

**CITY COUNCIL MEETING
MINUTES
Monday, September 14, 2009
7:00 p.m.**

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*****Mayor Eisaman

*****BIDS*****

a. Sale of Used Police Vehicles. Ms. Trout, “Bids were opened at an advertised public bid opening held on September 8, 2009 at 1:15 p.m. The bids were reviewed by myself and Mary Perez, our Fiscal Director, and our recommendation is that Council accept the highest bid for each vehicle as presented.”

***Successful Bid**

Bidders:	Item A 07 Ford Crown Vic	Item B 07 Ford Crown Vic	Item C 1999 Jeep Cherokee	Item D 1996 Cadillac Deville	Item E 1991 Acura Legend	Item F 2005 Chevy Impala
Nick Fontana, Greensburg, PA			\$1,550			
Ron Winkelvoss, Philadelphia, PA	\$3,157	\$3,157				
Amy Sokol, Lower Burrell, PA			\$1,358			\$2,501
Mosside Specialty Cars, Wall, PA	\$5,111.11	\$5,111.11	\$2,611.11		* \$1,211.11	\$2511.11
Grace Quality Used Cars, Morrisville, NJ	\$5,155	\$5,155				\$2,055
Sulli Motors Ambridge, PA	\$4,072	\$4,072	\$1,069	\$333	\$229	* \$2,610
Donna Burdette, Greensburg, PA			\$1,277			
Jason Dieter Mt. Pleasant, PA			* \$2,952.52		\$574.48	
Asia Motors Inc., Chicago, IL	* \$5,739	* \$5,739	\$2,239	* \$839	\$839	\$2239
Emergency Remarketing Chesterfield, OH	\$5,716	\$5,716	\$613		\$213	\$2273
Wayne Clemmens,					\$995	

Greensburg, PA						
Jerry Stofko Greensburg, PA					\$350	
Gerald Kiliany Greensburg, PA			\$801			

Councilman Peterinelli **MOVED** to accept the high bids as presented, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to accept the bids.**

b. Janitorial Service Contract. Ms. Trout, “Bids were opened this morning at 10:30 in a public bid opening. We did scale back the janitorial service contract for the next year. As a cost-saving measure, we removed some City Hall offices, and we will take on that duty in-house. We also took out of the bid the purchase of paper products and supplies. We’ll also be doing that in-house. We received two bids, and our recommendation, Mary and I, after we went through them is to award the bid to Coverall of Pittsburgh for \$22,788. It’s a one-year term with an option to renew for an additional year.”

Total Bid

Service Master By Stiffey Jeannette, PA	<u>\$32,520</u>
Coverall of Pittsburgh Pittsburgh, PA	<u>\$22,788</u>

Mayor Eisaman, “What is the amount we pay currently?”
Ms. Perez, “We pay \$32,520.”
Councilman DePasquale **MOVED** to accept the low bid as presented, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to accept the bid.**

*****ECONOMIC IMPACT STUDY*****

Mike Langer, President of the Westmoreland Cultural Trust. Mr. Langer, “First let me say I appreciate very much the opportunity to talk to Mayor and Council tonight. I’m very grateful for that. I hope everybody is familiar with the Trust so I won’t spend a lot of time talking about our mission statement or the assets we have. Certainly I hope Mayor and Council are familiar with our mission statement in terms of the arts and economic development. I also assume you know all the properties that we either own or manage. I’d like to restrict my remarks to the Palace Theatre if I could. The Palace Theatre was built in 1926 originally as a vaudeville house for \$750,000; in today’s dollars that equates to \$28,000,000. It’s very tough to put a theatre of that caliber and quality into place as that price would indicate. The Palace had some transformation. It went from vaudeville to film in the ‘30s. It went through a lot of different transitions to ultimately live theatre. The Trust took ownership of it in 1990 and has kept it as a live theatre ever since. I’m proud to tell you that 2008 was the best year the Palace has had under Trust management since 1990. It had 96 shows and 45 other special events; both of which are records for us. It had over 60,000 people in attendance, which is an all-time high under Trust management, and I am thrilled to tell you the Palace only lost \$260,000. I want to say this again because this is an important portion of what we’re going to talk about tonight, the Palace only lost \$260,000 after its best attendance and number of shows in its history of ownership with the Trust. Now, just as a tangent, two things; first, the Trust broke even. So that’s not where we’re at tonight; the Trust was in the black for last year. The second thing is that we knew that when we took it over back in 1990. We knew that was the aspect of the theatre. Specifically we believe there is no live theatre in the Country that is in the black that is not either a recipient of an endowment, like the New York theatres that have the Carnegie and the Mellon endowments, or a recipient of tax dollars, like the Regional Asset District (RAD) in Allegheny County. The Palace as you know is neither of those. So everything that we do is for the specific purpose of keeping the Palace open. That is why we are into the real estate, the fundraisers and the membership aspect of

