? Is there
21 --- do we have a right to know that,
22 and if we know, could they tell us
23 what it is? I'm just curious. And
24 this is the old municipal building?

25 DEPUTY MAYOR SAPP:

1 Yes, that is correct.

2 MS. ARNDT:

3 Thank you.

4 DEPUTY MAYOR SAPP:

5 And the buyers were
6 actually here at our last council
7 meeting, so I think it's been
8 explained.

9 Yes?

10 MS. DOLNEY:

11 I'm Renee Dolney of
12 Dolney Properties.

13 DEPUTY MAYOR SAPP:

14 Oh, I didn't recognize
15 you today.

16 All right.

17 So if you would like to
18 come up, please?

19 MS. DOLNEY:

20 Sure.

21 DEPUTY MAYOR SAPP:

22 And you can go to this
23 podium and just address her question.

24 MS. DOLNEY:

25 Sure.

1 DEPUTY MAYOR SAPP:

2 Nice to see you again.

3 MS. DOLNEY:

4 Yes.

5 DEPUTY MAYOR SAPP:

6 Thank you for taking
7 interest in our council meeting.

8 MS. DOLNEY:

9 Oh, I live --- I think
10 I've mentioned. I'm Renee Dolney of
11 Dolney Properties. I live in
12 Blackridge so I vote in Wilkinsburg,
13 but I'm literally, like, three doors
14 from Penn Hills and three doors from
15 Churchill so I feel like I have a foot
16 in all of the boroughs.

17 And I'm --- my intention
18 for the property is to rebuild it as a
19 commercial space. It's a big job and
20 so I don't really have any --- I don't
21 have a contract, you know, that I can
22 really take out to people yet. So
23 once we make a final sales agreement,
24 I'm going to move as quickly as I can.
25 Again, it'll be reused as commercial

1 space.

2 MS. ARNDT:

3 Thank you.

4 That is terrific. I
5 appreciate the answer. Good luck.

6 DEPUTY MAYOR SAPP:

7 And you did --- I
8 believe I asked this question the last
9 time you were here, you have an
10 alternative plan.

11 Right?

12 In the event --- was it
13 housing that may consider ---?

14 MS. DOLNEY:

15 Yes. Yeah, absolutely.
16 Yeah. So it really depends on what
17 happens when we start getting the
18 contractors in to really take a look
19 at things like the heating and
20 plumbing system, so we'll go from
21 there.

22 DEPUTY MAYOR SAPP:

23 All right.

24 Thank you.

25 MS. DOLNEY:

1 Thank you.

2 DEPUTY MAYOR SAPP:

3 Any other questions from
4 the audience?

5 Questions from Council?

6 Stephanie?

7 STEPHANIE:

8 Deputy Mayor Sapp?

9 DEPUTY MAYOR SAPP:

10 Yes.

11 STEPHANIE:

12 Mr. Brodnicki?

13 MR. BRODNICKI:

14 Yes.

15 STEPHANIE:

16 Mr. Underwood?

17 MR. UNDERWOOD:

18 Yes.

19 DEPUTY MAYOR SAPP:

20 All right.

21 I know it's already been
22 voted on, but we want to make sure it
23 says ordinance number 2653 of 2019,
24 please and thank you.

25 MR. UNDERWOOD:

1 Deputy Mayor Sapp?

2 DEPUTY MAYOR SAPP:

3 Councilman Underwood?

4 MR. UNDERWOOD:

5 I'd like to make a
6 motion to approve ordinance number
7 2654 of 2019, an ordinance of the
8 municipality of Penn Hills, County of
9 Allegheny, Commonwealth of
10 Pennsylvania regulating loud,
11 unnecessary and destructive noises.

12 DEPUTY MAYOR SAPP:

13 Do I have a second?

14 MR. BRODNICKI:

15 Second.

16 DEPUTY MAYOR SAPP:

17 Any questions from the
18 audience?

19 Any questions from
20 Council?

21 MR. BRODNICKI:

22 Deputy Mayor Sapp?

23 DEPUTY MAYOR SAPP:

24 Councilman Brodnicki?

25 MR. BRODNICKI:

1 How are we going to
2 measure these noises? I mean, so
3 you're not having this person says
4 it's loud, this person says it's not,
5 this person says maybe. I mean, is
6 there a standard?

