

**CITY COUNCIL MEETING
MINUTES
Monday, April 12, 2010
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: Councilwoman McCormick, Councilman Tridico, Councilman Peterinelli, Councilman DePasquale and Mayor Eisaman. City Solicitor, Timothy McCormick and City Treasurer/Fiscal Director, Mary Perez were also present.

*****PLEDGE OF ALLEGIANCE*****Mayor Eisaman

*****PROCLAMATION- 'Osteopathic Medicine Week'*****

At this time Mayor Eisaman read a proclamation announcing the week of April 18-24, 2010 as 'Osteopathic Medicine Week'. See attached. Mayor Eisaman acknowledged the director of the Lake Erie College of Osteopathic Medicine (LECOM) at Seton Hill University and the four students in attendance and presented the proclamation to them.

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

Dr. Gary Cuccia, with a business address at the Intersection of Routes 119 and 22, New Alexandria, PA 15670. Dr. Cuccia, "I'm here tonight for the passing of the Resolution to support House Bill 2026 which is named after my daughter, Demi. On August 15, 2007 my daughter, Demi, was the victim of teenage dating violence. She was stabbed to death 16 times the day after her 16th birthday from a boy that she broke off this relationship with who happened to be my son's best friend. We didn't see the warning signs. Looking back now that we've educated ourselves the warning signs were there. The warning signs are always there. You just have to sometimes educate yourself and raise your awareness in order to see these things. So that's what we've been trying to do. My wife and I and our organization, Demi Brae Cuccia Awareness Organization; we have a website, www.demibrae.com that you can check out and see what we're trying to do as far as getting this Bill passed into a law. On the very first page of our website you can click on an online petition to show your support for this Bill; if you could all do that it would really help. And we're asking people to contact Senator Jeffrey Piccola. He is the chairperson of the Senate Education Committee and that is where the Bill sits right now. So we need to get support to him to pressure him to introduce this Bill to the Education Committee so we can get it passed. I just personally want to thank all of you, especially Sue, for putting this together. It means a lot to me and my family and to our organization and I'm sure my daughter, Demi, would be very proud of everybody trying to come together as communities so we can try and stop this so it doesn't happen to somebody else's daughter. Thank you very much." Mayor Eisaman, "Thank you, Dr. Cuccia, and we will be looking at this later on under Resolutions, and we appreciate your efforts and the efforts of your family and friends pushing this forward because the people need to be better educated."

*****APPROVAL OF LAST MONTH'S COUNCIL MINUTES*****Councilman Peterinelli **MOVED** to approve the minutes of last month's Council meeting, and Councilman Tridico **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, “The Recreation Department is currently working on our summer program schedule. We’re offering a number of sport camps and a Driving Theory Education class. This information will be on the City’s website at www.greensburgpa.org and also in the Tribune Review. The ice season is now over at Kirk S. Nevin Arena and we’d like to thank all those people who participated in our programs and public sessions during the season. We would also like to congratulate the Latrobe High School varsity hockey team for winning their third consecutive State title. Latrobe uses the arena as their home ice for practice and games and the arena will be hosting a Dek Hockey league that will be using our facility two days per week starting April 11, 2010 and continuing until mid-July. On Thursday, April 22, 2010 there will be a Senior Health Fair inside the arena sponsored by Senator Kim Ward. Mt. Odin Golf Course is open and is in great condition. We encourage you to come out and play. There are season memberships available at a very affordable price. Frank, are we still offering a discount at this time?”

Mr. Lehman, “Yes.”

