

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, NOVEMBER 16, 2009 AT 8:00 P.M.**

**CALL TO ORDER**

Mr. Petro, President of Council, called the Regular Meeting to order at 8:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mr. Petro led those attending in the Pledge of Allegiance.

**ROLL CALL**

Attending were Council members: Edward Babyak, Charles Davis, Ronald Massung, David Pasternak and Jack Petro Jr. Also attending were Mayor Ina Jean Marton, Solicitor Terry Leckman, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

Council members George Dillinger and Kenneth Robb were absent due to business obligations and illness in the family respectively.

**MINUTES**

Mr. Petro asked if there were any additions or corrections to the following Minutes:

Workshop Meeting – October 14, 2009  
Workshop Meeting – October 19, 2009  
Regular Meeting – October 19, 2009

There were none.

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

Motion carried unanimously.

**EXECUTIVE SESSION**

Mr. Leckman stated there were various sessions held and during such sessions pending litigation and personnel matters were discussed.

**PUBLIC COMMENTS**

**Richard Bryce – Messinger Lane**

Mr. Bryce asked why council was amending the Borough Manger Regulations.

Mr. Petro noted this would allow the Borough to secure the services of a manager.

Mr. Pasternak stated it was the feeling of the officials that a manager was necessary. This would give the Borough the opportunity to look for more grants.

Mr. Bryce asked if there was funding for a manager in the budget.

Mr. Pasternak noted a funding allocation has been established under the 2010 budget.

Mr. Bryce asked if a member of Council would be resigning to take the position and if the position would be advertised.

Mr. Petro noted adverting the position is at the discretion of the elected officials.

## **REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES**

### **President's Report**

Mr. Petro noted representatives from the Borough attend a TIP Hearing earlier this month to provide verbal and written testimony regarding the Lincoln Way Widening Project. If the project proceeds on the current schedule construction would begin in the 2012 construction period.

Mr. Petro indicated the Borough offices would be closed on Thursday and Friday, November 26 and 27 in observance of the Thanksgiving Holiday.

### **Mayor's Report**

Mrs. Marton gave the October Stat Report.

Arrests: 17 (17 adults/0 juveniles)

Assault	2
Burglary	2
Drug Offenses	1
DUI	4* (one person also charged with Accidents involving damage attended vehicle)
Endangering the Welfare of a Child	1
Liquor Law Violation	1
Resisting Arrest	1*(one person also charged with Public Drunkenness)
Theft	5
Summary Traffic Violations	87
Total Incidents	638

### **Finance**

Mr. Dillinger, Chairperson, was absent. Mr. Pasternak gave his report.

A motion was made by Mr. Pasternak, seconded by Mr. Massung, to accept the Check Register for October and Accounts Payable as of October 31, 2009.

Bills-

<u>Fund</u>		<u>Amount</u>
General Fund	102010-102068	\$ 251,959.09
Fire Protection	300006	\$ 6,190.50
	310007	\$ 6,190.50
Super Fund	0-0	\$ 18,750.00
Solid Waste	600178	\$ 40,845.70
Pool/Park Fund	900231-900235	\$ 3,479.15
Capital Expenditures	0-0	\$ 0.00
Liquid Fuels	0-0	\$ 0.00
Total Bills Paid		\$ 308,663.94

#### Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 62,944.25
Fire Protection	\$ 6,442.00
Super Fund	\$ 6,250.00
Solid Waste	\$ 2,407.08
Pool Fund	\$ 2,199.40
Capital Projects	\$ 0.00
Liquid Fuels	\$ 8,522.32
Total Accounts Payable	\$ 88,765.05

Motion carried unanimously.

#### **HEALTH, ENVIRONMENT AND CABLE**

Mr. Davis, Chairperson, advised residents there would be no garbage collection on Thursday, November 26<sup>th</sup> due to the Thanksgiving Holiday. Thursday's route will be picked up on Friday and Friday's route will be picked up on Saturday.

Mr. Davis advised residents in the 1300-1500 blocks of Ohio and Kansas Avenue that representatives from the Municipal Authority of Westmoreland County would be at the Municipal Building on Tuesday, November 24 at 5:15 p.m. to address residents concerns regarding the sewage backup caused by heavy rains in mid June.

#### **PARKS AND RECREATION AND COG REPRESENTATIVE**

Mr. Pasternak, Chairperson, reported the Recreation Board held a Halloween Parade on October 31 but due to the weather the event was held in-doors at the WOAA. Ninety children participated.