7 MR. ANDREJCHAK:

8 What we intended to do
9 --- well, first of all, I want to
10 thank the staff and Mr. Blackwell for
11 working on this. What we tried to do
12 here was --- what we do right now is
13 we essentially can cite someone for
14 disorderly house, I think it's called,
15 --- and it's very subjective. So when
16 a policeman is called to a certain
17 place, it's really sort of somewhat
18 discretionary to tell someone to turn
19 their music down or it's too loud or
20 issue a citation.

21 So on the other end of
22 that spectrum is to have equipment, a
23 decibel meter and to set ambient noise
24 levels for every part of Penn Hills,
25 industrial, residential, commercial.

1 And then you have this device which
2 would measure sound in an objective
3 way. And there's a lot of drawbacks
4 to that. I know that's been
5 discussed. I think that's been
6 discussed for a while. There's
7 certain expenses to go with that.

8 So what we did here was
9 --- we're really not changing the
10 universe, per se. The ordinance is
11 still subjective in the sense that it
12 defines an excessive noise as noise
13 that a reasonable person of reasonable
14 sensitivities would be injured by, and
15 so on and so forth.

16 So it's still somewhat
17 subjective in what noise is. But then
18 what it does is it's a little more
19 specific for certain things, certain
20 behaviors. It says that if you're
21 playing music between the hours of
22 10:00 at night and 6:00 in the
23 morning, and it could be heard 50 feet
24 away from your property line, we're
25 going to consider that to be noise.

1 It says that if you're operating
2 construction equipment at night,
3 that's going to sort of be prima facie
4 noise.

5 Okay?

6 So what it does is it
7 allows the officer to go that person
8 and tell them to turn it down. If
9 they don't, then they can be issued a
10 citation. They also can appeal it,
11 there's an appeals mechanism. If they
12 feel that it's not noise, they can go
13 to board of appeals for that.

14 So what it really does
15 is it kind of strikes a medium between
16 what we were doing and the other
17 extreme which is to have this decibel
18 meter. So it's being a little more
19 specific as to certain things that
20 we're going to call noise. Music
21 after 10:00 and before 6:00 a.m.,
22 landscaping equipment, you can only do
23 that --- you know, you can't do that
24 until 6:00 in the morning. But with
25 the music, I think it was really

1 geared towards if you can hear music
2 at 50 feet off the property line, then
3 the officer could say that that's
4 noise.

5 MR. BRODNICKI:

6 But this is ---?

7 MR. ANDREJCHAK:

8 It's still subjective in
9 the sense that, you know, the officer
10 has to go to the premises and issue a
11 warning, and it's a verbal warning.

12 MR. BRODNICKI:

13 So this is in addition
14 to what we have on the books now?
15 It's not replacing it?

16 MR. ANDREJCHAK:

17 It kind of replaces it
18 because, as I understand it, we really
19 don't have a noise ordinance per se.
20 We have something called disorderly
21 house which is, you know, if there's a
22 lot of music coming out of the house,
23 the police can go there and they can
24 tell you to turn it down. If you
25 don't turn it down, then they can cite

1 you for disorderly house.

2 But that's more
3 subjective than this. It's still up
4 to the officer's discretion to decide
5 if it's excessive noise. And that's
6 defined as basically any sound or
7 sounds which are unusually loud to be
8 enjoyed as to unreasonable --- or
9 something unreasonably disturbs the
10 senses of a reasonable person. So
11 it's a reasonable person's standard as
12 to what it is.

13 But then there's certain
14 activities, like I said, that
15 specifically are declared noise. So
16 if you're running construction
17 equipment at midnight, that's when you
18 presume to be noise and then you could
19 go to the board of appeals on --- we
20 felt that this was kind of a happy
21 medium between what we have. I think,
22 admittedly, have some limitations
23 versus investing in this equipment. I
24 think you did more research than
25 anybody, Chris. There's some really

1 big drawbacks to getting into that
2 equipment.

3 MR. BLACKWELL:

4 I think one of the
5 important parts of this ordinance also
6 is that it gives us a time. Like, we
7 actually --- in the ordinance 7:00 to
8 7:00 is only mentioned one place and
9 it's for mining operations or
10 something. So it was always the code
11 enforcement would say it's quiet from
12 dusk to dawn, stuff like that. This
13 says 10:00 p.m. to 6:00 a.m.