Councilwoman McCormick, “I submitted to every Council member and administration a report on the playgrounds that I’ve gone to. I won’t read everything that’s on the list, but one thing that I am hoping is that we can spruce up and revitalize our playgrounds by appealing to private and business sponsors. We could have a ‘Sponsor a Playground’ where a business or private sponsor could donate materials or finances so that we can make these areas safer and more attractive for the children. I talked to different residents at the playgrounds and they seemed receptive to the idea of sponsors putting signs on playground fences in exchange for monetary gifts and equipment or materials. Because of several calls by residents, I also want to bring this to your attention, concerning altercations at the Kirk S. Nevin Ice Rink. With the recent attention given to the problems caused by bullying I am asking Mayor and Council to enact a ‘zero tolerance’ policy for the ice rink. I have attached a preliminary policy which I hope that the Mayor and Council will consider. I believe with this policy altercations will eventually be extinguished. This will provide for a safe environment for all children and will protect both the City and the employees from liability. It will let all who attend open skates that the City of Greensburg will not tolerate this type of behavior. Of course, Solicitor McCormick, you’ll have to go over the wording, but this is just a preliminary policy. Fighting between minors at the Kirk S. Nevin Ice Rink will be prohibited by the City of Greensburg. All violators will be cited with disorderly conduct by the Greensburg Police, punishable with a fine levied by the District Magistrate or with a juvenile petition filed with County authorities. All parties involved will be ejected from the Kirk S. Nevin Ice Rink for the remainder of the year’s skating season and shall not be permitted to enter until the following year. I do believe if we institute a policy like this we’re going to eliminate a lot of problems and it will make Trudy’s job a lot easier.”

Mayor Eisaman, “I want the Solicitor to review this. One thing is you refer to minors, if we have an 18-year-old or 19-year-old involved in an altercation; I’m just thinking of that. And also we need to define the skating season and what the following year means.”

Councilwoman McCormick, “Absolutely. That would be Solicitor McCormick’s job to make sure that’s all-inclusive and the wording is correct. I just want to see that we stop something before it escalates and we can extinguish this kind of behavior.”

Solicitor McCormick, "The Chief, Sue and I will meet before the next agenda meeting and we'll have a report at that time."

Councilwoman McCormick, "Good, thank you."

Ms. Trout, "Do you want to consider extending this not only to the rink but maybe to the pool or other facilities as well?"

Councilwoman McCormick, "I think that's a great idea. These are times, we just heard, we don't always see the signs and maybe we need to take more preventative measures."

Mayor Eisaman, "So your suggestion is to extend it to all recreational facilities?"

Councilwoman McCormick, "It might not be a bad idea."

Mayor Eisaman, "I mean if you're doing it for one area you might as well....."

Ms. Trout, "I know with the pool season coming up we have had instances of this in the past so maybe the time is now."

Councilwoman McCormick, "I think that's a good recommendation, Sue. Thank you."

Mayor Eisaman, "Thank you."

Councilman Tridico, "Last Monday the street sweeper began operating on the summer shift. From now until the first week of November the sweeper will operate from the hours of 4:00 a.m. to noon. Starting today the Department of Public Works switched to summer hours which will be 6:00 a.m. to 2:30 p.m. Due to the early start of the growing season our boom operator began cutting right-of-ways. This is almost two weeks ahead of last year. We are arranging for paving projects to be planned this year. That concludes my report."

Mayor Eisaman, "Thank you, Tom. It's good to have you at the meeting."

Councilman Peterinelli, "Yes it is, very good."

Councilman Peterinelli, "On tonight's agenda under Council Approval there is a slate of projects for improvements to properties in downtown Greensburg, in the Gateway and Historic Districts. The Historic and Architectural Review Board (HARB) has recommended all these projects be approved. On other general news, Excelsa Health plans on opening their new parking lot at the intersection of West Pittsburgh Street and South Washington Avenue on April 19, 2010. And speaking about that I guess it's going to be closed from Shearer Street to Washington Avenue; they're going to put in new sewer lines and they're paving that lot up there. Also, don't forget to send your census forms in; you count! There's a new restaurant going into 8 North Pennsylvania Avenue. It will be operated by Roy Bodnar. It will be called Oliver's Pour House located in the old Manhattan's restaurant. That's the end of my report."

Mayor Eisaman, "Is there a startup date on that?"

Ms. Ciampini, "No, they have their building permit."

Councilman DePasquale, "After adjusting for the temporary inter-fund transfer, revenues at this point are at 21% of the budget. That is 2% higher than revenues were at this point at the end of March 2009. Expenses at this point are at 20% of the budget. That's exactly the same as last year. That concludes my report."

