

**CITY COUNCIL MEETING
MINUTES**

**Monday, December 10, 2007
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 Finfrock, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Robert DePasquale; and Fiscal Director, Mary Perez were also present. Councilman Johnson was absent.

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

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

Becky Myers, 307 Seminary Avenue, Greensburg, PA. Ms. Myers, "I had a few questions about Ordinance No. 1963. I wanted to ask about five or six different questions. How is the permit parking going to be enforced; on weekends, nights, holidays or 24/7? I also have a list for you to look over. Are the proper people going to have the needed information to do their jobs properly instead of saying they cannot find out whose cars are not allowed there? When calls are made are we going to be made to feel like we are second-class citizens with their attitude and we are bothering them? The next one is visitor permits are being used like parking stickers, never leaving some cars and collected by some neighbors from other neighbors so they can park all their cars on our street. Some parkers block out three to four spaces in front of their house. Are people who live on Third Street and Stanton Street allowed to use their permits on Seminary Avenue? And that's the four corner apartments. And how close are you permitted to park to a fire hydrant at the corner of Seminary and Third Street?" Mayor Eisaman, "Becky, as I talked to you before and I believe Sue talked to you last week, permit parking is an important part of a lot of areas in the City. Unfortunately, our police at times are extremely busy fighting crime, and, as needed, we will try to assign somebody when there is abuse of permit parking in your area. I also told you that I drove by your block three times last week at different times and I did see four to six cars and then we talked to the police and they were down and tagged one evening and one day. During all those times there were no people parking their cars in front of your house. When there is a major abuse of the situation we want to be involved and work on this. I will review this list with Sue and the Police Department, the Chief and Captain next week, and we'll try to work out a system. I can't commit to you or any of the permit parking areas that if we have a problem going on in an area where we have four or five officers at the scene of a crime that we'll be able to send someone down to address that permit parking issue at that particular time. Possibly we'll get to it the next day, but unfortunately when you do it the next day, that car may not be there."

Ms. Myers, "I understand that."

Mayor Eisaman, "We will try to work out a system to better handle some of the permit parking issues."

Ms. Myer, "Thank you very much."

Mayor Eisaman, "Thank you."

Dean Papapetra, 31 East Otterman Street, Greensburg, PA. Mr. Papapetra, "I've been here before talking about some problems at St. Clair Park. On November 30, 2007 I called the Police Department to inform them the men's room was unlocked, and he said he would tell the supervisor. I walk my dog up there almost every other day and this evening I was up there and it is still unlocked. I chased some young kids out of it. I think they might have vandalized it. I was just curious who do you contact when you find something like that when the kids are vandalizing the park?"

Mayor Eisaman, "Your call should go to dispatch who will call the police who in turn will call the Recreation Department to get the key unless the Police Department has a key. The other thing we would have to look at is see if the lock is broken."

Mr. Papapetra, "That's another thing I've noticed they've destroyed the face of the men's room lock, and on the 30th the ladies' room lock was not damaged. It is now damaged. I see you got rid of the one problem we had up there by St. Clair Park; they're gone now. Now it seems like they moved down by the Girl Scout place. The problem with the drugs is going on down there now. They moved from one part of the block down; the white-sided homes there. Because myself and other tenants in the building that live in that area, I've asked them, they have the same problem. They try to negotiate between Otterman

and East Pittsburgh; they're out in the middle of the street doing their deals. That's in broad daylight. Who knows what goes on at night?"

Mayor Eisaman, "I will meet with the Captain and the Chief on that. But, Frank, if you can, touch base tomorrow about the restrooms and see about a contact list for dispatch to call if there's a problem as far as somebody having a key at the Recreation Department."

Mr. Papapetra, "And another thing I called the Maintenance Department in the Spring concerning the light that shines into the Red Cross parking lot behind the amphitheater. It's a street light that shines on the parking lot that the City put up. I informed them it was burned out. It's still out and it's been out."

Mayor Eisaman, "We've been trying to address that with Allegheny Energy. The proper way to report that is to the dispatch center at the Police Department. They keep a log and forward a fax to Allegheny Energy to repair that."

Mr. Papapetra, "I called the Electric Department, so now I call dispatch?"

Mayor Eisaman, "We ask residents to call dispatch and they fax it to Allegheny Energy. I will say that on some of the issues concerning lighting Allegheny Energy hasn't been as efficient, but I think we have that problem resolved."

Mr. Papapetra, "While we're on the subject of lights, the men's room bulb at St. Clair Park is burnt out. On Saturday they were all illuminated. Now they're all out."

Mayor Eisaman, "Once again we'll have the Recreation Department...."

Mr. Papapetra, "The old saying goes, 'when it gets dark, the bats come out at night'. The drug problem is still going on at the park."

Mayor Eisaman, "Hopefully in 2008 we'll have some other ideas on trying to police that area."

Mr. Papapetra, "Thank you."

Mayor Eisaman, "Thank you."

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

*****APPROVAL OF MONTHLY BILL LIST*****Ms. Perez, "I have an addition, Mayor; when you approve the December bill list that you approve an amount not to exceed \$185,000 to be paid out of the 2005 General Obligation Note for costs incurred for engineering for the three parking lots that were constructed."

Mayor Eisaman, "That money had been allocated, however, it didn't make the bill list and you're asking that amount to be added on?"

Ms. Perez, "That's correct. We don't have an invoice in our hands yet, but it is a cost that we need to have paid before the end of the year."

Councilman Tridico **MOVED** to approve the bill list and pay the bills as the money becomes available including the addition Ms. Perez referred to. Councilman Finfrock **SECONDED**. No further discussion. **Unanimously all voted in favor.**

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

Councilman Peterinelli, "The Recreation Department will be offering a Winter Baseball Camp for ages 7-12. This program will start January 25, 2008 through March 16, 2008. The eight-week program will be held twice a week for two hours a day on Friday evenings from 6:00-8:00 p.m. and on Sunday mornings from 10:00 a.m.-12:00 p.m. This program will focus on hitting, pitching, catching, fielding and sportsmanship. It will be held at the YMCA gymnasium. We will have special registration days on Saturday, January 5, 2008 and January 12, 2008 from 9:00-11:00 a.m. at the Recreation Office. The Kirk S. Nevin Arena will be offering ice skating during the weeks of Christmas and New Year's Day. For schedule information, please call the Recreation Department at 724-834-4880. That's all, Mayor."

Councilman Finfrock, "The Street Department is continuing to pick up leaves with the larger dump trucks and the vacuum machines. We have been hindered in our efforts because the leaves fell exceptionally late this year. And except for this past Monday all of last week's employees were plowing and salting streets due to the snow we experienced. I know there are still a lot of leaves out there and the effort this week will be to try and complete the leaf collection process so we can convert the remaining trucks to salt and snow removal. Hopefully, by the end of the week, the neighborhoods should be relatively leaf-free. With the snow event that occurred last week we were able to perform salting and snow plowing using the fleet of smaller dump trucks. Our efficiency was somewhat affected because we did not have the large dump trucks to work with; they

were still set up for leaves. We placed our first order for rock salt this morning for 250 tons. This comes one month earlier than we ordered our first shipment last year. Unfortunately we are ahead of that game. That concludes my report."

Councilman Johnson was absent; no report was available.

Councilman Tridico, "Our revenues are at 96% of the budget. This is 6% lower than revenues in November, 2006. Our expenses are 88% of the budget. This is the same as last year. Also the City received a clean audit report for both the Police Pension and Non-uniformed Pension funds for the years 2005 and 2006. Audits were conducted by the Pennsylvania Auditor General's Office. That concludes my report."

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

- a. **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 Administrator's Office.
- b. **Thanks to Parade Committee and City Treasurer.** Mayor Eisaman, "I would like to thank Mr. Lehman, the supervisors and volunteers for their efforts in organizing the parade last month. It was one of the longer parades we've had and I do appreciate all the volunteer efforts from our employees and volunteers who helped out with the holiday parade. And this will be our City Treasurer's last meeting and I would like to thank Rob for his time he spent in office. He has provided some useful wisdom and occasionally a little wit. His contributions to the City partnership have been appreciated and I wanted to thank him for the record."
Councilman Tridico, "Upon your departure from City government we want to thank you for all your contributions and expert opinions about prudent fiscal management. The duties of Treasurer you will leave in the capable hands of our Fiscal Director, Mary Perez. I'm sure you have a variety of mixed emotions as you bid farewell as the City Treasurer. We wish you many years of continued success and think about all the memories you have had in your position; not only the headaches and heartaches you had but the warm friendships and satisfying experiences you encountered during your term. Good luck and God bless you."
Treasurer DePasquale, "Thank you very much. That was very kind. It has been fun working with the City. I think we have a lot of dedicated people, elected, appointed and on the payroll, so it's been a real joy. You need to make government continuously more efficient and I think that was something we did. This position as an elected position has outlived its usefulness, and as I said at the time we started down this road to eliminate this position I think you'll find almost all the Home Rule communities in Pennsylvania that had the option to eliminate their City Treasurer as an elected position have done that. At least that's what I learned at the League of Cities, so it was the right thing to do and I thank the citizens for approving that change to the City Charter, and I, too, as a resident wish the City many, many more years of prosperity. Thank you."
- c. **Free Holiday Parking Downtown.** Mayor Eisaman, "Starting tomorrow, December 11th, the City will be offering free parking as part of our downtown holiday parking arrangements with the merchants at on-street metered spaces after 1:00 p.m. through December 31st in support of the City merchants and their customers during the holidays."

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

Bill No. 28 – AN ORDINANCE OF THE CITY OF GREENSBURG, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ARTICLE III, ENTITLED 'NONUNIFORMED EMPLOYEES PENSION', OF CHAPTER 54 OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, ELECTING TO CHANGE THE BENEFITS IT HAS IN THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM UNDER ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW: AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL

RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES CHANGING BENEFITS UNDER THE PROVISIONS OF THIS ARTICLE: STATING WHICH OF CERTAIN OPTIONS PERMITTED UNDER THE SAID LAW ARE ACCEPTED BY THE CITY. Ms. Trout, "The purpose of Bill No. 28 is to increase the basic benefit retirement calculation effective January 1, 2008 for all participating non-uniformed Municipal employees from 1.5% times years of credited service to 2% times the years of credited service after January 1, 2008. The 1.5% shall remain in effect as the multiplier for years of credited service earned prior to January 1, 2008."

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

Bill No. 22 as Ordinance No. 1959 – AN ORDINANCE FIXING THE TAX RATE FOR CITY PURPOSES FOR THE YEAR 2008. Ms. Trout, "This is the Bill which sets our Real Estate Millage for 2008 at 21.25 mills. This is an increase for the first time I believe in 11 years of 1.25 mills."

Councilman Tridico **MOVED** to adopt Bill No. 22 as Ordinance No. 1959, and Councilman Peterinelli **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 22 as Ordinance No. 1959.**

Bill No. 23 as Ordinance No. 1960 – AN ORDINANCE OF THE CITY OF GREENSBURG FIXING THE NUMBER OF OFFICERS AND EMPLOYEES OF ALL DEPARTMENTS OF THE CITY OF GREENSBURG AND RATES OF COMPENSATION THEREOF FOR THE YEAR 2008. Ms. Trout, "This Ordinance is commonly referred to as the Wage Ordinance for 2008, which sets City wages for all employees."

Councilman Finfrock **MOVED** to adopt Bill No. 23 as Ordinance No. 1960, and Councilman Peterinelli **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 23 as Ordinance No. 1960.**

Bill No. 24 as Ordinance No. 1961 – AN ORDINANCE OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE CITY GOVERNMENT HEREINAFTER SET FORTH DURING THE YEAR 2008. Ms. Trout, "This Ordinance is commonly referred to as the City Budget which sets all the amounts for 2008."

Councilman Tridico, "This is the Sinking Fund?"
Ms. Trout, "This is all the funds; the total budget."

Councilman Peterinelli **MOVED** to adopt Bill No. 24 as Ordinance No. 1961, and Councilman Tridico **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 24 as Ordinance No. 1961.**

Bill No. 25 as Ordinance No. 1962 – AN ORDINANCE AMENDING CHAPTER 151, KNOWN AS 'FEES', OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, CHANGING AND/OR ADDING CERTAIN FEES AND/OR LANGUAGE FOR CERTAIN CITY SERVICES. Ms. Trout, "Under adoption of Bill No. 25, the following fee changes shall be implemented effective January 1, 2008: under Department 1, the vehicle boot fee for the Police Department is increased from \$50 to \$100; under Planning and Zoning in Department 3, the Private Parking Lot Permit Fee is increased from \$200 to \$300 per lot; and under Department 5, Parks and Recreation, the rate for hourly Freestyle sessions shall increase from \$7 to \$8 and the 1/2 session rate from \$4 to \$5 for the Fall 2008 skating season; the Freestyle session pass for 20 sessions shall increase from \$120 to \$140; a new Freestyle Session Pass for 10 sessions is added at \$70; and public session season passes are increased for 20 admissions from \$50 to \$60 for the child and senior citizen passes and from \$70 to \$80 for an adult pass. In addition, the fee for skate sharpening shall increase from \$3 to \$4; and a Birthday Party package is added with a fee of \$8 per child. Two new programs are added to the slate of programs offered through the Recreation Department that include a Winter Baseball Camp and fee of \$100; and a Volleyball Clinic and fee of \$25. At Mt. Odin, a daily Tennis fee is added at the rate of \$1.50 per hour."

Councilman Finfrock **MOVED** to adopt Bill No. 25 as Ordinance No. 1962, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 25 as Ordinance No. 1962.**

Bill No. 26 as Ordinance No. 1963 – AN ORDINANCE AMENDING CHAPTER 249 OF ORDINANCE NO. 1647 ENTITLED ‘VEHICLES AND TRAFFIC’ OF THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “The adoption of Bill No. 26 amends listings of streets and information pertinent to parking included under Section 249-69, ‘Angle Parking’; Section 249-70, ‘Parking Prohibited at All Times’; Section 249-72, ‘Time Limit Parking’; Section 249-75, ‘Metered Parking’ and Section 249-76, ‘Permit Parking’. The amendments incorporate several street name changes in conjunction with the 911 addressing project, removes outdated listings and adds new locations to schedules. Bill No. 26 also incorporates the following permit parking changes petitioned by the majority of residents: permit parking is added to the 100-block of Hamilton Avenue; and removed on Morey Place from Rohrer Street to Pittsburgh Street and on Alexander Avenue from Grove Street to Stanton Street.” Councilman Finfrock **MOVED** to adopt Bill No. 26 as Ordinance No. 1963, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 26 as Ordinance No. 1963.**

Bill No. 27 as Ordinance No. 1964 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING ARTICLE II, ENTITLED ‘EMERGENCY AND MUNICIPAL SERVICES TAX’ OF CHAPTER 240, ENTITLED ‘TAXATION’ OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “The purpose of Bill No. 27 is to delete in its entirety Sections 240-11 through 240-23 renaming Article II, the ‘Local Services Tax’ and replacing the contents thereof. As you recall this is in conjunction with our State government; the legislators changing the name of the tax and the collection rate frequency.” Mayor Eisaman, “The rate has remained the same?” Ms. Trout, “Correct.” Councilman Finfrock **MOVED** to adopt Bill No. 27 as Ordinance No. 1964, and Councilman Tridico **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 27 as Ordinance No. 1964.**

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

- a. **Appointment of Fire Chief.** Councilman Tridico, “When ‘Hutch’ first became the Fire Chief over 50 years ago it was not only a great day in his life but a great day for all the citizens of Greensburg. I’m happy to be included among his many friends and I’m honored to make the motion to appoint him for three more years as Fire Chief. I thank him for all his efforts in the fire rescue service and also for all the civic projects he and the Fire Department have been involved with for the past 50 years. I wish him good luck for the next three years and thank him for a job well-done for the past 50 years.” Councilman Tridico **MOVED** to appoint J. Edward ‘Hutch’ Hutchinson as Fire Chief, and Councilman Peterinelli **SECONDED**. Mayor Eisaman, “This appointment is based on the Fire Chief winning the election on November 10, 2007.” No further discussion. Roll call vote was taken. **All voted unanimously to appoint J. Edward ‘Hutch’ Hutchinson as Fire Chief.** Mayor Eisaman administered the Oath of Office to Fire Chief Hutchinson.
- b. **Agreement between the City of Greensburg and Citizens Bank Government Banking Group.** Ms. Trout, “Council approval renews the two (2)-year pricing agreement for all cash management and transit services for the period of January 1, 2008 through December 31, 2009. The flat fee is \$5,000 annually billed in arrears and payable in January.” Councilman Tridico **MOVED** to approve the agreement, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. **Maintenance Agreement between the City of Greensburg and AMCOM Office Systems.** Ms. Trout, “Council approval renews the 1-year agreement with AMCOM effective December 15, 2007 for the copy machine located in the conference room at the rate of .0155 cents per page reflecting an annual increase of approximately \$40.00.” Councilman Finfrock **MOVED** to approve the maintenance agreement, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the maintenance agreement.**

- d. **Hiring of Seasonal Employee.** Ms. Trout, "Recommended by the Rink Manager to be hired as a Skate Guard, Council approval hires Steven Solochier in the part-time Seasonal position at the rate of \$7.15 per hour effective December 10, 2007." Councilman Peterinelli **MOVED** to approve the hiring, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- e. **Hiring of Hockey Instructor.** Ms. Trout, "Mario Siard has been recommended by the Rink Manager to be hired in the contracted position for the 'Learn to Play Hockey' program at the rate of \$12 per lesson for a maximum of three (3) lessons per week effective December 10, 2007." Councilman Finfrock **MOVED** to approve the hiring, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- f. **Agreement between the City of Greensburg and the Pennsylvania Municipal Retirement Board.** Ms. Trout, "This agreement coincides with the introduction of Bill No. 28 tonight. This is outlining the changes that we already described changing the agreement from 1.5% to 2% after January 1, 2008." Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- g. **Agreement between the City of Greensburg and Endagraph.** Ms. Trout, "Council approval of the agreement sets the pricing for a two-year period for the black and white style graphics for police vehicles at one set of car graphics @ \$446.80 per set or two sets of car graphics @ the special rate of \$356.00 per set; and one set of graphics for the Expedition @ \$435.37 per set or two sets of graphics for the Expedition @ the special rate of \$349.36 per set. The installation fee is set at \$88 per set." Councilman Finfrock **MOVED** to approve the agreement, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
- h. **Engineering Agreement between the City of Greensburg and Gibson-Thomas Engineering Co., Inc. for Facilitating the Inventory and Inspection of Eight (8) Bridges in the City of Greensburg under the Federal Highway Administration's 5-Year National Bridge Inspection Standards (NBIS) Program.** Ms. Trout, "Council approval authorizes the Mayor to execute the agreement for the inspection and inventory of eight (8) City bridges. Estimated at a cost of \$39,555.82, the agreement is for the Brewery Street, Alley No. 1, Alley No. 2, Euclid Avenue, Laird Street, Mt. Pleasant Street, North Pennsylvania and Maple Avenue Bridges." Councilman Peterinelli **MOVED** to approve the engineering agreement, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the engineering agreement.**
- i. **Food and Beverage Concessionaire Lease Agreement between the City of Greensburg and The 5V's, LLC for the Kirk S. Nevin Arena and the Veterans' Memorial Swimming Pool.** Ms. Trout, "Council approval combines the two snack bars into one two (2)-year lease effective January 1, 2008 through December 31, 2009. The annual rent shall be \$5,800 payable in eight equal monthly installments of \$725 each. An advertisement for vendors was placed in the Tribune Review, and The 5V's, LLC was the only proposal received. This is the same vendor that services the snack bar concession at Mt. Odin." Councilman Peterinelli **MOVED** to approve the lease agreement, and Councilman Finfrock **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the lease agreement.**
- j. **Change Order No. 1 for Rhino Construction for the 'C' Lot Stair Replacement Contract.** Ms. Trout, "The change order in the amount of \$1,000 is due to the material difference (aluminum to steel railing) and design modifications made to the railing necessary for compliance with the Uniformed Construction Code bringing the total price of the contract to \$36,450, and this was completed back in August." Mayor Eisaman, "Does this complete the contract?" Ms. Trout, "Yes."


