

**CITY COUNCIL MEETING
MINUTES
Monday, September 8, 2008
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 Johnson, 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 Peterinelli

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

Doris Kaufman, 62 Northmont Street, Greensburg, PA. Ms. Kaufman, "As you know we had another little bit of water in our basement recently from the flooding. It was nothing like it was last year, which was almost to the gate. It still required the same amount, not the same amount, I didn't have to throw things away like I did previously, but it did require clean up with Clorox water and you get it in your eyes and in your lungs. It's very strenuous and it's not good. Nevertheless, we still have the problem. What is the latest status with the Department of Environmental Protection (DEP)? Also, if they are doing something, it's going to take a year to two years, something like that? The last rain that we had in which I did get some water in the basement was not a long rain. It rained hard but had it lasted longer we would have had the same, identical thing that we did last year in which people lost thousands and thousands and thousands of dollars in materials in their basements. As you know I don't have to go into all this again. You've heard me belabor the point before. However I do have some pictures that were taken to show you some of the stuff that comes down that creek. First of all, as we all know, the pipe that leads underground is inadequate. Its way, too small and I hope the DEP is working on that. Perhaps you can enlighten me on that. In the meantime, the City told people up the stream they were not allowed to throw things in the creek etc., etc., and we still have some things caught. If I might pass these around; these have been taken out of the creek but those are just some of the things that happen. The water comes over and I guess it runs into the sanitary sewer. The firemen have been so wonderful. They come down and help clean it out. But as long as these things come down and nothing is done we will just have a repeat of the same thing, over and over. As I said we had nothing like this for 20 or 30 years, but why suddenly are we getting it? It's very hard to live with. I was just wondering. Mr. Finfrock had come down one time and he saw some of the debris that washed down. It's just ridiculous. Mr. Peterinelli has been so nice to alert the Fire Department however, by the time they get down here, it happens so fast, it is already too late. Some of the neighbors have tried to clean the debris out, and I'm afraid somebody is going to get pulled under and we'll have a very serious problem."

Ms. Trout, "I did contact the DEP to find out what the status was on our Flood Project. They indicated to me that all of the necessary paperwork as far as the funding for the Project had all been finalized and approved. Now they were making a decision whether or not they were still going to contract out the design or do it in-house. And they have not made that decision. They still are shooting for and telling us that no matter who designs it and when, it probably won't have a start date until 2010. I asked if there was any way we could start the process of getting the temporary easements, and they told me absolutely not. We're not permitted to move forward in any fashion until the final design is approved."

Ms. Kaufman, "Is there anyone we can contact or anything that we can do to...."

Mayor Eisaman, "I would suggest contacting Senator Regola and Representative Tangretti and ask them to continue to push forward on this."

Ms. Kaufman, "I have done that."

Mayor Eisaman, "I understand that and so did we. We would be more than happy to have a completed project and you not have to worry about this. It's a frustrating situation for everybody. We would like to see something resolved, but, unfortunately, with our budget we don't have two or three million dollars sitting around to take on this project. With the State's help we have to play by their rules."

Ms. Kaufman, "There's no way that you can patrol the stream?"

Mayor Eisaman, "We're going to have to look at being more aggressive on that."

Ms. Kaufman, "I wish so, because after you sent the letters out and you did everything that you could find, nothing has been revised. I mean it hasn't made one bit of difference. People just don't care unless it affects them directly."

Mayor Eisaman, "Unfortunately, it's the people upstream that really don't."

Councilman Peterinelli, "Doris, that little bridge that crosses over there, does that hamper anything when the flood waters come down that way?"

Ms. Kaufman, "I think you should ask the firemen that come down there. I don't want to say anything. There are bridges all up and down that stream and I understand why people have them, but it certainly does hamper it. Nevertheless, whatever you can do would be greatly appreciated. If you can enforce those rules a little more strongly, it would be appreciated."

Ms. Trout, "Do you think it would be beneficial if we sent out another letter telling the residents what the requirements are?"

Ms. Kaufman, "To be honest with you I don't think it would make one bit of difference."

Mayor Eisaman, "I think we'll have to send Code Enforcement up the stream."

Ms. Kaufman, "I hate to say it, but people are so unthinking. I thank you very much."

Ms. Trout, "Thanks, Mrs. Kaufman."