it; all of those things are specific to keeping it open. As some of you know with my background in terms of corporate America the obvious question when I came here and I saw the Palace lost that amount of money given the overall finances of the Trust in general, it was a pretty straightforward question and that is why do you keep something open that does no marginal revenue, does not exceed marginal expenses? It is an underutilized asset that can't perform. The argument was the obvious thing in corporate America is to shut it down. That would be the answer. I clearly understand as the President of the Trust that we'll never shut the Palace down. Let's make that clear. We will never shut the Palace down. But the question that should be asked and what I wanted to answer today is first of all we absolutely believe in our core mission that the cultural fabric of a community both in quality of life and the arts education is a key component to any community. That's a vital part of our mission and we will continue to do it. However, I'd also like to talk about the Economic Impact Study which is what led up to this. As part of another project we had an Economic Impact Study done by Mullin & Lonergan (M & L) Associates. For those of you not familiar with M & L they are one of the consulting firms the State recognizes in terms of impact studies, and they have done one for us. I'm not going to go through the entire report. I'm sure you're all familiar with the impact study and what it's designed to do in terms of the measurement of what an entity has in terms of the local economic climate. However, if you would take a look at Page 1 of the summary; we are incredibly proud to present to you tonight that based on their analysis, as you can see, during the construction years, and we have construction projections in our plan, which is why they did this, during the construction years the Palace will bring to the local economy as defined by Westmoreland County \$11.6 million dollars. After the construction the steady state based on 60,000 people going through there when they did the analysis, there is an annual impact to local economy of approximately \$7.1 million dollars. We believe that based on these that the City of Greensburg has the theatre that is second in tourism in the County only to Idlewild Park. We also believe, and we're in the process of checking all this with Laurel Highlands, from a cultural event it is the biggest entity both now and in the future in Westmoreland County. We get that on the basis that when they did the study on average 13% of our audience comes from Greensburg; 52% comes from outside of Greensburg but within the County; 29% comes from outside of Westmoreland County but in Pennsylvania; and 6% of our audience comes from outside of Pennsylvania. In order of the top states, they are Ohio, Virginia, West Virginia, Maryland, New York, Florida and Michigan. We do real well in the D.C. area. I'm not sure exactly how I took this, but I'll offer it up anyway; the D.C. area loves to come to the country and they picked Greensburg. If there are questions I would be glad to talk about it, but I think you're all familiar with what that means. The numbers are incredible. We're incredibly proud. This is probably the most long-winded thank you that you'll ever hear. The reason I bring this to you tonight is solely this; this Council and the City of Greensburg has been incredibly supportive. Most of you individually have also. We've had the cooperation, the support and the overall partnership with the City of Greensburg and I have something here I'd like to share with you as a thank you for doing that. Unless there are any questions, that's everything I have for tonight."

Mayor Eisaman, "For those of you not familiar with the Trust they were very instrumental in starting to renovate the quadrant the Palace Theatre is located in during the '90s and then moving onto the renovations at the Train Station and then the Stark Building on Otterman Street, which gave us the benefit of showing the State and Federal Governments what could be done in our area which has led to two new State office buildings that are taxable properties, the Seton Hill Performing Arts Center in that quadrant and also the Economic Growth Connection (EGC) building. So we really appreciate the partnership with the Trust and all you have done for the City of Greensburg. Thank you very much."

Mr. Langer, "Thank you."

COMMENTS/BUSINESS FROM THE FLOOR

Carolyn Taylor, 1029 Summit Drive, Greensburg, PA 15601. Ms. Taylor, "My husband and I are taxpayers and we're neighbors of Mr. DePasquale. I'm not here to speak on my own behalf but to introduce someone I first heard speak August 12th of this year on a rainy day in front of the Courthouse, speaking on health care and its importance to our Country and to actually the local economy in many ways. I think he has some very interesting information and some of it I will pass out to Council. His name is Bob Mason, and like me, he's passionate about health care but he's a little calmer about it and better spoken than I am about that subject. So I'll introduce him now, Mr. Bob Mason."

Bob Mason, 423 Fairmont Avenue, Trafford, PA 15085. Mr. Mason, "I'm a citizen of Westmoreland County. I'm speaking to you tonight as a citizen and also a founding member of Health Care for All PA. I've provided Council with documents including our pamphlet about Health Care for All PA and a particular piece of legislation and also some research we've done in Westmoreland County and actually 27 other counties across the State. It shows the type of savings that would be afforded to municipalities, school districts and county government if the legislation we are backing is passed by the State Legislature and signed by the Governor. I've also made similar copies available for people who are attending the meeting this evening. Let me talk to you about the legislation." Mayor Eisaman, "Are you involved with Father Survil? I have his information and I thought I saw your name when I was glancing through."