14 So I think it's a useful
15 tool for all of us and people in the
16 public and code enforcement planning.
17 When someone calls and says is there a
18 time, you know, it's 10:00 to 6:00.
19 10:00 to 6:00 is going to be known to
20 be a quiet time in Penn Hills and we
21 believe it's enforceable. There are
22 exceptions. You know, people will
23 say, well, what if they're digging up
24 the streets. Water's got to dig up
25 the street. That's different. The

1 manager also spoke with our trash
2 hauler to make sure that it was
3 acceptable to them.

4 So I think we've come to
5 a ground where --- you know, a place
6 where this is going to be a useful
7 tool for us even so we actually have
8 something to state. And also, it says
9 10:00 to 6:00 a.m. for --- and 50 feet
10 away from a residence or that type of
11 business. But it also says or any
12 time from a vehicle.

13 MR. ANDREJCHAK:

14 From a vehicle, correct.

15 MR. BLACKWELL:

16 That's pretty
17 significant. But I think that for us,
18 for me, it's more when somebody calls,
19 I can say 10:00 to 6:00 and know that
20 at the recommendation of the director
21 of code enforcement he ask that
22 construction be 8:00 to 6:00. He'd
23 like to have construction stop at
24 8:00. And that would easy to --- like
25 when they have building permits and

1 things like that, they'll be able to
2 tell contractors this is the time that
3 you can work.

4 MR. BRODNICKI:

5 Okay.

6 DEPUTY MAYOR SAPP:

7 Thank you, Chris. I
8 just need a second.

9 Thank you so much,
10 Chris, for this, you know, the time
11 that you put in. Because we do ---
12 and making it much more --- just
13 taking the time. We definitely needed
14 something more specific put in
15 place ---.

16 MR. BLACKWELL:

17 I don't know if you saw
18 it originally. It had various times
19 and days and things.

20 DEPUTY MAYOR SAPP:

21 Yes.

22 MR. BLACKWELL:

23 I'm thinking we're going
24 to have a chart where we're going to
25 go, okay, it's this thing at this

1 time.

2 DEPUTY MAYOR SAPP:

3 Right. It was way too
4 confusing and down to the officers to
5 make that determination. So thank
6 you. But there is one thing that
7 caught my attention. And I know that
8 you guys may have this or may see it.
9 So I just want to be clear for the
10 record that I had asked our business
11 manager just to take off the word
12 unnecessary, so it will read any sound
13 or sounds which is unusually loud to
14 the interests or which reasonably
15 disturbs the quiet, comfort or repose
16 of a reasonable person of normal
17 sensitivities.

18 Okay?

19 MR. BLACKWELL:

20 Sounds great.

21 DEPUTY MAYOR SAPP:

22 Is that okay with you?

23 MR. BLACKWELL:

24 Absolutely.

25 DEPUTY MAYOR SAPP:

1 Okay.

2 Thank you.

3 Just so 44,000
4 approximate residents, everybody can
5 read the same book and make the
6 determination.

7 MR. BLACKWELL:

8 That's unnecessary
9 noise. No, that will be taken out of
10 the title as well.

11 DEPUTY MAYOR SAPP:

12 Yes.

13 MR. BLACKWELL:

14 Yes.

15 DEPUTY MAYOR SAPP:

16 Let's just eliminate
17 that whole word. You okay with that?

18 MR. BLACKWELL:

19 Absolutely.

20 DEPUTY MAYOR SAPP:

21 In the draft, I'm
22 looking at it's out of the definition.

23 MR. BLACKWELL:

24 Right.

25 Thank you.

1 MR. UNDERWOOD:

2 Deputy Mayor, I have a
3 question.

4 DEPUTY MAYOR SAPP:

5 Yes, Councilman?

6 MR. UNDERWOOD:

7 I do have a question.
8 too. Also, what about the firetrucks,
9 ambulances? Also, railroads with a
10 train coming through.

11 DEPUTY MAYOR SAPP:

12 Well, it's not easy to
13 deal with the railroad. We've had a
14 whole lot of conversation. But as far
15 as the paramedics are concerned and
16 the firetrucks, those are considered
17 emergency vehicles. So there's an
18 exception or condition to this
19 ordinance.

20 MR. UNDERWOOD:

21 Really when you boil
22 this all down, what this is really
23 doing is it's saying if what you're
24 doing is excessively noisy and it's to
25 a reasonable person injurious, that's

1 considered excessive noise. And a
2 policeman could go and say stop doing
3 that, stop setting fireworks off, stop
4 setting off bottle rockets, whatever
5 they're doing.

