

**BOROUGH OF WHITE OAK**  
**Minutes of February 22, 2021 8:00 PM**  
**Council Meeting**

**This meeting was rescheduled from February 15, 2021 due to inclement weather**

Due to the COVID-19 pandemic, our meeting was held at the White Oak Community Center located at 1796 Lower Heckman Road, White Oak, PA. Public access to this meeting was granted following mask and social distancing requirements.

**CALL TO ORDER:** Council Pro Temp Julie Opferman called the meeting to order at 8:00 PM.

**PLEDGE OF ALLEGIANCE:** Julie Opferman

**ROLL CALL:** Julie Opferman requested the roll call. In attendance was:

**Elected Officials:**

Mayor Ina Marton  
Julie Opferman  
Joseph Nagy  
George Pambacas  
Kenneth Robb

**Borough Staff and Professional Services:**

Patricia McGrail, Borough Solicitor  
Kenneth Hillman, Borough Engineer  
John Palyo, Borough Manager  
MaryAnn Winemiller, Admin. Asst.

**MINUTES:** George Pambacas made a motion to accept the minutes of the January 18, 2021 Council Meeting. Joseph Nagy seconded the motion. The motion was unanimously approved.

**EXECUTIVE SESSION:** Patricia McGrail announced that prior to the Council meeting on February 22, 2021 Council had an Executive Session to Collective Bargaining matter.

**PUBLIC COMMENTS:**

Amanda Coats – 422 N. 4<sup>th</sup> Street, Youngwood, PA 15697

I have concerns about White Oak Borough's Feral Cat Ordinance, I do a lot of work with the TNR programs and services and I feel we were duped by the White Oak Council at the February 2020 Meeting.

John Delaney – 531 Sewickley Street, Greensburg, PA 15601

Mr. Delaney asked in reference to the Feral Cat Ordinance, what bought on the changes in the ordinance and if there were complaints (concerning feral cats) are they kept on file?

Ryan Marton – 1805 Kansas Avenue, White Oak, PA 15131

Thanked White Oak Council for adopting a Feral Cat Ordinance.

Mr. Marton wanted to know can the feral cats can be collected and relocated, there has to be other ways to address this problem besides TNR, what other ways are there? Lincoln School Properties Dumpster is a problem area for the feral cats, we also have a coyote problem in White Oak Borough. Mr. Marton was also concerned about the upcoming months of March and April as this usually brings flooding from MAWC lines on Kansas Avenue.

Jen Johnson – 87 Ashley Street, Greensburg, PA 15601

Ms. Johnson stated that she is against White Oak Borough's Feral Cat Ordinance, stated that feeding the feral cats is like feeding Birds or Wildlife. What do expect people to do? Do the TNR program, I do it all over the place.

Carolyn Flam – 112 Ashley Street, Pittsburgh, PA 15221  
Attorney of Record

Attorney Flam stated that it is inequity that a White Oak Resident that was cited was feeding the feral cats incorrectly, imagine the dismay to be issued a citation. The White Oak Feral Cat Ordinance had been passed in contrary to what we were told in the February 2020 Council Meeting. This ordinance makes it easier to criminalize the conduct. Notice of passage of the Ordinance was only a legal ad in the Mon Valley Independent on December 11, 2020. Attorney Flam says she found the language in the Ordinance too vague and the arbitrary problems of on the record for language, definitions are broad.

Note Attorney Carolyn Flam was given extra time to speak by  
Donna Priselec – 238 Chicora Street, East McKeesport, PA 15135  
Kathy Bridge – 1512 Brinton Road, Pittsburgh, PA 15221  
Who forfeited their time to Attorney Flam.

Chris Marton – 1820 Educational Drive, White Oak, PA 15131  
Mr. Marton thinks TNR is a good thing, but he sees other side of problem when property is damaged, and the food attracts other wild animals to the area. Mr. Marton would like to see a compromise between both sides.

