

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, OCTOBER 20, 2014 AT 7:30 P.M.**

CALL TO ORDER

Ms. Noll, President of Council, called the Regular Meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

ROLL CALL

Attending were Council members: Edward Babyak, Charles Davis, Ronald Massung, Joseph Nagy, Carrie Noll, David Pasternak and Kenneth Robb. Also attending were Solicitor Krisha Mackulin, Mayor Ina Marton and Borough Secretary Nancy Greenland.

Engineer Representative Donald Hultberg was absent.

MINUTES

Ms. Noll asked if there were any corrections to the following Minutes:

Workshop Meeting, September 15, 2014

Regular Meeting, September 15, 2014

A motion was made by Mr. Davis, seconded by Mr. Pasternak, to accept the Minutes as presented.

Motion carried unanimously.

EXECUTIVE SESSION

Ms. Mackulin stated a short Executive Session was held before this evening meeting at which time personnel matters were discussed.

PUBLIC COMMENTS

Carol Nill – 1505 Ohio

Indicated she was attacked last fall by a dog and during the attack she was knocked down and broke her elbow. She indicated she was advised by animal control nothing could be done as she was not bitten. She noted she was unable to find out the name of the dog owner at that time. She stated she has since been able to identify the owner who is Eddie Hill – 1714

Vermont Avenue. She asked if Council would consider changing the rules to include bodily harm not just dog bites as a sign of a dangerous dog.

Ms. Noll noted that Council just recently authorized the solicitor to review all of the animal control regulations for possible upgrade.

Keith Paculik – 1809 Horizon Drive

Mr. Paculik stated he was here to address the issues he presented to Council in writing regarding the Seismic Testing Ordinance, asking if those issues were discussed by Council and if he needed to readdress them at this meeting to be on the record.

Ms. Noll stated Council did discuss his comments after he left the workshop meeting last week. This matter will be address during the Ordinance/Resolution portion of the meeting.

Ms. Mackulin indicated that the comments he made at the workshop meeting were included in the official record.

Mr. Paculik asked if there were any questions of him.

There were none.

Fred Haynes – 98 Carmella Drive

Mr. Haynes stated for the past four (4) years Council has not done anything with regards to the Community Center. He noted in the past Council indicated \$500,000 was set aside for this project.

Mr. Robb stated the Borough is in receipt of a formal contract from the State. This will be addressed under the appropriate committee report.

Mr. Haynes asked how the funds were invested. Noting the market is currently at 1.25% for investments.

Ms. Noll stated the funds need to be liquid for this project; therefore, we are unable to invest in a CD. The funds are being held in an interest bearing checking account.

Mr. Haynes asked why there was no Farmer's Market this year.

Mr. Massung stated the former farmer's market was sponsored by the Chamber of Commerce. This was not a successful venture and therefore was eliminated.

Mr. Haynes stated he felt the lot at the WOAA would be a great place to hold a farmer's market. This would be a benefit to the residents as well as the AA.

Trisha Gadson – McKeesport Area School District (1008 Washington Street, McKeesport)

Ms. Gadson stated she was a member of the Board of Directors and chaired the Diversity Committee. She noted the Board is making a point of outreaching to each of the five (5) communities. She noted she was her with fellow board member Terri Kisan as well as Kristen Davis. The board is trying to reach out to the residents as well as elected officials in each of the communities that make up the district.

David Husok – 1000 Rankin Road

Mr. Husok stated he had presented a request to the Borough to consider vacating an unused portion of Center St. Ext. He indicated he was interested in building a garage and zoning regulations do not permit a garage on a separate lot due to this he would need to combine his two (2) lots.

Ms. Mackulin stated the information has been received and is being reviewed. She believed the Borough has authorized the Engineer to start working on a legal description for the unused portion of this right-of-way. She asked Mr. Husok if he had a legal description of his lot, this would assist in development of the legal description. This requires advertisement and if approved ½ of the vacated portion would go to each of the adjoining property owners.

Gary Kelso – 14521 Josephine Street

Mr. Kelso stated he reviewed the proposed seismic testing ordinance and did not feel it would work in the format presented. He noted North Huntingdon has similar regulations and there are issues with after hour work being performed. The testing companies feel they have a right to access private roads/driveways. It indicates the code officer can issue stop work orders, but what if the code officer is unavailable then police officers should be able to issue stop work orders. He noted one of the hardest parts is the testing area and time notices these are very vague and can cover a number of square miles. This doesn't give the property owner proper notice.

Terri Kisan – McKeesport Area School District, 2132 Duquesne Ave., McKeesport

Ms. Kisan indicated she was also representing the school district and supported the culture diversity committee. She stated she was the chairperson of the Athletic Committee and co-chair of the career and technical committee.