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. 2 – AN ORDINANCE OF THE CITY OF GREENSBURG INCORPORATING A NEW CHAPTER ENTITLED, ‘FIRE CODES’ ADOPTING ALL SECTIONS OF THE INTERNATIONAL FIRE CODE 2009 INCLUSIVE OF ALL REFERENCES TO CHAPTER 35 OF THE 2009 BUILDING CODE OF THE UNIFORM CONSTRUCTION CODE (UCC).

Ms. Trout, “The purpose of the Ordinance is to adopt the International Fire Code that was inadvertently left out of the State’s UCC, the successor to the 1990 BOCA, with the exception of references to Chapter 35 of the International Building Code.”

Mayor Eisaman, “This is an introduction so there will be no action taken on this Bill this evening. Les, correct me if I’m incorrect, the State realizes they did not include this at this point, however, they’re not going to correct it; it’s up to the individual municipalities.”

Mr. Harvey, “Correct.”

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

Bill No. 1 as Ordinance No. 1992 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 227 ENTITLED, ‘SOLID WASTE’ OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “The adoption of Ordinance No. 1992 incorporates updates and information pertinent to the new 4-year contract for garbage pickup and recycling in the City of Greensburg. Changes include billing the owner of all rental properties to include single family, duplex and multi-unit residential structures. Hopefully this change will assist the contracted hauler in their billing efforts and decrease the number of delinquent accounts, which they tell us is somewhat significant because of the transient population. Additionally, we’ve added single stream recycling language in which all recycled materials including paper can be mixed together in one recycling container alleviating the need for residents to separate and bundle newspapers.”

Councilman Tridico **MOVED** to adopt Bill No. 1 as Ordinance No. 1992, and Councilman Peterinelli **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 1 as Ordinance No. 1992.**

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

Resolution No. 1146 – A RESOLUTION OF THE CITY OF GREENSBURG GRANTING AN INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE R-771 FROM NORTH HUNTINGDON TO THE CITY OF GREENSBURG FOR USE AT PREMISES AT 730 EAST PITTSBURGH STREET. Ms. Trout, “A public hearing was held on Tuesday, April 6, 2010 at 6:00 p.m. The license transfer is requested by Ray Charley to operate an S Corporation or an LLC at the East Pittsburgh Street Shop ‘n Save location.”

Mayor Eisaman, “I believe everyone has received a copy of the minutes from the hearing.”

Councilman Peterinelli, “Yes.”

Councilman Tridico **MOVED** to enact Resolution No. 1146, and Councilman DePasquale **SECONDED**. No further discussion. Roll call vote was taken. **Mayor Eisaman abstained, and all others voted unanimously to enact Resolution No. 1146.**

Resolution No. 1147 – A RESOLUTION OF THE CITY OF GREENSBURG GRANTING AN INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE R-3093 FROM DELMONT TO THE CITY OF GREENSBURG FOR USE AT

PREMISES AT 41 WEST OTTERMAN STREET. Ms. Trout, “A public hearing was held tonight at 6:30 p.m. The license transfer is requested by James Albert for use at Doe’s East Coast Dogs, Inc. As we learned in the meeting some of the ownership transfers have occurred and there are different partners now.”

Mayor Eisaman, “Just referring to the Resolution above though, the license is being transferred to Doe’s East Coast Dogs, Inc.”

Solicitor McCormick, “But the record should be perfectly clear that James Albert as mentioned is not going to be an owner of the license. The license will be owned by a corporation named; Mr. Nichols could you give us that name again?”

Mr. Nichols, “Doe’s East Coast Dogs, Inc.”

Mayor Eisaman, “And the stockholder will be?”

Mr. Nichols, “Michelle Vucish.”

Councilman Peterinelli **MOVED** to enact Resolution No. 1147, and Councilman DePasquale **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1147.**

Resolution No. 1148 – A RESOLUTION OF THE CITY OF GREENSBURG SUPPORTING HOUSE BILL 2026, THE DEMI BRAE CUCCIA LAW, REQUIRING PUBLIC SCHOOLS TO PROVIDE EDUCATION ON TEEN DATING VIOLENCE. Ms. Trout, “Introduction of HB 2026 by State Representative Scott Conklin supports the efforts of Dr. Gary Cuccia, his wife Johanna, his daughter Alexa, and the Demi Brae Cuccia Awareness Organization by promoting an awareness of the warning signs and prevalence of teen dating violence and abuse in public schools, having lost their daughter Demi Brae to teen dating violence one day after her 16th birthday in 2007.”

