

**CITY COUNCIL MEETING  
MINUTES  
Monday, June 14, 2010  
7:00 p.m.**

Councilman DePasquale, Acting Mayor, called the meeting to order at 7:00 p.m. City Administrator, Susan Trout, took roll call with the following members present: Councilwoman McCormick, Councilman Peterinelli and Councilman DePasquale. City Treasurer/Fiscal Director, Mary Perez was also present. Attorney Bernard McArdle attended in place of City Solicitor, Timothy McCormick, who was absent. Mayor Eisaman and Councilman Tridico were also absent.

**\*\*\*PLEDGE OF ALLEGIANCE\*\*\***Councilman Peterinelli

**\*\*\*BIDS\*\*\***

- a. Milling of City Streets.** Ms. Trout, "Bids were opened at 1:30 p.m. on June 8, 2010. Having reviewed the bids with Rick Hoyle and Ron Regola, we recommend acceptance of the bid from A. Folino Construction, Inc. of Oakmont, PA, in the amount of \$11,915.17 to mill 5,647 square yards. As a reminder, they're milling seven streets and we, in-house, are paving those seven streets."

| <u>Bidder(s)</u>                             | <u>Unit Price<br/>Per Sq. Yd</u> | <u>Total Price</u> |
|--|----------------------------------|--------------------|
| A. Folino Construction, Inc.<br>Oakmont, PA  | \$2.11                           | \$11,915.17        |
| Donegal Construction Corp.<br>Greensburg, PA | \$2.98                           | \$16,828.06        |

Councilman Peterinelli, "Once we award this bid when will they get started? Do you know exactly?"

Mr. Hoyle, "No, they haven't committed yet."

Ms. Trout, "The only thing in the bid is they have until August 31, 2010 to complete the work, but they know we would like to coordinate with them if they are in fact approved as the bidder."

Councilman Peterinelli **MOVED** to accept the bid from A. Folino Construction, Inc., and Councilwoman McCormick **SECONDED**. No further discussion. **All voted unanimously to accept the bid from A. Folino Construction, Inc.**

- b. RFPs for Wide-Area Fiber Network Products and Services .** Ms. Trout, "Proposals were accepted until 11:00 a.m. today. Three bids were received. My recommendation right now is that we table this action. We have 90 days to do a further review on the bids. Quite frankly, out of the three only one appeared to be a good bid and it was over our budgeted amount. They gave us two options depending on how we string the fiber from City Hall down to Lynch Field; Option A was \$26,950 and Option B was \$29,450 of which we only budgeted \$20,000 for this project. So my recommendation is we table it at this time. The bids remain firm at 90 days. Let's review it at the July meeting pending

the progression of Wally's dispatch change which is ongoing at the moment and see where we are with that project."

|  |                            |                       |
|--|----------------------------|-----------------------|
| U.S. Utility Contractor Co., Toledo, OH<br>(This bid did not include the required bid bond.) | \$28,324.51                | Disqualified          |
| Celerity Integrated Services, Quakertown, PA   | \$26,950.00<br>\$29,450.00 | Option A<br>Option B  |
| One Communications, Burlington, MA<br>(This is not an appropriate bid.)                      | \$20,950.00                | per month reoccurring |

Councilwoman McCormick **MOVED** to **TABLE** the RFPs for Wide-Area Fiber Network Products and Services, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to TABLE the RFPs.**

**\*\*\*COMMENTS/BUSINESS FROM THE FLOOR\*\*\***For the record, no one approached the podium to offer any comments/business from the floor.