Rita Boynton, 504 Kenmore Avenue, Greensburg, PA. Ms. Boynton, "I suffer from the same problem as Doris. We're all in the same boat and we all commiserate when it starts to rain. We all run over to look at the creek, because we're terrified. And we keep hearing in 2010 and I've heard 2011. I know you're all trying. We've heard about this for a long time. The money is also a factor. I've always thanked you for hearing us and Mr. Finfrock, of course, came over and we were very thankful of that. And now Mr. Peterinelli has spoken to me and I was very thankful to him for that. My point tonight is you're just going to have to hear from us, because one of you said at one of our former meetings that you didn't hear from us. Well that's not going to happen again. You'll hear from us and we'll thank you for what you do, but we also are saying now that the leaves are falling and they're falling early this year because of the dry spell, I don't know whether that means pushing up the date when you pick up the leaves, I'm not sure. But that creek fills with leaves almost immediately. I bet I could go over tonight and see quite a lot of leaves in that creek and that has to be cleaned up. Because if it isn't cleaned out, it stopped at Northmont Street this last time because the leaves weren't there yet, but I know had the leaves been in there like they are now that would have been over Northmont and into all of our basements again. I know it's really hard for you to really feel it because it's not happening to you, but I just appeal to you. I know you said you would check that creek, and we check it too, just as I said when it rains we all run over, and I was appalled this last time because a lot of the little boys in the neighborhood ran over to try and help. It struck my heart because I remember when I was involved I had to go get a tetanus shot. They shouldn't be in that creek doing that and they're trying to help the neighborhood. I just appeal to you to please have that creek cleaned out especially now. When the cold weather comes that's another story, but now it's just going to be full of stuff like that tree on that picture. Thank you for hearing me."

Mayor Eisaman, "Thank you, Mrs. Boynton."

Dave Bartholomew, 66 Northmont Street, Greensburg, PA. Mr. Bartholomew, "Someone had a document and it said it was a 100-year storm that would cause that stream to overflow. I've been in the house four years and it has happened at least four times in my basement. Now I haven't called and said anything about it because my basement isn't finished. I just get a little irritated that I have to move a whole bunch of weight equipment. It was August 14th, a year and five days we probably had a foot of water in the basement. When we first moved in we got some water in there shortly thereafter, and I saw it coming up from the drain. I'm new to the home, right, and I found out the homeowners when they put the drains in this place they cemented them up so the water permeated through the drain. So I pulled them up and I put rubber stops in, not backflow, just rubber plugs. This past August 14th, the reason I said what happened was because it was a hydraulic effect. Our laundry basement was just starting to perk up and get water in it and that's probably a good 18 inches off the ground. I got about an inch of water in my basement and that was permeating through the block; probably because my block isn't water sealed from the outside. So around the whole perimeter because of the ground being saturated since the pipe can't take it, it is just saturating the ground and coming into the walls. It's a hydraulic issue. I have a son and he gets terrified and thinks the house is going to flood away. I have to explain to him it's not going to happen; I just have to clean up a big mess again. I go through time after time and it gets a little frustrating. Actually when I went to buy the house I looked at the stream, but it's only this wide. So I'm thinking how could a stream this wide come up five feet? Well it does. When you built the City and you put it in there I'm sure it was adequate; at this point it's inadequate. What I want to know is who is

accountable for that pipe? Is it the City? Is it the Sewage Company? Because I'm paying my sewage bills every month and I'm cleaning this stuff up every other month it seems."

Mayor Eisaman, "The streams are technically under the control of the DEP."

Mr. Bartholomew, "So no one owns it. Does the State own it? Who is the DEP to me?"

Mayor Eisaman, "It is a State agency."

Mr. Bartholomew, "Do I have any recourse at all or am I just a homeowner and I have to deal with it?"

Mayor Eisaman, "We're trying to keep the pressure on the State to release the funding for this. They have provided the funding but now we need to keep the engineering report going. The next process, once the engineering is done, is acquiring all the land easements going up the stream, which is a lot easier downstream where people's properties are affected. As we go further upstream it becomes more of a challenge for us because they're not willing to sell a portion of their land because they don't have a direct benefit."

Mr. Bartholomew, "So you're saying the money has been appropriated, correct?"

Ms. Trout, "Yes, we've been earmarked."

Mr. Bartholomew, "Now it's time for the 'red tape' getting approvals from individual landowners?"

Mayor Eisaman, "No, we haven't even gotten to that point yet. We want to get to that point."