Councilman Tridico **MOVED** to enact Resolution No. 1148, and Councilwoman McCormick **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1148.**

Resolution No. 1149 – A RESOLUTION OF THE CITY OF GREENSBURG DESIGNATING MARY PEREZ AS THE AUTHORIZED AGENT OF THE CITY TO EXECUTE ON BEHALF OF THE CITY REQUIRED FORMS AND DOCUMENTS FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT FOR THE SNOW EMERGENCY OF FEBRUARY 2010 IN THE CITY OF GREENSBURG.

Councilman DePasquale **MOVED** to enact Resolution No. 1149, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1149.**

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

- a. **Agreement between the City of Greensburg and Metro Technology/Alert Care Software Program for the Greensburg Police Department.** Ms. Trout, “Council approval authorizes the Chief of Police to execute the renewal agreement on behalf of the City for the period of April 26, 2010 until April 25, 2011 in the amount of \$4,388, an increase of \$128 more than last year’s price.”

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

(Moved to Item i. while additional copies of the agenda were made.)

- i. Land Lease Agreement between the City of Greensburg and The Westmoreland Cultural Trust.** Ms. Trout, “Council approval accepts a land lease agreement with the Trust in the amount of \$1,850 for land in the City-owned Wib Albright Parking Lot to be utilized by the Trust for parking of private passenger vehicles only. The agreement sets forth the terms and conditions relative to monthly rent and late payments, maintenance of the leased land, a 60-day termination clause and insurance requirements for a 15-year land lease to commence July 1, 2010. The \$1,850 is a monthly payment beginning July 1, 2010. We would still own the land leasing it to them for their need.”
Mayor Eisaman, “Contractually if it’s approved they would be required to list us as additional insured, all the maintenance during the winter and summer.....”
Ms. Trout, “The insurance information is in the lease.”
Councilman Tridico **MOVED** to approve the land lease agreement, and Councilman DePasquale **SECONDED**. No further discussion. **Mayor Eisaman and Councilman Peterinelli abstained, and all others voted unanimously to approve.**
- j. Land Lease Agreement between the City of Greensburg and Excelsa Health Westmoreland Hospital.** Ms. Trout, “Council approval accepts a land lease agreement with the hospital in the amount of \$3,375 for land also in the Wib Albright Parking Lot to be utilized by the hospital for the parking of private passenger vehicles only. The agreement sets forth the terms and conditions relative to monthly rent and late payments, maintenance of the leased land, a 90-day termination clause and insurance requirements for a 3-year lease with a 1-year option to renew. Again that \$3,375 is a monthly fee based on what their need is going to be which is going to be for parking.”
Mayor Eisaman, “And they’re looking for a 3-year with a 1-year extension?”
Ms. Trout, “Three-year lease with a 1-year option.”
Councilman Peterinelli, “With all these people taking up parking, how many more spaces are down there?”
Ms. Trout, “It will be full after this.”
Mr. Charley, “With those two entities and the State Office building, it will be full.”
Councilman Peterinelli **MOVED** to approve the land lease agreement, and Councilman DePasquale **SECONDED**. No further discussion. **All voted unanimously to approve.**
- k. Hiring of Seasonal Recreation Department Employees.** Ms. Trout, “Having polled Council, approval accepts the hiring of William Evangelist as a seasonal Mt. Odin Maintenance employee retroactive back to March 25, 2010 at a rate of \$8.25 per hour. Council approval accepts the hiring of the following slate of seasonal employees for the Greensburg Recreation Department to begin on an as-needed basis: at Mt. Odin as Seasonal Maintenance at \$8.25 per hour is Nick Fontana and Josh Cowell; as Pro Shop employees, Steve Good, Taylor Sphon, Justin Ambrose and George Kemerer are recommended; and Francis Sedlacko and Don Hoyle as Rangers, all at \$7.25 per hour; for the pool at Lynch Field we have Lukas Sundry, Nathan Sphon, Steve Solochier, Matthew Thomas and Zach Kubas recommended to be hired as pool maintenance; Keli Pennesi and Leah Fontana as cashiers; and Christine Watson for pool passes and office help, all at \$7.25 per hour; and Lifeguards at \$7.50 per hour are Mallory Earle, Caitlin Suchko, Rachel Moyer, Catherine Dudurich, Rebecca Hawkins-Brahm, and Audra Burkley; and as Pool Supervisor, Michele Cribbs at \$8.25 per hour. That is your current slate of hires recommended by Frank, Trudy, Tom Bell and Brian Tutich.”