6 We do that now, except
7 we do it under something called
8 disorderly house and it's very vague.
9 So that doesn't really change. The
10 only thing that's changed is there's
11 certain specific things which we're
12 going to say if you're doing these
13 kind of things between these hours,
14 we're really going to assume that's it
15 and it's going to sort of leave the
16 verbiage on you to say that it isn't.

17 So landscaping equipment
18 late at night, music after 10:00 we
19 can hear 50 feet from the property
20 lines those are things that the
21 ordinance presumes to be noise. And
22 then you can be asked to turn it down
23 and the police can give a verbal
24 warning.

25 As far as emergency

1 vehicles, that's not defined as noise.
2 I mean, I suppose --- I don't know if
3 a policeman would cite an emergency
4 vehicle as noise, but it's not defined
5 that way. As far as the railroad is
6 concerned, as we know full well, there
7 were complaints, I have dealt with
8 that. There are areas where we get a
9 lot of noise coming from the railroad,
10 especially cars slamming together.

11 Right?

12 That's --- we have to go
13 to the PC on that. We don't --- I
14 don't know if we have the ability to
15 regulate so much. But that's not ---
16 the ordinance doesn't single that out.
17 It just singles out radios 50 feet
18 away, it singles out doing --- if
19 you're cutting grass at 3:00 in the
20 morning, whatever to call that noise.
21 And any kind of amplified noise on a
22 public street. You know, like, if a
23 business, for instance, wanted to
24 advertise a sale, and it just
25 amplified a message out onto the

1 sidewalk or onto the street, we're
2 going to consider that to be noise too
3 between certain hours of the day.

4 So I think it really
5 just gives us a little more
6 specificity compared to what we have
7 now.

8 DEPUTY MAYOR SAPP:

9 Okay, Councilman?

10 MR. UNDERWOOD:

11 Oh, yeah.

12 DEPUTY MAYOR SAPP:

13 Stephanie?

14 STEPHANIE:

15 Mr. Brodnicki?

16 MR. BRODNICKI:

17 Yes.

18 STEPHANIE:

19 Mr. Underwood?

20 MR. UNDERWOOD:

21 Yes.

22 STEPHANIE:

23 Deputy Mayor Sapp?

24 DEPUTY MAYOR SAPP:

25 Yes.

1 STEPHANIE:

2 Thank you.

3 DEPUTY MAYOR SAPP:

4 Next on the agenda, do I
5 have a motion for resolution number
6 2019-044?

7 MR. UNDERWOOD:

8 Deputy Mayor?

9 DEPUTY MAYOR SAPP:

10 Councilman Underwood?

11 MR. UNDERWOOD:

12 I'd like to make a
13 motion to approve resolution number
14 2019-044, a resolution of the
15 municipality of Penn Hills, County of
16 Allegheny, Commonwealth of
17 Pennsylvania adopting an official
18 sewage facility plan.

19 DEPUTY MAYOR SAPP:

20 Do I have a second?

21 MR. BRODNICKI:

22 Second.

23 DEPUTY MAYOR SAPP:

24 Any questions from the
25 audience?

1 Questions from Council?

2 MR. UNDERWOOD:

3 No.

4 DEPUTY MAYOR SAPP:

5 Stephanie?

6 STEPHANIE:

7 Deputy Mayor Sapp?

8 DEPUTY MAYOR SAPP:

9 Yes.

10 STEPHANIE:

11 Mr. Brodnicki?

12 MR. BRODNICKI:

13 Yes.

14 STEPHANIE:

15 Mr. Underwood?

16 MR. UNDERWOOD:

17 Yes.

18 DEPUTY MAYOR SAPP:

19 Next on the agenda, do I

20 have a motion for resolution number

21 2019-045?

22 MR. BRODNICKI:

23 Deputy Mayor Sapp?

24 DEPUTY MAYOR SAPP:

25 Councilman Brodnicki?

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MR. BRODNICKI:

I'd like to make a motion that we approve resolution number 2019-045, a resolution of the municipality of Penn Hills, the County of Allegheny, Commonwealth of Pennsylvania approving the acquisition and subsequent disposition of vacant property located at 1954 San Juan Street, number 0173-D-00173-0000-00 in accordance with the Allegheny County Vacant Property Recovery Program and providing assurance that acquisition is consistent with the Penn Hills comprehensive plan.