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

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

### **\*\*\*REPORTS OF COUNCIL\*\*\***

**Councilwoman McCormick**, "First of all I want to thank everyone who was involved with Community Days; Sue, Mary, all of the people that worked and all of the supervisors. It was really a nice event and I'm so grateful the weather was nice since I was in charge of weather. Also, there was a very successful golf outing on Friday, May 28, 2010, the Wayne Johnson Memorial Golf Outing. There were 128 participants and we want to thank Nancy Johnson, her family and the committee members who worked hard to make that day very successful. The Recreation Department benefits from the proceeds of the golf outing. Two of our summer programs will be starting next week. The Summer Baseball Camp is for children ages 6-12 years old and it begins June 21, 2010 until June 24, 2010 from 9:00 a.m. to noon. It will be held at Lynch Field. There's also a Soccer Camp at the Mt. Odin soccer field from June 21-24, 2010. That's for children ages 8-11 from 6:00-8:00 p.m. and ages 12-14 from 2:00-5:00 p.m. That information will be on the website at [www.greensburgpa.org](http://www.greensburgpa.org). The swimming pool passes are still available for the Veterans' Memorial Pool and they're available for purchase until June 30, 2010. The pool is open now from noon until 7:00 p.m. We also offer a birthday package and after-hour pool rentals. Call the Recreation Office for more details and prices at 724-834-4880."

**Councilman Tridico, reported by Councilman Peterinelli**, "On Friday, May 21, 2010, the weeds along the earth channel of Jack's Run were sprayed to retard growth and to kill the weeds that were already out of control. The work has appeared to be quite successful. Also, traffic painting is being conducted weather-permitting to finish the VASCAR lines for the Police

Department. On Friday the paving crew made base repairs to the main parking lot at Mt. Odin. This was to correct the damage that resulted from hauling the snow up there. Over the weekend we received 70 calls requesting brush and trimmings pickups. This made it necessary to detail three Street Department crews to the job of operating the brush chipper for the day. That's about it for his report."

**Councilman Peterinelli**, "First of all, I'm in charge of the Electrical Department. Pat Cribbs' crew got down to Community Days and took down all the wires. They installed conduit wiring for the automatic tellers at the Bell Garage. They put some signs up and his other crews worked on our public buildings. They're doing a great job on that. Now from Barb, on tonight's agenda under Council Approval, there are a number of projects the Historic and Architectural Review Board (HARB) has recommended for approval. Highlights of the slate of projects include the completion of the façade and renovations of Ray Charley's property on 990 North Main Street, home of the Shop 'n Save, and the sign for the new restaurant in the Train Station, The Supper Club. Other issues that we'll make public related to the Federal Emergency Management Agency's (FEMA) update on the flood plain are the maps of the City of Greensburg. On Wednesday, June 16, 2010, at 6:00 p.m. the Planning Commission will be here to take comments from the public related to the amended flood maps. Any property owner in the City of Greensburg is welcome to come to City Hall Council Chambers to look at the maps and make comments. The City has until June 21, 2010 to submit commentary to FEMA. This concludes my report."

Councilman DePasquale, "I'd like to add there was a nice article in the Greensburg Tribune Review about the meeting on June 16<sup>th</sup> concerning the flood plain. Hopefully people that are concerned will come out and comment."

**Councilman DePasquale**, "Revenues at this point are at 48% of budget after adjusting for the inter-fund transfer. This is 3% lower than revenues at May 2009. Expenses are at 38% of budget after adjusting for the inter-fund transfer. This is the same as last year. That concludes my report."

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

- a. Code, Fire and Police Reports.** Councilman DePasquale, Acting Mayor, reviewed the Code, Fire and Police Reports. Copies of these reports may be obtained at the respective offices or the City Administration Office.
- b. Greensburg Community and School Picnic.** Ms. Trout, "We hope everyone will join us for the Greensburg Community and School Picnic on Friday, June 18<sup>th</sup> at Idlewild Park. City offices will close at noon to afford City employees the opportunity to attend the picnic. Discount tickets at the price of \$15.50 will be on sale at City Hall from 8:30 a.m. to 4:00 p.m. on June 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>. The prize drawing will be held at 6:00 p.m. at the Main Stage. Prizes are generously donated by local businesses. Registration for the prize drawing begins at 5:00 p.m. at the Main Stage." Councilman DePasquale, "I hope everybody does come out for the School Picnic. There are a lot of nice things as we know living in a small town, and I think Community Days, as Councilwoman McCormick said, was absolutely fantastic this year. It's such a nice event and we've had two concerts already and I think they're going very well. And we have the Community Picnic. We hope everybody comes out and takes advantage of that."