Councilman DePasquale **MOVED** to approve the hiring of the seasonal Recreation Department employees, and Councilman Tridico **SECONDED**. No discussion.
Councilman Peterinelli abstained, and all others voted unanimously to approve.

- 1. Street Lighting Electric Cost Savings Agreement between the City of Greensburg and Allegheny Energy Supply.** Ms. Trout, “Council approval accepts the 13-month agreement effective May 1, 2010 ending May 31, 2011 to provide the generation of electricity for our street lights throughout the City. This agreement could save the City approximately \$30,000 by locking in our generation service price of 6.8 cents per kilowatt hour through the 13-month period. We’ve been researching this for a period of time. We’re not ready to make a recommendation on our overall electric costs, but right now this is only an agreement that discusses street lights.”

Mayor Eisaman, “I know this all sort of came about rather quickly because an organization came to us that specializes in just street lighting, which is a niche that the Pennsylvania League of Cities and Municipalities (PLCM) doesn’t offer and apparently they realized this and it is a cost savings to the City.”

Ms. Trout, “I want to clarify it’s only for generation. The maintenance of the lights is still the responsibility of Allegheny Power.”

Solicitor McCormick, “Sue deserves a lot of credit, because this actually did come before Council rather quickly and as we know she was away. She pulled together a lot of information because I had questions about getting this type of offer from a sole provider. We consulted with the PLCM and I am convinced this is a service that can only be provided through this provider. The important thing about it is if we couldn’t sign up for this program they couldn’t guarantee us certain savings will absolutely occur, so Sue does deserve an awful lot of credit for doing her due diligence on this on Council’s behalf.”

Ms. Trout, “I’m just doing my job, Tim, but thank you.”

Councilman DePasquale **MOVED** to approve the agreement, and Councilman Peterinelli **SECONDED**. No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the agreement.**

(At this time the meeting continued with Item b.)

- b. Reappointment to the Library Board.** Ms. Trout, “Council approval reappoints Randy Finfrock as the City’s representative to another 3-year term on the Library Board until March 12, 2013.”

Councilman Tridico **MOVED** to approve the reappointment, and Councilman Peterinelli **SECONDED**.

Councilwoman McCormick, “Again I have nothing against Randy Finfrock. I think he’s more than qualified to be on the Library Board. Again, I’m stating that I feel that all appointments should be publicized and applications taken. There should be a 30-day notice posted and that’s my only concern.”

Mayor Eisaman, “I will agree that in the future if we have openings where we don’t have candidates, it might be a good thing to ask people to submit their name and possibly a résumé or something so we have something to judge with.”

No further discussion. **All voted unanimously to approve the reappointment.**
- c. Tax Exoneration for Greater Parkview Church, 103 Westminster Avenue (Tax Map No. 10-04-03-0-041).** Ms. Trout, “Recommended by the Pastor of the church Reverend Carl E. Jones, Sr., Council approval grants a partial exoneration of real estate taxes levied on the

property owned by the Greater Parkview Church, located at 103 Westminster Avenue. This is based on the purchase price of \$279,500. The church shall be liable only for the time period from January 1, 2009 until the date of request for exoneration, which was October 7, 2009. The church shall make payments in accordance with a schedule established by the Westmoreland County Tax Claim Bureau. Based on the purchase price of \$279,500 for the above mentioned period, the total 2009 Real Estate Taxes due the City of Greensburg is \$5,887.13.”