Councilman Finfrock **MOVED** to approve the change order, and Councilman Tridico **SECONDED**. No further discussion. **All voted unanimously to approve the change order.**

*****NEW BUSINESS*****

- a. **Next Meeting Date.** Mayor Eisaman, "Our next meeting will be held, Monday, January 7, 2008 at 10:00 a.m. which will be the swearing-in of the recently elected officers, City Administrator, Fiscal Director and City Solicitor."
- b. **Holiday Wishes.** Councilman Peterinelli, "I would like to wish everyone a Merry Christmas and Happy New Year."

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

RESPECTFULLY SUBMITTED:


Susan M. Trout, City Administrator

ame

**CITY COUNCIL MEETING
MINUTES**

Tuesday, November 13, 2007
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 Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Robert DePasquale; and Fiscal Director, Mary Perez were also present.

*****PLEDGE OF ALLEGIANCE*****Councilman Johnson

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

Rita Boynton, 504 Kenmore Avenue, Greensburg, PA. Ms. Boynton, "I'm here about the flood problem we had in August. I thought since none of us has heard anything from City Council, I feel we should be coming each time until something happens. The last time we were here there wasn't much good news. Of course, only receiving one-third of the costs of what it has cost me to put my basement back in order, I'm interested in what's happening and what possibly can be done about this problem that's been a problem since the 1950s, and nothing's been done. We also heard through a letter from Representative Tom Tangretti and Senator Robert Regola that they're looking at 2010. Ladies and gentlemen, that's not acceptable. Every time it rains it will come into my basement again. During a past administration under the leadership of Mayor Robert Bell who lived right next to this creek, when nothing was being done and we were getting sewage and flood water, he had it cleaned out every week. There was a big truck over there that cleaned it out so the debris that gets into the creek would be cleaned out. We had many major storms, but because it was cleaned out every week it was okay. We had a couple floods through then, that I'm sure you're all aware of, sewage and water, but nothing like we had in August. That was really a deluge and at great expense and emotional trauma to those of us who have gone through it. In 2005, I was told by a member of the City Administration that we were next on the list. They were finishing up down at Schaller's Bakery. Well, we're still waiting. In a recent report back from the Representative and Senator, now it's 2010. That's unacceptable. What I'm saying is, if this is what we must live with, we taxpayers, and I know we're just little people down on the list, but we are taxpayers, I think at least we could assign whomever is responsible for that to at least clean it out every week, so that we will not have to live with the deluge that we had to in August. I'd like you to consider that as a possibility since I don't hear of anything else that's on the horizon for us. Thank you."

Ms. Trout, "Actually Senator Regola had a conversation with Barb Ciampini indicating he was meeting this week with Secretary McGinty to go over our flood concerns and specifically to act on that letter we had submitted to try to get a third party in to help design the project. So again, we'll wait on word from Senator Regola."

Ms. Boynton, "Is there a time limit on that?"

Ms. Trout, "He said they would report after the meeting this week."

Ms. Boynton, "Thank you."

Mayor Eisaman, "We are only a piece of the puzzle. Obviously, the State controls a lot more of the pie than we do. However, we are trying to keep updated with our Representative and State Senator to make sure it is moving forward in a positive manner."

Ms. Boynton, "Is it at all possible until all of this comes together to please clean the creek?"

Mayor Eisaman, "The City Administrator and the Superintendent of Streets will look at what we can do with regards to cleaning that out. We can't dredge it; we've been informed by the Department of Environmental Protection (DEP), but we can go and make sure there are no limbs and things of that nature in there. Thank you."

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

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

REPORTS OF COUNCIL

Councilman Peterinelli, "The Recreation Department will be offering Winter Baseball starting January 25, 2008 and continue until March 6, 2008. This program is designed for children 7-12 years of age and will be held at the YMCA gymnasium two days per week. More details and information will be available at the Recreation Office. Also, the Kirk S. Nevin Ice Arena is offering skating lessons for all ages five through adult on Thursday evenings from 5:30-6:30 p.m. It is on a pay-as-you-go basis, so you can start anytime. Session 3 of the ISI Tot Lessons will begin this Thursday, November, 15, 2007. The lessons are from 6:30-7:00 p.m. These are lessons for children 3-5 years of age only, and you must preregister in advance by contacting the Recreation Office at 724-834-4880. There will be two more sessions after the New Year. At Mt. Odin, the water company brought the pipes in to start their project and they will get started soon. It won't interfere with any of the greens. They're cutting across the No. 15 fairway, No. 2 tee and going down to No. 3 and crossing up there. I think it is a 20-inch pipe; that's a big pipe. We also held the election of the Fire Chief on Saturday, November 10, 2007, and Chief Hutchinson was re-elected with 215 votes. That's it, Mayor."

Councilman Finck, "The last paving project for the Street Department was completed on October 30, 2007. This involved widening Red Star Way off College Avenue from 16 feet to 24 feet. During the year's paving season a total of 40 asphalt projects were completed and a total of 1,879 tons of asphalt products were used. Most all of the Street Department staff is currently busy picking up leaves using our three leaf vacuum machines. This operation will continue until the first week of December or until the first measurable snowfall occurs. Our City mechanics have removed all the snow removal equipment from storage and three out of the fleet of seven Street Department dump trucks have already been outfitted with salt spreaders and snow plows. The remaining vehicles will be ready for snow duty after the leaves have all been collected or at the onset of a snow event, and, Mrs. Boynton, we will follow up on your request and see what we can do."

Ms. Boynton, "We would all appreciate that very, very much. Thank you."

Councilman Johnson, "On tonight's agenda there is a site plan/land development for 13 Westminster Avenue for construction of a 3-unit residential dwelling. The Planning Commission met and unanimously recommends the approval of this project. A couple of other items on the agenda are Resolutions that deal with grant applications to the State Department of Community and Economic Development (DCED). One grant request is for \$25,000 with a \$2,500 match from the Greensburg Community Development Corporation (GCDC) to do a parking analysis of the Downtown District, and the other grant application is to request additional façade improvement funding of \$70,000 in order to offer more grant monies to property owners and businesses in the Downtown District. That's all I have to report."

Councilman Tridico, "Our revenues are at 86% of the budget. This is 3% lower than revenues in October 2006. Our expenses are 1% higher than last year. So we operated in the red for the month."

MAYOR'S REPORT

- a. **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 Administrator's Office.
- b. **Holiday Parade Highlights.** Mayor Eisaman "This year's parade will be held this Saturday, November 17, 2007 beginning at 12 noon. The parade route begins at the top of North Main Street near Academy Hill Place and ends at City Hall. This year's event will feature Greensburg's 'Citizens of Distinction' honoring a few of our hometown heroes; Dr. Kenneth Rutter, Dr. Pascal Spino and Fire Chief Ed Hutchinson. Also, special guest, Dick Hoak of Steelers' fame will serve as the Grand Marshall. We hope everyone will come out and enjoy the parade. And, also, thank you Bob for writing a nice article today."
- c. **Triple AAA Community Traffic Safety Award.** Mayor Eisaman, "I want to congratulate Chief Lyons and our Police Department for receiving the Platinum

Award for their traffic safety efforts for the fourth consecutive year. This is quite an achievement. Thank you and your officers for your hard work."

- d. **Proclamation of Gratitude and Thanks – From Greensburg, Kansas to Greensburg, Pennsylvania.** Mayor Eisaman read the proclamation, a copy of which is attached.
 Mayor Eisaman, "When will we be processing the payment to Greensburg, Kansas?"
 Councilman Tridico, "I signed the check this morning for almost \$20,000."
 Mayor Eisaman, "Very nice. That total includes money from the City of Greensburg, and a majority of that was from donations outside of the Community. On MSNBC or CNN this past weekend they showed the demolition of Greensburg, Kansas, and they interviewed the two gentlemen that were here."

INTRODUCTION OF BILLS

Bill No. 22 – AN ORDINANCE FIXING THE TAX RATE FOR CITY PURPOSES FOR THE YEAR 2008. Councilman Tridico, "For the year 2008 the City has to raise taxes. It will be the first tax hike since 1997. It is clearly evident that the recession is alive in the City of Greensburg. You need to look no further than current real estate revenue. I want to thank the City Supervisors, Mayor and Council, and especially our Fiscal Director, Mary Perez and City Administrator, Sue Trout for the prudent fiscal management for the past ten years. Some of the highlights of the budget are: \$880,000 for hospitalization; \$622,000 for insurance coverage; \$176,000 for capital improvements; \$112,000 for gasoline and oil; \$111,000 for computer expenses; \$226,000 for utilities; \$225,000 for street lights and the list goes on. With all the increasing expenses with no increase in revenues our tax increase for the year is anticipated to be 1.25 mills which amounts to \$22 per property owner. Nine mills go into the General Fund; 12.25 mills go into the Sinking Fund, so the total tax millage for the year 2008 is 21.25. That concludes my report."

Ms. Perez, "I just want to elaborate a little on what Councilman Tridico said. The General and Sinking Fund budgets are based on a total projected assessed value as determined by the County of Westmoreland for the City of Greensburg of \$132,000,000 and 21.25 mills, which Councilman Tridico said is an increase of 1.25 mills. One mill is equal to approximately \$132,000. The Sinking Fund is the fund from which we pay our fixed, long-term debt and this year that millage rate is 9.00 mills; that remains the same as last year. The General Fund millage is the remaining 12.25 mills of property tax and in 2008 this represents approximately \$1,545,770. All funds have been budgeted in accordance with requirements by State Law or Local Ordinance, and, again, I would like to thank Mayor and Council, our City Treasurer, City Administrator, Supervisors and all City employees for their input into the budget process. Thank you."

Bill No. 23 – AN ORDINANCE OF THE CITY OF GREENSBURG FIXING THE NUMBER OF OFFICERS AND EMPLOYEES OF ALL DEPARTMENTS OF THE CITY OF GREENSBURG AND RATES OF COMPENSATION THEREOF FOR THE YEAR 2008. Ms. Trout, "These are the City Wages for 2008."

Bill No. 24 – AN ORDINANCE OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE CITY GOVERNMENT HEREINAFTER SET FORTH DURING THE YEAR 2008. Ms. Trout, "This Bill is what we would commonly refer to as the City Budget as described by Mary Perez and Councilman Tridico."

Bill No. 25 – AN ORDINANCE AMENDING CHAPTER 151, KNOWN AS 'FEES', OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, CHANGING AND/OR ADDING CERTAIN FEES AND/OR LANGUAGE FOR CERTAIN CITY SERVICES. Ms. Trout, "This is commonly referred to as the Fee Ordinance which is the Ordinance that sets the fees that the City can collect each year." Mayor Eisaman, "Basically the four Bills we just talked about deal with the City budget, wages and fees for the year 2008. I would like to thank the Fiscal Director, City Administrator, Supervisors and City employees for their input. When working on a budget and the dollars get tough, unfortunately tough decisions have to be made."

City of Greensburg, Kansas

**PROCLAMATION
OF
GRATITUDE AND THANKS**

WHEREAS, the City of Greensburg, Kansas was struck by a massive tornado on the night of May 4, 2007; and

WHEREAS, more than 90% of the City sustained damage to a level that required a replacement or rebuilding of almost all of the main or principal structures located in the City; and

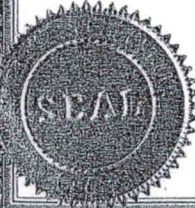
WHEREAS, the City requires the assistance of others to fulfill its desire to promote the rebuilding of the community; and

WHEREAS, the City has received an outpouring of generosity, support, thoughts and prayers to help with its mission to rebuild the community and the City is amazed by the kindness and willingness of others to help that we continue to observe.

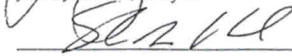
NOW, THEREFORE, the City of Greensburg, Kansas, adopts this Proclamation and directs John Janssen, Mayor of the City of Greensburg, Kansas, and Steve Hewitt, City Administrator for the City of Greensburg, Kansas, to issue this Proclamation on behalf of the City, its elected officials and staff, and the entire community.

**FROM GREENSBURG, KANSAS,
TO GREENSBURG, PENNSYLVANIA**

We proclaim and send our sincerest thanks and gratitude for your contribution toward the rebuilding of Greensburg and for your continued thoughts as we move forward into the future of our City.




John Janssen, Mayor


Steve Hewitt, City Administrator/Clerk

Bill No. 26 – AN ORDINANCE AMENDING CHAPTER 249 OF ORDINANCE NO. 1647 ENTITLED ‘VEHICLES AND TRAFFIC’ OF THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “This Bill is being introduced on this agenda because we are making some changes to permit parking as well as cleaning up the Ordinance in regards to timed parking and metered parking. The permit parking changes we were making were a result of petitions that we sent around to the neighborhoods and what the Police Department encountered during the permit parking process in the issuance of the permits. For summarization purposes: the 100-block of Morey Place successfully petitioned that permit parking be eliminated; the 300-block of Alexander Avenue petitioned permit parking be eliminated; the lower 500-block of Westminster Avenue petitioned to have permit parking instituted on their block; the 300-block of Seminary Avenue has a successful petition to eliminate permit parking; the 100-block of South Hamilton would like permit parking added to their block; and the 500-block of Grove Street and the 200-block of Painter Avenue will remain permit parking. And, again, these were based on the majority of the property owners’ wishes.” Councilman Peterinelli, “Did you tell these people if they come back and want permit parking how long it will take to get it back?”

Ms. Trout, “Two years.”

Becky Myers, 307 Seminary Avenue, Greensburg, PA. Ms. Myers, “I just went out to get a petition signed this afternoon to keep permit parking on the 300-block of Seminary Avenue. Out of 16 names, I have ten names; nine names said ‘yes’ and one name said ‘no’. However, one landlord said ‘put the name of the person there and have him circle my name’, and two of the people said it is their fathers’ houses and they live there and they are allowed to put in. I will gladly submit it.”

Mayor Eisaman, “We will take that and review it with our list. As long as your information is fine.....”

Ms. Myers, “The other six; two were waffling and would tell me tomorrow; three others on the outside corners are landlords. I called one and I didn’t receive a return call; one, I don’t have no idea how to get a hold of; and, one, I just talked to which was the last person who just signed and said ‘no’.”

Mayor Eisaman, “Becky, since we’re only introducing this tonight, can I ask that you take the list back with you and try to complete your survey? If you can get it to us by the end of this week, we will match it with the City’s and confirm that at the City Administrator’s office. Thank you.”

Ms. Myers, “Sure, no problem.”

Bill No. 27 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING ARTICLE II, ENTITLED ‘EMERGENCY AND MUNICIPAL SERVICES TAX’ OF CHAPTER 240, ENTITLED ‘TAXATION’ OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “The purpose of Bill No. 27 is to delete in its entirety Sections 240-11 through 240-23 renaming Article II, the ‘Local Services Tax’ and replacing the contents thereof. This is because the legislature has changed our Emergency Services Tax to the Local Services Tax.”

ENACTMENT OF RESOLUTIONS

Resolution No. 1119 – A RESOLUTION OF THE CITY OF GREENSBURG, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA SETTING FORTH THE INTERNAL POLICY FOR CHECK SIGNATURES. Ms. Trout, “Resolution No. 1119 sets forth the policy that all checks shall contain a minimum of one live signature, and designates signature authority in the case of only one live signature on a check that it cannot be the Fiscal Director/City Treasurer. This Resolution would not become effective until January 7, 2008.” Councilman Tridico **MOVED** to enact Resolution No. 1119, and Councilman Peterinelli **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1119.**

Resolution No. 1120 – A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT. Ms. Trout, “The purpose of this Resolution is to obtain grant funding in the amount of \$25,000 for developing and completing the City of Greensburg Parking Analysis and Management Plan within the Main Street Program district of the City. A \$2,500 local match for the parking study will be provided by the GCDC.”

Councilman Finfrock **MOVED** to enact Resolution No. 1120, and Councilman Johnson **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1120.**

Resolution No. 1121 – A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT. Ms. Trout, "The purpose of this Resolution is to obtain grant funding in the amount of \$70,000 for commercial building renovations for the City's Façade Improvement Grant Program. Available during the 2008 calendar year, \$5,000 increments would be available to commercial property owners, business owners and certain non-profit organizations with a dollar-for-dollar match. This is in addition to the approximate \$30,000 that will also be issued in 2008."

Mayor Eisaman, "Just for the record, this is for commercial property owners in the downtown Historic District?"

Ms. Ciampini, "Just the Downtown District. The Historic District is encompassed within the downtown section. And that's if we're successful in obtaining the grants."

Councilman Peterinelli **MOVED** to enact Resolution No. 1121, and Councilman Johnson **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1121.**

Resolution No. 1122 - A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS WITH THE COMMUNITY FOUNDATION OF WESTMORELAND COUNTY. Ms. Trout, "The purpose of this Resolution is to obtain grant funding in the amount of \$10,000 for designing and completing renovations of the Coulter Neighborhood Playground Improvement Project within the My Neighborhood/Elm Street Program district of the City. The Greensburg Community Development Corporation will provide \$10,000 in local match funding for the project."

Councilman Finfrock **MOVED** to enact Resolution No. 1122, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1122.**

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

- a. **Reappointment to the Aerobic Center Authority.** Ms. Trout, "Council approval reappoints Howard B. 'Huddie' Kaufman to another 3-year term on the Authority until October 12, 2010." Councilman Peterinelli **MOVED** to approve the reappointment, and Councilman Johnson **SECONDED**. Councilman Peterinelli, "I'd like to say when I said about the Fire Chief being around a long time, that gentleman back there has been around a long time, too." Mayor Eisaman, "We appreciate all of their volunteer service." Councilman Peterinelli, "Yes, we do. Huddie is a good man." No further discussion. **All voted unanimously to approve.**
- b. **Hiring of Skating Coach.** Ms. Trout, "The Rink Manager recommends Mara Greiner for the contracted position of Skating Coach at \$12 per hour retroactive to November 1, 2007." Councilman Finfrock **MOVED** to approve the hiring, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. **2008 SecurityBlue Medicare Advantage Renewal.** Ms. Trout, "Approval renews the optional health insurance benefit offered to Medicare-eligible retirees of the City reflecting a premium increase of \$35 for participants. We are the sponsoring employer and there is no cost to the City." Councilman Tridico **MOVED** to approve the 2008 SecurityBlue Renewal, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the renewal.**
- d. **Change Order for County Roofing and Heating.** Ms. Trout, "Requested under Change Order No. 2 to the contract for various roof rehabilitations are the following: an adjustment to the amount of actual square footage to 4,845 instead of the amount of footage included in the contract of 4,251 square feet adding an additional 594 square feet and a cost of \$10,098 to the contract price; a

requirement for the use of insulation adhesive for compatibility with the fastening system instead of screws and plates at the 'C' Lot property adding an additional cost of \$4,691.85; and as per the City's request, the furnishing and installation of exhaust fans at the Mt. Odin Maintenance building for an additional \$11,960. Approval of Change Order No. 2 adds an additional \$26,749.88 to the contract price bringing the total contract price for all three roofs to \$237,253.88."

Mayor Eisaman, "That's including Change Order No. 1?"

Ms. Trout, "Yes, that does. It was a \$786 change order at that point."

Councilman Peterinelli, "Are these projects done or are they still working on them?"