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

**Bill No. 3** – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 253, ENTITLED ‘VEHICLES, REMOVAL AND STORAGE OF’ OF ORDINANCE NO. 1646, THE CITY CODE, CHANGING THE TITLE TO ‘NUISANCES’ AND ADDING OUTDOOR FURNITURE RESTRICTION(S) TO THE CURRENT SUBJECT OF THE REMOVAL AND STORAGE OF VEHICLES DEEMED NUISANCE PROPERTY. Ms. Trout, “The purpose of the Ordinance is to ban upholstered furniture which is not manufactured for outdoor use in outdoor areas where such furniture is visible to neighbors and passersby in the public right-of-way with exceptions for the moving, removal as part of a trash or recycling program, or the temporary placement for sale at a yard or garage sale of said furniture.”

**Bill No. 4** – AN ORDINANCE OF THE CITY OF GREENSBURG ADDING A NEW CHAPTER ENTITLED ‘CABLE FRANCHISE’ TO ORDINANCE NO.1646, THE CODE OF THE CITY OF GREENSBURG AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE CITY AND COMCAST OF PENNSYLVANIA. Councilman DePasquale, “Last Tuesday we had a public hearing for those that wanted to comment. So again this is just an introduction of a Bill that we will be voting on next month.”

**Bill No. 5** – AN ORDINANCE OF THE CITY OF GREENSBURG DELETING CHAPTER A-270, ENTITLED, ‘CABLE TELEVISION FRANCHISE’ WHICH IS OBSOLETE. Ms. Trout, “We’re cleaning up the cable information part of the Code, so this one has to go away.”

**\*\*\*COUNCIL APPROVAL\*\*\***

- a. Resignation of Recreation Advisory Board Member.** Ms. Trout, “Council approval accepts the resignation of Geno Ray who has moved out of the City from the Recreation Advisory Board. We do have it listed on our website where we are accepting résumés and/or letters of interest until June 30, 2010 from any member of the public that is interested in serving.”

Councilwoman McCormick, “I’d like to thank Sue and Council for the approval of doing that for the citizens of Greensburg. I think it makes it more transparent and makes it open to everyone and hopefully we’ll get some interested parties. It may take a while before things catch on and people realize it’s available, but I think it’s a beginning and thank you very much.”

Councilwoman McCormick **MOVED** to approve the resignation, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the resignation.** Councilman DePasquale, “Of course you’ll send Geno a letter thanking him like you always do.”

Ms. Trout, “Yes, absolutely.”

- b. Reappointment to the Civil Service Commission.** Ms. Trout, “Council approval reappoints Dr. Robert Tymoczko to the Commission to serve an additional 3-year term until June 11, 2013.”

Councilman Peterinelli **MOVED** to approve the reappointment, and Councilwoman McCormick **SECONDED**. No discussion. **All voted unanimously to approve.**