Mr. Mason, "That's correct. We work together with many other people. The name of the legislation is the Family and Business Health Security Act of 2009; Senate Bill (SB) 400 and House Bill (HB) 1660. State Senator Jim Ferlo is the prime sponsor in the Senate and he has eight co-sponsors and then we have 35 co-sponsors in the House including four Republicans, and that makes this legislation unique because it's a one-payer Bill and it's the only one in any State or nationally that actually has bi-partisan support. We consider it a non-partisan Bill because it appeals to people very concerned about affordability. And that's what I'll be speaking to this evening. This is a publically-financed, privately-delivered health care Bill. People would have total choice as to their health care provider. They would not be limited to a particular panel. There would be no deductibles, no co-pays, no caps, no pre-existing conditions and about 95% of people would obtain a lot more health care for a lot less than they are paying now. The way this legislation is actually affordable is it takes money already in the system and distributes it differently and more efficiently. Thirty to 35 cents of every health care dollar is spent on administration, marketing for insurance companies that have to turn a profit, returning profits to shareholders, non-profit health insurance companies supporting elaborate administrative structure and also buildings, etc., and building up a certain amount of reserves. Under this legislation, administrative costs would be capped at 5% so that's 5 cents on the dollar as opposed to somewhere around the neighborhood of 20-30 cents on the dollar for the current system. So it shifts the money towards health care. In addition, it either takes advantage of money that would be flowing to the State through Medicare, Medicaid or the Veterans Administration (VA), and funnels it through this program or it wraps around that money and provides supplements for people who are covered by Medicaid, Medicare and the VA as well as other individuals. This would cover all citizens of Pennsylvania. That gives you a little bit of the background of the legislation. I wanted to mention to you some of the reasons that we are pushing this. One is there are 1.5 million Pennsylvanians who are uninsured and that grows every day. Two million more are underinsured. That is they may have coverage but it doesn't cover enough of what they need and they skip medications or they short themselves on medications or they don't go to the doctor when they should because of high co-pays, deductibles, etc. Pennsylvania health insurance rates are higher and growing faster than the National average. Seventy-six percent of Pennsylvanians believe our health care system is broken; 68% of Pennsylvanians believe the Government should guarantee health care for all. Pennsylvanians are being crushed by the cost and denial of health care and our cities and municipalities face financial crisis and turmoil. Health insurance is a crisis that threatens the financial stability of our cities, municipalities, school boards and counties. And in 2007 the Pennsylvania Economy League found that the fiscal distress of our municipalities is due to the crushing burden of funding health care. We have a number of organizations that are supporting this Bill and I'll read the prime ones: the Pennsylvania AFL-CIO; Allegheny County Council; the American Medical Students Association; Keystone Progress; the Pennsylvania Association of Staff Nurses and Allied Professionals; Philadelphia City Council; Pennsylvania Council of Churches; Pennsylvania League of Women Voters; Pittsburgh City Council among others. Finally, I wanted to mention part of the reason of why I'm here this evening is our research indicating that under this Bill municipalities, school districts, boroughs and counties would save a considerable amount of money on their health care expenses. In the information you've been given it indicates that Greensburg would save in this year close to \$300,000 for the year in terms of health care premiums. Among the information that I provided to you is a sample of a resolution that we would ask Council to consider passing which would endorse this legislation and it's the same resolution that was passed by Pittsburgh City Council. So it gives you a template if you should consider doing this. Finally, what I want to say is the strength of our legislation is that it addresses the three fundamental challenges of any health care reform, and that is can we expand access to

cover everyone; can we improve quality; and can we make it fiscally sustainable, not only for individuals, families and businesses, but also for the community-at-large? We believe our Bill passes all of those tests. Fundamentally, expanding health care to everyone is the right thing to do because it truly values all life. The Institute of Medicines has estimated that at this point 22,000 people die every year simply for lack of health insurance and that comes down to about 800 Pennsylvanians a year. So it is actually addressing the fundamental value of life. I want to thank you and certainly I'll be glad to entertain any questions that anyone has."

Mayor Eisaman, "I am on the Board of Directors for the Pennsylvania League of Cities and Municipalities (PLCM) and I will see where we are with regards to the lobbying of those Bills and if we make any decisions with regards to how we should approach this."

Mr. Mason, "I can certainly understand that you would want to do some research about that."

Mayor Eisaman, "I'm not discrediting any of your points or anything."

Mr. Mason, "I understand that and I don't see that as an unwelcome challenge. But I would mention that our Executive Director, Chuck Pennacchio, is in Harrisburg very, very frequently and he would certainly welcome an opportunity to speak about the legislation to that organization and answer any questions. Does anyone else have any questions? Well, thank you very much."