Ms. Trout, "No, they're still working. Mt. Odin needs a review because we did experience some leaking during a recent rain, but it's just about done; 'C' Lot is near done, and we're still waiting for the panels to come in at the Department of Public Works building."

Councilman Peterinelli, "And they're still going to put the fan in at Mt. Odin?"

Ms. Trout, "If it's approved."

Councilman Peterinelli **MOVED** to approve Change Order No. 2, and Councilman Finfrock **SECONDED**. No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the change order.**

- e. **Agreement between the City of Greensburg and Kane Enterprises – Greensburg Auto Spa.** Ms. Trout, "Council approval accepts the 1-year agreement effective January 1, 2008 that includes the unlimited washing of 15 police vehicles @ \$200 each; and the complete waxing and interior steam cleaning of each vehicle twice a year @ \$140 for a total cost of \$5,100 for the year. The cost per vehicle for both services is the same as last year's rate." Councilman Finfrock **MOVED** to approve the agreement, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- f. **Site Plan/Land Development for 13 Westminster Avenue.** Ms. Trout, "Approval is requested by BMO Development, Inc. for a proposed 3-unit, 2-story building at 13 Westminster Avenue. A unanimous recommendation from the Planning Commission for Council approval has been received contingent upon the landscaping materials being changed to flowering perennials." Councilman Peterinelli, "Where is 13 Westminster Avenue?" Ms. Ciampini, "Its right behind our new parking lot in the block from Otterman and Pittsburgh." Councilman Johnson **MOVED** to approve the site plan/land development, and Councilman Tridico **SECONDED**. No further discussion. **All voted unanimously to approve the site plan/land development.**
- g. **Partnership Renewal Agreement between the City of Greensburg and the Western Pennsylvania Conservancy for the Community Gardens and Greenspace Program.** Ms. Trout, "Approval authorizes the Mayor to execute the agreement on behalf of the City confirming a \$1,500 commitment to the program for the 2008 garden season. This is for the flower bed on Route 30." Councilman Tridico, "Does that include the signs as you enter Greensburg?" Ms. Trout, "Right in the flower bed, yes." Councilman Peterinelli **MOVED** to approve the partnership renewal agreement, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the agreement.**
- h. **Allocation of the 2007 Excess Interest Award from the Pennsylvania Municipal Retirement Board.** Ms. Trout, "The excess interest for the non-uniformed pension plan is \$263,993.96. Council approval will allocate 30% to the municipal account; 35% to the member's account and 35% to the retired member's account." Councilman Finfrock **MOVED** to approve the allocation, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**

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

Bill McKeever, 6926 Mellon Road, Export, PA. Mr. McKeever, "Just as a matter of courtesy, I attend several municipal meetings during the month and I'm always curious about strange faces in the crowd, so as a matter of introduction I'm Bill McKeever. This

is Bob Braun and George Oravec. If you take those letters it's BMO; we're the owners of 13 Westminster Avenue. We appreciate your action tonight and hope we can add to your taxable properties."

Mayor Eisaman, "We appreciate that and good luck. Thank you."

Stanford Gordon, 6 Oakhill Avenue, Greensburg, PA. Mr. Gordon, "I just want to make a comment about Mrs. Boynton's suggestion about having the Northmont creek cleaned out once a week. That's a very good idea, however, I propose to back that with the conditions we've had in past years that actually every time we have a heavy rain is when it needs to be checked and cleaned because the debris comes down. It's sitting in there and if you have another storm come up several hours later, that's what's causing the problem. It's a continuous problem with debris every time there's a heavy rain. So if you leave it go for a week, that's not going to do it."

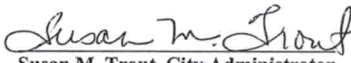
Mayor Eisaman, "Right. We talked to Rick and Randy before and I think we realized if there's a heavy rain that brings it down we also need to respond at that time; not wait a week."

Mr. Gordon, "Right, I just wanted to clarify that. Thank you."

Mayor Eisaman, "No problem, Mr. Gordon."

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

RESPECTFULLY SUBMITTED:


Susan M. Trout, City Administrator

ame

**CITY COUNCIL MEETING
MINUTES**

Monday, October 8, 2007

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 Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Robert DePasquale; and Fiscal Director, Mary Perez were also present.

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

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

Doris Kaufman, 62 Northmont Street, Greensburg, PA. Ms. Kaufman, "Mayor Eisaman and Council members, I was here two months ago. We were having a problem of flooding in our homes because of the stream that runs through Northmont; it could not carry the water away during the huge rain that we had. Not only because of the huge rain we've had lately, but the tunnel that leads under Northmont Street fills up very, very quickly and overflows the banks, and I'm afraid we're going to be in for trouble with that. Not with just a 'freak' rain but any kind of an ongoing rain. I came before Council and you were so kind as to say you would look into the problem and you advised us it might take 60 days to have any information for us. That's why we're here tonight. We decided to come and see if you have an update."

Mayor Eisaman, "I received a letter today from both Representative Tangretti and Senator Regola which I'll be happy to give copies to you. The letter was directed to Secretary McGinty of the Department of Environmental Protection (DEP) and James Creedon of the Department of General Services (DGS) asking them to move this program along after the recent flooding and re-list the project at a higher amount in the capital project currently in the Senate Appropriations Committee. Per the letter from Representative Tangretti and State Senator Regola it was listed and after we met with the DEP from Harrisburg they asked us to do this letter to ask for a higher limit since the old limit would not satisfy the needs."

Ms. Kaufman, "I don't want to backtrack at all but I did pass a letter along that was written 22 years ago and it could have been written today. It was the exact same problem. I've been in my home for over 50 years and this goes back 45 years. We've been promised action different times and needless to say we still have a problem, but I wanted to bring that up. Also, we appreciated you sending the letter to the people along the stream; that was great. And we were just wondering, because there have been some big pieces of wood and things still coming down, if anybody is patrolling that?" Mayor Eisaman, "It's interesting that you bring that up because those were some of our questions to the DEP when we met. We should be having a meeting with the local DEP officials. The gentleman from Harrisburg said we can try to patrol that ourselves, but primarily, people who stack lumber or other items along the bank could not be cited unless they are actually putting them in the water. When the water rises and picks up the wood and brings it down then it is not an obstruction by the DEP's definition. We learned a lot."

Ms. Kaufman, "Well I hope you can come up with something."

Mayor Eisaman, "We really are trying and some of the people we contacted in the State in addition to the two gentlemen mentioned previously are really trying to move this project along. I still don't see them bringing in equipment in the next two weeks but it is moving to the State level now and they're trying to reopen it. One of the problems with this project is we have to try to bring Hempfield Township in as a partner and we have to get Hempfield Township to agree to be part of the sponsorship of this. When it died the last time a lot of it was because Hempfield didn't want to be a partner when it gets down behind Dagwood's along Route 119. We had Hempfield at the table with the DEP and we're trying to work out a way to get them involved so it may not cost them any out-of-pocket dollars. We have ideas; we just have to get all the pieces together."

Ms. Kaufman, "If there's anything we can do or anybody we can contact to get this going a little further, because we all live in dread every time it rains."

Mayor Eisaman, "One suggestion is you could send a letter or call Representative Tangretti and Senator Regola and thank them for taking the initial step and ask them if there is anything else you can do."

Ms. Kaufman, "Thank you very much."

Mayor Eisaman, "The other concern the DEP brought up is the people upstream having to do easements of their property for the development of the flood project. Sometimes that's not the easiest thing because people upstream don't view their concern as much as the concern you have further down the stream. So that's another process we have to evaluate once we get the 'green light' from the State."

Ms. Kaufman, "Is it appropriate for me to call either Sue or somebody about this?"

Mayor Eisaman, "Most definitely."

Ms. Trout, "I know we've already had some conversations, but sure."

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

Solicitor McCormick, "Mayor, I didn't understand your last point regarding the people upstream?"

Mayor Eisaman, "The point is before the project can start we will have to obtain easements from all the property owners."

Solicitor McCormick, "Is what you're suggesting that as this process goes forward the ones who are of most critical need downstream should also be talking to the neighbors upstream?"

Mayor Eisaman, "When the time is appropriate."

Solicitor McCormick, "Because everyone along the stream will need to cooperate in granting easements."

Mayor Eisaman, "So we may need help from the neighbors when we get to that point."

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

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

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

Councilman Peterinelli, "The Halloween parade this year will be at Lynch Field on Wednesday, October 31, 2007 at 5:30 p.m. Participants should show up at 5:15 p.m. The Greensburg High School band will be participating this year. After the parade, trick-or-treating will take place in the City neighborhoods from 6:00-8:00 p.m. Also, the Recreation Department is accepting applications for a variety of organizations that would like to participate in our annual Holiday parade. This event will take place on Saturday, November 17, 2007 at 12 noon beginning on North Main Street. New groups wanting to participate are also welcome. For more information please contact the Recreation Office at 724-834-4880. That's it, Mayor."

Councilman Finrock, "The Street Department recently paved several locations along the Five Star Trail that have become maintenance problems after heavy rains were experienced. Westmoreland County provided the funding so that a total of 700 feet of the trail could be asphalted. Several other asphalt projects have been completed by the Street Department. Three alleys were totally reconstructed. They are the alley parallel to Main Street between Barclay and Baughman; the alley between Hamilton and Jefferson from Ludwick Street north to the railroad tracks; and third, was the alley between Grove and Cherry from Hancock Avenue to an intersecting alley. And, also, the No. 17 cart path at Mt. Odin was repaved. The last item on my list concerns leaf pickup. Beginning Monday, October 22, 2007 the Street Department will begin collecting leaves with the vacuum trailers. There is a schedule that will be followed weekly and will run concurrent until the first week of December. This schedule can be viewed by logging onto the City of Greensburg website at www.city.greensburg.pa.us and a list of the streets and what days they will be attended to will be placed there. Residents are reminded to place loose leaves at the curb for collection; don't put them in the alley. The large trucks are not capable of navigating the narrow alleys, so we'd appreciate it if you'd leave the leaves on the street. Thank you."

Councilman Johnson, "On tonight's agenda there are two site plan/land developments. One is for Westmoreland Excelsa for expansion into an existing employee lot at West Pittsburgh and North Washington Streets. The Planning Commission and the Historical and Architectural Review Board (HARB) both recommended additional landscaping for the gateway area, which is the West Pittsburgh Street frontage. The Planning

Commission also requested additional lighting for the lot. The hospital has amended their plan to accomplish this. The Planning Commission recommends the approval of this site plan. The other site plan is for Greensburg Salem High School for the construction of dugouts at the high school baseball field. The dugouts are actually free-standing buildings. The Planning Commission recommends the approval of this site plan also. I also attended a meeting to determine guidelines for Requests for Proposals (RFPs) to perhaps engage a parking consultant to work with the City and look at our now and future considerations. The intent of this group is to get this study done through grant money without using City money. That concludes my report."

Councilman Tridico, "Our revenues are 81% of the budget. This is 4% lower than revenues in September 2006. Expenses are 71% of the budget. This is 1% higher than last year. We are in the red this month. The first nine months of the year we broke even. We have an excellent watchdog in our Fiscal Director, Mary Perez, and I want to compliment her on a job well done. I want to caution all the City employees, especially the supervisors, to watch your spending. I want to caution you that no unnecessary spending is done so we finish the year in the black. The City received a clean audit report for both the uniformed and non-uniformed pension plans for the years 2005 and 2006. These audits were conducted by the State Auditor General's office, and I want to compliment Mary again. 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 Administrator's Office.

Councilman Tridico, "What's a 'good intent' call?"

Mayor Eisaman, "It has been pointed out to me by our Code Enforcement Officer and Assistant Chief, Mr. Harvey, that a 'good intent' call is when somebody calls in, and it's not truly an emergency, but it's something where the Greensburg Volunteer Fire Department responds."

ADOPTION OF BILLS AS ORDINANCES

Bill No. 19 as Ordinance No. 1956 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 5, ENTITLED 'ADMINISTRATION OF GOVERNMENT' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, DELETING CERTAIN SECTIONS OF CHAPTER 5 PERTINENT TO POLICIES AND RULES AND REGULATIONS RELATED TO EMPLOYMENT WITH THE CITY OF GREENSBURG. Ms. Trout, "Adoption of Bill No. 19 deletes in its entirety, Article X, entitled 'Employee Code of Ethics' including sections 5-21, entitled 'Conflicts of Interest; Drug Use'; 5-22, the 'City Drug and Alcohol Policy'; and 5-22.1, the 'Sexual Harassment Policy'; Article XI, entitled 'Rules and Regulations' that includes Sections 5-23, again entitled 'Rules and Regulations' and Section 5-25, 'Personnel Rules and Regulations for Part-time Employees'; and also Article XII, entitled 'E-Mail, Internet and Other Electronic Communications Policy' and sections 5-26 through 5-28 containing the 'Purpose', 'Definitions' and 'Policy' in regards to City employee's use of city-owned electronic communications. Applicable sections have already been incorporated into the Full-time Personnel Policies handbook and shall be made part of the Personnel Policies Handbooks for Part-time employees, as well as, Seasonal employees that are included on tonight's agenda for consideration by Council for adoption by resolutions. This change will give management greater flexibility in amending and updating policies and will provide employees with a complete guide to all policies pertinent to their employment with the City."

Councilman Finfrock **MOVED** to adopt Bill No. 19 as Ordinance No. 1956, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. All voted **unanimously to adopt Bill No. 19 as Ordinance No. 1956.**

Bill No. 20 as Ordinance No. 1957 – AN ORDINANCE OF THE CITY OF GREENSBURG DELETING IN ITS ENTIRETY CHAPTER 57 ENTITLED, 'PERSONNEL POLICY AND BENEFITS'. Ms. Trout, "The adoption of Bill No. 20 deletes this chapter which is obsolete. Again these policies have been made part of the handbook."

Councilman Peterinelli **MOVED** to adopt Bill No. 20 as Ordinance No. 1957, and Councilman Johnson **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 20 as Ordinance No. 1957.**

Bill No. 21 as Ordinance No. 1958 – AN ORDINANCE OF THE CITY OF GREENSBURG VACATING AN UNNAMED ALLEY IN THE FIFTH SIXTH WARD OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND. Ms. Trout, "Requested by Excelsa Health Westmoreland Hospital, adoption of Bill No. 21 vacates the unnamed alley that runs parallel to West Pittsburgh Street from North Washington Avenue to Jefferson Avenue to allow the hospital room for expansion of their existing parking lot."

Councilman Peterinelli, "Shouldn't that be the sixth ward?"

Ms. Trout, "Yes. It's correct in the Ordinance."

Councilman Peterinelli **MOVED** to adopt Bill No. 21 as Ordinance No. 1958, and Councilman Finfrock **SECONDED**.

Mayor Eisaman, "The Ordinance is written correctly. On your hand-out tonight it reflects the fifth ward but it should be the sixth ward. Please note that."

No further discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 21 as Ordinance No. 1958.**

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

Resolution No. 1116 – A RESOLUTION OF THE CITY OF GREENSBURG ADOPTING THE PART-TIME PERSONNEL POLICIES HANDBOOK. Ms. Trout, "Enactment of Resolution No. 1116 adopts the revised personnel handbook for regular part-time employees incorporating the policies that are slated for deletion from the Code book included in Bill No. 19 that was adopted this evening, as well as, adding new and updated policies related to Equal Opportunity, ADA accommodations, Fair Labor Standards and other policies recommended for inclusion in personnel handbooks. In addition, the new handbook will feature our Work Safety policies and guidelines. This handbook shall be applicable to regular part-time employees who work in the Police Department, the parking garages and the Recreation Department." Councilman Tridico **MOVED** to enact Resolution No. 1116, and Councilman Johnson **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1116.**

Resolution No. 1117 – A RESOLUTION OF THE CITY OF GREENSBURG ADOPTING THE SEASONAL PERSONNEL POLICIES HANDBOOK. Ms. Trout, "Council approval adopts the newly established handbook relative to employees hired in seasonal positions. This handbook applies to seasonal employees at Lynch Field, Mt. Odin and the Police Department." Councilman Finfrock **MOVED** to enact Resolution No. 1117, and Councilman Peterinelli **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1117.**

Resolution No. 1118 – A RESOLUTION OF THE CITY OF GREENSBURG DESIGNATING SIGNATURE AUTHORITY TO THE MAYOR TO EXECUTE AND THE CITY ADMINISTRATOR TO ATTEST TO THE MAYOR'S SIGNATURE A BRIDGE INVENTORY AND INSPECTION REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF GREENSBURG AND THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (PENNDOT) PROVIDING FUNDING FOR THE INVENTORY AND INSPECTION OF EIGHT BRIDGES IN THE CITY OF GREENSBURG. Ms. Trout, "The Bridge Inventory and Inspection Reimbursement Agreement is included under Council Approval also, and includes the inspections of the Maple Avenue, Brewery Street, Euclid Avenue, Laird Street, Mt. Pleasant Street, North Pennsylvania Avenue, Alley No. 1 and Alley No. 2 bridges. Said inspections are slated to be done in the month of July 2008."

Councilman Tridico, "What's the reimbursement?"

Ms. Trout, "There's a Federal share that will get paid."

Councilman Tridico, "What will it cost the City?"

Ms. Trout, "It's an 80/20 share. It's about \$8,000."

Mayor Eisaman, "If you look ahead at Item c. under Council Approval, the percentages are defined there."

Councilman Peterinelli, "The Maple Avenue bridge; is that the one we just had built?"

Ms. Trout, "Yes."

Councilman Peterinelli **MOVED** to enact Resolution No. 1118, and Councilman Tridico **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1118.**

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

- a. **Reappointment to the Aerobic Center Authority.** Ms. Trout, "Council approval reappoints Kim Houser to another 3-year term on the Authority until September 14, 2010."
Councilman Finfrock **MOVED** to approve the reappointment, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
- b. **Memorandum of Understanding (MOU) between the City of Greensburg and the International Brotherhood of Teamsters Local Union No. 30.** Ms. Trout, "Council approval authorizes the Mayor to execute the MOU that amends Article XVI of the current agreement effective through December 31, 2011, changing the consequences for a bargaining unit employee who, as a result of off-duty conduct, loses his or her Driver's license and/or Commercial Driver's License. Instead of being placed on an unpaid leave of absence without benefits pending reinstatement of driving privileges, the amendment to the agreement allows bargaining unit employees to continue to be employed at a rate of pay of \$3.00 less per hour from their normal rate of pay for the duration of the license suspension. During this period, the employee shall be utilized at the discretion of the City to perform bargaining unit work without regard to his or her job description. Upon restoration of the employee's Driver's license and/or CDL (if applicable to his or her job description), such employee shall be returned to regular job status."
Councilman Finfrock **MOVED** to approve the MOU, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. **Bridge Inventory and Inspection Reimbursement Agreement for Federal-Aid Highway Projects between the City of Greensburg and PennDOT.** Ms. Trout, "In conjunction with the enactment of Resolution No. 1118, execution of Agreement No. M125442000 includes a Total Inventory and Inspection Cost estimate of \$39,889.95, of which 80% or \$31,911.96 would be the Federal share and 20%, which is the amount \$7,977.99, would be the City's share."
Councilman Tridico, "Can we take that out of the Liquid Fuels?"
Ms. Trout, "Yes and we do."
Mayor Eisaman, "Providing we have the excess money to take it out of there."
Councilman Tridico **MOVED** to approve the reimbursement agreement, and Councilman Peterinelli **SECONDED**. No further discussion. **All voted unanimously to approve the reimbursement agreement.**
- d. **Maintenance Agreement between the City of Greensburg and Neopost.** Ms. Trout, "Council approval renews the 1-year agreement effective November 9, 2007 for the postage machine at the price of \$608.96."
Councilman Finfrock **MOVED** to approve the maintenance agreement, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the maintenance agreement.**
- e. **Site Plan/Land Development for Westmoreland Excelsa.** Ms. Trout, "By a unanimous vote, the Planning Commission recommended Council approve the site plan for a proposed parking lot development at the corner of North Washington Avenue and West Pittsburgh Street with the addition of landscaping as recommended by the HARB and a review of the condition of the existing sidewalk."
Councilman Johnson **MOVED** to approve the site plan/land development, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the site plan/land development.**
- f. **Site Plan/Land Development for Greensburg Salem High School.** Ms. Trout, "By a majority vote, the Planning Commission recommended Council approve the site plan for dugout buildings for the high school baseball field."