- c. Reappointments to the Aerobic Center Authority.** Ms. Trout, "Council approval reappoints J. Edward 'Hutch' Hutchinson and Dr. Calvin Kier to 3-year terms on the Authority until May 14, 2013."  
Councilman DePasquale, "These dates are all over the place because that's how they were set up initially?"  
Ms. Trout, "Yes, so you're not having a 'one fell swoop' where people are all leaving at the same time."  
Councilman Peterinelli **MOVED** to approve the reappointments, and Councilwoman McCormick **SECONDED**. No further discussion. **All voted unanimously to approve.**
- d. Hiring of Seasonal Recreation Department Employees.** Ms. Trout, "Council approval is for the hiring of Brooke Leechalk, Trey Hahn and Alyssa Mellinger as Lifeguards at \$7.50 per hour; Brooke is returning and Trey and Alyssa are new, and Matt Earle as Mt. Odin Seasonal Maintenance at the rate of \$8.25 per hour who is also a return."  
Councilman DePasquale, "We want to point out that it doesn't mean we're adding anymore hours or more people, it's just that scheduling these people with their other activities we find out we need more people in the 'bullpen warming up' than we have."  
Councilwoman McCormick, "Right, and Sue also pointed out to me that we had two that already quit."  
Councilwoman McCormick **MOVED** to approve the hiring of the Seasonal Recreation Department employees, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve.**
- e. Code of Conduct Policy.** Ms. Trout, "Council approval sets forth a policy for zero tolerance in regards to bad behavior at our parks and facilities. This is a policy we've been discussing for a couple of months and we did go through the process of discussing this with the Recreation Advisory Board and it met their approval, so now it is up for your approval."  
Councilwoman McCormick, "Again, I want to say thank you to Council, Sue and the Recreation Board for all their hard work in making that happen."  
Councilwoman McCormick **MOVED** to approve the Code of Conduct Policy, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the policy.**
- f. Civil Service Police Officer Eligibility List Extension.** Ms. Trout, "Council approval extends the current list until June 30, 2011 for the hiring of Police Officers. I think Wally explained before that this will be the second time we've extended the list."  
Councilman Peterinelli **MOVED** to approve the extension of the list.  
Councilwoman McCormick, "Chief, that would make it three years; do you feel that in that time period that there could be a lot of variables that would happen? I really thought about this and I just feel there are so many variables that could take place with an applicant. For example, there could be some kind of issue and wouldn't we want to open it up to more people by retesting? You stated in last month's newspaper article that we were retesting; I just wonder why we're not now."  
Chief Lyons, "We looked at that and we looked at the current hiring list and five out of the top six candidates are still interested and available. So we had qualified candidates that were on the list to hire from, and, secondly, the additional cost involved in retesting."  
Councilwoman McCormick, "Don't they pay \$50 to test?"  
Chief Lyons, "Our current structure does not cover all our costs."  
Councilwoman McCormick, "How much does it cost to test an applicant?"

Ms. Trout, "Aren't the total costs between \$3,000 and \$4,000?"

Councilwoman McCormick, "Per applicant?"

Ms. Trout, "No, for the total to administer the test."

Councilwoman McCormick, "Total, but doesn't \$50 a person cover the cost for that particular person?"

Ms. Trout, "No."

Councilwoman McCormick, "What would cover it?"

Chief Lyons, "We would probably have to increase our cost; it depends because we never know. Years ago we would get 100 applicants. Last time we tested we got around 50."

Councilwoman McCormick, "With the economy so bad, do you think we'd have more applicants?"

Chief Lyons, "Not necessarily, because of what our standards are for hiring. For example we require an Associate Degree or 1,600 hours of police experience. They must already have Certified Police Academy and a State Municipal Police Officers Education and Training Commission (MPOETC) certification number. So just because the economy is bad wouldn't necessarily increase the number of people taking the test because they wouldn't qualify. They already have to be a certified, State Academy trained...."

Councilwoman McCormick, "Should we increase our costs then if that's an issue?"

Chief Lyons, "There are a lot of factors in regard to how many people take the test. Right now you have a lot of reservists called up in the military and a lot of those are people who have gone through the Academy and so forth. Those people are unavailable so we find that looking at other municipalities who have tested recently, their numbers are way down; less than half or maybe even one-third of the number of applicants that we've seen in prior years. Looking at all our options especially the top five candidates on the list are still available...."

Councilman DePasquale, "I see the list as being these are the people that are knowledgeable but I would assume you talk with them again before we make an offer after this length of time?"

Chief Lyons, "There's a whole process."

Councilwoman McCormick, "Do they have to take another physical? That's my concern."