Dr. Becky Morrow – 730 5<sup>th</sup> Avenue, New Kensington, PA 15068  
Dr. Morrow stated she is an expert in TNR with a Master's Degree, she teaches TNR to her students. Many resources are available to help with the feral cat problem, we can help with targeted TNR, it will get worse if we don't continue the TNR program. Many litters occur per season, one of the resources available are Frankie's Friends Cat Rescue in New Kensington.

Jill Henkel – Turtle Creek Councilwoman (Council President Pro Temp), Turtle Creek, PA 15145  
Councilwoman Henkel stated she would like the White Oak Borough Feral Cat Ordinance rescinded, she is a TNR program operator and in September 2020 at a TNR event in Turtle Creek they had 60 feral cats neutered, Turtle Creek donated \$500.00 towards the cost of addressing the problem, education is the key thru TNR workshops.

Jodi Perozich – 2800 Lincoln Way, White Oak, PA 15131  
Ms. Perozich stated that she has researched the feral cat ordinance and the procedures for TNR is to only feed two (2) times per day, and she is aware of property damage occurring to neighbor's property and to her garden as well. Complaints should be made not to the neighbors but to the owner. Neighbor disputes if you can't settle take Civil Action. This issue has nothing to do with the White Oak Animal Shelter, attacking the shelter's is counterproductive. Cat Feeders expert others to deal with their problem, it is complicated, fund shelters and not tear down the shelter organization.

George Pambacas – 1709 Educational Drive, White Oak, PA 15131  
Mr. Pambacas stated that his home sets 1200 ft from Horizon Drive, he has had a parade of cats leaving stuff, your responsible for the feral cat's actions. An audio was played of cats meowing loudly outside of Mr. Pambacas' home. Out of Towners come in to tell us how to run our business, we need to have civil discussions to correct the problems.

An attendee stated, "No rescuers will come into White Oak Borough to help correct the problem, with the current White Oak Feral Ordinance in place."

Julie Opferman closed the public session of the meeting.

Mayor Ina Marton asked to say a few words: Mayor Marton expressed her love of animals and the development of the shelter. She discussed that the shelter does offer TNR assistance with spay, neuter and veterinary care and has provided that care within the community. Announced that since its inception in 2003, WOASH has adopted over 16,000 pets to their “forever” homes. She stated while she serves as Mayor of the Borough and President/ Founder of the WOASH they are two completely separate entities. Council approved the Ordinance and that she attested to its approval and not necessarily agreed with the ordinance language. She thanked those in attendance for not attacking her and supporting her at the White Oak Animal Safe Haven Shelter. She stated that she would reach out to Dr. Morrow for some assistance and they exchanged contact information.

**PRESIDENT'S REPORT:** Julie Opferman  
None

**MAYOR'S REPORT:** Mayor Ina Marton provided the Police Activity Report for January 2021.

Arrests: (17 adults / 1 juvenile)	18
Access Device Fraud	1
Assault & Related Offenses	3
Criminal Mischief	1
Disorderly Conduct	2
Drug Offenses	3
False Identification to Law Enforcement	1
Harassment	1
Theft	4
Trespass	2
Summary of Traffic Violations	54
Total Incidents	609

**COUNCIL COMMITTEE REPORTS:**

**FINANCE:** Julie Opferman

Kenneth Robb made a motion to accept the Treasurer's Report for January 2021. Joseph Nagy seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion approving the Check Register for the month of January, which includes Electronic Fund Transfers and General Fund Checks in the following ranges (206653 to 206746) totaling \$409,263.81. Joseph Nagy seconded the motion. The motion was unanimously approved

George Pambacas made a motion authorizing the following Interfund Transfers for the month of January. Kenneth Robb seconded the motion. The motion was unanimously approved

From	To	Amount
Liquid Fuels	General Fund	38,538.22
Solid Waste	General Fund	41,432.40
Capital Projects	General Fund	175,005.38
Post Retirement	General Fund	1,710.47
Fire Fund - RVFC	General Fund	12,108.57
Fire Fund - WO#1VFC	General Fund	366.69
*General Fund	Fire Fund - RVFC	75,000.00
*General Fund	Fire Fund - WO#1VFC	56,500.00
General Fund	Capital Projects	19,454.00
Total Transfers		\$420,115.73

\*Annual Budgeted Fund Contribution

**HEALTH, ENVIRONMENT AND CABLE:** George Pambacas presented the health, environment and cable report.

George Pambacas made a motion to authorize payment to Dave Collura, for Wildlife Control Services, in the amount of \$600.00 for the month of January 2021. Kenneth Robb seconded the motion. The motion was unanimously approved.