Councilman Finfrock **MOVED** to approve the site plan/land development, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the site plan/land development.**

- g. **Change Order No. 5 for Ligonier Construction.** Ms. Trout, "Change Order No. 5 is in the amount of \$37,377.05. I reported to you last month we were done with change orders and I was incorrect. I was notified by the engineer that we weren't; we had this one last change order coming. They originally wanted to do it in the form of a balancing change order because they felt there were enough deletions in the contract associated with the design change, but that, in fact, wasn't the case whenever they had to take additional paving into account. You should have a copy of all the differences. Between all three parking lots it is for an increase of \$37,377.05 and it's basically a change from estimated quantities vs. actual quantities. It would bring the final contract price of all three lots to \$1,581,028.24."
Councilman Tridico, "Does this put the parking lot project to rest?"
Ms. Trout, "As far as your approval, yes. We're still in the process of paying the bills. We're waiting for some more paperwork in the form of certified payrolls from subcontractors."
Councilman Tridico, "We don't expect anymore bills?"
Ms. Trout, "This should be it."
Councilman Peterinelli **MOVED** to approve Change Order No. 5, and Councilman Johnson **SECONDED**. No further discussion. **All voted unanimously to approve Change Order No. 5.**
- h. **Change Order No. 1 for County Roofing and Heating.** Ms. Trout, "Council approval authorizes the Mayor to sign off on Change Order No. 1 for an increase of \$786 to the original price of the contract bringing the total contract price to \$210,504. It's for the removal of an existing ventilator from the roof at the Department of Public Works (DPW) building and to furnish and install a new gravity relief ventilator."
Councilman Finfrock **MOVED** to approve Change Order No. 1, and Councilman Johnson **SECONDED**.
Mayor Eisaman, "Have they finished any of the other roofs yet?"
Ms. Trout, "They're all in the process. About two to three more days at Mt. Odin; at least two weeks at 'C-Lot'; and we have materials on order for the DPW building that will take four weeks to come in. They're moving along."
No further discussion. **All voted unanimously to approve Change Order No. 1.**
- i. **Local Share Assessment Agreement between the City of Greensburg and Westmoreland County Transit Authority.** Ms. Trout, "Council approval accepts the agreement which is in the amount of \$7,450 for the period of July 1, 2007 ending June 30, 2008. Based on a review of population density and the number of bus trips in each community they serve, this year's amount reflects an \$800 increase over the 2006-2007 assessment. As in past years, the payment is not due to the Authority until February 15, 2008."
Mayor Eisaman, "Of course the Transit Authority could make an assumption and not require us to pay that in lieu of other services we do for them?"
Ms. Trout, "Apparently they can't in this case. I have asked that."
Councilman Tridico **MOVED** to approve the assessment agreement, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the assessment agreement.**
- j. **Easement Agreement between the City of Greensburg and Otterbein Methodist Church.** Ms. Trout, "Council approval authorizes the Mayor to execute the agreement on behalf of the City, by which Otterbein Church in consideration of \$1.00, grants the City a right-of-way of approximately 500 square feet for the widening of Red Star Alley to be utilized for public traffic ingress and egress. The City shall be responsible for all future maintenance of this portion of the roadway consistent with its maintenance of other similar streets and alleys located in the City. I need to let everybody know that at this point the church themselves as a group hasn't voted formally. They were given verbal approval to proceed via the Pastor and their spokesman, Sam DeBone. I believe they have a meeting in regards to this easement on October 18, 2007. They don't feel there will be any changes to it, but I wanted to bring that to your attention."

Councilman Peterinelli, "We can't get started on it this year, can we?"

Ms. Trout, "Well they're urging us and asking us to."

Mayor Eisaman, "It depends on the weather conditions."

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

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

RESPECTFULLY SUBMITTED:



Susan M. Trout, City Administrator

ame

Mayor Eisaman called the meeting to order at 4:00 p.m. City Administrator, Susan Trout, took roll call with the following members present: Councilman Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick and Fiscal Director, Mary Perez were also present. City Treasurer, Rob DePasquale was absent.

PLEDGE OF ALLEGIANCECouncilman Peterinelli

BIDS

Hutchinson Parking Garage Rehabilitation. Ms. Trout, "We received two (2) bids in regards to the Hutchinson Garage Rehabilitation project that was advertised. We opened those bids on Monday, September 24, 2007 at 3:15 p.m. The two bidders were Nathan Contracting and Concrete Preservation Systems. I believe they're both from the Pittsburgh area. I know Nathan is from the Allison Park area. I'm not sure exactly where Concrete Preservation Systems is located. Mary and I reviewed the bids just for accuracy and submitted them to our engineer in Pittsburgh, Atlantic Engineering Services, AES. After his formal review of the bids in their entirety he has given me a written explanation of his recommendation for the award. Nathan Contracting is the low bidder with the amount of, depending how we want to do this, if we want to do Unit Price Bid plus Lump Sum Bid, the bid is \$410,175.00 or if we want to include the Alternate at \$457,550.00. With the review from AES, they're suggesting we go with the full price of \$457,550.00."

Bidders:	Unit Price Bid + Lump Sum Bid	Unit Price Bid + Lump Sum Bid + Alternate Price Bid
Nathan Contracting, Allison Park, PA	\$ 410,175.00	\$ 457,550.00
Concrete Preservation Systems, Inc., Pittsburgh, PA	\$ 577,000.00	\$ 636,300.00

Councilman Finfrock, "What is the difference of those two?"

Ms. Trout, "It's a different way to do the work and one expands doing more work basically doing more areas of the garage."

Councilman Peterinelli, "Didn't Nathan do our work on the other garage?"

Ms. Trout, "Nathan's done work for us before."

Councilman Peterinelli, "Did we have any problems with him?"

Ms. Trout, "No."

Councilman Peterinelli, "No problems at all?"

Ms. Trout, "No. We've had a good working relationship with Nathan Contracting. I know Bob Charley has called them several times for professional advice on the garages."

Councilman Peterinelli, "Didn't they have to come back and do something with Nathan?"

Ms. Trout, "They did work in the 'C' Lot area at one point, too."

Councilman Peterinelli, "They had to resurface?"

Ms. Trout, "We bought that membrane from them if you remember that. They've done work for the City."

Mayor Eisaman, "He did our Pennsylvania Avenue Garage."

Councilman Peterinelli, "That's what I thought."

Ms. Trout, "The only item of concern that Evan Rowles from AES identified and has spoken with Nathan about is he didn't include in his bid any costs associated with temporary heating. He's banking on the fact that the temperatures there are going to be warm enough for him to complete all of his work. If in fact he has to get temporary heating, he will have to do it at his own cost then. It cannot be in the form of a change order."

Mayor Eisaman, "That's fine."

Councilman Peterinelli, "When does he think he'll get started, Sue?"

Ms. Trout, "As soon as he gets his bonds in place."

Councilman Peterinelli, "He'll probably have to have heating because that is cold up there in the wintertime."

Ms. Trout, "Well, they're saying to work with the concrete and the necessary work that has to be done you can do it."

Mayor Eisaman, "They put aggregates in the concrete. You're good until about 40 degrees."

Ms. Trout, "Anyway, I have his recommendation in my hand and I'd like to make it part of our file. In summarization, he believes that Nathan is not only the low bidder but meets all the requirements of the bid specs."

Mayor Eisaman, "We do get a warranty out of this, don't we, as part of the bid specs?"

Ms. Trout, "I don't know about the warranty, Karl. I'd have to look that up."

Solicitor McCormick, "Other than a performance bond?"

Ms. Trout, "Yes. I don't know that there is a warranty."

Mayor Eisaman, "We had a two-year maintenance bond on the one we did by the Baggy Knee."

Ms. Trout, "We do have that included."

Mayor Eisaman, "A maintenance bond?"

Ms. Trout, "Yes. A warranty on the product; I don't know about that."

Mayor Eisaman, "Well the maintenance bond is if the product doesn't perform then we have recourse."

Councilman Johnson, "Our engineer's going to do the slump test and all that stuff?"

Ms. Trout, "Yes."

Councilman Johnson, "Okay."

Ms. Trout, "And that's my recommendation to you."

Mayor Eisaman, "You're going with the 'plus the Alternate Price Bid'? And what is that?"

Ms. Trout, "Its additional areas of deck repair; additional tendons, additional areas."

Councilman Peterinelli **MOVED** to accept the bid from Nathan Contracting at \$457,550.00 as recommended by our engineering firm, AES, per Evan Rowles' review, and Councilman Tridico **SECONDED**. No further discussion. **All voted unanimously to accept the bid.**

COUNCIL APPROVAL

Satisfaction of Bernard Sweeley Liens. Solicitor McCormick, "The City was approached by Attorney Alan Berk prior to our last Council meeting regarding what he initially identified as a lien against the property of a Bernard and Marie Sweeley, Marie Sweeley is now deceased, at 221 Laurel Drive, Greensburg, PA, which I believe is in Hempfield Township."

Mayor Eisaman, "Eastern Estates. Laurel Drive is in Eastern Estates which is Greensburg City proper and Hempfield School District."

Ms. Trout, "The parcel they're talking about actually sits in Hempfield Township. Does the map number begin with 10? If not, it's not in the City."

Solicitor McCormick, "In any event when we looked into it he indicated earlier the original lien was for an \$85.53 lien and some interest accrued. When we looked into it a little bit further it actually turns out there are 11 liens dating as far back as 1966 through I believe 1975 and when we add the interest, because it's such a long period of time, it slightly exceeds the amount of \$3,000.00. In any event, they're selling the house and they're scheduled for a closing. We've had lots of conversations back and forth about what it would take to satisfy the liens in order to clear title. And Mr. Berk has taken the position the law basically is a municipality that has a lien on the books has to revive that lien, but the exception to that is where the property is still owned by the same person, the lien can be revived even though 20 years has expired. So he and I have been having this discussion back and forth about what liens are viable or not because only one of the liens, the lien he's referring to, falls within that 20-year period of time. He's also taken the position, and keep in mind what we're talking about is since the last lien was recorded, we're no longer in the sewage lien business. The Sewage Authority is now in the sewage lien business, so whether they should have been revived or not revived becomes an issue. And also, he's taken the position even if we revived the liens in order to collect all the money at the time of closing, he doesn't believe we should get all of that money because his position is there was not in place an agreement between the City of Greensburg and Hempfield Township which would allow us to collect claims against Hempfield residents. I haven't investigated it. Instead my feeling is I have a letter from him indicating that they are offering to pay instead of the original \$150.00 they were offering in August, they're offering \$1,500.00. What we were just talking about before, if Council would approve accepting that money in full payment of all the liens, they could close on the property next week. The title would be clear. I would go forth and clear the title. And, again, I had discussions with Ann today, and probably two-thirds of the amount of the money we're talking about is accrued interest over the last 40 years. It's not what I refer to as 'found money' but my feeling is we should accept the offer of \$1,500.00 and let them go forward. If you look at it there's 10 years running where this guy had liens against him. I did ask Mr. Berk why he didn't pay his sewage bills for 10 years. He told me he used to live near the guy and he said something about he had an ongoing dispute with the City because he claimed the City had done something. But I think by the time we get hashing through all this and paying attorneys and whatnot, we're probably further behind, so I think getting the \$1,500.00 is the prudent thing to do."

Councilman Tridico, "Did we pay the sewage bills? Why do we have a lien?"

Mayor Eisaman, "It was our sewage at that time. This is back in the '60's. We really have no record of this lien other than them bringing it to our attention."

Solicitor McCormick, "They were recorded by the Solicitor at the time, Joe Mitinger."

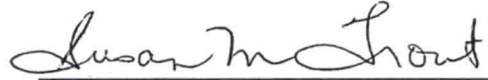
Councilman Tridico, "And all the liens are for nonpayment of sewage?"

Solicitor McCormick, "Yes, all for nonpayment of sewage. Mr. Berk said when he actually called the Sewage Authority to inquire if they had any record of it, they didn't have any record of it. So it is sort of 'found money' in a way. My recommendation is to indicate we would accept the \$1,500.00 in full payment of all the liens, authorize me to go forward and satisfy all the liens and they can close."

Councilman Tridico **MOVED** to accept the \$1,500.00 as full payment of all the Sweeley liens, and Councilman Johnson **SECONDED**. No further discussion. **All voted unanimously to accept the payment to satisfy the Sweeley liens.**

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

RESPECTFULLY SUBMITTED:

A handwritten signature in cursive script, reading "Susan M. Trout".

Susan M. Trout, City Administrator

ame

**CITY COUNCIL MEETING
MINUTES**

**Monday, September 10, 2007
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 Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Rob DePasquale; and Fiscal Director, Mary Perez were also present.

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

*****2006 ANNUAL AUDIT REPORT*****

Jared Ewing, Sarp and Company. Mr. Ewing, "First of all I'd like to thank Council for letting us serve you this year. We really appreciate the relationship we've built over the years. First of all you received an unqualified opinion again. That's at least three years in a row that I know of. That's the highest form of assurance you can receive. It's the cleanest opinion you can receive and you should be congratulated on it. The copies you have in front of you are draft copies. I reviewed these copies with the finance committee on Wednesday. We made a couple little changes. There's also a copy of Mary's Management Discussion and Analysis (MD&A). That's a draft copy that will be included in the audit report once we get Council's approval and the audit's all bound together. The MD&A gives an analysis of the City. It shows some increases and decreases in assets/revenues; information you might not see in the audit report. Make sure you review that. It's very helpful in understanding the audit report. Also, we have a draft copy of the management letter. I just want to let you know there were no unresolved items that we had from the prior year. All the records, schedules, ledgers and everything were ready for us when we came in to audit. The staff worked well with us. My staff is very happy working here. The other part of the management letter discusses some changes in the auditing standards and accounting standards that are up and coming in the next couple of years that will have an effect on the City. We just wanted to make you aware of them. I reviewed them with the finance committee; however, if you have any questions, I can answer them now or feel free to call me at the office."

Mayor Eisaman, "Jared, thank you."

Mr. Ewing, "Thank you, Mayor."

Councilman Tridico **MOVED** to accept the 2006 Annual Audit Report, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to accept.**

*****BIDS*****

- a. **Janitorial Service Contract for City Hall.** Ms. Trout, "The bid proposal from ServiceMaster by Stiffey was opened and read as advertised on September 4, 2007 at 3:00 p.m. After Mary and I reviewed the bid we recommend Council accept their proposal in the amount of \$32,520.00 per year."

<u>Bidder</u>	<u>Price</u>
ServiceMaster by Stiffey	\$32,520.00

Mayor Eisaman, "I assume they will provide us a certificate and/or performance bond?"

Ms. Trout, "That would be correct."

Councilman Peterinelli **MOVED** to accept the bid from ServiceMaster by Stiffey, and Councilman Johnson **SECONDED**.

Mayor Eisaman, "This is a one-year bid with options?"

Ms. Trout, "It's just a one-year bid?"

No further discussion. **Mayor Eisaman abstained, and all others voted unanimously to accept the bid**

- b. **Sale of Used Police Cars.** Ms. Trout, "We received bids from ten different vendors and I think everyone has the slate of bids in front of them. These bids were opened on September 7, 2007 at 1:15 p.m. as advertised and Mary and I reviewed them. They were for two (2) 2004 Ford Crown Victoria 4-door Sedans. After our review, we recommend Council accept the highest bids from Police

Cruisers, LLC, of Middletown, OH; they also do business as Wild Bill's Used Cars, in the amount of \$5,050 for Item 'A' and \$5,150 for Item 'B'."

Bidders:	Item 'A'	Item 'B'
Police Cruisers, LLC, Middletown, OH	\$5,050	\$5,150
Joshua R. & Maria L. Johnston, Dubois, PA	\$0	\$3,501.99
Rogers Auto Sales, Rogers, OH	\$3,210	\$3,210
Eli Zirkin, Lakewood, NJ	\$0	\$3,926
Bay Ridge Motor, Staten Island, NY	\$4,617	\$4,617
Welcome Motors, Chicago, IL	\$4,466	\$4,466
Grace Quality Used Cars, Morrisville, PA	\$4,252	\$4,252
Mossie Specialty Cars, Wall, PA	\$4,222	\$4,222
Car Exchange, LLC, Brooklyn, NY	\$3,488	\$3,488
A & Silver Auto Sales, S. Boston, MA	\$4,778	\$5,028

Councilman Finfrook **MOVED** to accept the high bids from Police Cruisers, LLC as presented by the City Administrator, and Councilman Tridico **SECONDED**. No discussion. All voted **unanimously to accept the bids**.

*****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 Tridico **MOVED** to approve the bill list and pay the bills as the money becomes available. Councilman Finfrook **SECONDED**. No discussion. **Unanimously all voted in favor**.

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

Councilman Peterinelli, "The Kirk S. Nevin Arena is open now for public skating sessions. We offer sessions Monday through Friday from 10:00 a.m.-noon; Wednesdays and Fridays from 1:15-3:15 p.m.; and Friday and Saturday evenings from 8:00-10:00 p.m. Starting October 7, 2007 there will be a Sunday afternoon session from 2:00-4:00 p.m. Also, we offer birthday party packages on the weekends. Our Learn-to-Skate program is offered on Thursday evenings. The lessons are on a pay-as-you-go basis. There are five sessions of the ISI Tot lessons scheduled. You must pre-register for these classes. There are three sessions of the Learn-to-Play-Hockey program available. This six-week program is held on Saturdays at 6:45-7:45 p.m. Call the Recreation Office for more information at 724-834-4880. One other thing, on Saturday at the new soccer field, both pavilions were rented and you couldn't find a place to park. There must have been at least 300 children and families up there and the whole park was totally engrossed in cars. We know the soccer field that the City and firemen worked on is working out."

Councilman Finfrook, "The Street Department has completed some additional paving projects. The first one, the alley between Ruffner Way and Mt. Pleasant Street alongside the White Horse Tavern, was repaved. They also did one traffic lane of Kenneth Street between Culbertson and Arch. That had distressed asphalt milled away and new asphalt put into place. Thirdly, they put a portion of the shoulder on Sells Lane. It was repaved to better manage storm water runoff. Fourth, an area along Stone Street was repaved after several sections of an old, rusted drainpipe were removed and the alley west of Main Street between Barclay and Baughman is presently being excavated and will be repaved later this week. The Street Department has also made repairs to the Five Star Trail where the heavy rains in early August caused several areas of the pathway to wash out. And, finally, last week the paint crew conducted line painting in several parking lots as well as repainted the VASCAR lines on the new asphalt on Main Street for the Police Department. That concludes the report."

Councilman Peterinelli, "No questions, but I believe the asphalt zipper we purchased has paid for itself."

Councilman Johnson, "Some headway has been made with the City's intent on pursuing monies to address the storm water drainage situation in the Northmont plan. It's the intent of Planning and the City to keep the public informed as we progress to a solution that will help in the event of another major storm. The work by PennDOT on Main Street is progressing as well with the projects to enhance and better the look of our Main Street

Corridor, primarily being some brick borders and crosswalks. Groundbreaking took place for the Seton Hill Arts Center and in short order construction will begin on that project. The Planning Department would also like to remind Council that the Transit Revitalization Investment District (TRID) will have their kickoff meeting at 1:00 p.m. on September 20, 2007 in Council chambers. Please try to attend. That's it for my report."