Mr. Bartholomew, "So I'm saying we can be a whole lot farther away from this than we are closer to it? Well, realistically."

Solicitor McCormick, "If they're giving out dates like that probably not. A portion of the money for this project was allocated many, many years ago. You have to look at it this way; a lot of communities in Pennsylvania have had no money allocated for them. But DEP, who is responsible for all the streams, looks at it as they can't provide an improvement such as the one they just finished down here in every single community for every little stream that cuts through a community. It's a big advantage that someone had the foresight, I think it was Representative Hutchinson, to think that someday we'll get this built. So really in terms of the way they look at things and the news they're giving Sue about 2010 from my understanding, while it may seem a remote time to you and your neighbors, it really is an excellent time. And once they get the design, and part of the purpose of the design is not only what the stream looks like but how much land has to be acquired in order to do what they intend to do. So they know even though they say 2010 is a start date building, prior to that there's all sorts of things, as the Mayor has alluded to, that have to be done especially in terms of acquisition of properties. As he indicated, you will readily sign anything put before you as long as it's fair and reasonable, but if someone doesn't have flooding and can't ever imagine having flooding, what's their motivation? Then you get into the different issues."

Mr. Bartholomew, "The water before it enters the pipe, the DEP owns it? Is that what you're telling me?"

Ms. Trout, "They manage the waterway."

Mr. Bartholomew, "After it goes in the pipe, is it still DEP?"

Solicitor McCormick, "They're fundamentally in charge of all streams and waterways in the Commonwealth of Pennsylvania. They're the ones who are charged with managing the flow of water in the Commonwealth of Pennsylvania. It's one of the Commonwealth's responsibilities, whether it's in a municipality or a township or wherever it is it's fundamentally the DEP's responsibility."

Mr. Bartholomew, "If a waterway is flooding over a road into people's yards, and permeating through their homes, is that considered a problem in the DEP's eyes or is it just that's the way it is?"

Mayor Eisaman, "Actually one of the reasons why this has gotten fast-tracked with additional money is because after the storm a year ago they realized the concerns. One thing when this happened 20-25 years ago was Allegheny Energy had made some changes and it didn't seem to be a problem for a few years. When they weren't getting the flooding complaints they didn't view it as a major concern for their project list in the State. Now since this last year with these two August storms and a couple other ones in between it is a priority to them and by their definition, they're fast-tracking it. Not by our definitions or your definitions."

Mr. Bartholomew, "I understand. It takes time. You're talking about getting approvals from landowners for people who live adjacent to this water source, what kind of bottlenecks do we have getting that approval? Is there any type of law or legislation?"

Mayor Eisaman, "Yes. We'll be researching what resources are available as far as whether it becomes a legal situation or something that is agreed upon."

Mr. Bartholomew, "Well thank you for listening to me. It's a problem and it seems to be a problem. I'll just keep cleaning my mess until it gets fixed. Should I invest money into

my home and dig up my whole house? Should I do that? Is it worth it? Am I going to get a return on my investment or are they going to fix this thing in two, five or ten years? What do I do as a homeowner to protect my investment? That's what I'm thinking about. Thank you."

Mayor Eisaman, "Thank you, Mr. Bartholomew."

Tom Billeck, 423 Concord Avenue, Greensburg, PA. Mr. Billeck, "I spoke last month. I wanted to thank you. I did notice the playground. The things got done there and it does look nice. Tonight for the first time in a long time I saw a lot of kids there, so that was really nice. I did want to know if you had an opportunity to visit that area this last month." Mayor Eisaman, "We found things and some have already been processed through the Magistrate Court which we're waiting for their response with property owners. And others were new items added to the list and letters were sent out to the property owners."

Mr. Billeck, "I want to thank you for acting on that. I do appreciate it. On the other note of what I had mentioned before, with the possibility of all the rentals in that specific area, that couple block area, I was hoping you would re-look at it for housing so you don't limit to whom people can sell to in regard to the rental properties or who they can rent to. I would appreciate it. Again I would like to extend my offer to be a part of any committee if you were to establish one. Thank you."

Mayor Eisaman, "Thank you, Mr. Billeck."

