

**CITY COUNCIL MEETING
MINUTES
Monday, February 11, 2008
7:00 p.m.**

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

*****PLEDGE OF ALLEGIANCE*****Councilman Finfrock

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

Mayor Eisaman, “Just for future reference, the vacant seat in the front will be used for anyone wishing to address Council throughout the meeting so the remarks can be easily recorded.”

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

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

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

Councilman Johnson, “Kirk S. Nevin Arena staff has been planning for the final two months of our ice season. There are several announcements we’d like to bring to the public’s attention. We will not be accepting new participants into our Thursday group lessons after February 14, 2008. After February 14, 2008 participants will begin practicing for the end of the season ice show during the lesson time slot. The group lesson show, called ‘Rainbow Skate’ will be held Sunday, March 30, 2008 at 6:00 p.m. The 37th annual Laurel Hockey Tournament will take place during three weekends in March. The dates are March 7-9, March 14-16 and March 28-30. There will not be any public ice skating sessions during these dates. The arena will also be closed on Sunday, March 23, 2008 for Easter. The tournament schedule will be available at the Recreation Office for those who would like to see when certain age groups are playing. Recreation programs currently are offering registrations for spring soccer and baseball programs. These programs are to begin their practice schedule in the latter part of March. We also are excited to offer a new program this spring called ‘Soccer Tots’. It’s for ages 2-4 years whose birthday falls into the following age bracket, August 1, 2003 through August 31, 2005. It will be held on Saturdays from 11:00-11:45 a.m. for eight weeks starting March 29, 2008 and ending May 17, 2008. Our purpose is to introduce young children to the growing sport of soccer and to develop motor skills through fun and instruction. The Recreation Department began taking reservations for pavilion rentals at Mt. Odin on February 5, 2008. We now recommend that you call the office at 724-834-4880 to see if there are open dates available at a particular pavilion before coming to the office. The golf course season memberships are being sold at the Recreation Office until February 29, 2008. Starting on March 1, 2008 they can be purchased at the golf course Pro Shop. We’ll be having the annual Easter Egg Hunt at Mt. Odin near the Heather Lund pavilion on Saturday, March 22, 2008 at 1:00 p.m. This is for children over eight years old. There will be separate activities for children 4-8 years old and ages three and under. The children will receive bagged treats. We would like to thank the Greensburg Head Start program for cosponsoring this event with us. Currently we are in the planning stages for any of the maintenance issues that will need to be completed in any of our parks and facilities. That concludes my report.”

Councilman Peterinelli, “Today we ordered over 200 tons of rock salt. This will make 1,300 tons ordered year-to-date. We are 500 tons under the amount of salt ordered the same time last year. Because of the high winds that have been experienced on several occasions during the past several weeks, it became necessary to assign the brush chipper to collect many of the fallen tree limbs. Also, between the snow events the Street

Department employees have been cleaning leaves, litter and dirt from the alleys and curbs. Also, they're filling potholes being there are so many in town with so much water flowing. That's it, Mayor."

Councilman Tridico, "Everything is on schedule. The Seton Hill project is moving along. They're pouring the footers prior to the steel arriving. Repairs to the Hutchinson Garage are moving along. The repairs are to be completed sometime in April. That concludes my report."

Councilman Finfrock, "Our revenues are 5% of budget. That's 1% higher than January 2007. Expenses are at 7% of budget. This is exactly the same as last year, and we're right on target as far as that is concerned."

*****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. 1 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, DELETING IN ITS ENTIRETY CHAPTER 65, ENTITLED, 'RESIDENCY REQUIREMENTS'. Ms. Trout, "The purpose of Bill No. 1 is to remove this chapter which is related to employment policies and included in the Teamster and FOP contracts, as well as, the Personnel Policies Handbooks for Full-time, Part-time and Seasonal Personnel. Now that those are in place, it's time to take this out."

Bill No. 2 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING SECTION 40-1, ENTITLED, 'ESTABLISHMENT, COMPOSITION, APPOINTMENT AND TERMS OF MEMBERS, OF CHAPTER 40, ENTITLED 'HISTORICAL AND ARCHITECTURAL REVIEW BOARD' (HARB) OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, "The purpose of Bill No. 2 is to change the composition of the HARB, replacing the requirement that a registered engineer be appointed to the board and make it an appointee at large."