Councilman Tridico, "Our revenues are 72% of the budget. This is 2% lower than revenues in August 2006. Our expenses are 64% of the budget. This is 2% higher than last year. We almost broke even."

*****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. 19 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 5, ENTITLED 'ADMINISTRATION OF GOVERNMENT' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, DELETING CERTAIN SECTIONS OF CHAPTER 5 PERTINENT TO POLICIES AND RULES AND REGULATIONS RELATED TO EMPLOYMENT WITH THE CITY OF GREENSBURG. Ms. Trout, "The purpose of Bill No. 19 is to delete in its entirety, Article X, entitled 'Employee Code of Ethics' including Sections 5-21, entitled 'Conflicts of Interest; Drug Use'; 5-22, the 'City Drug and Alcohol Policy'; and 5-22.1, the 'Sexual Harassment Policy'; Article XI, entitled 'Rules and Regulations' that includes Sections 5-23, again entitled 'Rules and Regulations' and Section 5-25, 'Personnel Rules and Regulations for Part-time Employees'; and also Article XII, entitled 'E-Mail, Internet and Other Electronic Communications Policy' and Sections 5-26 through 5-28 containing the 'Purpose', 'Definitions' and 'Policy' in regards to City employee's use of city-owned electronic communications. These sections shall be incorporated into a Personnel Handbook for full-time and part-time, as well as, seasonal employees to be adopted by Resolution rather than by Ordinance. This change will give management greater flexibility in amending and updating policies and will provide employees with a complete guide to all policies pertinent to their employment with the City."

Bill No. 20 – AN ORDINANCE OF THE CITY OF GREENSBURG DELETING IN ITS ENTIRETY CHAPTER 57 ENTITLED, 'PERSONNEL POLICY AND BENEFITS'. Ms. Trout, "The purpose of Bill No. 20 is to delete this chapter which is obsolete. It was separated because it's a different chapter from the ones above."

Bill No. 21 – AN ORDINANCE OF THE CITY OF GREENSBURG VACATING AN UNNAMED ALLEY IN THE FIFTH WARD OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND. Ms. Trout, "Requested by Excelsa Health Westmoreland Hospital, the purpose of Bill No. 21 is for the City to abandon the unnamed alley that runs parallel to West Pittsburgh Street from North Washington Avenue to Jefferson Avenue to allow expansion for their existing parking lot. Barb and I took a look at this after Rob expressed a concern about where it began and ended for their purposes. We will review those situations. Barb has a call into Dan Hoffman."

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

Bill No. 18 – AN ORDINANCE AMENDING SECTION 5-24, ENTITLED, 'PERSONNEL RULES AND REGULATIONS FOR FULL-TIME EMPLOYEES' OF CHAPTER 5, ENTITLED, 'ADMINISTRATION OF GOVERNMENT' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, "Tabled at the August Council Meeting, the purpose of Bill No. 18 is to delete in its entirety Section 5-24 of Chapter 5 of the Code of the City of Greensburg. Again this deals with our personnel rules and regulations." Councilman Tridico **MOVED** to adopt Bill No. 18 as Ordinance No. 1955, and Councilman Johnson **SECONDED**.

Mayor Eisaman, "The first question I have, Mr. Solicitor, is if the Bill is adopted, it will delete Section 5-24 of Chapter 5 of the Code of the City of Greensburg which is a lot of

personnel, management type items we will be approving at a later date with regards to a new handbook for employees?"

Solicitor McCormick, "I guess, Sue, the thinking, if I'm not mistaken, is that in order to go on and fix up the subsequent areas you have to delete the one first, so that's why it's going in that order? So this would basically vacate it and then at the next meeting you would go to adopt it?"

Ms. Trout, "Right."

Mayor Eisaman, "So it's the City Administrator's recommendation that Bill No. 18 be adopted as Ordinance No. 1955?"

Ms. Trout, "That would be correct."

No further discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 18 as Ordinance No. 1955.**

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

Resolution No. 1114 – A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE ACCEPTANCE OF THE SUM OF THREE THOUSAND DOLLARS (\$3,000.00) FROM THE WESTMORELAND COUNTY DISTRICT ATTORNEY'S OFFICE UNDER THE PROVISIONS OF THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, SETTING FORTH THE TERMS AND CONDITIONS FOR ACCEPTANCE OF SAID FUNDS AS WELL AS THE SPECIFIC PURCHASES THE CITY AGREES TO MAKE WITH SAID FUNDS. Ms. Trout, "Enactment of this Resolution is for the purpose of equipping the City's K-9 vehicle for the enforcement of provisions under the Drug Act." Councilman Peterinelli **MOVED** to enact Resolution No. 1114, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1114.**

Resolution No. 1115 – A RESOLUTION OF THE CITY OF GREENSBURG ADOPTING THE FULL-TIME PERSONNEL POLICIES HANDBOOK. Ms. Trout, "Council approval adopts the revised personnel handbook for full-time employees incorporating pertinent information for full-time employees in conjunction with the agreement between the City and the Local 30 Teamsters Union. In addition to all of the policies that are included in the above mentioned Bill introduced this evening for consideration by Council for deletion from the Code book and new and updated policies related to Equal Opportunity and Fair Labor Standards recommended for inclusion in personnel handbooks, the new handbook will also feature our Work Safety Policy and guidelines." Councilman Finfrock **MOVED** to enact Resolution No. 1115, and Councilman Johnson **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1115.**

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

- a. **Pest Control Service Agreement between the City of Greensburg and Ehrlich (formerly Rentokil) Pest Control.** Ms. Trout, "Approval of the 1-year agreement includes four (4) quarterly applications of the hot-foot pigeon repellent applied to specific areas of the Robert A. Bell Parking facility at the rate of \$620.00 annually reflecting a \$20 increase over last year's rate." Councilman Johnson **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. Councilman Tridico, "Did it work last year?" Mr. Charley, "Yes, it does and it doesn't harm the birds." No further discussion. **All voted unanimously to approve the agreement.**
- b. **Central Office Monitoring Contract between the City of Greensburg and Rampart Security Systems of Westmoreland County.** Ms. Trout, "Council approval accepts the agreement for fire monitoring services at the Kirk S. Nevin Arena and will replace the obsolete Gamewell system that is currently in place. The cost of the agreement is \$27 per month and the effective date is retroactive to August 21, 2007." Councilman Tridico **MOVED** to approve the agreement, and Councilman Peterinelli **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the agreement.**

- c. **Reappointment to the Recreation Board.** Ms. Trout, "Council approval reappoints Nancy Stewart to a 5-year term on the Board until September 8, 2012." Councilman Peterinelli **MOVED** to approve the reappointment, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**

- d. **Hiring of Two (2) Part-time Police Dispatchers.** Ms. Trout, "The Chief of Police conducted interviews last week and recommends Michelle L. White and Anthony Henry be hired as part-time police dispatchers at the rate of \$10.45 per hour effective September 11, 2007. Their weekly work schedules will not exceed 32 hours each." Councilman Finfrock **MOVED** to approve the hiring of two part-time police dispatchers, and Councilman Peterinelli **SECONDED**. Mayor Eisaman, "Chief, do either of these two have prior experience?" Chief Lyons, "Mr. Henry does." No further discussion. **All voted unanimously to approve.**

- e. **Hiring of Seasonal Employees.** Ms. Trout, "For the 2007-2008 Ice Season at the Kirk S. Nevin Arena, the rink manager recommends the following personnel be hired for the upcoming ice season: Dena DiStefano as a Supervisor at \$8 per hour; and at the rate of \$7.15 per hour, Matt Basl as Maintenance, Christine Watson and Lauren Basl as Cashiers, Michele Cribbs and Erica Yates for Skate Rental, and Hank Fontana, Greg Smith, Elliott Lowry and Samantha Bower as Skate Guards. In addition, Ron Spisso is recommended to be hired as Seasonal Maintenance at Mt. Odin at \$8 per hour." Councilman Peterinelli **MOVED** to approve the hiring of the seasonal employees, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the hiring of the seasonal employees.**

- f. **Contract No. C000027636, between the Pennsylvania Department of Community and Economic Development and the City of Greensburg for Grant Funding through the Urban Development Grant Program.** Ms. Trout, "Council approval authorizes the Mayor to execute the contract accepting the terms set forth for acceptance of funds in the amount of \$17,000. Said funds shall be used for the purchase of police emergency video cameras and peripherals to be used to document police response and traffic stops to better ensure officer safety and to videotape evidence in criminal cases." Councilman Tridico **MOVED** to approve the contract, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve the contract.**

- g. **External Partnership Agreement between the Westmoreland County Chapter of the American Red Cross and the City of Greensburg.** Ms. Trout, "At the request of the Red Cross, Council approval acknowledges the City's commitment to continue to work with the Red Cross as 'External Partners' in providing emergency response services to address the needs of populations served by both the City and the American Red Cross to the best of our ability. The City agrees in the event of a disaster or emergency to provide assistance through Emergency Management." Councilman Finfrock **MOVED** to approve the partnership, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**


- h. **2008 Minimum Municipal Obligation (MMO) for the Police Pension Plan.** Ms. Trout, "The MMO is \$711,005.11, which is an increase of \$21,032.09 more than the 2007 MMO." Councilman Finfrock **MOVED** to approve the 2008 MMO for the Police Pension Plan, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve the MMO.**

- i. **2008 MMO for the Non-uniformed Employee Pension Plan.** Ms. Trout, "The MMO is \$17,991, which is \$6,397 more than the 2007 MMO." Councilman Tridico **MOVED** to approve the 2008 MMO for the Non-uniformed Employee Pension Plan, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the MMO.**

- j. **Change Order No. 4 for Ligonier Construction for the Demolition and Parking Lots Construction Project.** Ms. Trout, "Council approval adds an additional \$38,423.63 to the project costs bringing the revised total contract amount to \$1,543,651.19, a difference of \$202,444.19 from the original price of the contract. Change Order No. 4 includes curb removal and replacement at the Moore Lot in the amount of \$1,407.60; additional walls at the Seton Hill Lot for \$9,450; additional field work at the Seton Hill and St. Clair Park Lots and the removal of walls at the St. Clair Park Lot for \$2,985.33; replacement of a yard drain with a concrete inlet, profit and overhead for \$517.50; an increase of \$16,086 to cover an invoice from Matta Fence for fencing at the Seton Hill Lot; and the addition of curbing and walls at \$7,977.20, also at the Seton Hill Lot." Councilman Tridico, "Is that within our budget?"
Ms. Trout, "Yes."
Councilman Finfrock, "Is that pretty much the end of this?"
Ms. Trout, "That's going to be it."
Councilman Tridico **MOVED** to approve Change Order No. 4, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the change order.**
- k. **Hiring of School Crossing Guard.** Ms. Trout, "Council approval hires Ricki Sterf in the part-time position not to exceed 20 hours per week retroactive to August 29, 2007 at the rate of \$7.60 per hour."
Councilman Peterinelli **MOVED** to approve the hiring, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**

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

RESPECTFULLY SUBMITTED:


Susan M. Trout, City Administrator

ame

**CITY COUNCIL MEETING
MINUTES**

**Monday, August 13, 2007
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 Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Robert DePasquale; and Fiscal Director, Mary Perez were also present.

*****PLEDGE OF ALLEGIANCE***** Councilman Tridico

*****BIDS*****

City of Greensburg Various Roof Rehabilitations. Ms. Trout, "We received two (2) bids that were opened and read as advertised on August 9, 2007 at 11:00 a.m. Based upon the recommendation from the City's Engineering Consultant, Gibson-Thomas Engineering, Inc., and our review, I recommend Council accept the bid from the low bidder, County Roofing and Heating of Jeannette, PA, for the rehabilitation of three (3) roofs, which are the roofs on the Maintenance Shed at Mt. Odin, Department of Public Works (DPW) building on Urania Avenue and the 'C-Lot' property roof over Lapel's through Just Miniature Scale at the lowest total bid of \$209,718.00."

Bidders:	County Roofing & Heating Jeannette, PA 15644	Tuscano-Maher Roofing, Inc. Saltsburg, PA
'C' Lot Parking Garage	\$ 53,822.00	\$ 89,007.00
Mt. Odin Maintenance Facility	\$ 35,956.00	\$ 45,101.60
Public Works Garage	\$119,940.00	\$ 165,378.47
TOTAL BIDS:	\$209,718.00	\$299,487.07

Mayor Eisaman, "The only other bid we received was \$299,000.00?"

Ms. Trout, "That's correct. That bid was from Tuscano-Maher."

Councilman Peterinelli **MOVED** to accept the bid from County Roofing and Heating, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to accept the bid from County Roofing and Heating for \$209,718.00.**

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

Mike Durda, 246 Painter Avenue, Greensburg, PA. Mr. Durda, "Two weeks ago Wally came over and said 'after 42 years parking in front of my house, I'm not allowed to park there anymore'. He told me there's a little short alley, right now it's a driveway or a right-of-way and there's five reasons why it's not an alley; you can't get a fire truck down there; you can't get a garbage truck down there; the City doesn't maintain it, I maintained it for 42 years; they didn't put a name on it; and they didn't pave it. So there are about six reasons. After so many years if they don't do anything, it's called a 'paper alley'. I'm supposed to park 15 feet away because one person parks down in there and maybe leaves it once or twice a day, and she says she can't see with my car sitting right there. It's been sitting there all those years. So I'd like something done and I'm a taxpayer, too. The other person doesn't even pay taxes; they're paying rent. So something has to be done. It's not an alley. There are not other people using that alley. Cars don't go up and down that alley; it's not feasible."

Solicitor McCormick, "Well, Mr. Durda, just off the top of my head, because I'm not familiar with the roadway you're talking about, there is a concept in the law that Council is familiar with that does say if you have an alleyway or a street that is on paper, it's part of the plan, but the municipality fails to act by improving it within 21 years, then you're correct. That quote 'paper alley' can then at the request of the property owners along that area request that it revert to them. I'm not familiar with the area you're talking about."

Mr. Durda, "Well all you have to do is drive down there and I'll show you. A fire truck or a garbage truck cannot get down there."

Solicitor McCormick, "My point being if what you're saying is correct, that the City legally should have no interest in that alleyway or roadway any longer because it's truly

not a public thoroughfare, and I don't know if it is or not, then what you have is a private legal matter. Have you consulted a lawyer about your legal remedies regarding this?"

Mr. Durda, "We'd actually win because I've been maintaining it for 42 years."

Solicitor McCormick, "I'm sorry I didn't hear what you first said."

Mr. Durda, "I said we could probably beat you in court on that because of the reasons I gave you."

Solicitor McCormick, "Don't assume we're fighting. All I'm suggesting to you from what you've described is you should probably consult with an attorney and if you want to pursue what you're saying today, maybe your attorney could contact me. We could look at the plans and talk it over, but that doesn't necessarily end the issue. You may not have an issue with the City, but you may have an issue with other property owners that abut against the property you're talking about. So that's all I'm suggesting. Don't just assume that it's an issue between you and the City. You may be perfectly correct that the City should not have any further interest in looking at that as a public thoroughfare, but that doesn't mean the inquiry is ended is all I'm saying. If you're really up in arms about this you're probably smart to consult an attorney."

Mayor Eisaman, "In the past what we've done on 'paper alleys' is if they come to Council we ask all the property owners on each side to sign a petition that they either want to take half the property each or they're willing to give their portion to the other property owner. That's how we usually operate with 'paper alleys'."

Mr. Durda, "Well, two of us don't get along; I'm talking about the owner of the other property, but I was already told to move 15 feet away from that right-of-way."

Mayor Eisaman, "Because it still is a 'paper alley' they utilize as a driveway and they have a garage."

Mr. Durda, "It's just a parking area. There's no garage."

Mayor Eisaman, "Okay, whether they're coming out of their parking area once a day they don't have visibility coming out if you pull a vehicle to a certain point. The Chief went over, evaluated it and made a decision."

Mr. Durda, "Okay why didn't the other guy do it? He's not parking 15 feet away."

Solicitor McCormick, "Well, that's what I'm saying. You apparently have a dispute with the other property owner and not necessarily the City that you need to resolve. Until someone takes action it remains a 'paper alley' and the City has a responsibility to do what we do with public thoroughfares. But you may be perfectly correct if it's been all these years and it hasn't been publicly improved. Then you need to get together with the property owner. Maybe the solution is that each of you gets half and if you can't get along then each of you may have nothing there."

Mr. Durda, "I would be satisfied with that."

Mayor Eisaman, "If you recall one of the other meetings you attended you came with a request that since your driveway did not fit a car that we give you another parking permit for in front of your house. We try to help out everybody."

Mr. Durda, "I know we have two handicaps and we wanted to get another extra permit. Because there is a section in your Ordinance that says if you have special needs, you can apply and there should be a consideration done for it."

Mayor Eisaman, "And we did put a second permit for handicapped in front of your house."

Mr. Durda, "Yes, in front of my driveway."

Mayor Eisaman, "Because you advised us at a Council meeting that it wasn't long enough to be a driveway and asked for the extra space."

Solicitor McCormick, "The Bar Association can advise you on certain lawyers that handle this kind of matter. Maybe you should give them a call and they can help you."

Mr. Durda, "Okay."

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

Doris Kaufman, 62 Northmont Street, Greensburg, PA. Ms. Kaufman, "I'm here this evening because of flooding in my basement. I had severe flooding. It came up through my sewers and I had five days of cleanup, which I'm sure many of you other people have had. Now I know we had an ultra, ultra storm, and I realize that. First of all I do want to commend we have the most marvelous Fire Department. They were just terrific. I also want to thank Barbara Ciampini Hoyle because she did a wonderful job, too. We all had pickups from all of the items we had out at the curb and we thank you. My concern besides losing thousands of dollars in repairs to my furnace, etc. and also all the contaminated items we had to get rid of is the stream that comes down Oakhill and goes underground under Northmont. That has been the cause of problems for many, many years. We've lived in our home for 53 years. Many years ago we used to have this water problem often. West Penn did put a holding pond up behind their parking lot which

alleviated a lot of it for us. However, before that time we used to have this; the water would come down that creek. The sewer opening is not large enough to handle all the water plus there is a lot of debris that comes down there. It's very antiquated. Now as I said I have not had water in my basement for probably 25-30 years. It was an ongoing problem because many years ago our State Representative, Amos Hutchinson, got a grant for us from the State that was to cover the creek and that would have helped greatly. That money was diverted over to Devonshire Heights. I don't know why or how but it was. They did a project over at Devonshire Heights. Now that was many, many years ago."

Mayor Eisaman, "Where's Devonshire Heights?"

Ms. Kaufman, "Sheffield. And of course the City's done that wonderful job down at Mt. Pleasant, which was needed, I realize that. And because we haven't had that problem and I was not adversely affected, I left this business go. Now lately, not just because of this huge rain, but the last two rains that we had that have been heavy has caused water in the basement of some of my neighbors. It comes up through the sewer. It was filthy. I cleaned for five days. We had people in to help us. If my son hadn't been here to help me, I think I would have felt like blowing the house up. It was just horrible. It's so unsanitary. Now what I would like to have from this Council is some kind of a promise, or I shouldn't say a promise, this was a long, outstanding promise that this was going to be taken care of. Besides the original grant we were given, maybe 10-15 years ago, I forget the time, but there were engineers out checking everything. At several outings we were told it was going to be taken care of. This runs down into Jack's Creek. Nevertheless, nothing has ever been done and I don't want to have to go through this ever again. It would please me greatly if the Council would step in and see what they can do about this problem."