Dennis Fellers, 189 Silvis Farm Road, Greensburg, PA. Mr. Fellers, "In response to Tom Billeck's comments last month, thank you again as he thanked you for having a chance to go through those neighborhoods and pursue some of those code enforcement issues. On the side of the Student Home properties and permits, since last month's meeting I had to renew my Student Home Permit for 433 Harrison Avenue and I had it re-inspected. There were a couple of violations and we had to immediately fix those violations regarding a fire extinguisher, a broken window and a broken door. In addition to those, there were other comments and other things on this inspection sheet and the final inspection with regards to general cleanliness of the interior and the hedges and shrubs being trimmed on the exterior. Those two things were new to me regarding the Student Home Ordinance and how it's written. I'm not disagreeing with it. I think it's good and I think it needs to be in there. If it is, I didn't actually see it in writing, but to have the inspector while he's there getting a sense of how the house looks inside and out in relation to the other homes in the neighborhood, I think is a good thing and I appreciate that." Mayor Eisaman, "I think that comes under our Property Maintenance Code, which is under our Code Enforcement, not necessarily part of the Student Housing Ordinance, it's our City Code."

Mr. Fellers, "We've gone through the process before and it never came up in regards to the hedges and shrubs being trimmed, and that's why I really wasn't aware of it, and I'm not complaining about it. However, I think with that being said and how important that is not only in our neighborhood but in other neighborhoods, I know the Code Enforcement part of the City, whether it's understaffed or overworked or a combination of both, it seems like there could be a lot of other things and some other people involved in that department making sure that situations such as these on Harrison, Pennsylvania and Concord Avenues don't get worse and those things don't happen in other neighborhoods."

Mayor Eisaman, "To be honest with you throughout the City we have numerous concerns with landscaping and shrubbery and things of that nature, and unfortunately with the present economy with foreclosures it doesn't happen in just one neighborhood, it's in many neighborhoods."

Mr. Fellers, "Right and since last month's meeting I actually have walked through a lot of the neighborhoods in the City which I had never been in before just to see and compare how other neighborhoods would compare to this one regarding presentation, appearance and just overall community organization. It's my opinion that this neighborhood from O'Hara Street to the railroad tracks including Concord and Harrison Avenues should be allowed to house students. I feel the 500-foot rule should not be in effect for that area as long as there is legitimate off-street parking for four cars. I think that is important at this time. However, with the proximity of this neighborhood to Seton Hill University it would be an asset to the City as well as the University to include this neighborhood as being exempt from the 500-foot rule only. I think it's a fair request and I would like that consideration to be thought out and seriously considered in the near future."

Mayor Eisaman, "Thank you, Mr. Fellers."

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

*****APPROVAL OF MONTHLY BILL LIST*****Councilman Finrock **MOVED** to approve the monthly 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 Johnson, "The Kirk S. Nevin Arena is now open for another skating season. All our program times and dates have been set as well as all of the public sessions. You can register at the office for any of these programs at this time. Recently an insert advertising all that we are offering this season was in the Tribune-Review. You can get this information on the City website at www.city.greensburg.pa.us. We hope you can come and enjoy some of the activities in the arena this season. The Recreation Department would also like to thank City Council, Steve Gifford, the Greensburg Community Development Corporation (GCDC) and local residents who were actively involved in the improvement project at the Coulter Park and Playground area. Recently there were five new pieces of playground equipment, two park benches and a new trash receptacle installed. We'd also like to thank Dan Sweeney who was able to earn his Eagle Scout badge with the work he planned and organized on this project. He and some fellow scouts painted the lines on the basketball court and repainted the backboards. They also assisted in spreading the surface wood chips and the installation of the play curbs before the swing set area. This community work detail took place on Saturday, September 6, 2008, and again we thank everyone involved. That's my report."

Councilman Peterinelli, "Maintenance on Jack's Run Flood Project has been completed. There was a fence damaged and that has been fixed up. They finished removing trees and brush. Also, the Street Department has several asphalt projects. They did the jogging track at Lynch Field, which the County paid for. They did an alley behind No. 7, an alley in the rear of Pittsburgh Street and also a portion of Glenview. City mechanics have removed the leaf vacuums to service them. One thing that bothers me, Mayor, is the coming winter. I guess everybody read what the salt price is going to be. We're going to be in bad shape."

Mayor Eisaman, "Time will tell."

Councilman Peterinelli, "Then we'll get calls from people saying their streets haven't been salted or plowed. So you know what's going to happen."

Mayor Eisaman, "Right now it doesn't look good, Emil."

Councilman Peterinelli, "The Farmer's Almanac says it's going to be a bad winter, right?"