Mayor Eisaman, "Thank you for your time this evening."

Linda Kurtz, 131 Talbot Avenue, Greensburg, PA 15601. Ms. Kurtz, "I spoke to you in June of 2008 regarding an unregistered student home on Talbot Avenue. Unfortunately, I'm here again, 15 months later, regarding the same property. The owner of the property at 121 Talbot Avenue, Mr. Patrick Kelly, was denied a request for a variance by the City Zoning Board on June 18, 2008 because his student home is just 96 feet from a registered student home on Talbot Avenue. Parking continues to be an issue with the students who reside at Mr. Kelly's property. Talbot Avenue, which is adjacent to Offutt Field, and I'm sure many of you have driven up it before, is only approximately 300 feet long and has permit parking for the residents. The regular residents on this street do not abuse the permit parking. According to City Ordinance No. 1971, parking on a designated permit parking street will be limited to one space per student home. It is up to the landlord to provide off-street parking for the remaining four students. Five students is the maximum number of students allowed to reside in a registered student home. I'd like to give you two recent examples of parking issues at Mr. Kelly's property. Yesterday afternoon six of the vehicles parked on Talbot Avenue all belonged to students either living in the unregistered student home or visiting residents of the student home. This morning there were three vehicles all without parking permits parked on the street belonging to students at 121 Talbot Avenue. I was told by the Code Enforcement Office that the residents of Talbot Avenue should call the Police Department and have the vehicles ticketed who are parking unlawfully. The Police did respond yesterday and today when called and ticketed the vehicles without parking permits. One student was issued a ticket yesterday and also today. When I left to come here, the one who was ticketed yesterday was parked there again. I'm also concerned about the fire safety issue at this property, both for the students and the nearby neighbors. I find myself wondering if this student property had the required fire safety inspection as is required for registered student homes. The homes on Talbot Avenue are in very close proximity to each other. It's hard to say how many students really live in that student home because there are several different vehicles that come and go. There were a total of seven vehicles at the student home in the driveway or on the street when I went walking early this morning. There were three on the street, two in the driveway and two in a parking area in the backyard of the property. This semester there seems to be a lot more students there than have been in the past. Over a year ago, Mr. Kelly filed an appeal with the Westmoreland County Court after his request for a variance was denied. It is my understanding that he has taken no action to move this appeal along in the courts. I also understand that it can cost several thousand dollars for the appeal process. This case has been put on hold since the appeal was filed over a year ago."

Mayor Eisaman, "I don't mean to interrupt, but I wanted to let you know that per my conversation earlier today with the Planning Director and the Solicitor that there is legal action being handled."

Ms. Kurtz, "I'm glad to hear that. Well I also wanted to ask though while this case is in limbo is there anyone enforcing other parts of the student housing ordinance regarding the maximum number of students or fire code regulations?"

Mayor Eisaman, "Yes, any approved student home has to do an annual....."

Ms. Kurtz, "Well, what about unapproved student housing?"

Mayor Eisaman, "Well, when nice people like yourself, inform us of these things then we follow up."

Ms. Kurtz, "Okay. I just have one general question and I don't know if Mr. McCormick can answer it for me; is there a limit on how long an appeal can sit in the court system before some action is required to be taken?"

Solicitor McCormick, "That's actually a good question, because in the Appellate Courts where you take an appeal from the Court of Common Pleas, the courts set forth a very specific schedule of when the lower court docket is due and when briefs are due and when arguments occur. It goes along according to a schedule set by the Appellate Court. When the Common Pleas Court acts as an Appellate Court, I have to be honest with you, I'm unaware of any such schedule that is set. It's a good question and perhaps it's something that our local courts need to address in the future. When this has come up with us, when a person files an appeal, it's their responsibility to prepare the action of Counsel and what the Zoning Hearing Board did and that record. I intend to look into whether the appeal should be quashed at this point or not, but that really doesn't address the present enforcement of the ordinance which is being looked into. As the Mayor alluded to there has been no action to stay the enforcement of the ordinance just because an appeal has been filed and there's been no request to do that by the courts, where the courts are asked to suspend the enforcement of the ordinance pending the appeal. But it is a matter of getting the evidence that you need to show that it's in violation and then proceeding and you've been helpful in that regard."

Ms. Kurtz, "It's just been such a long time and it's hard to understand how someone is in violation of the law and just continues on. Things sometimes proceed slowly."

Mayor Eisaman, "I've learned about the private sector versus the public sector; different timetables."

Ms. Kurtz, "Well, I thank you for the opportunity to express my concerns."

Sean O'Brien, 418 South Maple Avenue, Greensburg, PA 15601. Mr. O'Brien, "I have one question and one remark. Last night there was a good bit of jack hammering, with backhoes and trucks moving about on South Maple. I'm sure it was something that needed done very late in the evening, I was just curious what it was?"