Mayor Eisaman, "Speaking for myself and I believe the rest of Council, this afternoon we tried to contact the Department of Environmental Protection (DEP) to see how much money we actually have in there. When you have something in the State budget it really actually doesn't mean you get access to it unless the DEP determines that it's a worthwhile project and to move forward. Fortunately, we have not had a lot of serious situations like this storm this past week. And now that we've had this storm I think we need to get back in touch with the DEP to have them evaluate it. However, they told us whenever they were finishing the Mt. Pleasant Street Flood Project that if at a certain point the Northmont Project moves forward it's probably not going to be a channel program like Mt. Pleasant Street, because it's not aesthetically pleasing."

Ms. Trout, "It's a concrete-U channel, a box channel. They said that they no longer build those types of hazard mitigation projects. They go for a more environmentally friendly project like riprap or some kind of other means than concrete-U channels that are more natural to the environment. Those are the kinds of hazard mitigations they're interested in doing."

Mayor Eisaman, "I recall doing this possibly in '94 or '95 where we sent out a letter to the residents of Glenview and Forest informing them they could not put bridges connecting properties, store logs, dump grass and things of that nature in their backyards. We may need to remind people more frequently with letters like that or if neighbors see other neighbors doing it if you give us a call we'd be happy to be the 'bad guys'. The problem is there was a log that ran into two or three of the bridges that caused a backflow problem flooding the area. When something doesn't happen for 25 years it sort of is no longer a primary concern and this has brought up that it still is a concern in the Northmont section and we need to evaluate that. We also talked to the Greater Greensburg Sewage Authority (GGSA) this evening and they had said any time somebody would like their lateral lines checked they can either call the GGSA directly or if the City is notified of something that we can request it. It's not necessarily something that we have to request directly to the GGSA. Their utility users can request that also."

Ms. Kaufman, "Some of these efforts had been made previously to no avail. People do not pay attention to the debris. They would tear the signs down and nobody paid attention."

Mayor Eisaman, "That would be my next point, cooperation of property owners. I know in the Mt. Pleasant Street Flood Project, I really was never involved in the Northmont Project, but the neighbors as far as trying to obtain the right-of-ways for the property to put in any riprap or things of that nature, not all neighbors want to cooperate. They view the scenario as it doesn't affect them as much as it affects the people further down towards Northmont at the point and over to Kenlane, etc."

Ms. Kaufman, "Very true, but I think they got water in their homes and I think they will readily change their minds. If you would like any of us as citizens to call somebody or if there's anything we can do to help this along, we would appreciate it very much."

Mayor Eisaman, "If we could have a contact person for the group and maybe Sue could call that one person to keep information going back and forth."

Ms. Kaufman, "I think Stan Gordon would like to speak next because with him this is ongoing. Not just now, but every time that creek fills up he has problems."

Stanford Gordon, 6 Oakhill Avenue, Greensburg, PA. Mr. Gordon, "Good evening. I have been there since I was a young child. Unfortunately I guess you could say I have the remembrance of dealing with the nightmares of the Northmont creek for many, many years. Before I start I would like to pass these pictures around I took at the time of the flooding this week. This is what was coming at me through my backyard and my door. The first storm brought it within a few feet of coming in the house, and in the afternoon within 15 minutes the whole area was under water. It was unbelievable. In fact, it washed my rain gauge away so I was already at 1.35 inches and it was going way above that. It was washed away actually."

Mayor Eisaman, "Could you provide copies of these pictures so we can give them to the DEP?"

Mr. Gordon, "Yes. This is another shot of my yard going towards Northmont Street washing across Northmont Street. This is a picture of my finished whole floor that was completely destroyed. I have Federal Flood Insurance and it's not covering it because of technicalities. Basically they'll do some of the cleanup and take some of the rugs out, but I have to pay out-of-pocket for everything that was destroyed and thrown away. So it didn't do me any good. This is another shot of the neighbor which I believe is 8 Oakhill and my yard. I understand from other people and from what I can see upstream I've never seen this before; the whole way up Oakhill the yards were covered. It was amazing in such a short time. I want to give you a little different perspective. As I said I've been unfortunately in the position where our yards have been affected for many, many years and this was a rare weather event. The last time was 22-24 years ago when the homes were flooded on Northmont, and I can almost bet my right arm the only time the sewage comes up in those homes along Northmont is when the creek overflows into the yards. I would bet if you look at your records you would find that to be the case. But here's the situation. It is not just when there is a rare, weather situation. Unfortunately, my wife, daughter and I over the years have taken the responsibility to try and unclog the creek to prevent this from happening. We do it all year-round. I can tell you first of all the Greensburg Fire Department No. 1 and the City Street Department are very, very good. They have helped us a lot for many, many years. They're all very much aware and I'm sure there are records of this how often every year we call in for help. There have probably been several times already this year. I know earlier this week we had a storm early morning and I called No. 1 for help, because it was coming over. This is a continuous problem. If it wasn't for my wife and I going into unsafe situations and getting that out of there, this would be flooding constantly when you have moderate rainstorms. It cannot handle it. In the fall when you have leaves come down naturally, it clogs it up in a few minutes if we are not out there. And it's dangerous. I mean we're out there during lightning and thunder and Hutch knows about this and has given us hell several times and told us to call the Fire Department. We shouldn't be out there. But it's a danger to the firemen and the City crews during the weather conditions trying to unclog that thing, because once it backs up and it's over, it's a flooding condition and somebody is going to drown. So this is one of those things we have to deal with. As I said it's a continuous year-round problem. Lots of times you don't hear about it because we're out there trying to prevent it from happening and if we don't do it, I guarantee you there will be many more situations like what's going on right now. A couple things I wanted to mention also and I think Doris Kaufman mentioned it. What I heard many, many years ago was that when the area was being developed I guess in the late '40's, early '50's, that the City made the decision to put the smaller pipe in because it would be more financially efficient at that time. There wasn't any thought given for all the expansion up the creek and up the hill of all the development that was going to go on. So it's too small to handle the water load. If the rain comes down as heavy as it did, even without any debris, it's going to back up. That's what happened the other night. Because 10 minutes before the second storm hit and I knew it was coming, I went out and completely cleaned it out. So there was no debris in it. In this particular case it couldn't handle the water load. And I'm telling you it was 10-15 minutes and that area was under water. It's unbelievable. Again, the two factors are, one, the pipe is too small to handle the water load, and secondly, there's a constant problem with people throwing logs, tree trunks, shrubbery and cuttings in there. How many times year-round do I clean the stuff out of the creek and it's in my yard. The City Street Department knows about it, because they have to

haul it away. I'm sure Rick can look up the records and see how many times I have to call for their help. It's year-round. This is ridiculous."

Mayor Eisaman, "Rick, the pipe underneath Northmont Street, does the GGSA clean that out or take a camera in there or is that our responsibility?"

Mr. Hoyle, "It should be the GGSA's responsibility."

Mr. Gordon, "Down on Beaver Street they used to have a lot of flooding on the other side of Northmont from the creek, too, and I haven't heard anything down there recently. But, again, during the last flood 22-24 years ago, that's when they sent the letters out to all the people upstream and put nice signs up in people's yards. I'll guarantee you within a week all the signs were torn down. Nothing was done and nothing was ever policed on that matter. People constantly throw things in there. You wouldn't believe the things I've pulled out of there myself. It's unbelievable what people throw in there. That's enough of a problem as well. I do know that the most recent thing was several years ago the Army Corps of Engineers was working on the project. I think Rick knows about it. They came out and they started doing elevation level studies in people's homes over on Kenlane and Northmont Street. That's the last we heard. We were really happy because we heard it's finally going to happen. They said they would do that as soon as Schaller's was done. That's the last I heard; I've heard absolutely nothing. The point I have to make again is it's just not when we have a major weather situation of 2-3 inches of rain in a short time. It's a continuous year-round problem, and I'm getting too old. My wife and I shouldn't be out there doing this. I don't like to call the Fire Department in the middle of the night because these guys could drown. It's a dangerous situation that needs to be taken care of. This project needs to be put back on the books now and get it going."

Mayor Eisaman, "We understand your concerns and we've been in touch with Representative Tangretti's and Senator Regola's offices today."

Mr. Gordon, "Thank you very much."

Councilman Finrock, "Mr. Gordon, may I ask you one question? I'm a member of Hose Company No. 1 and I've been down there since all my life. I've actually been waist-deep in that creek so I know what you're saying. My question to you is just for my personal information, for a while this has disappeared from our radar from No. 1's perspective. It used to be any time it got partly cloudy we would send a truck down there because Northmont creek and Sheffield Drive were our biggest concerns with the No. 1 group. Lately we still send the truck down there but we have noticed that it hasn't been the same problem as in the past. Are you saying that still exists and you're just tired of calling us?"

Mr. Gordon, "No. It still goes on and I still call you guys but there are times when we go out ourselves and do it without having to bother the Fire Department."

Councilman Finrock, "Because I noticed this past Thursday, it's usually at the gate where the debris stacks up and causes the backing up."

Mr. Gordon, "Also, there were two other barriers that the City put in. The City of Greensburg put that in probably 20 years ago. And the City has been maintaining it. That was their jurisdiction to maintain that. The City of Greensburg put it in. But those things grab the stuff and it's so much at times it begins to come over top of those. I called the Fire Department last week around 2:00 a.m. when we had a storm and I don't know if No. 1 keeps phone records or not. But I did call and say the creek is coming up. It's coming over into the yards and we need help. It's a constant thing."

Councilman Finrock, "Thank you."

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

Barb McMillen, 502 Kenmore Street, Greensburg, PA. Ms. McMillen, "I've lived here for two months and I did not get water. So I'm new to this thing so I have a lot of questions. Mayor Eisaman, you said you have a source of funds for this; can you tell me what source?"

Mayor Eisaman, "I said there was a line item at one point placed into the State budget and I believe its \$406,000.00 that we can trace back which was placed in 1984."

Ms. McMillen, "Do you know if it's in this fiscal year's budget?"

Mayor Eisaman, "It's interesting when they put something in the budget it is ongoing but as far as getting the money released is why we have to be in contact with the Representatives for our region."

Ms. McMillen, "So Regola and Tangretti are going to try and get Safe Water grant money for this \$406,000.00?"

Mayor Eisaman, "I would think we'd like to see if we can get a study done as soon as possible and then whatever the estimated project cost is we can go to the State for that total. I don't want to say any number right now, because I really don't have any idea how far they have to go up."

Ms. McMillen, "Can you tell me when the last time it was studied?"
 Ms. Ciampini, "In 1981 or 1982."
 Ms. Trout, "Actually there is a study from 1991."
 Ms. Ciampini, "I think the studies are done, Mayor. The information I have is in the design phase but it hasn't gone further. Nothing has been designed."
 Mayor Eisaman, "Via the DEP?"
 Ms. Ciampini, "Yes."
 Ms. McMillen, "That's my next question. Who is your DEP contact?"
 Ms. Trout, "My contact is Mark Malach."
 Ms. McMillen, "Which engineer at Gibson-Thomas are you dealing with?"
 Ms. Trout, "Several, but Dan Schmitt mostly."
 Ms. Ciampini, "He did all the survey work."
 Ms. McMillen, "Gibson-Thomas did the survey work? Is Greensburg a Combined Sewer Overflow System (CSO)?"
 Ms. Ciampini, "Yes."
 Ms. McMillen, "Have you completed your 9-point plan?"
 Ms. Ciampini, "I think they're in the process of doing that. GGSA oversees all of our sanitary plans."
 Ms. McMillen, "Believe me, I understand how that works."
 Mayor Eisaman, "I think that was part of the program where we had to take our downspouts outside of the"
 Ms. McMillen, "That's exactly what I'm talking about. And you said the Army Corps was involved; who was your contact at the Corps?"
 Ms. Ciampini, "I have no record of that."
 Mayor Eisaman, "Mr. Gordon referenced that."
 Mr. Gordon, ".....was on the Corps of Engineers. I'm pretty sure they were involved in this."
 Ms. Ciampini, "Didn't the Department of General Services (DGS) design our Mt. Pleasant Street Flood Project?"
 Ms. Trout, "Yes."
 Ms. Ciampini, "I think it was somebody from the DGS. I should have a number."
 Mayor Eisaman, "Or was it when the National Flood Insurance Program people came out to survey areas; how many years ago was that, Mr. Gordon?"
 Mr. Gordon, "I'm going to make a guess; 8-9 years ago, Rick, does that sound right?"
 Mr. Hoyle, "I don't remember that."
 Mayor Eisaman, "I think that was the National Flood Insurance Program, Barb, because remember they were putting certain households in flood areas on the surveys."
 Ms. McMillen, "That's all I need for now. Thank you."
 Mayor Eisaman, "Thank you. Did we decide who would be the contact person? How about we use Mr. Gordon and Mrs. Kaufman as contacts? At some point give your phone numbers to Sue."

Rita Boynton, 504 Kenmore Avenue, Greensburg, PA. Ms. Boynton, "We're just a little, six-house street between Kenneth Street and Northmont for those who are not aware. And Stan's description of what goes on occurs on our street; basically just with three of our houses. I'm not recovered yet. I've lost everything in my basement for the second time with no insurance. We can't stop the water. You can just see it coming across. Since the 1980's I've tried to talk to people about where can we get help and how can it be taken care of, but there seems to be other issues more important to people; not to us on Kenmore Avenue. I remember in the '80's when I had 18 inches in my basement. I just had 4 feet in my basement the other day. I talked to Representative Tangretti and I asked him how he could get us money, because, of course, insurance doesn't cover it, and he said the City had just turned back some money and they probably would not look on it very happily. I think that was in 1980-1981. So we just keep putting up with it, but with what happened the other day, I know a lot of our neighbors are here who are wiping out their basements also. We just don't know where to turn. I was so pleased that we were invited to come to the meeting this evening, if once more, not just Northmont, they need help, too, so our little six houses on Kenmore Avenue could get some help also. Thank you."
 Mayor Eisaman, "Thank you, Mrs. Boynton."

Dean Papapetra, 31 East Otterman Street, Greensburg, PA. Mr. Papapetra, "I'm a disabled veteran. I was at Representative Tangretti's office a few weeks ago and I was parked at the handicapped meter. The lady inside told me to be careful because the meter lady is coming by and my meter might be expired so I should go put something in it."

And under State Law we have 60 minutes. I've been all over the eastern seaboard and have never been cited within those 60 minutes. I was told by the meter maid that I would have to go see the Chief and have the ticket expunged if I wouldn't have put the money in the meter. I put money in the meter, but I feel it's a waste of the Chief's and my time to take care of that ticket if it would have been put on the vehicle. I think I speak for a lot of disabled people with the meter situation, because Greensburg is the only City I ever heard of that gives you 60 minutes after you receive a ticket to have it taken care of.

Everywhere else they would chalk your tire and if they came by in 60 minutes and you still haven't put any money into the meter, they would cite you, which would be right because you did not pay into the meter. I called the Chief because I felt the meter person was a little bit rough around the edges. When you work with people you should be calm and talk to them in a pleasant manner."

Mayor Eisaman, "You're stating you're entitled to a 60 minute parking....?"

Mr. Papapetra, "It says it right here in the State application. It says, 'except for Local Ordinance or Police Regulations provide for the accommodation of heavy traffic'.

Representative Tangretti's office is at the Red Star which everyone knows is by the train station and it's basically a dead street. There's no heavy traffic there. They have their own lot to the left. There are two spaces for Representative Tangretti's office and the lawyer's office there. The other side is for the seniors' home which is reserved."

Mayor Eisaman, "I will have the Chief research that and then we will discuss it with the City Administrator and if we need to adjust some laws or ordinances if that is what's required by the State of Pennsylvania, then we'll be happy to do that."

Mr. Papapetra, "The way she explained it to me is that she has no way of telling when that meter was expired. I understand that, but from my recollections dealing with other ticket situations and things, they would put a small chalk mark on your tire and note the time. When they make their rounds again and you're still there and did not put anything into the meter, you would be cited which is right."

Mayor Eisaman, "This is all new to me, so I will have the Chief research it."

Mr. Papapetra, "I would like to get a copy of the City Ordinance and the Police Regulations stating that."

Mayor Eisaman, "Once again, that's what we will research and you're more than welcome to have a copy."

Mr. Papapetra, "Who do I speak to for a copy of the Ordinance?"

Ms. Trout, "You can speak to me."

Mr. Papapetra, "I can call you tomorrow to get the copies?"

Ms. Trout, "Sure."

Mr. Papapetra, "Thank you."

Mayor Eisaman, "My question is, just so I understand the situation, you were at a parking meter in a handicapped space and did you put a quarter in?"

Mr. Papapetra, "I put a quarter in and was in the office for a period of time talking to the folks inside on another issue. She had come through and the lady in the office told me 'be careful' because Representative Tangretti's office even has a problem with the said meter person that when she comes around there have been people in their vehicles sleeping and she cites them and does not wake them up. That's from Representative Tangretti's people. They're very busy folks. I don't want to take time out of the Chief's schedule or have to come all the way up; it's hard getting around sometime."

Mayor Eisaman, "I understand that, but I will take time out of his schedule for him to research this for me."

Mr. Papapetra, "He knows my name. There's another issue I have; St. Clair Park at night. The drug users are going there and Jeff Geier and I went up there last week and tried to talk to a supervisor to see if we could get patrols up there. I called and it's probably on record because they always ask for my name. Its 1:30-2:00 a.m. and they're up there having a good old time. From my understanding there are empty cigar tubes and baggies with the corners torn out and there used to be a park bench there. Now it's gone, thank God, because they make a mess of a beautiful park. I would like to see something done about it."

Ms. Trout, "What area of the park are you referring to?"

Mr. Papapetra, "Its right of the amphitheater. If you're sitting in the seats, it would be to your left."

Mayor Eisaman, "Towards the restrooms?"

Mr. Papapetra, "Yes, by the memorial for St. Clair. They make a mess of it. They put graffiti all over it. A couple of months ago you raided a home at 116 St. Clair Place. There were a bunch of vehicles there and it's still going on. I was walking the other morning and a few gentlemen walked out of that place and gave me some wild sign. I don't know what it meant, so I just kept my cool and kept on walking, because I do not

go for that stuff. And I don't think the people of the City should go for it either with the money that was put into that park and they're destroying it. It's not right."

Mayor Eisaman, "I agree and we'll talk to the nighttime supervisors about trying to increase the activity around there."

Mr. Papapetra, "I appreciate it, because there are a lot of people being disturbed by them and I know I'm not allowed to do anything legally, but there are times I'd like to go up with a baseball bat and break some legs."

Mayor Eisaman, "I wouldn't want to say that on public record."

Mr. Papapetra, "I don't care if it's on record or not. I feel it's not threatening because when there are 20 of them and only one person, you have to have something. Thank you."

Mayor Eisaman, "Thank you, sir."

Lori Shuster, 242 Painter Avenue, Greensburg, PA. Ms. Shuster, "About a month ago you guys sent us ballots for the parking permits, and I was just curious how that is coming along."

Ms. Trout, "I don't have a clear answer one way or the other. A number of your neighbors did not respond to the letter, so we're sending out second requests. We'll most likely have them out tomorrow. We were hoping to have them out today, but quite honestly the flood emergencies took up a good bit of our time."

Ms. Shuster, "Absolutely. Thank you."

Ms. Trout, "As soon as we have a clear answer we will let you know."

Mayor Eisaman, "Thank you."

Mr. Durda, "I counted the homes today and there are 22 homes. There is one home on the end of the 200-block on the left side, the even number, is not facing; it's not on our street. And there are two houses on the other side, the odd numbers, and they're not facing our street, so it's 22 homes. You were saying 23, 24 or 25, it's not so. It's only 22."

Ms. Trout, "Are you talking about Menoher Way? Is that what you're referring to?"