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

- a. **Reappointments to the Aerobic Center Authority.** Ms. Trout, "Council approval reappoints Peg Falcon and Raymond J. Hoehler to 3-year terms on the Authority until February 8, 2011."
Councilman Peterinelli **MOVED** to approve the reappointments, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- b. **Agreement between the City of Greensburg and Idlewild Park for the 2008 Greensburg Community/School Picnic.** Ms. Trout, "We have received approval from the School District for the picnic to be held on Friday, July 11, 2008. The advance discount fun-day tickets will be \$14.00 each, reflecting a savings of \$12.95 from the regularly priced ticket. Council approval accepts the proposed date of July 11th for the picnic and the agreement under the same terms that we have enjoyed in the past years."
Councilman Finfrock **MOVED** to approve the agreement, and Councilman Johnson **SECONDED**.
Councilman Tridico, "Shouldn't we put in there when the people can buy the tickets at a discount?"
Mayor Eisaman, "Once we get the information from them we will make that public knowledge at a meeting."
No further discussion. **All voted unanimously to approve the agreement.**
- c. **Maintenance Agreement between the City of Greensburg and AMCOM Office Systems.** Ms. Trout, "Council approval accepts the one-year agreement effective February 16, 2008 for maintenance service on the Toshiba copier located in the Police Department increasing the rate-per-copy price from .006 cents per copy to .0067 cents or an increase of approximately \$32.18 per year."

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

- d. **Maintenance Agreement between the City of Greensburg and Copier Corporation of America.** Ms. Trout, "Council approval accepts the one-year agreement effective February 27, 2008 for maintenance services on two Toshiba copiers located in the City Administration office and the Planning and Code office at the rate-per-copy price of .0085 cents per copy reflecting an increase of .0005 cents per copy or an increase of approximately \$34.82 annually for the copier in City Administration, and an increase of \$26.51 for the copier in the Planning and Code office."
Councilman Tridico **MOVED** to approve the agreement, and Councilman Johnson **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the maintenance agreement.**
- e. **Community Revitalization Assistance Program Grant Agreement (#C000030494) between the City of Greensburg and the Commonwealth of Pennsylvania Department of Community and Economic Development (DCED).** Ms. Trout, "Council approval authorizes the Mayor to execute the agreement for a grant for the Police Department in the amount of \$26,424 to be used for the purchase of a Police Canine Patrol Vehicle and related equipment to outfit the vehicle."
Councilman Tridico, "I thought we already paid for that?"
Mayor Eisaman, "We did. This is a reimbursement."
Councilman Peterinelli **MOVED** to approve the grant agreement, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the grant agreement.**
- f. **Community Revitalization Assistance Program Grant Agreement (#C000030495) between the City of Greensburg and the Commonwealth of Pennsylvania DCED.** Ms. Trout, "Council approval authorizes the Mayor to execute the agreement for a grant in the amount of \$12,000. This grant is also for the Police Department to be used for the purchase of three (3) in-car digital patrol vehicle cameras at the cost of \$4,000 to be installed in three (3) police vehicles."
Councilman Johnson **MOVED** to approve the grant agreement, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- g. **Service Agreement between the City of Greensburg and Schindler Elevator Corporation.** Ms. Trout, "Council approval renews the agreement for the elevator at City Hall effective March 1, 2008 with increased pricing at the rate of \$1,016.31 per quarter; reflecting an increase of \$55.50 per quarter or an annual increase of \$222."
Councilman Johnson **MOVED** to approve the service agreement, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the service agreement.**
- h. **Agreement between the City of Greensburg and Johnny Angel and the Halos.** Ms. Trout, "Council approval authorizes the Mayor to enter into the agreement for a concert performance in the amount of \$3,400 at St. Clair Park on Sunday, July 20, 2008 at 7 p.m."
Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- i. **Reappointments to the Steering Committee for the Route 30 Corridor.** Ms. Trout, "Council approval reappoints Councilman Wayne Johnson and the Planning Director, Barbara Ciampini to additional 2-year terms as the City's representatives on the Steering Committee."
Councilman Finfrock **MOVED** to approve the reappointments, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- j. **Optional One (1)-Year Extension of the Grass and Weed Control Services Contract.** Ms. Trout, "Council approval extends the current agreement with D. L. Muellerleile Landscaping for the 2008 season at the same price of \$27,950 and the same terms as set forth under the 2007 contract."
Councilman Tridico, "Are we happy with their performance?"

Ms. Trout, “Extremely happy.”