Chief Lyons, "Before they are hired they have to go through physicals and oral interviews as the second part of the testing process. Then they have to come back in for oral interviews and they have to have physicals. Then we have to verify; we have to do another background on everyone as well. But we only bring in the top three candidates for oral interviews. We then make a contingent offer for employment to our top candidate. Then they have to go through physical and psychological exams."

Councilwoman McCormick, "The list is certified. Those people that are on the certified list have to have a physical before they get on the certified list, correct?"

Chief Lyons, "Yes. All the people on our current list are working as police officers already."

Councilwoman McCormick, "To get on the certified list they had a physical before they were put on the certified list, correct?"

Chief Lyons, "They have to have two ranges of physicals. One, they have to have a pre-physical to take the physical agility test. Then after that as a contingent offer of employment, they must take another battery of physicals."

Councilwoman McCormick, "Including psychological?"

Chief Lyons, "And a psychological, correct."

Councilwoman McCormick, "So you would call in the top three candidates and would you narrow it down to one before they're given the physical and psychological exams?"

Chief Lyons, "Yes. Once those tests are given there's a contingent offer of employment made to one candidate. Then they have to take the psychological physical and then we do a further background....."

Councilwoman McCormick, "So off of that certified list you'll interview the top three?"

Chief Lyons, "We'll bring in the top three for oral interviews."

Councilman DePasquale, "I would be right with you if it meant the list meant we have them ranked and we're just going to take the next person, but there is still a process they go through."

Councilwoman McCormick, "It occurred to me that it seems like a long period of time. Do most municipalities extend the list for three years?"

Chief Lyons, "This is not an overly extended period of time. There are no State guidelines or any guidelines set by individuals or municipalities on how long or how far out you can extend lists. There are no restrictions on that. We've extended two years and actually I think there was a period of time where we did extend it three years in the past."

Councilwoman McCormick, "How long do we keep employee applications for City employment?"

Ms. Trout, "We only accept applications when we have an opening. Then we keep the application s on file, obviously if they're hired it goes into their personnel file, then we destroy them after the hiring process."

Councilwoman McCormick, "So if another position similar to that....."

Councilman DePasquale, "They have to reapply."

Councilwoman McCormick **SECONDED**. No further discussion. **All voted unanimously to approve the extension.**

- g. July Golf Course Special.** Ms. Trout, "Council approval offers Mt. Odin golfers a special of 18 holes of golf and a cart for foursomes Monday through Friday until 2:00 p.m. at the special rate of \$96 throughout the month of July."

Councilman Peterinelli, "It brings in a lot of golfers up there."

Councilman Peterinelli **MOVED** to approve the golf course special, and Councilwoman McCormick **SECONDED**. No further discussion. **All voted unanimously to approve.**

- h. Part-time Dispatcher/Part-time Certified Telecommunicator Overtime Policy.** Ms. Trout, "Council approval amends Section III, entitled, 'Hours and Wages' of the Part-time Personnel Policy Handbook adding a revised policy for overtime pay for these part-time employees to be paid at the rate of 1 and 1/2 times their pay for hours worked in excess of an 8-hour shift. This is as opposed to not getting overtime until you've worked 40 hours. Keep in mind this if for part-time Dispatcher and part-time Certified Telecommunicator only." Councilman Peterinelli **MOVED** to approve the overtime policy, and Councilwoman McCormick **SECONDED**. No discussion. **All voted unanimously to approve.**

- i. Slate of Projects Recommended for Approval of Issuance of Certificates of Appropriateness by the Historic and Architectural Review Board (HARB).** Ms. Trout, "The slate of approvals recommended by the HARB at the meeting on May 18, 2010 include three properties located in the Gateway District: a new façade for the entire *Shop 'n Save* Plaza at 990 North Main Street for Ray Charley; a new sign for *Cerra Automotive* at 259 West Otterman Street and the demolition of two structures at 251 and 259 West Otterman Street for future development for Sal & Kathy Cerra; and in the Historic and Downtown Districts, Debbie Driggers applied for a new sign for '*The Supper Club*' at 101 Ehalt Street owned by the Westmoreland Cultural Trust."