Mayor Eisaman, "What time?"

Mr. O'Brien, "From about 10:00 p.m. to 3:30 a.m."

Mayor Eisaman, "There was a waterline break."

Mr. O'Brien, "Okay, just curious. The other point would be in opposition to the recommendation regarding the single-payer health care. Pennsylvanians already suffer some of the highest taxes in the Nation. I believe we're number 5 in 2008. And this increase would only serve to hamper the efforts of communities such as Greensburg to attract more young professionals, more people wanting to come into the State.

Furthermore, do you trust Harrisburg right now? How long have we been without any sort of action of any sort on a Bill? Seventy-six days now I believe. That's all. Thank you."

Mayor Eisaman, "Thank you."

Janice Coletti, 320 Stark Avenue and Patti Popovich, 326 West Otterman Street, Greensburg, PA 15601. Ms. Coletti, "We're here once again concerning the cat colony that is located between Eastmont Drive and the Edgebrook Apartments. We wanted to update you if you're not already aware and to thank you for your efforts. I talked to Susan last week and she told me that she had contacted many of the shelters; unfortunately, not very successfully. They're not able to take any at this time."

Mayor Eisaman, "Donna and I made a couple of phone calls and a lot of the organizations said they don't have the room or the funding right now."

Ms. Popovich, "This past weekend Community Angels took two and Pet Friends took a beautiful Siamese. And those are places you had already tried and I have a list of a bunch more places if they could be tried. I haven't seen no sign up saying 'sold' so I'm still feeding these cats."

Mayor Eisaman, "I don't know whether the property has been sold or not, but if the property owner tells you to stay off the property, I would highly recommend it."

Ms. Popovich, "They told us when we see 'sold' up on that sign to stay off and I haven't seen it up there yet."

Ms. Trout, "I think that property has been transferred. I don't know that they're required to put 'sold' on the sign."

Ms. Popovich, "Well, that's what we were told, when we see 'sold' up there to stay off."

Mayor Eisaman, "I don't think either property owner is required to put up a 'sold' sign, because the realtor would place that sign."

Ms. Trout, "I don't know if that's required and once that property transfers hands, I think he has already put you folks on notice."

Ms. Popovich, "I have some people that want to come this weekend and they're taking five-plus cats out of there."

Mayor Eisaman, "My only recommendation is to check tomorrow to see if the property has been transferred. If it has been transferred, you need to contact the new property owners for permission to go onto their premises. Actually, you should have gotten permission from the people who own it now to be on the property."

Ms. Trout, "I had told you both that when we met a few months ago."

Ms. Popovich, "We were hoping things would have gotten better. The advertisement did help. A lot of people called."

Ms. Coletti, "There's a lady that called Patti that will contact farmers in the area. Again if everybody took three or four it would be wonderful."

Mayor Eisaman, "And, actually, one of the groups that I talked to said that's what they did with a lot of their cats. They partnered them up with farmers and a lot of the farmers have exceeded the number of cats they were looking for."

Ms. Popovich, "Some people just saw the cat story that ran in the paper this month and we got calls this month. Some lady came over and wanted a kitten. She didn't care whatever it was, she would gladly take it to try and help us out. Somebody called her and told her and she got on-line and saw that story, and she said we need some more advertisement to get the rest of the cats out of there. One cat just had babies five days ago. What are they going to do; kill all them? One just had babies the night before last. I can't move them yet. I need help."

Mayor Eisaman, "I apologize, but we've done what we can do. We tried to call various organizations but they're struggling with their budgets and the size of their facilities. I don't know what else we can do."

Ms. Popovich, "And we have to get a hold of the owner?"

Mayor Eisaman, "I would check to make sure it's been transferred tomorrow. If you call City Hall, somebody will be able to tell you whether it's been transferred. I would recommend you get permission from somebody before trespassing."

Ms. Popovich, "Okay."

Ms. Coletti, "Thank you."

*****APPROVAL OF LAST MONTH'S COUNCIL MINUTES*****Councilman Peterinelli **MOVED** to approve the minutes of last month's Council meeting, and Councilman DePasquale **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, "Public ice skating sessions are back in full-swing at the Kirk S. Nevin Arena. They are held Monday through Friday from 10:00 a.m. to noon, Wednesday and Friday afternoons from 1:15-3:15, Friday and Saturday evenings from 8:00-10:00 and Sunday afternoon from 2:00-4:00. The cost is \$5 for adults, \$4 for children and \$2 for skate rental. The arena also offers birthday party packages during any of the weekend public session times. The cost is \$10 per child and includes admission, skate rental, pizza and a soft drink. Please call the Recreation Office one week in advance to book your party at 724-834-4880. Stick time will be offered again this year on Monday through Friday from noon to 1:00 p.m. and on Saturdays from 4:45-5:45 p.m. Cost is \$7 per person and participants must wear a helmet. We advise you to look at the City's website at www.city.greensburg.pa.us or call the Recreation Office for more information on this program or any other programs that are offered. There is a lot of information on the website. That concludes my report."

