

**CITY COUNCIL MEETING
MINUTES
Monday, October 12, 2009**

Mayor Eisaman called the meeting to order at 7:00 p.m. City Administrator, Susan Trout, took roll call with the following members present: Councilman DePasquale, Councilman Peterinelli, Councilman Tridico, Councilman Finfrock and Mayor Eisaman. City Solicitor, Timothy McCormick and City Treasurer/Fiscal Director, Mary Perez were also present.

*****PLEDGE OF ALLEGIANCE*****Councilman DePasquale

*****2008 AUDIT REPORT*******John Sarp, Sarp and Company.** Mr. Sarp, "We are the independent auditors for the City and I'm here to report the results of our audit. It resulted in an unqualified opinion; again, the highest form of assurance that Certified Public Accountants (CPAs) can opine on financial statements. As always we had very good cooperation from the administration and staff; they were very forthcoming in all of our requests. We had no significant differences of opinion that were not resolved. For the most part it is a good report. I'm not going to go into the numbers now. I realize you're just getting these, but, as always, you know that we're right in town and if you look them over and have any questions, please feel free to call me or Jared. Unfortunately, Jared has lost his voice tonight so I'm the mouthpiece for the firm. All in all, it was a good audit. There was only one new pronouncement this year. Government Accounting Standards Boards (GASB) pronounced 'Item 45' which is the other post-employment benefits. You know how we present the pension each year and the amount necessary to fund the pension etc., well, GASB has decided that we have to do the same thing with post-employment benefits. In most cases its health care. If you look at the very last note, I'll show you how it's reported. This will now be included as ongoing in the report. Look at page 47, and as you can see under Police Employees, we say who will be eligible for these benefits and on page 48 is the Non-Uniformed Employees, union and non-union, it's the same thing, their eligibility, coverages and benefits. We give some classification of participants and we list the actuarial assumptions, because these benefits must be computed actuarially. We rely on them to give us the statistics and their determination as to, on page 51, this is the crux of the biscuit, the annual required contribution, \$378,706. Now there is no plan in place so these numbers are going to be computed annually and funded as you go; paid as necessary. The alternative is to put a plan in place and to fund that plan just like you would a pension. That is not a requirement however; actually it's not even a requirement of pensions except for certain union and State employees. But that's really the newest part of this report. There's not a lot to it. Once you look at it you'll see that it's very similar to a pension report. You'll see if you go back to the pension part of it; very much the same thing. Does anyone have any questions? Again, I know you're looking at this for the first time. I would rather have you read it at your leisure and call with any questions."

Councilman DePasquale, "Are there any other GASBs coming down that would affect us but the effective date hasn't started yet?"

Jared Ewing, Sarp and Company. Mr. Ewing, "There is a GASB coming out about the classification of fund balances as either designated or reserved. I think its GASB 53. There are some classes coming up about it. That's probably the main one that would affect you coming up."

Councilman DePasquale, "When's the effective date on that?"

Mr. Ewing, "I believe it's this year, 2009."

Mr. Sarp, "That's just a matter of a designation of what exists just to make the statements comparable with other municipalities and I guess it makes GASB happy. Are there any other questions?"

Mayor Eisaman, "I may have questions after I review it."

Mr. Sarp, "You are most welcome to call me anytime, Karl. Thank you all very much. I'd like to thank Sue and her staff, Mary, for doing such a nice job with us. Thank you."

Mayor Eisaman, "Thank you, John. Since this is a draft, do we accept it?"

Mr. Sarp, "We do not anticipate any changes to what you have however it's entirely up to this august body to make that decision."

Mayor Eisaman, "Thank you."

Ms. Perez, "The numbers substantially have been reviewed by myself and Sue with Jared. John's right; we don't anticipate any changes."