DEPUTY MAYOR SAPP:

Do I have a second?

MR. UNDERWOOD:

I'll second that.

DEPUTY MAYOR SAPP:

Any questions from the audience?

Questions from Council?

MR. UNDERWOOD:

No.

1 DEPUTY MAYOR SAPP:

2 Stephanie?

3 STEPHANIE:

4 Mr. Underwood?

5 MR. UNDERWOOD:

6 Yes.

7 STEPHANIE:

8 Deputy Mayor Sapp?

9 DEPUTY MAYOR SAPP:

10 Yes.

11 STEPHANIE:

12 Mr. Brodnicki?

13 MR. BRODNICKI:

14 Yes.

15 DEPUTY MAYOR SAPP:

16 Moving right along.

17 Do we have any items for
18 consideration this evening?

19 Introduction of
20 ordinances or resolutions?

21 MR. BRODNICKI:

22 Deputy Mayor Sapp?

23 DEPUTY MAYOR SAPP:

24 Councilman Brodnicki?

25 MR. BRODNICKI:

1 Two things. First, I
2 introduced an ethics resolution a few
3 months ago and I'd like to formally
4 request it to be on the November
5 agenda.

6 Second, which deals with
7 that, when I introduced this
8 resolution, some people thought it was
9 directed against Don Kuhn Autobody
10 because of the timing, and that was
11 not the case. They've followed all
12 rules as far as contracts go and
13 provide the municipality great
14 service.

15 This resolution is
16 intended just to change the rules for
17 the further and bring us in line with
18 what other municipalities are doing.

19 DEPUTY MAYOR SAPP:

20 Okay.

21 Thank you.

22 Councilman Brodnicki, I
23 definitely agree we definitely need to
24 have that put in place. We need to
25 have that put in place here. And it's

1 a good thing to have. Other
2 municipalities have it and it is a
3 good thing to have and I don't have a
4 problem with it being put on the
5 November agenda.

6 MR. BRODNICKI:

7 Thank you.

8 DEPUTY MAYOR SAPP:

9 Next reports.

10 Councilman Brodnicki, do
11 you have a report?

12 MR. BRODNICKI:

13 Nothing formal. But it
14 was last Wednesday I attended a
15 meeting here as far as --- no, that
16 was Thursday with the trails. But
17 Thursday I was here with the trails as
18 far as to connect Boyce Park down to
19 Oakmont and come through Penn Hills.
20 And I'm glad they're making progress
21 on that. That'll help bring people
22 in, I believe. Because the young
23 people are looking for this sort of
24 thing. They like to get out, they
25 like to bike, they like to be outside.

1 Old people, too. Old people, too,
2 yes. I think that's a great thing. I
3 think that's a great thing.

4 MR. MINSTERMAN:

5 Yeah. We're very
6 excited about it. It seems to be
7 going very well and we need to keep
8 the momentum going. Thank you.

9 MR. BRODNICKI:

10 And Wednesday there'll
11 be another --- an economic development
12 meeting here. And they're making
13 great strides too as far as try to
14 bring businesses into Penn Hills.
15 That's it.

16 DEPUTY MAYOR SAPP:

17 Great.

18 What is --- that
19 abbreviation is VOPP?

20 MR. BLACKWELL:

21 Vacant Property Recovery
22 Program.

23 DEPUTY MAYOR SAPP:

24 No, no. The ---.

25 MR. BLACKWELL:

1 Oh, I'm sorry.

2 DEPUTY MAYOR SAPP:

3 That was ---.

4 MR. BLACKWELL:

5 That was the last
6 ordinance. It's Verona, Oakmont, Penn
7 Hills and Plum. We were not very
8 creative.

9 DEPUTY MAYOR SAPP:

10 It is creative.

11 MR. BLACKWELL:

12 We were trying to think
13 of what are we going to call it, and
14 it was just VOPP. That's kind of
15 stuck.

16 DEPUTY MAYOR SAPP:

17 Right. I like it.

18 MR. BLACKWELL:

19 That's what it was in
20 the beginning, and we kind of decided
21 that that's it, VOPP. Yeah, I'm
22 sorry.

23 DEPUTY MAYOR SAPP:

24 VOPP.

25 And I'd like to say that

1 it was such a wonderful evening to
2 have our connecting neighbors here in
3 our very own Council's chamber and in
4 our government building. And you guys
5 are doing an incredible job being part
6 of that whole process. Because if you
7 guys have missed it, the very next one
8 that we have, I invite you to come out
9 to hear what's happening and what this
10 feasibility study has shown to what we
11 have to look forward to in the future
12 with all the trails connected. It's
13 going to be an amazing, amazing
14 adventure, and process and then
15 outcome.