Councilman Peterinelli, "The Street Department has finished quite a few streets in sections of Greensburg. They did Ludwick Street and all of P-Lot, which is off of Harrison Avenue. They did Ehalt and Harrison Avenue today between Otterman and Ehalt. This past year we've placed 2,370 tons of asphalt so far this season including today

on Ehalt Street. By comparison, last year was 2,993 tons. Also, they're going to do the painting of the parking lots and the street, which were done today. Starting in October, the mechanics will start working on the leaf vacuum so they can pick the leaves up. Leaf pickup will start the third full week of October. You have to place the leaves at the curb. That's it."

Councilman Tridico, "All of my reports are contained in the ordinances which we will be voting on tonight."

Councilman Finfrock, "Revenues are at 69% of budget. That is 2% lower than revenues of August 2008. While that makes me a little bit nervous, it's not unexpected. Expenses are at 63% of budget. That is exactly the same as last year, so we are keeping a good control on our expenses. I have confidence we will end the year okay. We have started the annual budget process a couple of weeks early this year because we know it's going to be a tough budget year. We've started that process. We've had a couple of meetings and more are scheduled. We should have a better idea of where we stand in the next couple of weeks."

*****MAYOR'S REPORT*****

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.

*****INTRODUCTION OF BILLS*****

Bill No. 10 – 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, Bill No. 10 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, "That's off of Washington Street?"

Mayor Eisaman, "It goes from Washington to the alley."

Councilman Peterinelli, "I guess they're tearing down those two houses?"

Ms. Ciampini, "There are three houses and a garage."

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

Bill No. 8 as Ordinance No. 1984 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 40, ENTITLED 'HISTORIC AND ARCHITECTURAL REVIEW BOARD' (HARB) OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, "Adoption of Ordinance No. 1984 includes Council approval on all decisions of the HARB regarding the issuance of Certificates of Appropriateness in the Downtown, Gateway and Historic Districts of the City of Greensburg."

Councilman Tridico **MOVED** to adopt Bill No. 8 as Ordinance No. 1984, and Councilman DePasquale **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 8 as Ordinance No. 1984.**

Bill No. 9 as Ordinance No. 1985– AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 265, ENTITLED 'ZONING' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, UPDATING WORDS AND DEFINITIONS, AND ADDING TERMS AND STIPULATIONS RELATIVE TO THE ESTABLISHMENT OF A NEWLY DEFINED DISTRICT IN THE CITY OF GREENSBURG, THE HISTORIC DISTRICT AS PER THE DELINEATION OF SAID DISTRICT BY THE NATIONAL PARK SERVICE AND TO FURTHER MAKE ADMINISTRATIVE CHANGES TO THE EXISTING DOWNTOWN DISTRICT AND THE GATEWAY OVERLAY DISTRICT. Ms. Trout, "Adoption of Ordinance No. 1985 adds Council approval to the issuance of Certificates of Appropriateness recommended by the HARB for all districts and establishes and sets forth in the Code a section dedicated to the Historic District. All three districts are clearly defined."

Councilman Peterinelli **MOVED** to adopt Bill No. 9 as Ordinance No. 1985, and Councilman Finfrock **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 9 as Ordinance No. 1985.**

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

Resolution No. 1141 – A RESOLUTION OF THE CITY OF GREENSBURG GRANTING AN INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE NO. R-42587 FROM THE CITY OF NEW KENSINGTON TO THE CITY OF GREENSBURG FOR USE AT PREMISES DESIGNATED AT 807 HIGHLAND AVENUE. Ms. Trout, “In conjunction with a Public Hearing held at 5:00 p.m. on September 8, 2009 run by Councilman Finfrock and our Solicitor McCormick, a very successful hearing I might add in case you didn’t get the commentary, enactment of Resolution No. 1141 grants the inter-municipal liquor license transfer to Tario, Inc.”

Mayor Eisaman, “Do we need to establish a 45-day timeframe with regards to this Resolution; the application has to be submitted within 45 days?”

Solicitor McCormick, “That was discussed with the applicant and their counsel and they indicated that would be no problem.”

Mayor Eisaman, “If somebody makes the motion to enact Resolution No. 1141, please add that information with regards to submitting the application to the Liquor Control Board or whoever it goes to nowadays within 45 days.”

Solicitor McCormick, “Let’s just make it understood with the motion.”