Mr. Durda, "Yes, about the permit parking and all that; it's 22 homes."

Mr. Papapetra "About the problem with the flooding, my sister works for the Hempfield Sewage Authority and it has nothing to do with Greensburg, but there are devices to prevent these folks' homes from being flooded. They put them into their drains, and they're called backflow preventers. What would it take to help these folks out to get some of those?"

Mayor Eisaman, "The GGSA is separate from the City and there was some discussion and the manager was going to check and/or confirm if those had been put in years ago. Somebody thought they were, but we never knew or heard about it."

Mr. Papapetra, "There are systems out there that don't have to go on the main line. They can go into each individual home."

Mayor Eisaman, "Correct, we're well aware of that. The GGSA did that on Euclid Avenue a couple of years back. Thank you."

Ms. Trout, "We actually have those on a couple of our City properties and we still got water."

Mayor Eisaman, "They're not 100% perfect, but they do try to help."

Kathy Barnard, 70 Northmont Street, Greensburg, PA. Ms. Barnard, "My husband, Richard and I live directly across from this little stream and sewage problem that everybody has been talking about. I have to tell you we moved into that neighborhood 14 years ago because my husband grew up on Glenview Avenue and we thought what a perfect neighborhood. I remember when we moved in a lot of the neighbors warning us of the sewage problems that they've had but also let us know it was going to be addressed and it shouldn't take very long. Here we are 14 years later talking about the same issues. I'm sitting here frustrated looking at these older citizens and myself and thinking about all the younger families that are living and moving into that neighborhood. Up until Thursday I planned on being in that neighborhood for a long time. Right now I can't tell you that I will be. I think about my property value with all the problems with the sewage and if I was to decide to put my house on the market, I can probably bet I won't get near what I should for it, which may be if I would have sold two years ago. I'm a little frustrated listening to that it's been shelved for 25 years or there were other priorities put in front of it. And how it was 20 years ago when we had a flood or whatever and we'll address that next time there's a flood. Well, there was a flood. I will be very frustrated if something is not done by the GGSA. I ask Council to please, please put this on the top of the list to help the neighbors down there to get this resolved so my son doesn't have to go through this again. It was very, very traumatic to sit on the basement steps in my family

room and watch everything that I worked for during the past 14 years destroyed. And then to find out there's no funds for it or anything and to find out this has been an issue for a long time and nothing has been done. So I just beg of you that you put your heads together and work with the GGSA or whoever to try and get this resolved for us in sooner than 14 years."

Mayor Eisaman, "The GGSA can only deal with some things such as looking at the lateral lines and checking out the reverse traps. It's really our responsibility that we need to move forward with our State Representatives to push this project forward."

Ms. Barnard, "I agree and any help you can do...."

Mayor Eisaman, "I didn't want anybody to think the GGSA would be involved as far as trying to get the funding to do this project. It's our responsibility to move it forward."

Ms. Barnard, "I understand. And again I'm just asking for your help to try to get this resolved for us sooner than later if you would please. Thank you."

Mayor Eisaman, "Thank you."

Ms. Boynton, "Is there any estimate of any kind that you can give us as to when we might expect some kind of response rather than just sitting out there 13 more years?"

Mayor Eisaman, "I would like to think on a conservative basis working with the State and the DEP and the DGS, before we could get anything back to you of a positive nature, we're probably looking at 45 days."

Ms. Boynton, "Well, that's an answer, and I thank you for that."

Mayor Eisaman, "I was going to say 60 days. Even though we weren't in the situation you were in it's sometimes frustrating for us dealing with the higher bureaucracy. They understand the concerns but they're looking at projects elsewhere and may not deem this one to be at the same level. Then it's our job to sell the project to them that they need to take care of it."

Ms. Boynton, "I'm sure you heard on the news tonight like all of us that Export and Murrys ville who went through similar situations on this last storm have received some kind of money and people are able to sign up for some relief if not all. That's probably through the State, I guess."

Mayor Eisaman, "It's part of the Pennsylvania Emergency Management Agency (PEMA) because they were in Murrys ville and Export on Saturday. I'm going to speak without a lot of knowledge but before you can bring in PEMA you have to have a percentage of properties in your community damaged. And Export and Murrys ville met the criteria"

Ms. Boynton, "And we have not?"

Mayor Eisaman, "No."

Ms. Boynton, "I don't like that answer. I'm sure all of us would be glad to help and stand up and we all have pictures."

Mayor Eisaman, "Once we get the process moving we would also ask the homeowners to be in contact with the State Representatives and State Senators."

Ms. Boynton, "I'm sure all of us will help you in any way we can."

Mayor Eisaman, "Once again we need to get moving on the process with a little more information as to numbers of bills we can attach to try and get the funding."

Ms. Boynton, "I'll call Tom in the morning."

Mr. Gordon, "We know the resolution of the project won't happen overnight although we hope a lot sooner than later. This needs to be done as soon as possible. In the meantime what action will the City be taking about the people upstream throwing all the materials in there?"

Mayor Eisaman, "As I said earlier tonight, we need to re-look at sending out that letter to the residents that they're not permitted to throw logs and everything like that. We also would ask if anybody sees their neighbors doing anything of that nature to call the Code Office."

Mr. Gordon, "A lot of people are just not going to do that."

Mayor Eisaman, "We're not necessarily looking for the names of the people we just want an area to patrol."

Mr. Gordon, "And that area needs somehow to be walked and patrolled occasionally to see who is throwing materials or putting them next to it because then when the water is high it goes right into it."

Mayor Eisaman, "Actually I had said the Code Office, but if you see a neighbor throwing debris along or in the creek please call the City Administrator's Office at 724-838-4323 and she can direct it to the proper channels."

Mr. Gordon, "Okay, thank you."

*****APPROVAL OF LAST MONTH'S COUNCIL MINUTES*****Councilman Tridico **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 Tridico **MOVED** to approve the bill list and pay the bills as the money becomes available. Councilman Peterinelli **SECONDED**. No discussion. **Unanimously all voted in favor.**

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

Councilman Peterinelli, "The Recreation Department is taking registrations for In-house Soccer. This is for boys and girls ages 4-9 years old. The program will start on Labor Day. Please call the Recreation Department at 724-834-4880 for more information. The fence is around the soccer field at Mt. Odin and the bleachers are there. They have to get them together so we're pretty good with that. Also, we're going to try something different this year at the golf course. Mt. Odin Golf Course is offering two discount specials that have been extended to October 31, 2007. The first one is the Senior Special. It's for 18 holes of golf with a cart including a hot dog and drink for \$22.00 per person. The second is a Foursome Special. Four people can play 18 holes of golf with a cart for \$78.00. Those specials are offered Monday through Thursday before 2:00 p.m. Also, the Nevin Arena is putting together the schedule of events for the ice season with information about all the public programs and public sessions. Also, the swimming pool was flooded last week. They finally opened on Saturday. Lynch Field was flooded, of course, but it is a floodplain so that's where all the water has to go. That's my report, Mayor."

Councilman Finrock, "As of July 25, 2007 Donegal Construction has completed resurfacing of all the streets as contracted and this year's program went extremely well and all the work was done to satisfaction. Also, on the paving side, the Street Department has completed additional paving projects, completely reconstructing three alleys; the alley behind 23 Spring Street, between Spring and Shearer; the second one is the alley between Pittsburgh and George from Tremont going west; and, finally the Moore Avenue alley that will service the new Wib Albright Parking Lot. And, I also have a couple of storm items here. Because of the winds from the storms that occurred last Thursday the Street Department has been inundated with calls to pick up tree branches and the like. Between Friday afternoon and today a total of 131 calls have been received. We are now operating two brush chippers in an attempt to go about the task of collecting the branches most quickly. Finally, a storm-related incident, additionally because of the heavy amount of rain that occurred during the storms last week there are several locations throughout the City where swift moving water washed away the asphalt. This would include intersections, along curbs and in parking lots. We will begin tomorrow starting to make repairs to these locations. That's where we stand so far."

Councilman Johnson, "On tonight's agenda there is a site plan/land development for the second project in the City's Gateway Overlay District being a proposed medical office for Dr. Almalouf at 555-559 West Newton Street. The Historical and Architectural Review Board (HARB) issued a Certificate of Appropriateness and in July the Planning Commission unanimously recommended the approval of the project for Council tonight. Also on tonight's agenda is the subdivision for 17 Division Street. This parcel consists of a front and back home and the property owner, Kevin Fulton, wants to separate the dwellings and create two lots. The Planning Commission also recommends approval of this subdivision. On tonight's agenda is an issue related to the City's Transit Revitalization Investment District (TRID) study. The Steering Committee appointed by City Council reviewed seven proposals and interviewed two teams of consultants. The Committee unanimously recommended the team of Mackin Engineering Company; Clearview Strategies, LLC; and Synergy Real Estate Corporation to the Planning Commission. The Planning Commission heard the presentation and also made the recommendation to City Council to hire this team. The study will be conducted in six months. Kick off will be September 5, 2007 at 4:00 p.m. in Council Chambers with the TRID Steering Committee. The study will provide the framework for revitalization and economic development for a value-capture area to be determined probably around the Transit Authority or the train station or a combination of both. The TRID study will provide the City, County, School District and all the other partners with an action plan, market study and a capital budget analysis for use in the TRID. Lastly, I just want to make Council aware that I'll be attending the Route 30 Smart Growth Corridor Study on

August 20, 2007 representing the City at the University of Pittsburgh. That concludes my report."

Councilman Tridico, "Our revenues are 1% less than our revenues in July 2006. Our expenses are the same as last year, so we almost broke even. Keep up the good work."

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

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

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

Bill No. 18 – AN ORDINANCE AMENDING SECTION 5-24, ENTITLED, 'PERSONNEL RULES AND REGULATIONS FOR FULL-TIME EMPLOYEES' OF CHAPTER 5, ENTITLED, 'ADMINISTRATION OF GOVERNMENT' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, "The purpose of Bill No. 18 at the time of introduction was to update the rules and regulations for full-time employees to include certain revisions and language consistent with the Local 30 Teamsters agreement that became effective January 1, 2007. Upon further review and based on legal advisement, the amendments made to the Personnel Rules and Regulations for Full-Time Employees, shall include deleting in its entirety, Section 5-24 from Chapter 5 of Ordinance No. 1646 and enacting a Resolution instead. Said Resolution, I would propose, would be presented for enactment at the September Council meeting and would include adopting the Personnel Rules and Regulations in the form of a handbook via the Resolution as opposed to an Ordinance format. This change will allow more flexibility in incorporating future revisions and updates to the handbook. Also, included in the update will be the addition of several new policies that are recommended to be made part of an employee handbook. At this time, I recommend Council table a decision on this Ordinance to allow them more time to review the new handbook which contains an abundance of updated and revised information. And again the plan would be to make this in the form of a Resolution at next month's meeting." Mayor Eisaman, "A Resolution or Council Approval?" Ms. Trout, "Resolution." Councilman Tridico **MOVED** to **TABLE** Bill No. 18, and Councilman Johnson **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to table Bill No. 18.**

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

- a. **Agreement between the City of Greensburg and the Pennsylvania Chiefs of Police Association.** Ms. Trout, "Council approval is for the establishment of a Regional or County Central Booking Program for the Pennsylvania Commission on Crime and Delinquency. Some resources for the project will be provided by Federal and State funds. The City's participation is a match of the Central Booking Grant in the amount of \$16,650.00, which is 25% of the cost of the purchase of one (1) livescan and one (1) CPIN system. I think there was an article in the Tribune-Review that discussed this possible grant." Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve the agreement.** Mayor Eisaman, "Wally, have they completed all the demolition yet on that?" Chief Lyons, "No, they're close."
- b. **Subdivision for 17 Division Street.** Ms. Trout, "Recommended unanimously by the Planning Commission for Council approval, the subdivision is requested by Kevin Fulton. Both properties have separate utility taps." Councilman Johnson **MOVED** to approve the subdivision and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. **Site Plan/Land Development for 555-559 West Newton Street.** Ms. Trout, "Recommended unanimously by the Planning Commission contingent upon receipt of an updated site plan showing landscaping details and storm water management, the site plan is for Dr. Thae Almalouf and the Pediatric Associates

of Westmoreland for the proposed construction of a new medical office building. The HARB has reviewed the project and has granted a Certificate of Appropriateness for the project."

Councilman Finfrock **MOVED** to approve the site plan/land development, and Councilman Johnson **SECONDED**.

Councilman Johnson, "Sue, did you talk to the doctor today?"

Ms. Trout, "Yes, and he's ready to move forward."

Councilman Tridico, "Do we have an updated site plan?"

Ms. Trout, "The site plan that was approved by the HARB, at least the design, is what he is planning to build."


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

- d. **Site Plan/Land Development for Greensburg Salem High School.** Ms. Trout, "The Planning Commission unanimously recommended Council approval of the project contingent upon receipt of approval letters from the engineers regarding the storm water management plan for a proposed addition to the 'Lion's Den' which is the high school's athletic/weight-lifting facility." Councilman Peterinelli **MOVED** to approve the site plan/land development based on the contingencies, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the site plan/land development.**
- e. **Hiring of Transit Revitalization Investment District (TRID) Consultant.** Ms. Trout, "The Planning Commission by majority vote recommends Council approval for the hiring of a team composed of Mackin Engineering; Synergy Real Estate; and Clearview Strategies to conduct the Greensburg TRID study. As part of the TRID study, the consultant will include a business plan and market study for business promotion." Councilman Finfrock **MOVED** to approve the hiring, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- f. **Agreement between the TRID Consultant and the City of Greensburg.** Ms. Trout, "In conjunction with Item e., Council approval authorizes the Mayor to execute the agreement for the TRID study by the recommended consulting team." Councilman Tridico **MOVED** to approve the agreement, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- g. **Hiring of Seasonal Employees at Mt. Odin.** Ms. Trout, "Nathan J. Stempfer and John Humberger are recommended to be hired in seasonal positions at Mt. Odin at \$8.00 per hour effective today, August 13, 2007. This is because we have some seasonal employees going back to college." Councilman Peterinelli **MOVED** to approve the hiring of the seasonal employees, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**
- h. **Agreement between 'Free Golf - Information Display Boards' and Mt. Odin Park.** Ms. Trout, "Approval authorizes the Mayor to enter into the agreement on behalf of the City in which the company, Free Golf, will supply and maintain an information display board featuring Mt. Odin Golf Course. A portion of the board is for Free Golf's advertisers. The City has the right to review all advertisers prior to any ad inserts. The agreement is for five (5) years and the City shall receive a 10% commission from advertising dollars collected during the first two (2) years and a 20% commission for the remaining three (3) years of the term. As part of the agreement, any damage and/or vandalism to the sign shall be the responsibility of Free Golf and not the City." Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.**
- i. **Change Order for Donegal Construction.** Ms. Trout, "Change Order No. 1 increases the contract amount awarded to Donegal Construction for the Resurfacing of Three Streets located in Saybrook Village from \$173,364.82 to \$173,757.46, a difference of \$392.64. That's pretty good estimating. The quantities have been reviewed and verified by Rick Hoyle and Ron Regola." Councilman Finfrock **MOVED** to approve the change order, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve.**

- j. **Consulting Structural Engineering Services Agreement between Atlantic Engineering Services (AES) of Pittsburgh, Inc. and the City of Greensburg.** Ms. Trout, "Council approval accepts the proposal for the rehabilitation of the Hutchinson Parking Garage that includes deck replacement and joint repairs in accordance with the recommendations provided in their Structural Condition Assessment Report dated April 27, 2007. Services in the proposal include but are not limited to the following: two (2) site visits to update the garage survey data; structural analysis and design requirements to address deteriorated structural concerns; preparation of contract documents; recommendation for a bid award; attendance at pre-bid meeting and preparation of meeting minutes; response to contractor's inquiries during the bidding and construction phases; administering of contractor's applications for payment; and up to 14 on-site visits with written reports conducted at appropriate intervals of construction to observe progress and work quality. The total fee for the services included in the agreement shall not exceed \$30,000 plus expenses. Those additional expenses could include travel, parking, photographic processing, copying and printing costs, postage and special shipping costs and the cost of tools or special equipment. Additional services other than what is included in the agreement would include: more than 14 site visits; providing opinions of probable cost; preparing a set of record drawings; preparation of component and/or cladding loading drawings or cladding design." Councilman Finfrock **Moved** to approve the agreement, and Councilman Tridico **Seconded**. Councilman Tridico, "Does this money come out of the Hutchinson Parking Fund?" Mayor Eisaman, "A portion of it will." Councilman Tridico, "It doesn't come out of the General Budget?" Ms. Perez, "No." No further discussion. **All voted unanimously to approve the agreement.**
- k. **Agreement between the City of Greensburg, the Wage Policy Committee of the Greensburg Police Department and a Member Police Officer Designated as the K-9 Officer.** Ms. Trout, "Council approval accepts the agreement outlining the responsibilities of each party of the agreement in regards to the assignment of a Police K-9 to the Police Department. The K-9 Officer, referred to as the 'K-9 handler' shall be fully compensated for the care, feeding, exercising, boarding and training to maintain handler and animal proficiency in accordance with the Fair Labor Standards Act. Some provisions of the agreement set forth training requirements for the handler and their assigned K-9; restricted use of a police vehicle at the discretion of the Police Chief; handler compensation and scheduling; and concessions for an ownership transfer agreement at the request of the K-9 handler at the conclusion of the work life of the assigned police K-9 and/or for transfer to another K-9 handler for any other reasons. We're asking that this agreement be retroactive to the day the handler, Chuck Irvin, took over Dax, the dog." Mayor Eisaman, "Dax has been with us six weeks?" Chief Lyons, "About four weeks." Mayor Eisaman, "And hopefully by October he'll be in full operation. He's currently in training to be used in drug enforcement and other aspects." Councilman Peterinelli **Moved** to approve the agreement, and Councilman Johnson **Seconded**. No further discussion. **All voted unanimously to approve the agreement.**

ADJOURNMENT Councilman Peterinelli **Moved** to adjourn the meeting. **Seconded:** Councilman Tridico. Unanimously all voted in favor to **adjourn**.

RESPECTFULLY SUBMITTED:


Susan M. Trout, City Administrator

ame

CITY COUNCIL MEETING

MINUTES

Monday, July 9, 2007

7:00 p.m.

Mayor Eisaman called the meeting to order at 7:10 p.m. City Administrator, Susan Trout, took roll call with the following members present: Councilman Finfrock, Councilman Johnson, Councilman Peterinelli, Councilman Tridico and Mayor Eisaman. City Solicitor, Timothy McCormick; City Treasurer, Rob DePasquale; and Fiscal Director, Mary Perez were also present.

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

*****APPROVAL OF LAST MONTH'S COUNCIL MINUTES*****Councilman Finfrock **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 Tridico **MOVED** to approve the bill list and pay the bills as the money becomes available. Councilman Johnson **SECONDED**. No discussion. **Unanimously all voted in favor.**

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

Councilman Peterinelli, "The Recreation Department is currently taking registrations for the Youth Football and Cheerleading programs. These programs are for children ages 7-12. Also, Summer Camp is being held at Lynch Field from July 16-20, 2007. The program is from 6:00-8:30 p.m. On Wednesday, July 18, 2007, Representative Tangretti will hold a Health Fair at Nevin Arena from 9:00 a.m. to 1:00 p.m. And, also, on Saturday, July 21, 2007 the annual Ice Cream Blast will be held at the Nevin Arena from 12:00 -4:00 p.m. There is a \$3 admission fee and this program is sponsored by ParentWise and the Recreation Department."