16 So you're doing a great
17 job. And I believe that the next time
18 we are going to possibly have meeting
19 in a month.

20 MR. BLACKWELL:

21 Yeah.

22 DEPUTY MAYOR SAPP:

23 It's not coming to here
24 to Penn Hills and I did invite them
25 all on the way home to stop at

1 Reilly's (phonetic) and get a burger.
2 So we were happy to have them.

3 MR. BLACKWELL:

4 And they all must have.
5 They must have all stopped there. We
6 had talked about having a meeting
7 elsewhere and, in fact, I had
8 recommended the Lodge at Boyce Park.
9 But they actually they all said, no,
10 Penn Hills has the ---.

11 DEPUTY MAYOR SAPP:

12 Yeah. They love Penn
13 Hills.

14 MR. BLACKWELL:

15 But anyways, it was kind
16 of funny because we got a little ---
17 not criticism, but we got a little
18 like how come you didn't come to Plum
19 and it was not that we were shunning
20 them or, you know, that we were
21 putting them off, but it was more just
22 that they --- everybody involved
23 really thought this was a great venue.
24 So I believe any future meetings will
25 definitely be in --- at another

1 location.

2 DEPUTY MAYOR SAPP:

3 Right. And I'm excited
4 to visit Plum. So we're excited to
5 take it to their house now.

6 MR. BLACKWELL:

7 And I have to say that
8 this is --- you know, we do daily
9 planning, weekly, monthly. This is
10 long-range. You know, when people say
11 when's it going to be done, it's going
12 to take time.

13 DEPUTY MAYOR SAPP:

14 Probably in another
15 lifetime.

16 MR. BLACKWELL:

17 Yeah. That would be
18 good, lifetime. That's good.

19 DEPUTY MAYOR SAPP:

20 Yes. But it is
21 exciting. So you're doing a great
22 job, Chris.

23 MR. BLACKWELL:

24 Thank you.

25 DEPUTY MAYOR SAPP:

1 I hear good things about
2 you.

3 Okay.

4 Councilman Underwood, do
5 you have any?

6 MR. UNDERWOOD:

7 No.

8 DEPUTY MAYOR SAPP:

9 No?

10 MR. UNDERWOOD:

11 No.

12 DEPUTY MAYOR SAPP:

13 Well, I have a small
14 report to give tonight. As I told
15 Tina, our library director, new
16 library director before she left, she
17 is to be commended. She is doing an
18 incredible job. Oh, you're still
19 here. I didn't see Dominique.

20 Yes. You're doing an
21 incredible job over at the library. I
22 have a small report here of the things
23 that are happening and I'm just going
24 to read some things off of here, so
25 that everyone can be aware of what's

1 going on and the job that she's doing.

2 So the programs that she
3 has already completed included
4 presentations by the Carnegie Science
5 Center, a math science program and the
6 children have come, chess classes,
7 youth STEM projects which is on the
8 high now in this time, 2019. Adult
9 sessions, teen advisory board
10 meetings. How awesome is that?
11 Documentary meetings and discussions,
12 adult discussions and that's just to
13 name a few things that she's done.
14 Let's see.

15 The library is going to
16 potentially host a regular school
17 visits promoting library services to
18 the students and to the teachers. And
19 how many of you know that that's
20 important because now since social
21 media and everything is on your
22 electronic device, some people really
23 don't know how to really use a library
24 anymore. And for those of us who do,
25 we may be quickly forgetting. So

1 thank you, Tina, for that great
2 service that you're going to provide.

3 I also want to say that
4 our Lincoln Park branch, which is
5 located in the Lincoln Park Community
6 Center, they did a great job there.
7 They introduced a cooking
8 demonstration and workshop and it was
9 a special needs program for adults
10 with disabilities. Amazing. So that
11 was good.

12 She's very interested
13 and has been doing a good job on
14 welcoming individuals to the library
15 and explaining what the library has to
16 offer because it's not just about
17 books or your child going to the
18 library because they have a book
19 report to do and they need to get this
20 book. There are many, many other
21 services that is being provided right
22 here at our very own Penn Hills
23 Library.

