

BOROUGH OF WHITE OAK
Minutes of a Council Meeting
April 16, 2018, 8:00 PM

CALL TO ORDER: President Dave Pasternak called the meeting to order at 8:06 PM.

PLEDGE OF ALLEGIANCE: Dave Pasternak

ROLL CALL: Dave Pasternak requested the roll call. In attendance was:

Elected Officials:

Mayor Ina Marton
David J. Pasternak, President
Kenneth Robb, Vice President
George Dillinger, President Pro-Tem
Edward Babyak
Louis Bender
Charles Davis
Sean Robb

Borough Staff and Professional Services:

Krishna DiMascio, Borough Solicitor
Ken Hillman, Borough Engineer
Michelle Gessner, Assistant Secretary
John Palyo, Borough Manager

MINUTES: No minutes presented at this time for approval.

EXECUTIVE SESSION: Krisha DiMascio announced that prior to the meeting an Executive Session was held to discuss items related to personnel and pending litigation. She also announced that Council held Executive Sessions following the April 2, 2018 Workshop meeting for the purposes of personnel and pending litigation.

PUBLIC COMMENTS:

C. Richard Bryce, 2612 Messinger Lane: Mr. Bryce expressed dissatisfaction that the American flag has not been flying in front of the municipal building. Council informed Mr. Bryce that the rope broke during a recent storm and arrangements have been made to rent a lift to have public works sand, primer, paint and install a new rope and hooks. This task should be completed by the end of the week.

PRESIDENT'S REPORT: Dave Pasternak announced that he, the Mayor and Borough Manager attended the Steel Rivers COG Annual General Assembly meeting on March 28, 2018.

MAYOR'S REPORT: Mayor Marton provided the Police Activity Report for March 2018.

Arrests: 17 (14 adults – 3 juveniles)	
Assault	4
Borough Ordinance Violation	3
Disorderly Conduct	1
Drug offenses (Violation of Title 35)	2
DUI	1
Robbery	2
Theft	3
Unlawful Restraint	1
Summary traffic offenses	61
Total incidents	695

Mayor Marton announced Food Truck Fridays at Sampson's Mills Presbyterian Church from 5 to 9 PM during the first Friday of every month during June, July and August.

Mayor Marton and Borough Council recognized the Carnegie Library of McKeesport with a proclamation in honor of National Library Week, April 8th to 14th and presented Colleen Denne, the recently appointed library director with the proclamation. She announced that the White Oak branch of the Carnegie Library of McKeesport, located at 169 Victoria Dr., is open to the public 2 to 10 p.m. Mondays and Tuesdays, 2 to 6 p.m. Wednesdays and Thursdays and 10 a.m. to 2 p.m. on Saturdays.

COUNCIL COMMITTEE REPORTS:

FINANCE: George Dillinger presented the finance report.

George Dillinger made a motion to accept the Treasurer's report for March 2018 as read. Charles Davis seconded the motion. The motion was unanimously approved.

George Dillinger made a motion approving the Check Register for the month of March, which includes Electronic Fund Transfers and General Funds Checks in the following ranges (108861 to 108867) and (202925 to 203025) totaling \$333,347.81. Kenneth Robb seconded the motion. The motion was unanimously approved.

George Dillinger made a motion authorizing the following Interfund Transfers for March. Sean Robb seconded the motion. The motion was unanimously approved.

From	To	Amount
Capital Projects	General Fund	1,529.08
Liquid Fuels	General Fund	8,253.28
Solid Waste	General Fund	39,896.38
Total Transfers		49,678.74

HEALTH, ENVIRONMENT AND CABLE: Louis Bender presented the health, environment and cable report.

Louis Bender made a motion to satisfy the following liens as paid in full. George Dillinger seconded the motion. The motion was unanimously approved.

Lot & Block	Lien Number
461-P-127	GD-16-004499
552-A-126	GD-16-006374
650-G-128	GD-16-002393

Louis Bender made the following announcements:

- Borough Clean Up Day has been scheduled for April 28, 2018. Volunteers are welcome to participate. The event is from 10:00 AM to 1:00 PM, be at the Heritage Hill Pavilion for 9:30 AM to help prepare for the event.
- The Rabies Clinic in partnership with the White Oak Animal Safe Haven is scheduled for Saturday, May 19th from 12:00 PM to 3:00 PM at the Municipal Public Works Garage. Resident rate is \$5.00, proof of residency is required. Non-Resident rate is \$10.00.