Councilman DePasquale **MOVED** to approve the 2008 Audit Report as presented, and Councilman Tridico **SECONDED**. No further discussion. **All voted unanimously to approve the 2008 Audit Report.**

*****COMMENTS/BUSINESS FROM THE FLOOR*****

Rachel DeMatteo, 934 Hillcrest Drive, Greensburg, PA 15601 and Mark and Amy Dent, 936 Hillcrest Drive, Greensburg, PA 15601. Ms. DeMatteo, "If you're familiar with Hillcrest Drive, it has a brick-lined drain that goes along the side and the storm water from the whole Hillcrest neighborhood flows down our street. I think Mayor Eisaman was there last summer when we had some flooding. We are primarily concerned with the safety of the drain. At the very bottom where there's actually a grate that goes to the underground storm water sewer, there is a big hole that someone could easily fall into. A child could probably fall into it or someone could get their foot stuck into it. Also, since we've been living there, there have been two or three cars that have gotten stuck in the drain. We're mainly just concerned with whether we would be liable for things that would happen to the drain. We're not even sure of our responsibilities for maintaining the drain, because it fills up with grass and clogs up."

Mayor Eisaman, "Just for clarification, I know there are primarily two houses going towards where it comes down and you're the second house and the Dents are the house closest to the old Plymouth school?"

Ms. DeMatteo, "I'm the lower on the hill and they're up one. We're unclear of our responsibilities."

Mayor Eisaman, "So the grate is below your house?"

Ms. DeMatteo, "My house, correct."

Mayor Eisaman, "It's not on your property but on the City street?"

Ms. DeMatteo, "I think so, but I'm not 100% certain of that."

Mayor Eisaman, "We will have to take a look at that and determine if it's a Sewage Authority situation or a City problem and try to work out a joint solution, I guess."

Ms. DeMatteo, "I contacted Mr. Gino Rizzi and he thinks it is part of the street system."

Mayor Eisaman, "We'll get together with the Authority and try to figure out whose responsibility it is and try to resolve it."

Ms. DeMatteo, "Ultimately, and I don't know if this would be possible, but we would really like to see a revamping of the whole system. I'm sure you would have to apply for a grant to do something like that to have an underground storm water system like a normal neighborhood would have instead of this above-ground system."

Mayor Eisaman, "The unfortunate thing is in older communities it's harder to do that financially. Also, this is where the bricks are loose and they sometimes get wedged in your driveway."

Ms. DeMatteo, "And they get wedged in the drain."

Mayor Eisaman, "The problem we would have even if we would, and I'm not sure who put those bricks in, whether it was us or the individual homeowners."

Ms. DeMatteo, "I don't know if we're supposed to be fixing the bricks if they get dislodged or someone else is doing that."

Ms. Trout, "I think I spoke with you a couple of times on the phone. When I looked into your property, when we pulled out the map, it looked like each individual property owner owns that brick area, if I recall correctly from the last time we talked. The concern was the bricks were coming loose and jamming up in a pipe that somebody had piped over a driveway."

Ms. Dent, "Yes, both of our driveways have pipes running underneath and things get lodged, not only bricks but leaves to garbage can lids and sticks. My husband has to come home on a rainy day in the middle of work to make sure there is nothing in there. Otherwise the rain washes out our landscaping and our house gets water."

Mr. Dent, "Not just ours, but it's actually dug out a chunk of our foundation; enough water washes down to our house from that clogging up. It got to the bottom of our foundation which eventually is going to cause structural damage to our house. It then washes everything from our yard down to the neighbor below us who is a 75-year-old guy who just had bypass surgery."

Mayor Eisaman, "I think that's the time I was there."

Mr. Dent, "Yes. He's out there in the middle of the night trying to clean it because we don't know it's going on and it's rushing past his house."

Mayor Eisaman, "I know in 2008 we had the one rain and back in June of this year we cleaned out the opposite side and that seemed to have helped a little bit. Did that help in June at all?"

Mr. Dent, “No. I was outside for a couple of hours basically fighting water back. If it’s ours we might be able to do something with it. I’m in construction; I can do something with it. But we don’t have money to hire engineers and the City doesn’t have money to hire engineers.”

Mayor Eisaman, “Can we ask Ron to make sure he looks at the surveys and clarifies whose responsibility it is and we will also look at the grate to make sure that is resolved one way or the other; if it’s our responsibility or if it’s somebody else’s responsibility and work with them to try to resolve that issue?”