Councilman Tridico **MOVED** to enact Resolution No. 1141 as presented by the Mayor and Solicitor, and Councilman DePasquale **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1141.**

Resolution No. 1142 – A RESOLUTION OF THE CITY OF GREENSBURG AMENDING THE MULTI-MUNICIPAL COMPREHENSIVE PLAN TO INCLUDE THE RECOMMENDATIONS OF THE TRANSIT REVITALIZATION IMPROVEMENT DISTRICT (TRID) PLANNING STUDY. Mayor Eisaman, “I believe our Planning Director received approval and recommendation from the Westmoreland County Planning Department with regards to this TRID as part of our Comprehensive Plan.”

Ms. Ciampini, “Yes, I did, Mayor.”

Councilman Peterinelli **MOVED** to enact Resolution No. 1142, and Councilman Finfrock **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact.**

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

- a. **Hiring of Seasonal Recreation Department Employee.** Ms. Trout, “Recommended by the Rink Manager to be hired as a Skate Guard is Nick Fontana at the rate of \$7.25 per hour.”
Councilman DePasquale **MOVED** to approve the hiring, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- b. **Hiring of School Crossing Guard.** Ms. Trout, “Recommended by the Chief of Police, Rebecca Guy is hired as a school crossing guard at the rate of \$8.14 per hour.”
Councilman Peterinelli **MOVED** to approve the hiring, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- c. **2010 Minimum Municipal Obligation (MMO) for the Police Pension Plan.** Ms. Trout, “The MMO is \$598,799.22 which is a decrease of \$82,957.88. The reason there is a decrease is a portion of the MMO calculation is an amortization payment that’s fallen away. So we’ve achieved that amortization threshold. Don’t look for that next year.”
Councilman Finfrock **MOVED** to approve the 2010 MMO for the Police Pension Plan, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve the 2010 MMO for the Police Pension Plan.**
- d. **2010 MMO for the Non-uniformed Employee Pension Plan.** Ms. Trout, “The MMO is \$29,030, an increase of \$3,580 compared to the 2009 MMO. So a slight increase.”

Councilman Finrock **MOVED** to approve the 2010 MMO for the Non-uniformed Employee Pension Plan, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**

- e. **Purchase of Three (3) Police Vehicles.** Ms. Trout, “Council approval is for the purchase of a 2009 Ford Crown Victoria through the Central Westmoreland Council of Governments’ (CWCOG) Cooperative Purchasing Program from Day Ford, Inc., in the amount of \$22,845. Of that amount \$20,625 is covered by a Federal Grant. Also included for approval under this item is the purchase from Day Ford, Inc. through the COG of two (2) 2010 Ford Fusions in the amount of \$16,335 each. The purchase of these vehicles was made possible through another grant which was obtained by Senator Bob Regola.”
Councilman Peterinelli **MOVED** to approve the purchase, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**
- f. **Issuance of Certificates of Appropriateness for the Slate of Projects Recommended for Approval by the Historic and Architectural Review Board (HARB).** Ms. Trout, “The following projects are recommended for Council approval by the HARB from their August 25, 2009 meeting. Located in the Gateway District are: new signs for East Pittsburgh Street Beverage at 660 East Pittsburgh Street; new signs for Shalimar Bazaar at 159 East Otterman Street; a parking lot development for Westmoreland Excelsa at 532 West Pittsburgh Street and a retaining wall replacement for McHugh and Wolff at 419 West Pittsburgh Street. In the Downtown District, the HARB recommends approval of new signs for PNC Bank (formerly National City Bank) at 125 South Main Street and for façade renovations and signage for ‘Dada’s’ at 25 East Pittsburgh Street. In the Historic District, the HARB recommends approval for a new awning and sign for Femme Boudoir at 20 West Second Street.”
Councilman Tridico **MOVED** to approve the issuance of certificates, and Councilman Peterinelli **SECONDED**.
Councilman Peterinelli, “By the way, the pictures I saw of their renovations looked pretty nice.”
No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the issuance of Certificates of Appropriateness.**
- g. **Site Plan/Land Development for Westmoreland Excelsa for a proposed Parking Lot at the intersection of West Pittsburgh Street and South Washington Avenue.** Ms. Trout, “The Planning Commission recommends Council approve the site plan that was also included with the slate of projects under HARB approval.”
Councilman DePasquale, “How soon are they going to start that?”
Ms. Trout, “I don’t know that they issued a timetable.”
Councilman DePasquale, “Before or after winter, do you know?”
Ms. Ciampini, “I think they would like to get started as soon as possible. One of the things they have to wait for is the abandonment of the alley.”
Ms. Trout, “So at least another 30 days.”
Ms. Ciampini, “They can probably start with some demolition.”
Councilman Finrock **MOVED** to approve the site plan/land development, and Councilman DePasquale **SECONDED**. No further discussion. **All voted unanimously to approve the site plan/land development.**
- h. **Subdivision for Wojcik Plan #1 in the Saybrook Village Plan, Phase I.** Ms. Trout, “Recommended unanimously by the Planning Commission for Council approval, the subdivision is for 9 Holyoke and 4 Brattleboro Drive.”
Ms. Ciampini, “The backyards touch each other and a portion of the property on Brattleboro will be transferred over to the property on Holyoke.”
Councilman DePasquale **MOVED** to approve the subdivision, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the subdivision.**
Councilman Peterinelli, “While we’re talking about Saybrook Village, thank God they have a committee out there that bought the AEDs; there was a 53-year-old girl that had a heart attack. Thank God there was a fireman nearby and he knew how to use the AED and saved her life. Right, Sue?”
Ms. Trout, “I understand she’s still hanging in there.”
Councilman Peterinelli, “Well, good.”