Councilman Peterinelli **MOVED** to approve the issuance of the Certificates of Appropriateness, and Councilwoman McCormick **SECONDED**. No discussion. **All voted unanimously to approve the issuance of the certificates.**

- j. **Cable Franchise Agreement between the City of Greensburg and Comcast.** Ms. Trout, "Council approval accepts the 10-year agreement on behalf of the City of Greensburg as one of eight participating members of the Central Westmoreland Council of Governments (COG). Some highlights of the agreement include: more revenue sources subject to the franchise fee which should increase the City's 5% franchise fee revenue overall because there's more revenue types included in that; the allowance for an independent audit with penalties for Comcast for underpayment of franchise fees; a franchise grant in the amount of \$5 per subscriber which totals \$26,365 to be paid to the City within six months of the effective date of the agreement; enforceable customer service standards with time limits on telephone answering, installation, service interruption and repair work; a 4-hour appointment window for service calls; no late fees assessed until 30 days after the last billing date; credits for service interruptions of six hours or more upon customer's request and new standards of subscriber privacy; and the utilization of the public rights-of-way by Comcast. This is all dictated as part of that agreement."

Councilman DePasquale, "And as we noted earlier when it came up in terms of amending the Code, we did have a public hearing on all of this last week. This is also in conjunction with a number of other municipalities who have approved the same agreement so we worked together with all of them."

Ms. Trout, "I want to also make it clear because a couple of residents have asked me why we didn't negotiate with Verizon and it is because Verizon opted not to negotiate with us."

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

- k. **Financing of Parking Equipment Lease for the Robert A. Bell Parking Garage.** Ms. Trout, "Council approval authorizes the Fiscal Director to execute documents on behalf of the City of Greensburg for a lease purchase of \$200,000 at an interest rate of 5.55% for a term of seven (7) years through Catalyst Capital Corporation. The lease purchase is for the automated parking equipment including signage, security cameras and related computer and electrical equipment. It was recently installed in the Robert A. Bell Parking Garage."

Councilman DePasquale, "So this piece is the financing on that at 5.55%."

Councilman Peterinelli, "Believe me that equipment is something else; I saw it in operation. I couldn't believe how it operates. What is so amazing to me is they have a box with around \$1,500 in different bills, and if I go to that parking garage and all I have is a \$20 bill and my parking is \$4, if I stick that \$20 bill in there, a \$1 bill, a \$5 bill and a \$10 bill comes out."

Councilman Peterinelli **MOVED** to approve the financing of the parking equipment lease for the Robert A. Bell Parking Garage, and Councilwoman McCormick **SECONDED**. No further discussion. **All voted unanimously to approve the financing.**

Councilman Peterinelli, "Another thing, down at Community Days Bob Charley got a call on his regular phone and when he answered someone was stuck in the garage; the gate wouldn't go up. So what's he do? He got on the other phone, punched some numbers in and that gate goes up. I just can't believe it."



- I. **Financing of Parking Equipment Lease for the J. Edward Hutchinson Parking Garage.**  
Councilman DePasquale, “This is the same as the financing for the Bell Garage but this is for the Hutchinson Garage.”  
Councilman Peterinelli **MOVED** to approve the financing of the parking equipment lease for the J. Edward Hutchinson Parking Garage, and Councilwoman McCormick **SECONDED**.  
No discussion. **All voted unanimously to approve the financing.**

**\*\*\*UPDATES\*\*\***

Councilman Peterinelli, “Before we adjourn, Mr. Tridico is doing well. He is in his apartment at St. Anne Home. He’d like to come to these meetings but I think he’s still unsteady on his feet. But as soon as he gets better, he will be here.”

Ms. Trout, “Our Solicitor, Tim McCormick, is still in Shadyside Hospital and he’s still undergoing treatments. I think he’ll be there for a few more weeks. So keep him in your prayers.”

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

**RESPECTFULLY SUBMITTED:**

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**Susan M. Trout, City Administrator**

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