24 I also wanted to make
25 mention that the library has 128,000

1 items available at both of our
2 locations. I also wanted to tell you
3 the children services ages zero to 11,
4 the total number of programs were 24.
5 The total participants were 238. Teen
6 and young adult services, there were
7 seven programs. The participants were
8 159. There were adult services, 28
9 programs. A total of 426
10 participants. That's incredible.
11 Tina hasn't been here that long. How
12 many months have you been here?

13 MS. ZINS:

14 Four months.

15 DEPUTY MAYOR SAPP:

16 That's to be
17 commendable.

18 That concludes my
19 report. Thank you, Tina.

20 Scott?

21 MR. ANDREJCHAK:

22 I don't have anything at
23 this time.

24 MR. PETRUCCI:

25 Deputy Mayor, may I say

1 something before we close?

2 DEPUTY MAYOR SAPP:

3 Absolutely.

4 MR. PETRUCCI:

5 I was informed this
6 morning that Leo Schrantz --- he was a
7 zoning hearing board member of Penn
8 Hills for ten years. He passed away
9 over the weekend.

10 He passed away. And I
11 just want to --- he gave a great
12 service to Penn Hills. Real asset on
13 the zoning hearing board. And one of
14 the reasons was that when we would
15 talk about construction and buildings,
16 like this building here, and, you
17 know, he was here when they --- he dug
18 the foundation for buildings that we
19 --- you know, he's 86 --- he passed
20 away. He was 86 years old, but he
21 actually dug the foundation for some
22 of the buildings. He'd go well, I was
23 there when they dug the building and
24 we found the pyrite. He was a
25 contractor and did that kind of work.

1 So he was a real asset to the zoning
2 hearing board for many reasons. He
3 was a good man. And I just ---.

4 MR. ANDREJCHAK:

5 Planning commission, not
6 zoning.

7 MR. PETRUCCI:

8 I'm sorry?

9 MR. ANDREJCHAK:

10 Planning.

11 MR. PETRUCCI:

12 The planning --- I'm
13 sorry. The Planning Commission, I'm
14 sorry. But, yeah, for many years and
15 he'll be missed. And his funeral's
16 actually this evening.

17 DEPUTY MAYOR SAPP:

18 I did see that.

19 Okay.

20 What's his last name?

21 MR. PETRUCCI:

22 Leo Schrantz.

23 DEPUTY MAYOR SAPP:

24 Schrantz?

25 MR. PETRUCCI:

1 Yeah.

2 DEPUTY MAYOR SAPP:

3 Well, I ---.

4 MR. PETRUCCI:

5 S-H-R-A-N-T-Z (sic).

6 DEPUTY MAYOR SAPP:

7 I'm going to ask at this
8 moment if we could all just bow our
9 heads and have a moment of silence for
10 his family.

11 Thank you.

12 Did we send the family
13 some flowers?

14 MR. PETRUCCI:

15 I'm not aware of that.
16 But I appreciate Mr. Chiappinelli for
17 pointing it out. Mr. Chiappinelli is
18 the chairman of the Planning
19 Commission and he served with Mr.
20 Schrantz for many years.

21 DEPUTY MAYOR SAPP:

22 Okay.

23 Make sure that a card
24 gets to the family on behalf of the
25 Planning Committee, but the entire

1 local government of Penn Hills.

2 Okay?

3 Please.

4 MR. PETRUCCI:

5 Sure.

6 DEPUTY MAYOR SAPP:

7 Thank you.

8 MR. PETRUCCI:

9 Thanks, Mayor.

10 DEPUTY MAYOR SAPP:

11 We certainly appreciate
12 his service.

13 All right.

14 There will be no
15 executive session this evening, so
16 everyone gets to go home early. It is
17 now being 7:42 and I vote we close
18 this meeting. Thank you for coming
19 and have a great rest of your week.

20 * * * * *

21 HEARING CONCLUDED AT 7:41 P.M.

22 * * * * *


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CERTIFICATE

1
2
3 I hereby certify, as the stenographic
4 reporter, that the foregoing proceedings were
5 taken stenographically by me, and thereafter
6 reduced to typewriting by me or under my
7 direction; and that this transcript is a true
8 and accurate record to the best of my ability.
9 Dated the 7th day of November, 2019.

10
11 

12 Alex Riegel,

13 Court Reporter
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