Edward Babyak made a motion authorizing payment to Dave Collura Wildlife Control, in the amount of \$490.00 for services in the month of March 2018. George Dillinger seconded the motion. The motion was unanimously approved.

Louis Bender stated that Gaydos-Behanna Kennel did not submit any invoices for services within the month of January, February and March for animal control services.

PARKS AND RECREATION: Sean Robb presented the parks and recreation committee report.

The Committee met with the Pool Management team is discussing preparations for the 2018 Pool Season. Sean Robb made a motion to establish the 2018 season rates of \$60.00 per person for the resident season pass and \$100 per person for the non-resident season pass. The daily rates will remain the same. Kenneth Robb seconded the motion. The motion was unanimously approved.

Sean Robb made a motion to authorize the police to staff the pool on opening day. Kenneth Robb seconded the motion. The motion was unanimously approved.

Sean Robb made the following announcements:

- Council received a request by the White Oak Swim Team Board requesting permission to place a storage shed on the pool grounds and to sell and hang fundraising banners on the fence of the complex. This will be referred to Committee for a recommendation.
- The next White Oak Recreation Board Youth Dance is on April 20th.

Sean Robb made a motion to approve the use of Heritage Hill Pool for the Founders' Hall Middle School program on Wednesday, May 30th from 10:45 AM to 2:30 PM. Alternate Rain Date is Friday, June 1st. George Dillinger seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to eliminate private rental parties at the Heritage Hill Pool with the exception of the swim team and school district. Charles Davis seconded the motion. The motion was unanimously approved.

Sean Robb made a motion to extend the current contract for an additional year for the operation of the pool concession stand to The Twin Oaks at no cost increase. George Dillinger seconded the motion. The motion was unanimously approved.

PLANNING AND ZONING: Edward Babyak presented the planning and zoning report.

The March monthly permit/violation report is available for review during normal business hours.

PUBLIC SAFETY REPORT: Kenneth Robb announced that we are in the finalization process of a new contract with our police department.

PUBLIC WORKS: Charles Davis presented the public works report.

The monthly report for March is available for review during normal business hours.

Charles Davis made a motion to enter into an agreement with the Steel Rivers COG for street sweeping services at a rate of \$ 85.00 per hour and authorize the appropriate representatives of the Borough to sign the agreement. George Dillinger seconded the motion. The motion was approved with six yes votes and 1 abstention by Dave Pasternak as he is the President of the SRCOG.

Charles Davis made a motion to extend a contract to Tim Estep for vacant lot mowing services at the same established rates as 2017. Kenneth Robb seconded the motion. The motion was unanimously approved.

Personnel: Dave Pasternak presented the personnel report.

Kenneth Robb made a motion to approve an additional 1% raise for the five (5) nonunion administrative personnel retroactive to January 1, 2018. Louis Bender seconded the motion. The motion was unanimously approved.

Tax Collectors' Reports: Dave Pasternak read the reports.

George Dillinger made a motion to accept the Tax Collectors' Reports and pay the commissions and fees due. Kenneth Robb seconded the motion. The motion was unanimously approved.

Engineer's Report: Ken Hillman reviewed the Engineering report.

Solicitor's Report: Krisha DiMascio commented on the Solicitor's report.

Charles Davis made a motion to accept the Solicitor's Report and pay the fees due to Dodaro, Matta & Cambest for Invoice #15728, dated April 13, 2018, totaling \$1,892.00. Kenneth Robb seconded the motion. The motion was unanimously approved.

Krisha DiMascio discussed the following items:

- **MACM Settlement Agreement:** Edward Babyak made a motion to accept the MACM settlement agreement and authorize the appropriate representatives of the Borough to sign the agreement. Sean Robb seconded the motion. David J. Pasternak requested a Roll Call Vote.

Roll Call Vote:

Yes Votes: Louis Bender, Ed Babyak, Dave Pasternak, George Dillinger, Charles Davis, Sean Robb, Kenneth Robb

No Votes: None

The motion passed with seven (7) yes votes and zero (0) no votes.

- **Police Department Ride-along Policy, Community Center Usage / Rental Agreements and Recreation Board By-Laws.** All items have been referred to the appropriate Council Committee for recommendation.

