

February 16, 2009 Council Meeting Minutes

The February 16th meeting of the Penn Hills Council was called to order at 7:32 p.m. in Council Chambers of the Municipal Building, Deputy Mayor Sara Jayne Kuhn presiding.

Approval of Agenda Items

The Deputy Mayor there were no other changes and the agenda was approved as amended.

Pledge of Allegiance

Council and the audience stood for the Pledge of Allegiance.

Roll Call

Roll was called and the following members of Council responded:

Present: Mr. Underwood
Dr. Kincaid
Deputy Mayor Kuhn
Mr. Palumbo

Absent: Mayor DeLuca (Sick)

Also present were: Acting Manager Rayan, Solicitor Brimmeier, Gateway Engineer Minsterman, Controller Sciulli, Finance Director Schrecengost, Planning Director Davidson and Deputy Clerk Fitzhenry.

Approval of Minutes

Mr. Palumbo made a motion to approve the July 7, 2008 Council Meeting, October 20, 2008 Council Meeting, November 3, 2008 Council Meeting and the December 15, 2008 Council Meeting Minutes as presented.

Mr. Underwood seconded the motion.

Mr. Ed Zullo commented that he had asked for minutes to be placed on the website and was wondering if this would be done.

Deputy Clerk Fitzhenry stated that once the minutes are approved they will be added to the Administrative document and forms section of the website.

Mr. Sanker questioned why the minutes are being approved from summer of last year and they are done so sporadically.

Approval of Minutes (Continued)

Deputy Clerk Fitzhenry commented that work flow and deadlines for other projects have interfered with completing minutes, etc. She stated that the minutes are being completed and will be approved in a timely manner in the future.

Acting Manager Rayan commented that sewer collections from Centax have taken up considerable time and will be completed and turned over to a new delinquent collector soon and this should alleviate the backlog with other work.

There being no further discussion roll was called and the minutes were approved by a vote of 4 to 0, with the exception of the October 20, 2008 Council Meeting which was approved by a vote of 3 to 0 to 1, Mrs. Kuhn being the abstention because she was absent from that meeting.

EXPENDITURES

Approval of Warrants

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated February 16, 2009 including Journal Vouchers numbering 2 in the amount of \$248,098.53; C.D. Requisitions numbering 2 in the amount of \$8,388.00; and Master Check Nos. 10219 to 10355 in the amount of \$567,486.46; One Communication Checks No. 10111 and 10180 in the amount of \$7,794.73 making a grand total of \$831,767.72.

Mr. Palumbo seconded the motion.

Mr. Joseph "Mickey" O'Connor asked if a severance check has been paid to the former Manager as of yet and what the amount of the check was.

Solicitor Brimmeier stated that the former manager would get his one month pay during the suspension period specified under the charter and then only those other fees that are permitted under the law – vacation buy-out, etc. She could not comment on the amount as a final figure has not been calculated nor has he been given a final check,

Mrs. Kuhn questioned Check No. 10255 for road salt. She wanted to ensure that the purchases have not exceeded the budgeted amount.

Acting Manager Rayan stated that he has been able to stockpile some salt in recent weeks and we are still under the budgeted amount

Approval of Warrants (Continued)

Mrs. Kuhn questioned Check No. 10330 to the Pennsylvania League of Cities for conference registration as she thought the funding was eliminated from the budget.

Finance Director Schrecengost informed Mrs. Kuhn that the Manager's account has \$2,000 available for dues and conferences.

Mrs. Kuhn questioned checks on page 17 of the warrants list for sewage refunds. She wanted to make sure that the people getting refunds were all deserving of them and that no refunds are sent out unnecessarily. She believes there were issues in the past and the Finance Office caught a few mistakes.

Finance Director Schrecengost stated that all the refunds have been verified and are due to the residents listed.

Mr. Underwood then asked if the Municipality is still able to purchase salt for the \$40+ per ton cost under our SHACOG agreement.

Acting Manager Rayan explained that Penn Hills had estimated using approximately 9,000 tons of salt and that SHACOG automatically calculated their entire contract based on 150% of the calculated amounts. Penn Hills can purchase up to 13,500 tons at the \$40+ per ton cost. He explained that communities, who have exceeded the projected 150% calculations, now have to pay an increased amount for their salt, but Penn Hills is in good shape through the remainder of the contract.

There being no further discussion, roll was called and the warrants were approved as follows:

All checks were approved by a vote of 4 to 0, except Check Nos. 10293, 10307, 10306, 10225, 10265, 10314, 10318, 10278, 10337 and 10288, which were approved by a vote of 3 to 1, Mr. Underwood being the negative vote; and Check No. 10120 to Don Kuhn Auto Body, which was approved by a vote of 3 to 0 to 1, Mrs. Kuhn being the abstention.

Resolutions

Dr. Kincaid made a motion to approve **Resolution No. 2009-016** authorizing the execution of a contract between the Municipality of Penn Hills and Hoffman's Boarding Kennels for Animal Control Services for a two-year period in the amount of \$30,000.00 per year.