**PARKS AND RECREATION:** Julie Opferman

Julie Opferman stated that Recreation Committee is working on how we hold outside events for the borough safely (Adhere to Social Distancing), events such as Clean Up Day, Easter Egg Hunt and a Rabies Clinic to name some events.

**PLANNING AND ZONING:** Joseph Nagy

The monthly permit/violation reports for January are available for review during normal business hours.

**PUBLIC SAFETY REPORT:** Joseph Nagy

Joseph Nagy made a motion to enter in an agreement with the Steel Rivers Council of Governments for the use of the SRCOG Regional Training Complex and authorize the President and Borough Manager to sign on behalf of the Borough. (This is a revised agreement; White Oak has been a member of the Complex since its inception in 1993.) George Pambacas seconded the motion. The motion was unanimously approved

**PUBLIC WORKS:** Kenneth Robb

The monthly reports for January are available for review during normal business hours

**PERSONNEL:** Julie Opferman  
None

**TAX COLLECTORS' REPORTS:** Julie Opferman

George Pambacas 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.

**Current Real Estate** – Real Estate Tax Collector (Lisa Pitchford) collected \$0.00 current Real Estate Tax for the collection period of January, 2021.

Commission Due	\$0.00
Costs	0.00
Total Due	\$0.00

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector(s) collected \$2,903.62 plus costs in delinquent Real Estate Tax for the collection period of January 1 – January 31, 2021.

Commission Due	\$67.15
Costs	\$10.00
Total Due	\$77.15

**Earned Income Tax**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector(s) collected \$50,274.67 in current and delinquent Earned Income Tax for the collection period of January, 2021.

Commission Due	\$706.55
Costs (refunds/postage and/or costs)	\$440.97
TCC Annual Fee	\$0.00
Total Due	\$1147.52

Berkheimer Associates, Current/Delinquent Earned Income Tax Collector(s) Collected \$0.00 in current and delinquent Earned Income Tax for the collection period of January, 2021.

Commission Due	\$0.00
Costs (refunds/postage and/or costs)	\$0.00
Total Due	\$0.00

**Mercantile/Business Privilege and Local Service Tax**

Keystone Collections Group, Current Act 511 Tax Collector, collected \$324.00 in current Local Service Tax for the collection period of January, 2021.

Commission Due	\$5.69
Refund	\$0.00
Costs (postage and/or costs)	\$0.00
Total Due	\$5.69

Keystone Collections Group, current Business Privilege and Mercantile Tax Collector, collected \$0.00 in Business Privilege and \$0.00 in Mercantile Tax collections for the January, 2021 collection period.

Commission Due	\$ .00
Costs	\$ .00
Total Due	\$ .00

Keystone Collections Group, delinquent Business Privilege and Mercantile Tax Collector, collected \$898.02 delinquent Business Privilege Tax and \$700.87 in delinquent Mercantile Tax for the collection period of January, 2021.

Commission Due	\$95.94
Costs	\$ .25
Total Due	\$96.19

**ENGINEER’S REPORT:** Mr. Ken Hillman

Kenneth Robb made a motion to accept the Engineer’s Report and pay the fees due to Senate Engineering Company for Invoices 58782, dated January 26, 2021 totaling \$200.00; Invoices 58790 through 58793, dated January 28, 2021, totaling \$34,775.25; and for Invoices 58882 through 58888, dated February 12, 2021, totaling \$ 19,430.45. The grand total is \$ 54,405.70. Joseph Nagy seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to accept the Engineer’s Report as presented at the January 18<sup>th</sup> Council Meeting. George Pambacas seconded the motion. The motion was unanimously Approved.