- i. Reappointment to the Recreation Board.** Ms. Trout, “Council approval reappoints Chris Thomas to a 5-year term on the Board effective September 13, 2009.”
Councilman DePasquale **MOVED** to approve the reappointment, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- j. Resignation from the Recreation Board.** Ms. Trout, “Council approval accepts the resignation of Nat Pantalone effective September 13, 2009. He has experienced some scheduling conflicts.”
Councilman DePasquale **MOVED** to approve the resignation, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
Mayor Eisaman, “Please send a thank you letter.”
- k. Appointment to the Recreation Board.** Ms. Trout, “Curt Smith is interested in a 5-year appointment to the Recreation Board to fill the seat that was just vacated. Curt is a City resident and he’s actively involved in the Recreation Department. I also understand he’s a Track Coach for Greensburg Central.”
Councilman DePasquale **MOVED** to approve the appointment, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- l. Time Extension for Gulisek Construction Company, Inc. for the Hometown Streets Project, Phase II.** Ms. Trout, “Council approval authorizes the City Administrator to issue an approval letter for a 10-day time extension until November 3, 2009 to the contractor in order to accommodate utility changes requested by Verizon, Allegheny Power and Level 3 Communications. I don’t believe this will affect Otterman. It affects the work on College Avenue.”
Councilman Peterinelli **MOVED** to approve the time extension, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- m. Local Share Assessment Agreement for FY 09-10 between the City of Greensburg and Westmoreland Transit.** Ms. Trout, “Council approval is in the amount of \$8,200, an increase of \$375 over last year’s assessment. The assessment amount is based on population, population density and the number of bus trips in the community. The executed agreement is due back to the Transit Authority by November 1st but payment is not required until the 15th of February 2010. From my discussions with the Executive Director, the number of bus trips leaving our site is increasing.”
Councilman Finfrock **MOVED** to approve the agreement, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**
- n. Request for Exoneration of 2007 and 2008 Real Estate Taxes.** Ms. Trout, “Requested by the Redevelopment Authority of the County of Westmoreland (RACW), the request is for two (2) parcels of property acquired by the RACW for redevelopment purposes. The Tax Map Parcel Numbers are 10-02-15-0-250 and 10-02-15-0-251. This is at the corner of College Avenue and Otterman; it serves right now as a gravel lot. Council approval grants the exoneration of taxes for the years 2007 and 2008. They paid 2009 and moving forward to 2010 they’ve already received exoneration.”
Councilman Tridico **MOVED** to approve the exoneration of taxes, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**
- o. Power of Attorney for TALX UCM Service, Inc.** Ms. Trout, “Council approval authorizes the Mayor to execute a corrective Power of Attorney with TALX, our unemployment compensation manager. This is the same vendor who we’ve used in the past who has been contracted through Penn Prime. They represent us in our unemployment compensation tax services. The reason for the change is simply because they’ve had an address change. So they’re required by the State to get new Power of Attorney.”
Mayor Eisaman, “Are they contracted by Penn Prime or U-COMP?”
Ms. Trout, “By U-COMP, I apologize for that.”
Councilman DePasquale **MOVED** to approve the Power of Attorney, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the Power of Attorney.**

p. Extension of Agreement with ServiceMaster by Stiffey. Ms. Trout, “Council approval extends the current janitorial service agreement from September 10, 2009 to September 30, 2009. This is just so we can get the new vendor on board and their paperwork solidified.”
Councilman Finrock **MOVED** to approve the extension, and Councilman Tridico **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the extension.**

q. Mt. Odin Golf Course Twilight Special. Ms. Trout, “Council approval would authorize a fee of \$15 for 9 holes of golf with a cart after 4:00 p.m., Monday through Friday, throughout the remaining golf course season. We’re trying to encourage golfers normally involved in league play to take advantage of this rate and keep golfing at our course. This was recommended by Brian Tutich and Frank Lehman.”
Councilman DePasquale **MOVED** to approve the special, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**

*****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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