Resolutions (Continued)

Mr. Underwood seconded the motion.

Dr. Kincaid asked how quickly this contract will be utilized.

Acting Manager Rayan stated that the contract would go into effect immediately, as the current contract expires tomorrow, February 17, 2009.

Dr. Kincaid then asked how we get the word out to the public about the rules and regulations on licenses, etc.

Deputy Clerk Fitzhenry explained that licensing and rabies vaccinations are required by state law. She commented that our animal control agent primarily works on dog bites, running at large, barking issues, lost dogs, etc. She further explained that we have worked with Hoffman's for several years now and responds promptly to calls from residents, police and administration.

Dr. Kincaid questioned language in the contract about euthanizing animals and felt the timeframe was stringent.

Deputy Clerk Fitzhenry stated that the kennel is a licensed and insured facility and as such complies with the Pennsylvania Department of Agriculture for boarding kennels and dog law enforcement.

There being no further discussion, the motion was approved by a vote of 4 to 0.

Introduction of Ordinances, Resolutions, etc.

Council had no legislation to introduce at this time.

REPORTS - Mayor, Council, Manager, etc.

Mrs. Kuhn stated that times are very serious in this community and elsewhere because of the several economic times we are experiencing. She apologized for talking too loudly during the February 2nd meeting, but felt that the content of her comments were quite appropriate. She commented that public money is never free and she takes her job as an elected official very seriously and will always be mindful of the difficult times we all face. She stated that she will use less volume and tone in addressing issues in the future. She offered her apology specifically to Mr. Sanker.

REPORTS (Continued)

Mrs. Kuhn then discussed the Federal Stimulus Plan and asked for routine updates on projects, rules and regulations and deadlines. She feels Penn Hills needs to apply for as much funding as possible and hopefully we will receive some of it to offset our local output of funds. She discussed the proposed letter of support being added to the website and being made available at the Senior Center and Library.

Mrs. Kuhn reported that Officer Lynch has been conducting meetings for the Crime Watch Programs and they have been well attended. She feels he has done an excellent job in his presentations and hopes that the good work continues. She thanked the Volunteer Fire Companies for hosting the Crime Prevention Programs. She urged residents to attend the meetings at their local fire halls and stated the remaining dates are on the website.

Mrs. Kuhn also asked residents to consider making contributions to the Volunteer Fire Departments during their annual fund drives which are under way now. She realizes the hard economic times we face, but commented that the Fire Departments face these tough times as well. She commended the Fire Departments for their continued service to the community and commented on the huge cost we as residents would experience without the volunteers.

DISCUSSION SESSION

1. Eastgate Donation (S. Kuhn)
2. Concession Lease Agreements (D. Fitzhenry)
Friendship Park – Football Association
Friendship Park – Boys Baseball
Penn Hills Park – Girl's Softball
3. New Business
Ball field Lighting (M. Rayan)
4. Public Comment Period (3 minutes per person)

Mr. Don Sanker thanked Mrs. Kuhn for her apology and accepted it.

Mr. Ed Zullo congratulated the Mayor and Council on getting out of the Federal Consent Decree. He commented that he attended hearings at the Holiday Inn sponsored by ALCOSAN and the Mayor and Council should consider giving our sewer system to ALCOSAN as he feels they would be willing to accept it. He discussed the Three Rivers Wet Weather Project's sewer rate survey and

DISCUSSION SESSION (Continued)

4. Public Comment Period (Continued)

feels our rates are the highest around, but the survey is somewhat dated. He truly hopes Penn Hills can find a way to get out of the sewer business altogether. He then commented that the link on the ALCOSAN Website for Three Rivers Wet Weather still lists Mrs. Lamanna as the representative and he knows that is incorrect.

Mr. Underwood stated he and Mr. Palumbo are representatives for Three Rivers Wet Weather Project. He further commented that they have meetings coming up shortly.

Mr. Regis Burris commented that he has 20+ years in the automotive repair field and would be willing to assist in any way he can with the tracking of vehicle maintenance and the sale of obsolete vehicles.

Mr. Joseph "Mickey" O'Connor questioned the topic of Wilkins Boundary being on the closed session and wanted an explanation as to why it is permitted to be handled as a closed session item.

Solicitor Brimmeier stated that there has been litigation regarding the boundary and the issues that are being discussed fall within those perimeters.

Mr. O'Connor asked for the docket number.

Solicitor Brimmeier didn't know the docket number off the top of her head, but said she would provide it to Mr. O'Connor.

Adjournment

There being no further business, the Deputy Mayor asked for a motion to adjourn the meeting.

Dr. Kincaid made a motion to adjourn the meeting.

Mr. Underwood seconded the motion to adjourn and it was approved by a vote of 4 to 0.

The meeting adjourned at 8:23 p.m.

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Adjournment (Continued)

Note: The following item was discussed in Closed Session following the adjournment of this meeting: Wilkins Boundary

Respectfully submitted,

/s/ Diane Gionta Fitzhenry
Deputy Municipal Clerk

These minutes approved by Mayor and Council on March 2, 2009.