Mayor Eisaman, "We'll think positive and maybe we'll have a 60-degree winter. You referenced the jogging track at Lynch Field that was paid for by the County."

Councilman Peterinelli, "The County paid for the asphalt."

Ms. Trout, "Not at Lynch Field."

Mr. Hoyle, "You're confusing that with the Five Star Trail."

Mayor Eisaman, "The City did the jogging track."

Councilman Peterinelli, "I'm sorry, Mayor. That's it."

Councilman Tridico, "Councilman Johnson stole my thunder. I have a picture of all the kids and adults that helped on Saturday, September 6, 2008. A group of 36 volunteers from the Elm Street designated neighborhood assisted Steve Gifford in making improvements to Coulter Playground on O'Hara Street. The group installed plastic barriers and the seats on the park benches. They spread wood chips and weeded the swing area. They also painted the basketball courts and hoops all in a three hour period. Thanks goes to Steve Gifford, the Executive Director of the GCDC, and all 36 volunteers for a job well done. That concludes my report."

Councilman Finrock, "As of this point in the fiscal year our revenues are at 71% of the budget. This is 1% lower than revenues as of August 2007. This is primarily due to one area. It's the Local Services Tax, the dollar-a-week thing. That is dramatically underperforming and is a cause of concern. Expenses though on the other hand are only at 63% of the budget and this is also 1% lower than we were last year. Considering the problems with the price of oil and gasoline and all those other things, I think Mary, Sue and the supervisors have once again, and I know I said it last month, but they're doing a tremendous job keeping expenses under where they were last year. That's to their credit,

but we will start the budget process for next year in the next week or so, and we'll be able to take some of those things into consideration."

Mayor Eisaman, "I would like to reiterate what Randy and Emil both said. It's been a tough year budgeting between fuel, paving materials and now salt, so I think the supervisors have done a great job as far as trying to control the costs based on the increases that were not necessarily projected at this time last year. Thank you, Randy."

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

Police, Code and Fire Reports. Mayor Eisaman reviewed the Police, Code and Fire reports. Copies of these reports may be obtained at the respective offices or the City Administration Office.

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

Bill No. 7 as Ordinance No. 1972 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING SECTION 54-10, ENTITLED 'DISABILITY RETIREMENT', OF CHAPTER 54, ENTITLED 'PENSIONS' OF THE CODE OF THE CITY OF GREENSBURG, ORDINANCE NO. 1646. Ms. Trout, "Adoption of Ordinance No. 1972 adjusts the percentage from 60% down to 50% of the Police Pension Plan participants' monthly average salary for police officers who incur a total and permanent disability due to injuries or mental incapacities which did not occur in the line of duty. Again this is in response to a Judge's order that came down." Councilman Johnson **MOVED** to adopt Bill No. 7 as Ordinance No. 1972, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 7 as Ordinance No. 1972.**

*****ENACTMENT OF RESOLUTION*****

Resolution No. 1128 – A RESOLUTION OF THE CITY OF GREENSBURG GRANTING AN INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE R-16469 FROM NEW KENSINGTON TO THE CITY OF GREENSBURG FOR USE AT THE PREMISES DESIGNATED AT 25 EAST PITTSBURGH STREET. Ms. Trout, "In conjunction with a Public Hearing that was advertised and then held earlier this evening, this would enact Resolution No. 1128 granting the inter-municipal liquor license transfer to The Alex Group, Inc." Mayor Eisaman, "As part of the motion can we put in the requirement like we did I believe on the last liquor license transfer that they have to file the application process and transfer within 45 or 60 days, whatever it was?" Solicitor McCormick, "Right." Councilman Peterinelli **MOVED** to enact Resolution No. 1128 contingent upon them filing for the application and transferring within 45 days, and Councilman Johnson **SECONDED**. Councilman Finrock, "Mayor, do we have to acknowledge that this supersedes the previous approval?" Mayor Eisaman, "Would you be willing to accept that as part of the motion?" Councilman Peterinelli, "I would." Solicitor McCormick, "I think it's important that everyone understands that this approval is simply an approval of the same license from New Kensington that was already approved but for another property. So this does supersede that. It was very clear in the hearing that the other property opening is a 'dead deal' and it's also important to note the property this is being transferred to now at 25 East Pittsburgh Street, the owners of that property had previously come before the Board to request a similar transfer which this also replaces. So in essence if people think there's some proliferation of liquor licenses in the City, that's not the case. There's actually just one and it sounds like a more viable project, quite frankly, one instead of two others." No further discussion. Roll call vote was taken. **All voted unanimously to enact.**

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

- a. Grant Agreement between the City of Greensburg and the Eden Hall Foundation.** Ms. Trout, "Council approval is for acceptance of a grant in the amount of \$5,000 from the Foundation in support of the 2008 *SummerSounds* concert program; another great program this year."