Ms. DeMatteo, “I have pictures if you’re interested.”

Ms. Trout, “I’ll take the pictures.”

Ms. Dent, “There are other pictures in there from another street to see how comparable streets work.”

*****APPROVAL OF LAST MONTH’S COUNCIL MINUTES*****Councilman Peterinelli **MOVED** to approve the minutes of last month’s Council meeting, and Councilman Finrock **SECONDED**. No discussion. **Unanimously all voted in favor.**

*****APPROVAL OF MONTHLY BILL LIST*****Councilman Finrock **MOVED** to approve the bill list and pay the bills as the money becomes available. Councilman Tridico **SECONDED**. No discussion. **Unanimously all voted in favor.**

*****REPORTS OF COUNCIL*****

Councilman DePasquale, “The Recreation Department will be accepting registration forms to participate in this year’s Holiday Parade until November 6, 2009. If your group or organization is interested in participating you can pick up a registration form at the Recreation Office or print a copy from the City’s website at www.city.greensburg.pa.us. The parade is scheduled for Saturday, November 21, 2009 at noon. The second session of the ISI Tot Learn-to-Skate Program will begin on Thursday, October 22, 2009 and the second session of the Learn-to-Play Hockey Program will begin on Saturday, October 31, 2009. Limited space is still available for these programs and that concludes my report.”

Councilman Peterinelli, “The Street Department finished paving our last project, Short Street, on October 2, 2009. This concluded all scheduled work that was planned back in the spring. The projects that were completed were the reconstruction of four alleys; resurfacing another five alleys; resurfacing 15 streets and resurfacing a parking lot near the Train Station. A total of 2,604 tons of asphalt was used by the Street Department. The contractor, Derry Construction, paved another nine streets and they used 1,645 tons. Leaf collection will begin October 19, 2009. The Street Department crews will be using the vacuum with the trailer and will follow a weekly schedule. Place all raked leaves in the street at the curb, not in the alleys, for pick up. That’s it, Mayor.”

Councilman Tridico-No Report this evening.

Councilman Finrock, “Revenues through September are at 80% of the budget. This is 3% lower than revenues were at September 2008. That is a little bit troubling. Expenses are at 70% of the budget. This is 1% lower than last year. So we are doing a fairly decent job of keeping our expenses under control. We also concluded all of our meetings with supervisors on the budget for next year. We’re in the process of putting together an analysis and finding out exactly where we stand as far as next year’s budget is concerned.”

*****MAYOR’S REPORT*****

- a. Code, Fire and Police Reports.** Mayor Eisaman reviewed the Code, Fire and Police Reports. Copies of these reports may be obtained at the respective offices or the City Administration Office.
- b. Halloween 2009 Activities.** Mayor Eisaman, “Trick-or-Treating will be held in the City of Greensburg from 6:00-8:00 p.m. on Saturday, October 31st. The Halloween Parade at Lynch Field will begin at 5:30 p.m. Details regarding the parade can be found by visiting the City’s website. We wish everyone a safe and Happy Halloween. I believe Hempfield Township, South Greensburg and Southwest Greensburg will be celebrating Halloween on the same day, October 31st, which is also nice.”

*****ADOPTION OF BILLS AS ORDINANCES*****

Bill No. 10 as Ordinance No. 1986 – AN ORDINANCE OF THE CITY OF GREENSBURG VACATING A PORTION OF AN ALLEY SOMETIMES KNOWN AS WILLIAMS ALLEY IN THE FIFTH WARD OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND. Ms. Trout, “Requested by Westmoreland Hospital, the adoption of this Ordinance vacates a portion of Williams Alley for construction of a 29-space parking lot required for Excelsa Health’s planned Emergency Department expansion.”