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

- d. Issuance of Certificates of Appropriateness for the Slate of Projects Recommended for Approval by the Historic and Architectural Review Board (HARB).** Ms. Trout, “We have seven (7) projects on the HARB slate for Council approval this month and they include: three (3) projects located in the Historic and Downtown Districts which are replacement windows for 113 South Pennsylvania Avenue owned by Richard Kurtz, a new awning for 139 South Pennsylvania Avenue owned by Edgar Hammer for *EXELOS*, and new signage for 101 South Pennsylvania Avenue owned by John Felice for *Bella Boutique*; one (1) project in the Downtown and Gateway Districts for new signage for 114 East Pittsburgh Street owned by Rick Mori for the *Greensburg Bike Shop, LLC*; and three (3) projects in the Gateway District for a new sign at the Greensburg Shopping Center on East Pittsburgh Street owned by Union Real Estate for *Johnny’s*, a new awning for 660 East Pittsburgh Street owned by M&J Partners for *Pittsburgh Street Beverage* and façade improvements at 620 North Main Street for owner Richard Grimme.”

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

- e. Purchase of Street Materials through COSTARS.** Ms. Trout, “Council approval permits the purchase of street materials through the State Purchasing Program. The local vendors that we may utilize are Hanson Aggregates, Derry Construction and Tresco Paving. The contract was renewed by the State for an additional year at the same terms and pricing. A transportation price adjustment clause applies.”
- Councilman DePasquale **MOVED** to approve the purchase of street materials through COSTARS, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the purchase of street materials through COSTARS.**
- f. Golf Course Specials.** Ms. Trout, “Council approval is for an April golf special of \$22 for 18 holes of golf and a cart before 2:00 p.m., Monday through Friday; and May specials of \$88 per foursome for 18 holes of golf with a cart Monday through Friday before 2:00 p.m., and also a Twilight Rate throughout the month of May for 9 holes of golf and a cart for \$15 on Monday through Friday after 6:00 p.m.”
- Councilwoman McCormick **MOVED** to approve the golf course specials, and Councilman Peterinelli **SECONDED**.
- Councilman Peterinelli, “The golf course looks good, too.”
- No further discussion. **All voted unanimously to approve the golf course specials.**

- g. Pool Special.** Ms. Trout, “Council approval offers a special price on the 2010 season pass at the 2009 rate for last year’s season pass holders if they purchase their season pass during

May 17 through May 21, 2010. So for one week we're asking if you'd like to approve a special trying to entice our pass holders to return to the pool."

Councilman DePasquale, "We already approved the 2010 regular price as part of the budget, right?"

Ms. Trout, "Correct. This was also brought up at the Recreation Board meeting and they thought it would be a good idea to entice people to return."

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

- h. Mutual Agreement and Release between the City of Greensburg, Tina Marie Kemerer and Bruce H. Livengood.** Ms. Trout, "Council approval authorizes the Mayor to execute on behalf of the City, the agreement in accordance with the settlement conference which was held by Judge Caruso pursuant to the Eminent Domain Code. The City is ordered to pay a settlement of \$299,000 of which the sum of \$175,000 was paid in 2006, leaving a balance of \$124,000 for the property at 109 East Otterman Street."

Mayor Eisaman, "I believe we have that budgeted?"

Ms. Perez, "Yes, we do."

Solicitor McCormick, "This was a settlement that followed a Board of Review finding, and if Council approves this, this will conclude all the legal matters relating to the acquisition of 28-29 properties. This was the only one that went into condemnation and my recommendation is that Council approves it. I think it's a fair settlement given all that I know about the appraisers and what the Board of Review found."

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

Solicitor McCormick, "Mayor, just as a final to that, we've received various documents that have to be signed by you and I think I may have to sign one. There are instructions as to how this money is to be distributed, but Mary is familiar with the documents."

*****ADJOURNMENT*****Councilman DePasquale **MOVED** to adjourn the meeting.

SECONDED: Councilman Tridico. Unanimously all voted in favor to **adjourn**.

RESPECTFULLY SUBMITTED:

Susan M. Trout, City Administrator

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