RESOLUTIONS AND ORDINANCES: Krisha DiMascio presented the following Resolutions and Ordinances

George Dillinger made a motion to adopt Resolution #2018-13 to make refund of certain real property taxes to certain property owners as hereinafter listed by reason of official change order, gentrification, issued by the Allegheny County Board of Assessments, appeals and review as well as abatements or overpayments. Kenneth Robb seconded the motion. The motion was unanimously approved.

While under our Reorganization Meeting the following appointments were made, the following two Resolutions are to formalize the Appointments as required by separate agreements as part of the respective programs.

Kenneth Robb made a motion to adopt Resolution #2018-14 appointing Louis G. Bender as the Representative and David J. Pasternak as an Alternate to the SHACOG Franchising Authority Board. Sean Robb seconded the motion. The motion was unanimously approved.

Sean Robb made a motion to adopt Resolution #2018-15 appointing John Palyo as the Representative and David J. Pasternak as Alternate Representative #1 and George Dillinger as Alternate Representative #2 to the Allegheny County Southeast Tax Collection Committee. Kenneth Robb seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to adopt Resolution #2018-16 adopting a police ride along policy. Edward Babyak seconded the motion. Comments on the motion: Louis Bender asked if the Chief reviewed and approved this policy. George Dillinger stated that, "This is the first time I had an opportunity to review the policy and at this time he would not support this venture." Kenneth Robb rescinded his original motion. Kenneth Robb then made a motion to table the resolution. Edward Babyak seconded the motion. The motion was unanimously approved.

Charles Davis made a motion to adopt Ordinance #2018-17 which is an Ordinance of the Borough of White Oak, Allegheny County, Pennsylvania, creating Part Thirteen, Title Nine of the Borough of White Oak's Ordinances governing medical marijuana operations within the municipal limits of the Borough of White Oak. Sean Robb seconded the motion. David J. Pasternak requested a Roll Call Vote.

Roll Call Vote:

Yes Votes: Ed Babyak, Dave Pasternak, Charles Davis, Sean Robb, Kenneth Robb

No Votes: Louis Bender, George Dillinger

The motion passed with five (5) yes votes and two (2) no votes.

Charles Davis made a motion to adopt Ordinance #2018-18 which is an Ordinance of the Borough of White Oak, Allegheny County, Pennsylvania, creating part Thirteen, Title Eight of the Borough of White Oak's Ordinances, governing oil and gas operations within the municipal limits of the Borough of White Oak.. George Dillinger seconded the motion. David J. Pasternak requested a Roll Call Vote.

Roll Call Vote:

Yes Votes: Ed Babyak, Dave Pasternak, George Dillinger, Charles Davis, Sean Robb, Kenneth Robb

No Votes: Louis Bender

The motion passed with six (6) yes votes and one (1) no vote.

NEW BUSINESS: Sean Robb presented President David J. Pasternak with a letter of resignation from Council effective at the close of business this day of April 16, 2018 at 11:59 PM due to a business opportunity outside of the Commonwealth of Pennsylvania.

Kenneth Robb made a motion to accept the letter of resignation from Sean Robb effective at the close of business this day of April 16, 2018 at 11:59 PM. Charles Davis seconded the motion. The motion was unanimously approved.

ANNOUNCEMENTS:

- May 7th, 6:45 PM – Council Workshop Meeting (Open to the Public)
- May 21st, 6:45 PM – Council Workshop Meeting (Open to the Public)
8:00 PM – Council Meeting (Open to the Public)

COMMUNICATIONS: John Palyo presented the communications.

- On April 11, 2018 the Borough received a copy of a letter from the Allegheny County Health Department requesting from MAWC an update on what actions they have taken to determine the causes of basement backups in the area, as well as a plan and schedule for eliminating these backups in the future.
- Notice from the South Hills Area COG announcing the 2018 Spring Commodities Bid Tabulations are complete and that members must formally accept the bids in order for vendors to lock in the bid pricing. George Dillinger made a motion to accept the 2018 Bid Tabulation and authorize the Borough Manager to send the appropriate acceptance letters to the Borough used vendors. Kenneth Robb seconded the motion. The motion was unanimously approved.

OLD BUSINESS: None

ADJOURNMENT:

George Dillinger made a motion to adjourn the meeting at 8:41 PM. Sean Robb seconded the motion. The motion was unanimously approved.

Respectfully submitted,



John Palyo
Borough Manager, Secretary & Treasurer

8/20/2018

Date Approved by Council