Councilman Peterinelli **MOVED** to adopt Bill No. 10 as Ordinance No. 1986, and Councilman Finfrock **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 10 as Ordinance No. 1986.**

*****ENACTMENT OF RESOLUTIONS*****

Resolution No. 1143 – A RESOLUTION OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND, GRANTING AND RATIFYING THE INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE R-3557 FROM THE ESTATE OF GERALDINE M. ELYANICH OF THE CITY OF MONESSEN TO GREENSBURG DAMONS GRILL, LLC AT 1020-5 TOWNE SQUARE DRIVE. Ms. Trout, “The enactment of this Resolution corrects the name and address of the applicant pursuant to Resolution No. 1131 enacted by City Council on January 12, 2009. In accordance with the State Liquor Code, a properly advertised public hearing was held on January 6, 2009 which was related to this license. This is simply a correction of the name and address.”

Councilman Tridico **MOVED** to enact Resolution No. 1143, and Councilman DePasquale **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1143.**

Resolution No. 1144 – A RESOLUTION OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND, ADOPTING AND PLACING INTO IMMEDIATE EFFECT THE HAZARD MITIGATION PLAN OF WESTMORELAND COUNTY. Mayor Eisaman, “This was requested by Mr. Harvey in the Code Office, I believe.”

Ms. Trout, “Emergency Management at the County.”

Councilman Peterinelli **MOVED** to enact Resolution No. 1144, and Councilman Finfrock **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1144.**

*****COUNCIL APPROVAL*****

- a. Maintenance Agreement between the City of Greensburg and Neopost for the Postage Machine.** Ms. Trout, “The 1-year rate for the postage machine for the period of November 9, 2009 to November 8, 2010 is \$671.45. This is a \$32 increase over last year’s rate.”

Councilman DePasquale **MOVED** to approve the maintenance agreement, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the maintenance agreement.**

- b. Rental Agreement between the City of Greensburg and Neopost for the Postage Meter.** Ms. Trout, “The price for this agreement for a 1-year period from November 9, 2009 to November 8, 2010 is \$688.80. This amount is the same rate as charged last year.”

Councilman Finfrock **MOVED** to approve the rental agreement, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**

- c. Grant Agreement between the City of Greensburg Police Department and the U.S. Department of Justice Community Oriented Policing Services.** Ms. Trout, “Council approval authorizes the Mayor to execute the grant on behalf of the City accepting the terms and conditions as set forth in the Law Enforcement Technology Program for acceptance of this grant in the amount of \$435,000. We owe Wally, Mary, Karl and Council a great thank you for this money if they’ll approve it.” Mayor Eisaman, “And Representative Murphy.”

Councilman Peterinelli, "When will the money come?"

Mayor Eisaman, "Let's approve it first."

Councilman Peterinelli **MOVED** to approve the grant agreement, and Councilman DePasquale **SECONDED**.

Mayor Eisaman, "I have been informed this is a reimbursement. As we pay for it we send the information into the Federal Government, and do they pay the bill or reimburse us?"

Chief Lyons, "They pay the bill."

Mayor Eisaman, "So we actually never see the money come into the City."

No further discussion. **All voted unanimously to approve the grant agreement.**

Mayor Eisaman, "Thank you to Wally, Mary, Sue and everybody who worked on that. It's much appreciated."

d. Issuance of Certificates of Appropriateness for Projects Recommended for Approval by the Historic and Architectural Review Board (HARB). Ms.

Trout, "The following projects are recommended by the HARB for Council approval from their September 22, 2009 meeting. Located in the Historic, Downtown and Gateway Districts, new signs for '*Stifel Nicolaus*' located at 102 South Main Street; in the Downtown District, a new sign for '*Comrades Barber Shop*' at 18 West Third Street; and new signs for '*The Chocolate Shoppe*' at 118 North Pennsylvania Avenue located in the Historic and Downtown Districts."

Councilman Tridico **MOVED** to approve the issuance of the Certificates of Appropriateness, and Councilman Finrock **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve.**

e. Hiring of Seasonal Recreation Department Employee. Ms. Trout,

"Recommended by the Rink Manager, Regis Garris, III is slated for a skate guard position at the rink at the rate of \$7.25 per hour."

Councilman DePasquale **MOVED** to approve the hiring, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**

f. Resignation of Part-time Police Dispatcher. Ms. Trout, "Council approval accepts the resignation of Justin Calisti effective October 12, 2009."