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

- k. **Letter of Adjustment for the Alley #1 Bridge (Agreement # M125417000) Replacement Project Cost Estimate.** Ms. Trout, “Requested by PennDOT, Council approval authorizes the Mayor to sign the letter of agreement adjusting the municipality incurred costs listed under the project cost estimates from \$8,750 to \$174,000; and the Commonwealth incurred costs from \$166,250 to \$1,000. This adjustment is made to Exhibit ‘A’ of the Reimbursement Agreement approved by Council on February 12, 2007. PennDOT inadvertently listed the City’s cost share which is 5% of the project instead of the incurred costs. The reimbursements for the City’s incurred costs shall remain the same with an 80% share from Federal funding and 15% from the State. It was a ‘typo’.” Councilman Tridico, “Where is Alley #1 bridge?” Ms. Trout, “That is the one behind Smitty’s.” Mayor Eisaman, “Behind Point Grill and Mr. Smitty’s off of Nashua Street.” Councilman Peterinelli, “Are they going to start on them this year?” Ms. Trout, “They started the design and have been doing the traffic counts.” Councilman Johnson **MOVED** to approve the adjustment, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the adjustment.**
- l. **Letter of Adjustment for the Laird Street Bridge (Agreement # M125416000) Replacement Project Cost Estimate.** Ms. Trout, “As indicated in Item k, Council approval authorizes the Mayor to execute the letter of adjustment making a correction to the City’s incurred costs as listed on PennDOT’s initial project cost estimate. Same situation; PennDOT ‘typo’.” Councilman Tridico **MOVED** to approve the adjustment, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- m. **Addendum to the Parking Lease Agreement between the City of Greensburg and Hudson Holding Company.** Ms. Trout, “Council approval extends the current 15-year lease for parking spaces changing the optional five (5) year extension period that is part of the current lease to three (3) optional 5-year extension periods. If the option is exercised, the first optional period would be effective for the period of August 1, 2026 through July 31, 2031; the second, from August 1, 2031 through July 31, 2036 and the third, from August 1, 2036 through July 31, 2041. As part of the agreement, Hudson Holding Company agrees to deliver to the City of Greensburg a check in the sum of \$10,000 by February 15, 2008.” Mayor Eisaman, “With regards to the optional years, do those rates increase with the inflationary factor like the current agreement?” Solicitor McCormick, “The addendum to the lease reads that everything else in the original lease is not modified or changed by this. The only thing added to it is their ability to exercise the options that are set forth here. Everything else remains the same including the paragraphs that deal with the inflationary adjustment.” Councilman Finfrock **MOVED** to approve the addendum to the parking lease agreement, and Councilman Johnson **SECONDED**. No further discussion. **All voted unanimously to approve the addendum to the parking lease agreement.**
- n. **Contract between the City of Greensburg and the Captain of Police.** Ms. Trout, “Retroactive to February 1, 2008, Council approval renews the contract with Police Captain George Seranko until December 31, 2008.” Councilman Peterinelli **MOVED** to approve the contract, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- o. **Clarification of Liquor License Transfer from Lower Burrell to the City of Greensburg for 111 South Pennsylvania Avenue, LLC.** Solicitor McCormick, “I would ask that Council consider making a motion to rescind a resolution Council passed relating to Pagnotta’s restaurant whereby we indicated we had no objections with certain conditions in regard to a transfer of a liquor license from the municipality of Lower Burrell to the City of Greensburg with an individual by

the name of Martin Horowitz as the applicant which was the information given to us at the time. We've since been advised that Mr. Horowitz is not involved in this venture any longer and we also received an application from the Liquor Control Board (LCB) advising us of the formal application, which is a good thing; one of the things we were looking for. The name of the applicant is 111 South Pennsylvania Avenue, LLC. If someone would be so kind to make that motion approving that resolution...."

Mayor Eisaman, "I believe the current restaurant owner is Richard A. Kurtz, which is the same person who was here."

Solicitor McCormick, "Everybody understands that this relates to the Pagnotta liquor license transfer, but I just want to make sure there are no technicalities in the future that might hold them up. With that said if someone would make the motion to approve a resolution granting the transfer of the liquor license from Lower Burrell to the City of Greensburg for 111 South Pennsylvania Avenue, LLC, and/or Richard A. Kurtz as the owner of Pagnotta Café."

Ms. Trout, "Do we have to rescind the prior resolution?"

Solicitor McCormick, "I said the motion would rescind."

Councilman Johnson, "It changes the language. Instead of having Marty Horowitz, it will say 111 South Pennsylvania Avenue."

Ms. Trout, "So it's the same resolution number."

Solicitor McCormick, "Right. All the language in the previous resolution would just"

Councilman Tridico, "What does that do to the application the LCB sent us?"

Mayor Eisaman, "It mirrors the application."

Ms. Trout, "It doesn't throw it out."

Solicitor McCormick, "I think your question is will they have to submit a new application? No, they won't. The resolution is just one thing that they're going to be going through their checklist to make sure it's satisfied before they approve it. We haven't been notified that it's been acted on one way or the other; just that the application has been received."

Councilman Johnson **MOVED** to approve the transfer of the liquor license as stated by the Solicitor, and Councilman Finrock **SECONDED**. No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the liquor license transfer.**

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

RESPECTFULLY SUBMITTED:

Susan M. Trout, City Administrator

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