Kenneth Robb made a motion to approve Pay Request #6 submitted by M & B Services in amount of \$80,987.73 for the Green Light Go Project as reviewed and approved by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough. Joseph Nagy seconded the motion. The motion was unanimously approved.

Joseph Nagy made a motion to approve Change Order #1 submitted by M & B Services in amount of \$14,300.00 for maintenance items associated with various signal intersections that were not a part of the GLG Project as reviewed and recommended by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough. Kenneth Robb seconded the motion. The motion was unanimously approved.

George Pambacas made a motion to approve Pay Request #3 Final submitted by Port Vue Plumbing in amount of \$5,140.00 for Heritage Hill Pool Pumps and Electrical Project as reviewed and approved by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough. Joseph Nagy seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to award the Bid for the 2021 Demolition Project to Eveready Contracting in the amount of \$32,100.00 for the base bid and add Alternate #1 in an amount of \$500.00 for a total cost of \$32,600.00 and authorize the President and Borough Manager to execute all documents pertaining to the project as recommended by our Engineer. Joseph Nagy seconded the motion. The motion was unanimously approved.

**SOLICITOR'S REPORT:** Ms. Patricia L. McGrail

Kenneth Robb made a motion to accept the Solicitor's Report and pay the fees due to McGrail & Associates, LLC for Invoices #36710 through #36723 dated February 8, 2021 totaling \$ 3,590.00. Joseph Nagy seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to approve a Delinquent Solid Waste Collections Proposal from McGrail & Associates. Joseph Nagy seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to advertise the 2021 Salary Ordinance for adoption at the March 15, 2021 Council Meeting. Joseph Nagy seconded the motion. The motion was unanimously approved.

**RESOLUTIONS AND ORDINANCES:** Ms. Patricia L. McGrail

**RESOLUTION #2021-04**

George Pambacas made a motion to Authorizing the filing of a \$ 100,000 grant request under the CITF Program through the Redevelopment Authority of Allegheny County and approving the President of Council and Borough Manager as appropriate signatories for all grant documents for the Center Street Extension Roadway Stabilization Project. Kenneth Robb seconded the motion. The motion was unanimously approved.

**RESOLUTION #2021-05**

Kenneth Robb made a motion 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. Joseph Nagy seconded the motion. The motion was unanimously approved.

**ORDINANCE NO. 2021-06**

Joseph Nagy made a motion to adopt an ordinance of the Borough of White Oak, County of Allegheny, Commonwealth of Pennsylvania, establishing restrictions and regulations related to political signs, amending Article 1375.17 of the White Oak Code of Ordinances. Kenneth Robb seconded the motion. The motion was unanimously approved.

**NEW BUSINESS:** None

**OLD BUSINESS:**

Councilman George Pambacas made comment that during this evening's Council Meeting all the people who argued against White Oak Borough's Feral Cat Ordinance were from outside of White Oak Borough.

Councilman Joseph Nagy stated that in the Midwest Cats must be license the same as Dogs in Kansas.

Council Pro Temp Julie Opferman thanked council for their support, as this was her first time chairing a Council Meeting.

**ANNOUNCEMENTS:**

(Meetings are subject to change due to the COVID-19 Pandemic, please check or website for any updates.)

- March 8, 2021, 6:45 PM – Council Workshop Meeting (Open to the Public)
- March 15, 2021, 6:45 PM – Council Workshop Meeting (Open to the Public)
  - 8:00 PM – Council Meeting (Open to the Public)

**ADJOURNMENT:** George Pambacas made a motion to adjourn the meeting at 9:10 P.M. Kenneth Robb seconded the motion. The motion was unanimously approved.

Respectfully submitted,

*John Palyo*

March 15, 2021

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John Palyo  
Borough Manager, Secretary & Treasurer

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Date Approved by Council