Ms. Kisan indicated the culinary program has a program where food is prepared for the public on Thursdays, unless a special event is being prepared for. The department serves food to the public between the hours of 10:15 and 12:15. The cost per meal is \$4.50 for three (3) meals for \$12.00. She noted take out was available.

PRESIDENT'S REPORT AND COG REPRESENTATIVE

Ms. Noll, noted a Food Drive is being conducted for the Sampson's Mills Food Pantry. Non-perishable items may be dropped off at the municipal building.

Ms. Noll, indicated the local Cancer Society in conjunction with Wendy's is hosting an event on

Wednesday, November 5th from 5 to 8 p.m. A portion of all sales will be donated to the Relay for Life Team Shining Stars.

MAYOR'S REPORT

September 2014 Stat Report for the Police Department.

ARRESTS: 17 (17 adults/0 juvenile)

| | |
|----------------------------|---|
| Assault Related Offenses | 1 |
| Burglary | 2 |
| Criminal Trespass | 1 |
| Disorderly Conduct | 3 |
| Drug Offenses | 2 |
| DUI | 2 |
| Forgery | 1 |
| Harassment | 1* (Defendant also charged with Disorderly Conduct/ Public Drunkenness |
| Public Drunkenness | 2* (One defendant also charged with Disorderly Conduct |
| Theft | 2 |
| Summary Traffic Violations | 64 |
| Total Incidents | 632 |

Ms. Marton advised Trick or Treat is set for Friday, October 31 from 6 to 8 p.m.

Ms. Marton stated she was in receipt of two (2) expressing appreciation from a resident assisted with an issue. The letters thanked Sgt. Opferman and Officer Smith.

FINANCE REPORT

Mr. Massung, Chairperson, stated he had the standard monthly motion regarding the check register and accounts payable.

A motion was made by Mr. Massung, seconded by Mr. Babyak, to accept the Check Register and Accounts Payable as of September 30, 2014.

Paid Invoices:

| <u>Fund</u> | <u>Check No.</u> | <u>Amount</u> |
|-----------------|------------------|---------------|
| General Fund | 107274-107353 | \$ 170,201.56 |
| Fire Protection | 0-0 | \$ 0.00 |
| Post Retirement | 0-0 | \$ 0.00 |
| Super Fund | 0-0 | \$ 0.00 |
| Solid Waste | 600396-600398 | \$ 48,032.28 |

| | | |
|----------------------|---------------|--------------------|
| Pool/Park Fund | 901086-901100 | \$ 19,545.53 |
| Capital Expenditures | 1800312 | \$ 1,726.80 |
| Capital Debt Sinking | 0-0 | \$ 0.00 |
| Liquid Fuels | 35029-350300 | <u>\$ 8,342.06</u> |
| Total Bills Paid | | \$ 247,848.23 |

Accounts Payable Due

| <u>Fund</u> | <u>Amount</u> |
|------------------------|----------------|
| General Fund | \$ 527.08 |
| Fire Protection | \$ 0.00 |
| Post Retirement Fund | \$ 0.00 |
| Super Fund | \$ 0.00 |
| Solid Waste | \$ 0.00 |
| Pool Fund | \$ 0.00 |
| Capital Projects | \$ 0.00 |
| Capital Debt | \$ 0.00 |
| Liquid Fuels | <u>\$ 0.00</u> |
| Total Accounts Payable | \$ 527.08 |

Motion carried unanimously. (Roll Call Vote)

A motion was made by Mr. Massung, seconded by Mr. Davis, to rescind authorizing entering into an agreement with UPMC to renew as of December 1, 2014 the current medical plan (PPO 10/10) as well as provide an option plan (EPO 10/30) to Borough employees. For those employees choosing the optional plan the Borough will cover the difference for the office visit a and urgent care co-pay.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Pasternak, to enter into an agreement with UPMC to renew the current medical plan (PPO 10/10) as of December 1, 2014.

Mr. Pasternak advised the Borough was informed right after our September meeting that UPMC Was no longer offering the ability to have an option plan available for employees.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Robb, authorizing payment to the North Versailles Twp. Sanitary Authority in the amount of \$2,490.58. This represents the Borough's Fair Share of a Forensic Audit with regards to the "host fee" being paid to the City of McKeesport by the McKeesport Authority.

Motion carried unanimously. (Roll Call Vote)

HEALTH, ENVIRONMENT AND CABLE

Mr. Pasternak, Chairperson, announced White Oak Borough will be hosting the October 30,

2014 Twin Rivers COG meeting. The meeting starts at 7:00 p.m.

A motion was made by Mr. Pasternak, seconded by Mr. Massung, authorizing the proper officials to satisfy the following municipal liens that have been paid in full:

| <u>Lot & Block</u> | <u>Lien Docket</u> |
|------------------------|--------------------|
| 462-D-007 | GD11-22530 |
| 461-D-44 | GD10-24199 |
| 460-G-58 | GD11-21146 |

Motion carried unanimously.