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

- b. Resignation of School Crossing Guard.** Ms. Trout, “Council approval accepts the resignation of Joann Scarano from the position of school crossing guard effective September 24, 2008. Mrs. Scarano has been a dedicated crossing guard for 25 years and she will be missed by the students at Aquinas and the Middle School and by all of us who have had the opportunity to work with her.” Councilman Peterinelli **MOVED** to approve the resignation and send her a letter to thank her for all the service she did for 25 years, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. Hiring of School Crossing Guard.** Ms. Trout, “Council approval accepts the hiring of Ms. Cheryl Uhlig in the part-time seasonal position of school crossing guard effective September 24, 2008 at the rate of \$7.90 per hour.” Councilman Finrock **MOVED** to approve the hiring, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- d. Hiring of Seasonal Maintenance Employee for the Recreation Department.** Ms. Trout, “Council approval accepts the hiring of Lucas Sundry as a seasonal maintenance employee at the Kirk S. Nevin Arena at the rate of \$7.15 per hour.” Councilman Johnson **MOVED** to approve the hiring, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- e. Site Plan/Land Development for Field Lots A, B and C on the Seton Hill University Campus.** Ms. Trout, “The Planning Commission unanimously recommends Council vote to approve the site plan for the creation of three parking lots for an additional 250 parking spaces for the Seton Hill University campus. I believe we have representatives in attendance with the plans.” Councilman Peterinelli **MOVED** to approve the site plan/land development, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the site plan/land development.**
- f. Site Plan/Land Development for 253-255 East Pittsburgh Street for Gloria Compton for the Dancer’s Closet.** Ms. Trout, “The Planning Commission unanimously recommends Council approval of the site plan as long as the following contingencies were put in place by 3:00 p.m. on September 2, 2008: new sidewalks and curbing along East Pittsburgh Street, the replacement of the sidewalk along North Urania Avenue, no vehicular access from East Pittsburgh Street, and the addition of landscaping along East Pittsburgh Street must be included in the plan and approved by the Planning Director. And, Barb, I believe these were put into place and approved?” Ms. Ciampini, “Yes, they were.” Councilman Johnson **MOVED** to approve the site plan/land development, and Councilman Finrock **SECONDED**. No discussion. **All voted unanimously to approve the site plan/land development.**
- g. Subdivision of 509 and 515 Harrison Avenue for Elizabeth Weidlein.** Ms. Trout, “The Planning Commission unanimously recommends Council approval of the subdivision as long as utilities are separated and a note to indicate the same has been placed on the plan. And, once again, Barb has that occurred?” Ms. Ciampini, “Yes, it has.” Councilman Johnson **MOVED** to approve the subdivision, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- h. Service Agreement between the City of Greensburg and Johnson Controls (formerly known as York International Corporation).** Ms. Trout, “Council approval renews the current agreement for a 5-year term for preventative maintenance services and on-site repair including replacement parts for equipment at the Kirk S. Nevin Ice Rink effective October 1, 2008 until October 1, 2013. Covered equipment includes chillers, cooling towers, pumps, boilers, air handling units, and roof top gas and electric heating units. A 3% price increase over last year’s price is included in the 1st year rate of \$29,498 with a 3% increase built into

the price for the remaining four years of the contract. It should be noted that between 2005 and 2008 we had no price increase.”

Mayor Eisaman, “I believe the Rink Manager did try to find some competitive pricing and was unable to do it based on our type of system.”

Ms. Trout, “That’s correct. We should note that we are pretty happy with the service level this vendor provides.”

Councilman Johnson **MOVED** to approve the service agreement, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the service agreement.**

- i. **2009 Minimum Municipal Obligation (MMO) for the Police Pension Plan.** Ms. Trout, “The MMO is \$681,757.10, which is a decrease of \$29,248.01 from the 2008 MMO. This is a requirement of Act 205 that we put this on the September Council agenda for your approval so we can properly fund our Police Pension Plan.”