Councilman Finfrock, "Public Works is in the current process of working through vacations, so we almost have everybody's vacations out of the way and we should be back to a full staff shortly. The contracted paving of the streets that were listed is just about complete. There are still a couple of leftovers that need to be finished but they're well underway and should be finished shortly. We're in the process now of repairing potholes and doing alleys and some of the smaller streets. That will resume next week. We had some issues with the street sweeper. They have been repaired as of today. Also, line painting will resume tomorrow on some of the newer streets that have been blacktopped. Finally, the chipper is out working on a daily basis to pick up branches and shrubs and we're keeping up with that. One more thing, as far as inspecting City vehicles, we're actually working a month ahead on those now, so we're well ahead of schedule on that. So we're in good shape at Public Works."

Councilman Johnson, "Up for Council approval tonight is the reappointment of Rick Cutia to the Planning Commission for an additional 4-year term. Rick served the Commission well and we hope that Council will agree to this extension. Again, from last month is the approval needed from Council for a subdivision on the William Faulk property at 434, 438 and 440 South Maple Avenue. If Council remembers this comes with the Planning Commission's approval contingent upon each having its own sewage taps. It should be noted and I'm sure most of you have observed that the Main Street improvements have been underway in downtown. Also on tonight's agenda Council is being asked to authorize the Mayor to execute agreements with the Community Development Block Grant funding in the amount of \$323,000 for the installation of sidewalks, curbing and street lighting for Harrison Avenue and Ehalt Street. These are in conjunction with the Seton Hill project and should be coordinated with their building schedule. That's all."

Councilman Tridico, "Our revenues are at 59% of the budget. This is 1% lower than revenues of June 2006. Our expenses are at 47% of the budget. This is 1% lower than last year. So we broke even again."

MAYOR'S REPORT

- a. **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 Administrator's Office.
- b. **Elected Officials Leadership Training Program.** Mayor Eisaman, "I would like to congratulate our City Treasurer, Rob DePasquale for receiving his Elected Officials Leadership Training Program Certificate at the State Convention of the Pennsylvania League of Cities and Municipalities (PLCM). That's a program the PLCM has put on that when you complete more than 20 hours of attendance at credited training seminars and conferences included in the PLCM Elected Officials Leadership Training Program, you are awarded a certificate. Congratulations, Rob."
- c. **'Art-i-val' – July 19th – July 22nd.** Ms. Trout, "Formerly known as *'Summer in the City'*, the event is going to put more emphasis on the arts this year with a focus on visual arts, music and theater. Festivities kick off on Thursday evening with the *'Thank Goodness It's Summer'* (TGIS) get-together at Megan's Suite at the Palace Theatre; on Friday evening at 7:00 p.m., our *'SummerSounds'* concert series features *'Blue Highway'* and will be held at the Robertshaw Amphitheater; highlights on Saturday include a chess tournament at dV8, a Juried Art Show at Megan's Suite; performances at the Palace Theatre by a flute group and Stage Right, a sidewalk art contest, art vendors, planned activities at the Library and the Museum, and Medieval activities hosted by dV8; and once again on Sunday evening, the City is sponsoring the *Sadecky's Puppet Show*, a car cruise and an encore performance by *Johnny Angel and the Halos*. We hope everyone has an opportunity to partake in *'Art-i-val'* and to visit the shops downtown where the merchants will offer specials and sidewalk sales for the 4-day event."

INTRODUCTION OF BILLS

Bill No. 18 – AN ORDINANCE AMENDING SECTION 5-24, ENTITLED, 'PERSONNEL RULES AND REGULATIONS FOR FULL-TIME EMPLOYEES' OF CHAPTER 5, ENTITLED, 'ADMINISTRATION OF GOVERNMENT' OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, "The purpose of Bill No. 18 is to update the full-time employee rules and regulations to include certain revisions and language consistent with the Local 30 Teamsters agreement that became effective January 1, 2007."

ADOPTION OF BILLS AS ORDINANCES

Bill No. 17 as Ordinance No. 1954 – AN ORDINANCE VACATING AN ALLEY IN THE SIXTH WARD OF THE CITY OF GREENSBURG, COUNTY OF WESTMORELAND. Ms. Trout, "Richard A. Haenel, the property owner of 639 West Otterman Street, has petitioned the City to vacate the unopened alley that abuts his property. The property owners of 637 West Otterman Street and 118-120 Jefferson Street, the only other properties that abut the alley, have joined in with the request of Mr. Haenel and granted their consent." Councilman Peterinelli **MOVED** to adopt Bill No. 17 as Ordinance No. 1954, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 17 as Ordinance No. 1954.**

ENACTMENT OF RESOLUTIONS

Resolution No. 1110 – A RESOLUTION OF THE CITY OF GREENSBURG, WESTMORELAND COUNTY, PENNSYLVANIA GRANTING AN INTER-MUNICIPAL LIQUOR LICENSE TRANSFER OF PENNSYLVANIA LIQUOR LICENSE R-16499 FROM NEW KENSINGTON TO THE CITY OF GREENSBURG. Ms. Trout, "In conjunction with the Public Hearing held earlier this evening, enactment of Resolution No. 1110 grants the inter-municipal license transfer for Matt Curiale to utilize the liquor license at 25 East Pittsburgh Street." Mayor Eisaman, "We know that the liquor license is being transferred in, do we know who the applicant is? Is it actually Matt Curiale as an individual or is it a corporation?"

Solicitor McCormick, "I assume it is whoever the agreement is with and I assume from everything he said it is Mr. Davis and Mr. Curiale as partners."

Mayor Eisaman, "But we don't know whether it is a corporation or a partnership?"

Solicitor McCormick, "The agreement of sale is in Matthew Curiale's name alone as an individual. So he would own it."

Councilman Johnson, "Because there was no public comment here, does that mean that the Baggy Knee and Harry's are both in agreement to have another bar?"

Solicitor McCormick, "I don't know that I would assume they were in agreement, but it was legally advertised and no one showed up to protest it, so they had the legal right to be here and in choosing not to be here there is no protest."

Mayor Eisaman, "With regard to Resolution No. 1110, you had mentioned in the public hearing that we need to act on this within 45 days so it's either this meeting or the next meeting?"

Solicitor McCormick, "Well actually it says here 'of a request for approval render a decision by ordinance or resolution'; what's the date of the letter?"

Ms. Trout, "The date of the letter is May 29th."

Solicitor McCormick, "If you look at this technically with what it says right here, when Greg Nichols and I were talking about it earlier, we both sort of understood it to mean from the date of the hearing, but this says within 45 days of a request for approval. One of the things Council is going to have to tackle with this change in the law is to try to decide if they do want to come up with some sort of policy for this Council or some political consideration for, are there enough bars; are there going to be more bars; under what situations, this, that and the other thing. Fortunately the law is opened up to the point where it gives you that political discretion. As to this particular application and I'm not speaking in favor of it other than the fact that what you have there right now is a vacant building. It's not producing anything. I know there are concerns from what had gone on there previously but I think these two gentlemen have tried to answer some of those questions. So what you end up with this particular approval is you at least will have some business giving it a go and apparently the club license is free to go somewhere else. I think one of the things down the road you may want to look at is do you want to have some sort of future policy regarding these requests or is it just sort of a case-by-case consideration? The one good thing is I just thought the previous law was very unfair because to build a case that's going to pass court muster, a bar is going to be dangerous to the welfare, health, peace and morals; it's almost an impossible legal burden to meet. You have to predict bad behavior. I'm at least glad they changed the law to give you clearly the discretion, but if you want to read the law right to its technicality then you better act tonight..."

Mayor Eisaman, "Based on the date of the letter?"

Solicitor McCormick, "Yes, you better act tonight or you run the risk of it being deemed approval like in a land situation; and that's nay or yea whether you want to vote it down or vote it up. I would suggest you do take a vote tonight."

Mayor Eisaman, "Sometimes when we have planning or zoning changes we'll put conditions such as they clean up the exterior premises within 30 days, but from what I understand it doesn't sound like we have the ability to do that?"

Solicitor McCormick, "No, but you can send Les over tomorrow morning and tell them they need to clean this place up. Plus you pointed out the Historical and Architectural Review Board (HARB) and all that they have to comply with."

Councilman Johnson, "I don't know if they're aware of that."

Solicitor McCormick, "Maybe someone could deliver the good news to them tomorrow morning if it's approved with some suggestions to get with it, because it really does look unattractive."

Councilman Johnson, "It's more than cutting the grass; that building needs 'rehabbed' on the outside."

Solicitor McCormick, "Well maybe Barb wants to go down and deliver the HARB guidelines to them, because they definitely apply. The problem you have though is the way that building is set up inside it really would be difficult to restructure it into office space or something like that."

Councilman Johnson, "When he said you could move it any other place, I think zoning plays a role in that. My concern was let's say they're not going to go with this HARB stuff; they say 'forget it; that would be too much money'. Now they can go anywhere they want in the City."

Mayor Eisaman, "Providing it doesn't violate the church footage and other restaurants."

Solicitor McCormick, "Plus zoning; that's very difficult. As Greg indicated, you're basically restricted anymore to downtown areas. You've got some of the neighborhood

bars that have been grandfathered because they were there prior. But going into a neighborhood; you just can't open them up anymore like you used to."

Councilman Johnson, "I think Bob Davis is historically sensitive, so he may have a shot at it."

Ms. Trout, "He mentioned he had conversations with Steve Gifford, so maybe Steve has educated him about the HARB."

Councilman Johnson **MOVED** to enact Resolution No. 1110, and Councilman Peterinelli **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1110.**

Resolution No. 1111 – A RESOLUTION OF THE CITY OF GREENSBURG, WESTMORELAND COUNTY, PENNSYLVANIA, DESIGNATING GIBSON-THOMAS ENGINEERING COMPANY, INC. AS THE CITY'S CONSULTING ENGINEERING FIRM FOR THE PURPOSE OF FACILITATING NECESSARY BRIDGE INSPECTIONS FOR THE FIVE-YEAR FEDERAL HIGHWAY ADMINISTRATION'S NATIONAL BRIDGE INSPECTION STANDARDS (NBIS) PROGRAM; AND AUTHORIZING THE MAYOR TO ENTER AND EXECUTE ON BEHALF OF THE CITY ANY CORRESPONDING AGREEMENTS WITH THE APPOINTED ENGINEERING CONSULTANT AND/OR INVENTORY AND INSPECTION REIMBURSEMENT AGREEMENT(S) AND OR SUPPLEMENTAL REIMBURSEMENT AGREEMENTS WITH THE COMMONWEALTH OF PENNSYLVANIA'S DEPARTMENT OF TRANSPORTATION (PENNDOT). Ms. Trout, "We were asked by PennDOT to update our Resolution considering the fact that it was very old in regard to bridges."

Councilman Tridico **MOVED** to enact Resolution No. 1111, and Councilman Finfrock **SECONDED**. No discussion. Roll call vote was taken. **Mayor Eisaman abstained, and all others voted unanimously to enact Resolution No. 1111.**

Resolution No. 1112 - A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE ACCEPTANCE OF THE SUM OF FIVE THOUSAND THREE HUNDRED DOLLARS (\$5,300) FROM THE WESTMORELAND COUNTY DISTRICT ATTORNEY'S OFFICE UNDER THE PROVISIONS OF THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, SETTING FORTH THE TERMS AND CONDITIONS FOR ACCEPTANCE OF SAID FUNDS AS WELL AS THE SPECIFIC PURCHASES THE CITY AGREES TO MAKE WITH SAID FUNDS. Ms. Trout, "Enactment of Resolution No. 1112 authorizes the acceptance of these funds distributed by the District Attorney's Office for the purpose of initiating a Police Canine Program in the City of Greensburg."

Councilman Peterinelli **MOVED** to enact Resolution No. 1112, and Councilman Johnson **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1112.**

Resolution No. 1113 – A RESOLUTION OF THE CITY OF GREENSBURG AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN AMENDMENT TO THE CITY'S DEFERRED COMPENSATION PROGRAM ADDING TO THE 457 (b) GOVERNMENTAL PLAN DOCUMENT ADMINISTERED BY NATIONWIDE RETIREMENT SOLUTIONS A NEW SECTION, NO. 8.06 ENTITLED 'LOANS TO PARTICIPANTS' APPLICABLE TO EACH CITY EMPLOYEE WHO ELECTS TO PARTICIPATE IN THE PLAN. Ms. Trout, "Enactment of Resolution No. 1113 permits member employees to borrow from their contributions to the 457(b) plan with no responsibility for repayment conditions or loan default placed upon the City. Council's approval of the amendment to the plan document is simply to permit the loan program."

Councilman Tridico, "What brought this on?"

Ms. Trout, "Requests by employees as well as information that was sent by Nationwide that this program is available for their use."

Councilman Tridico, "Have you had 'takers'?"

Ms. Trout, "We've had requests."

Councilman Tridico **MOVED** to enact Resolution No. 1113, and Councilman Finfrock **SECONDED**. No further discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1113.**

COUNCIL APPROVAL

- a. **Reappointment to the Civil Service Commission.** Ms. Trout, "Council approval reappoints Ronald Silvis to a 3-year term on the Commission until July 9, 2010."
Councilman Johnson **MOVED** to approve the reappointment, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**
- b. **Reappointment to the Planning Commission.** Ms. Trout, "Council approval reappoints Rick Cutia to a 4-year term on the Commission until June 14, 2011."
Councilman Johnson **MOVED** to approve the reappointment, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve.**
- c. **Hiring of Seasonal Recreation Department Employee.** Ms. Trout, "Erika Yates is recommended to be hired as a cashier and fill-in pool maintenance employee at the rate of \$6.25 per hour and as a fill-in lifeguard at the rate of \$6.50 per hour retroactive to June 25, 2007. On July 1st, with the automatic minimum wage increase, her rate increased to \$7.15 for the cashier and maintenance positions and \$7.25 for the lifeguard position."
Councilman Peterinelli **MOVED** to approve the hiring, and Councilman Johnson **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- d. **Service Maintenance Agreement between the City of Greensburg and Copier Corporation.** Ms. Trout, "Council approval accepts the maintenance agreement for the copier at the Bell Garage for the period of August 1, 2007 through July 31, 2008 in the amount of \$240.00, which is the same price as last year."
Councilman Johnson **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No discussion. **Mayor Eisaman abstained, and all others voted unanimously to approve the service agreement.**
- e. **Grant Agreement between the City of Greensburg and the Robertshaw Charitable Foundation.** Ms. Trout, "Council approval authorizes the Mayor to execute the agreement accepting the terms set forth by the Foundation for a grant in the amount of \$4,000 to be used towards the purchase of a backdrop for the amphitheater stage and to attract high-quality bands for the 'SummerSounds' concert program."
Councilman Johnson **MOVED** to approve the grant agreement, and Councilman Finfrock **SECONDED**.
Councilman Johnson, "Is that the backdrop that is there now?"
Ms. Trout, "It's the one that has different colors on it to make it look like a banner is going across that says St. Clair Park. The idea is to switch them out so they both have a longer life."
Mayor Eisaman, "What's the average life span of a back drop?"
Ms. Trout, "I think it depends on how well you take care of it."
No further discussion. **All voted unanimously to approve.**
- f. **Subdivision for the William Faulk Property.** Ms. Trout, "Awaiting the installation of separate sewer taps for the properties, Council tabled a decision at last month's meeting on approval of the subdivision for 434, 438 and 440 South Maple Avenue. The Planning Commission had recommended Council approval contingent upon each home having a separate sewage tap. We were recently submitted a letter by William Faulk asking us to reject this subdivision at this time. He is not in a position to move forward with it."
Mayor Eisaman, "By us rejecting it does that create a problem if he wants to resubmit it since it's under Council approval six months or a year from now? Does he have a time limitation?"
Solicitor McCormick, "That's a good question, but I don't know of any restriction of when a rejected request can be resubmitted. There are restrictions with other things that I'm aware of, for instance, petitions to do certain things with the elections and that type of thing, but I don't know of any restrictions on resubmitting it. It's probably a money issue at this time. You're talking about three sewage taps. I don't know of any restrictions. That's the risk he has."
Councilman Peterinelli **MOVED** to reject the approval of the subdivision as requested by the property owner, and Councilman Tridico **SECONDED**. No

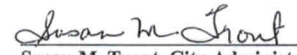
further discussion. All voted unanimously to approve the rejection of the subdivision.

- g. **Garden Steward Agreement between the City of Greensburg and the Western Pennsylvania Conservancy.** Ms. Trout, "Council approval commits the City to serve as a Garden Steward for a garden in the Gateway to the City located on Route 30 West and Greengate Road in which the City agrees to provide stewardship to sustain the garden for the 2007 through 2010 growing seasons. The City Administrator will act as the Point of Contact for the site and coordinate certain shared activities with Hempfield Township that include grass cutting and placement of 'Men at Work' signs and traffic cones when work is being conducted at the site. Hempfield will be solely responsible for trash and debris removal from the site. The City will be responsible for coordination of planting, caretaking, weeding and pulling out of the garden; preparation of the beds by tilling, fertilizing and laying down plastic for planting each spring by Mt. Odin employees and coordination of volunteer groups that will help plan and consult on the garden."
Mayor Eisaman, "What's PennDOT's responsibility? When do they cut grass?"
Ms. Trout, "They are supposed to be cutting the grass on the opposite side of Route 30; the area between Route 30 and Toll Gate Hill."
Councilman Tridico **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No further discussion. All voted unanimously to approve the garden steward agreement.
- h. **2007 Community Development Block Grant (CDBG) Subrecipient Agreement between the City of Greensburg and Westmoreland County.** Ms. Trout, "Council approval authorizes the Mayor to execute the agreements on behalf of the City for CDBG funding in the amount of \$323,000 for the installation of sidewalks, curbing and street lights on Harrison Avenue and Ehalt Street as part of the City's Redevelopment Project."
Councilman Johnson **MOVED** to approve the agreement, and Councilman Tridico **SECONDED**. No discussion. All voted unanimously to approve.
- i. **Loans to Participants Amendment to the 457 (b) Governmental Plan Document.** Ms. Trout, "As explained earlier under Resolution No. 1113, approval amends the Deferred Compensation Plan offered to City employees adding an option for participants to borrow from their contributions."
Councilman Tridico, "I thought we voted on that?"
Mayor Eisaman, "One of them was a resolution and this is requiring governmental approval for the change to the plan document."
Councilman Johnson, "When they ask to borrow money from this do they know their money can get better interest by leaving it in there? Are they given all the options that they realize they're hurting themselves by taking the money out of this?"
Ms. Perez, "Yes, I've had the discussion with a couple of employees who have requested already. When they pay it back they are actually paying interest back on it, which goes right back into their account."
Councilman Johnson, "At the rate the rest of the people are gaining?"
Ms. Perez, "No."
Mayor Eisaman, "It's a rate predetermined by the Government, isn't it?"
Ms. Perez, "Yes, outlined in that agreement. It's not as good a rate as they would be getting if they leave their money there. That is all explained to them. There is paperwork they have to fill out."
Councilman Johnson, "Sometimes things happen to a family; you need this or that and you react, and 30 years down the road you regret that."
Ms. Perez, "Right now the only way for an employee to get their money out is under what they call an unforeseeable emergency. And if you don't fall into one of those categories, but you need your money, there's no way for you to get it out. This just gives them another option."
Mayor Eisaman, "Under a 457 it is money the employee has contributed without a true match from the City of Greensburg; pre-tax dollars."
Ms. Perez, "Correct. It's their own money they are borrowing."
Councilman Tridico, "Is there a cap on the amount they can borrow?"
Ms. Perez, "The maximum they can borrow is up to 50% of whatever they have in their account."

Councilman Peterinelli **MOVED** to approve the amendment, and Councilman Finfrock **SECONDED**. No further discussion. All voted **unanimously** to approve the amendment to the plan document.

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

RESPECTFULLY SUBMITTED:


Susan M. Trout, City Administrator

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