Mr. Pasternak noted White Oak EMS will be administering Flu Shots on Wednesday, October 29 from 6 to 8 p.m. at the Municipal Building and again on Sunday, November 2nd from 1 to 3 p.m. at the EMS facility. There is no charge.

Motion carried unanimously.

PARKS AND RECREATION

Mr. Robb, Chairperson, Announce the Halloween Parade is set for Saturday, October 25th. Line-up is at 11:30 a.m. at White Oak School. The parade starts at 12:00 noon.

A motion was made by Mr. Robb, seconded by Mr. Davis, authorizing the proper officials to sign the official agreement with the Commonwealth of Pennsylvania, Department of Conservation & Natural Resources to secure the \$500,000 grant for the community center project.

Motion carried unanimously. (Roll Call Vote)

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Davis, Chairperson, noted the violation report for the month of September 2014 indicates 9 issues were addressed. There were also 2 Exterior Maintenance, 1 Junk Vehicle, 5 Working Without Zoning/Building Permit and 1 Grass Height Violation.

PUBLIC SAFETY

Mr. Babyak, Chairperson, stated he two motions.

A motion was made by Mr. Babyak, seconded by Mr. Robb to rescind action taken by Council at a prior meeting authorizing the purchase of a new radio for a police cruiser at a cost not to exceed \$500.00.

Motion carried unanimously.

A motion was made by Mr. Babyak, seconded by Mr. Robb, authorizing the purchase of a new radio for a police cruiser at a cost not to exceed \$630.00.

Mr. Babyak noted the cost came in over what was estimated. That is why we rescinded the motion from the prior month.

Motion carried unanimously. (Roll Call Vote)

PUBLIC WORKS

Mr. Nagy, Chairperson, noted the Work Activity Report would be available for viewing during normal business hours.

Mr. Nagy advised all Public Works personnel completed a training session sponsored by the PA State Police on the proper Tie-Down Procedures of Equipment/Tools on a truck/trailer.

TAX COLLECTOR'S REPORT

Current Real Estate

Lisa Pitchford, Current Tax Collector, turned in \$659,172.81 on the 2014 Tax Duplicate, for the period of September 1, 2014 – September 30, 2014.

Commission Due - \$86.25 (23 invoices paid x \$3.75)

| | |
|------------------------------------|------------------------|
| Assessed Value | \$394,085,277.00 |
| Exonerations (Less) | \$ 4,062,700.00 |
| Additions | \$ 1,268,600.00 |
| Abatement Values | \$ |
| Adjusted Value | \$391,291,177.00 |
| Value of statements (actual) | \$ 1,823,416.88 |
| Act 77 Revoked @ Face | \$ 354.67 |
| Act 77 Eligible @ Face | <u>\$ 47,146.15</u> |
| Corrected Value of Statements | \$ 1,776,625.40 |
| Collected from – 9/01/14 – 9/30/14 | \$ 6,890.38 |
| Discount (add) | \$ 0.00 |
| Less Penalty (sub) | <u>\$ 542.10</u> |
| Total Credited to Duplicate | \$ 6,348.28 |
| Amount Previously Collected | \$ 1,644,275.06 |
| Collections | \$ 6,890.38 |
| Total Collected | <u>\$ 1,651,165.44</u> |
| Balance to be collected | \$ 125,459.96 |

Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$2,407.27 taxes and costs collected for the collection period of August 26, 2014 to September 25, 2014.

| | | |
|-----------------------|------|---|
| Commission due | - \$ | 0.00 |
| Costs | - \$ | <u>720.50</u> (Civil Complaints/Lien Satisfaction) |
| Total Due | - \$ | 720.50 |

Earned Income Tax Collector

Current/Delinquent Earned Income Tax Collector(s), turned in \$78,675.12 in current and delinquent Earned Income Tax for the collection period of September 1, 2014 – September 30, 2014.

| | | |
|-----------------------|------|------------------------------|
| Commission due | - \$ | 1,253.88 |
| Costs | - \$ | <u>1.10</u> (postage) |
| Total Due | - \$ | 1,254.98 |

Mercantile/Business Privilege and Local Service Tax Collector

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$6.26 in Local Service Tax for the collection period of September 1, 2014 – September 30, 2014.

| | | |
|-----------------------|------|--------------------|
| Commission due | - \$ | 0.13 |
| Costs | - \$ | <u>0.00</u> |
| Total Due | - \$ | 0.13 |

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$0.00 in Business Privilege and \$0.00 in Mercantile Tax collections plus costs for the collection period July 26, 2014 – August 25, 2014.

| | | |
|-----------------------|------|--------------------|
| Commission due | - \$ | 0.00 |
| Costs | - \$ | <u>0.00</u> |
| Total Due | - \$ | 0.00 |

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$2,705.37 in delinquent Business Privilege Tax, \$214.74 in delinquent Mercantile Tax for the collection period of August 26, 2014 – September 25, 2014.

| | | |
|-----------------------|------|---------------------|
| Commission due | - \$ | 186.02 |
| Costs | - \$ | <u>17.52</u> |
| Total Due | - \$ | 203.54 |

A motion was made by Mr. Babyak, seconded by Mr. Massung, to accept the Tax Collectors' Reports and pay the fees due.