Councilman Peterinelli **MOVED** to approve the 2009 MMO for the Police Pension Plan, and Councilman Tridico **SECONDED**.

Councilman Johnson, “Did we budget for that?”

Ms. Trout, “We will in 2009.”

Ms. Perez, “This will be paid in 2009 and will be included in the 2009 budget.”

Councilman Johnson, “That comes right out of the 2009 budget.”

Ms. Perez, “A portion of that is funded by State aid, approximately \$350,000, and the City is responsible for the rest.”

No further discussion. **All voted unanimously to approve.**

- j. **2009 MMO for the Non-uniformed Employee Pension Plan.** Ms. Trout, “This MMO is \$25,450 which is \$7,459 more than the 2008 MMO. Same scenario except this is the Non-uniformed Employee Pension Plan.”

Councilman Finrock **MOVED** to approve the 2009 MMO for the Non-uniformed Employee Pension Plan, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**

- k. **Sponsorship of the Twelfth Annual Westmoreland County Household Hazardous Waste Collection by Westmoreland Cleanways.** Ms. Trout, “Approval is for the City to contribute \$1,400 in sponsorship of this year’s event that is scheduled on Saturday, October 11, 2008 from 9:00 a.m. to 2:00 p.m. at the Westmoreland County Fairgrounds. Our participation permits City residents to dispose of potentially dangerous household hazardous waste materials safely without a fee. The City is asked to contribute 50% of the cost of our residents’ participation based on the past three years. The DEP reimburses Westmoreland Cleanways the remaining 50%. Residents of non-participating communities are charged a fee of \$40 to recycle at the event. This is something we’ve been involved with for a number of years. We’ve gotten good feedback from the residents that it’s something we need.”

Councilman Johnson, “Is this going to be posted on our website? Maybe a list of exactly what types of materials, because it is a good program. We advertise it at the County. If it’s on the website, people can go on and know where to go and what time.”

Ms. Trout, “Yes.”

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

- l. **Tax Appeal Settlements for Several Properties Located in the City of Greensburg.** Solicitor McCormick, “I’m going to ask that this item be withdrawn from the agenda. I was unavailable at the end of last week and didn’t see this until earlier this evening. We’re in the threshold along with the County and School District of dealing with certain tax appeals that will come to fruition, but I think the appropriate way it has to be done is in a form that this motion doesn’t deal with properly.”

Item l. was withdrawn per Solicitor McCormick’s recommendation. No action was taken.

- m. Fall Coupon Rate for Mt. Odin Park.** Ms. Trout, “Council approval authorizes the Recreation Department to offer discount coupons through the fall for 18 holes of golf with a cart on Monday through Friday before 2 p.m. at \$18.”
- Mayor Eisaman, “I assume we’re not advertising for this; it’s just going to be by leaflets?”
- Councilman Johnson, “We’re advertising.”
- Mayor Eisaman, “In the past when we spent money on advertising, did this offset the advertising costs?”
- Councilman Peterinelli, “I don’t think it did.”
- Ms. Perez, “No it did not, Mayor. We only did this one time last year. We’re going to give it another shot this year. The advertising is part of a package deal that we entered into earlier in the season to advertise so many times throughout the rest of the year.”
- Mayor Eisaman, “So it’s not necessarily a special ad we’re running; this is something we’re already committed to that we’re just attaching this to?”
- Ms. Perez, “Correct.”
- Councilman Johnson, “We could advertise that just with an article saying fall rates are going to be \$18 prior to 2:00 p.m. We could do that one time, right? And put it on a sign and on the website.”
- Ms. Perez, “Brian, the Golf Pro, actually negotiated an advertising package earlier in the year and I’m not sure exactly....”
- Councilman Johnson, “We have to use it anyhow?”
- Ms. Perez, “Correct. So I’m not sure what form that is in. If it’s the form of another one of those nice, little stories they did in the past promoting the golf course as a whole.”
- Councilman Johnson, “People will actually have a coupon?”
- Ms. Perez, “Yes.”
- Councilman Johnson, “It’s just sitting there not getting enough play so I think \$18 is better than no dollars.”
- Councilman Peterinelli, “Brian was able to pick up a league from Cherry Creek, and everybody knows Carradam is shutting their course down, so hopefully we can get two leagues from them, too.”
- Councilman Johnson **MOVED** to approve the coupon rate, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the fall coupon rate.**

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

RESPECTFULLY SUBMITTED:

Susan M. Trout, City Administrator

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