Mayor Eisaman, "I assume he got a job somewhere else?"

Chief Lyons, "Yes, at Westmoreland County, Juvenile Probation."

Councilman Finrock **MOVED** to approve the resignation, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the resignation.**

g. Extension of Agreement between the City of Greensburg and Guardian Construction/dba Downtown Commons, LLC. Mayor Eisaman, "This is for the back building of Troutman's located on Pennsylvania Avenue."

Ms. Trout, "Council approval extends the current agreement 60 days from September 30, 2009 to November 30, 2009."

Mayor Eisaman, "I believe we're just waiting for all the parties to sign off on the agreement based on their various meeting dates."

Ms. Trout, "That's correct; different meetings that they have going on."

Councilman DePasquale **MOVED** to approve the extension, and Councilman Finrock **SECONDED**. No further discussion. **All voted unanimously to approve the extension.**

h. Intergovernmental Agreement between the City of Greensburg and Central Westmoreland Council of Governments (COG). Ms. Trout, "Council approval

accepts the agreement for legal services through the Cohen Law Group for our cable franchise renewal with Comcast. The purpose is to partner with area municipalities through the efforts of the COG to take advantage of the economies of scale and the greater potential benefits as well as reducing legal costs through the sharing of fees. Hopefully it will be a great municipal effort, region-wide."

Mayor Eisaman, "Do we know how many participants will be part of this?"

Ms. Trout, "We do not. They have until October 16, 2009 to respond. In my discussions thus far, I believe they said they knew of five municipalities that expressed interest."

Mayor Eisaman, "And our current agreement expires?"

Ms. Trout, "November, 2010."

Councilman Finrock **MOVED** to approve the agreement, and Councilman DePasquale **SECONDED**. No further discussion. **All voted unanimously to approve the agreement.**

- i. Mutual Aid Agreement between the Municipality of Murrysville and the City of Greensburg.** Ms. Trout, "Requested by Murrysville, the agreement secures reciprocal emergency assistance for shared services in the event of a disaster." Councilman Tridico **MOVED** to approve the agreement, and Councilman Finrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- j. Paving Agreement between the Municipal Authority of Westmoreland County (MAWC) and the City of Greensburg for the Paving of Seminary Avenue.** Ms. Trout, "Council approval authorizes the MAWC to pave the entire width of Seminary Avenue from Third Street to West Pittsburgh Street due to a main line replacement project. Typically the utility company would be responsible for restoring the disturbed area which would be half the width of the road. They have agreed to pave the full width of the road at a cost of \$15,970 which they have agreed to accept in the form of credits towards future street opening permits." Councilman Peterinelli, "Are they going to do the work this year?" Ms. Trout, "They told me they were." Councilman Peterinelli **MOVED** to approve the agreement, and Councilman DePasquale **SECONDED**. No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the agreement.**
- k. Rental Lease Agreement Renewal between the City of Greensburg and 'Golf for Her' at 104 South Pennsylvania Avenue.** Ms. Trout, "Council approval accepts the terms of the lease renewal for a period of one (1) year effective November 1, 2009 through October 31, 2010 at \$955 per month with an option to renew on November 1, 2010 through October 31, 2011 at a monthly rate of \$965 per month. The new lease is reflective of a \$10 increase over the current rent which is \$945 per month. The only other change to the terms of the lease is an increase from 30 days written notice to 60 days written notice by either party for acceptance of the option to renew or to terminate the lease." Mayor Eisaman, "Currently she has been in that location one year?" Ms. Trout, "Two years." Councilman Tridico **MOVED** to approve the rental lease agreement, and Councilman Finrock **SECONDED**. No further discussion. **All voted unanimously to approve the rental lease agreement.**

*****ADJOURNMENT*****Councilman DePasquale **MOVED** to adjourn the meeting. **SECONDED:** Councilman Finrock. Unanimously all voted in favor to **adjourn.**

RESPECTFULLY SUBMITTED:

Susan M. Trout, City Administrator

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