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Hultberg, Engineer Representative, was absent.

A motion was made by Mr. Robb, seconded by Mr. Babyak, to pay the fees due in the amount \$110.76 as billed on Invoice No. 312379, dated September 22, 2014

Motion carried unanimously. (Roll Call Vote)

SOLICITOR'S REPORT

Ms. Mackulin, Solicitor, stated she would present several resolutions and ordinance for consideration later in the meeting. She indicated she had given her report in the Workshop.

Ms. Mackulin indicated the Borough would be holding Public Hearings on Dangerous Structures on November 17th at 6:00 p.m.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Solicitors' Reports and pay fees due to Krisha Mackulin, Dodaro, Matta & Cambest, for the month of September 2014, totaling \$2,555.00.

Motion carried unanimously. (Roll Call Vote)

ANIMAL CONTROL OFFICERS' REPORTS

Mr. Pasternak read Animal Control and Wildlife Officer's Reports for the month of September.

| Ferree Kennels – Animal Control Officer | September |
|--|------------------|
| Number of Animals Humanely Disposed Of | 0 |
| Number of Animals Turned Over to WOASH | 0 |
| Number of Dogs Returned to Owners | 0 |
| Number of Calls Answered from Residents & Municipal Offices | 8 |
| Number of Person Information Signed Against | 0 |
| Number of Citations Issued | 0 |
| Number of Claims to State for Housing | 0 |
| | |
| Monthly Fee | \$ 50.00 |
| After Hours Calls | \$ 25.00 |
| State Housing Reimbursement | \$ 40.00 |
| Total Due | \$ 115.00 |

A motion was made by Mr. Pasternak, seconded by Mr. Massung, to accept the Animal Control officer's reports for the month of August and paying the fees due of \$115.00.

Motion carried unanimously. (Roll Call Vote)

Dave Collura – Wildlife Control, September

| | Live Trap | Road Kill | Disposal After Hours Calls |
|-------------------|-----------------|-----------------|-------------------------------|
| Deer | 0 | 4 | 4 |
| Bats | 0 | 0 | |
| Birds/Fowl/Turkey | 0 | 0 | |
| Cats | 0 | 0 | |
| Chipmunk | 0 | 0 | |
| Degas | 0 | 0 | |
| Groundhogs | 24 | 7 | |
| Opossums | 7 | 3 | |
| Rabbits | 0 | 0 | |
| Raccoons | 19 | 13 | |
| Skunks | 9 | 1 | |
| Squirrels | 5 | 2 | |
| Snakes | 0 | 0 | |
| Turtles | 0 | 0 | |
| Total Due | \$350.00 | \$140.00 | \$ 80.00 |

Grand Total: \$570.00

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to accept the Wildlife Control officer's report for the month of September and pay the fees due of \$570.00.

Motion carried unanimously. (Roll Call Vote)

RESOLUTIONS AND ORDINANCES

Ms. Mackulin read Ordinance No. 4029 by short title for adoption.

O-4029 SEISMIC TESTING

A motion was made by Mr. Babyak, seconded by Mr. Massung, to adopt Ordinance No. 4029 by short title.

Ms. Noll declared Ordinance Number 4029 adopted.

Ms. Mackulin read Resolution No. 4030 by short title for adoption.

R-4030 REAL ESTATE TAX REFUND

A motion was made by Mr. Babyak, seconded by Mr. Massung, to adopt Resolution No. 4030 by short title.

Ms. Noll declared Resolution Number 4030 adopted.
Ms. Mackulin read Resolution No. 4031 by short title for adoption.

R-4031 CDGE – DEMOLITON

A motion was made by Mr. Babyak, seconded by Mr. Massung, to adopt Resolution No. 4031 by short title.

Ms. Noll declared Resolution Number 4031 adopted.

Ms. Mackulin read Resolution No. 4032 by short title for adoption.

R-4032 SLUM/BLIGHT

A motion was made by Mr. Babyak, seconded by Mr. Massung, to adopt Resolution No. 4032 by short title.

Ms. Noll declared Resolution Number 4032 adopted.

NEW BUSINESS

NONE

OLD BUSINESS

NONE

ADJOURNMENT

A motion was made by Mr. Massung, seconded by Mr. Pasternak, to adjourn.

Motion carried unanimously.

Meeting adjourned at 8:07 p.m.

Date Approved

Borough Secretary