Mr. Pasternak indicated the Recreation Board will be holding its annual Holiday Craft Show on December 5<sup>th</sup> from 10:00 a.m. through 4:00 p.m. at the WOAA.

Mr. Pasternak noted the Recreation Board and WOAA would be holding a jointly sponsored New Years Eve Party on December 31. Tickets are \$35.00 per person in advance at \$40.00 per person at the door. Doors will be opened at 7:00 p.m. with the buffet starting at 7:30 p.m. The entertainment, Rocking Thru The Ages will be from 9:00 p.m. through 1:00 a.m.

## PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 16 violation notices and 24 construction permits issued in October for fees totaling \$1,023.00.

## PUBLIC SAFETY

Mr. Massung, Chairperson, noted a First Responders Seminar was held in two sessions on October 21<sup>st</sup> and 28<sup>th</sup>. Groups that participated were the White Oak Police and White Oak EMS at the first session and Rainbow Vol. Fire Co., White Oak #1 V.F.C., Emergency Preparedness Officer and Red Cross Evacuation Team at the second session.

A motion was made by Mr. Massung, seconded by Mr. Pasternak, to appoint Paul Sebelia to fill the unexpired term of Ronald Dittman on the Civil Service Commission.

Motion carried unanimously.

Mr. Massung noted there was some interest express by several residents regarding serving on a Historical Society Board. He asked that anyone else interested in participating to contact the Borough office.

## PUBLIC WORKS

Mr. Robb, Chairperson, was absent

Mr. Davis noted the work activity report was available for review during normal business hours.

## TAX COLLECTOR'S REPORT

### Current Real Estate

Robert Hart, Current Tax Collector, turned in \$23,594.67 on the 2009 Tax Duplicate, for the period of October 1, 2009 – October 31, 2009.

### **Commission due – \$210.00 (56 accounts @ \$3.75)**

Assessed Value	\$336,915,588.00
Exonerations (Less)	\$ 442,000.00
Additions	\$ 952,000.00
Abatement Values	\$ 522,600.00
Adjusted Value	\$336,902,988.00
Value of statements (actual)	\$ 1,401,516.43
Act 77 Revoked @ Face	\$ 750.00
Act 77 Eligible @ Face	<u>\$ 42,989.04</u>
Corrected Value of Statements	\$ 1,359,277.39
Collected from – 10/01/09 –10/31/09	\$ 23,594.67
Discount (add)	\$ 0.00
Less Penalty (sub)	<u>\$ 1,873.50</u>
Total Credited to Duplicate	\$ 21,721.17

Amount Previously Collected	\$ 1,267,007.21
Collections	\$ 21,721.17
Total Collected	<u>\$ 1,288,728.38</u>
Balance to be collected	\$ 70,549.01

**Delinquent/Liened Real Estate**

Keystone Municipal Collections, Delinquent/liened Real Estate Tax Collector, turned in \$2,341.84 in delinquent real estate taxes plus costs for the collection period of September 26, 2009 – October 25, 2009.

<b>Commission due</b>	- \$	<b>29.59</b>	
<b>Costs</b>	- \$	<b>5.00</b>	<b>(Lien Satisfaction)</b>
		<u>34.59</u>	

**Earned Income Tax Collector**

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$20,567.49 in current Earned Income Tax for the collection period of September 26, 2009 – October 25, 2009.

<b>Commission due</b>	- \$	<b>308.55</b>
<b>Costs</b>	- \$	<u><b>0.00</b></u>
<b>Total Due</b>	- \$	<b>308.55</b>

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$3,724.43 in delinquent Earned Income Tax and \$2,736.14 (audited) in delinquent Earned Income Tax, including costs for the collection period of September 26, 2009 – October 25, 2009.

<b>Commission due</b>	- \$	<b>0.00</b>
<b>Costs</b>	- \$	<u><b>60.44</b></u> – Postage for Refunds, Constable Services
	- \$	<b>60.44</b>

**Mercantile/Business Privilege and Emergency Municipal Service Tax Collector**

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$801.31 in Local Service Tax and had nothing to report regarding the Business Privilege and Mercantile Tax collections for the collection period September 26, 2009 – October 25, 2009.

<b>Commission due</b>	- \$	<b>12.06</b>
<b>Costs</b>	- \$	<u><b>0.00</b></u>
<b>Total Due</b>	- \$	<b>12.06</b>

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, had nothing to report at this time for the collection period of September 26, 2009 – October 25, 2009.

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

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

Motion carried unanimously.

## **ENGINEER'S REPORT**

Mr. Hultberg, Engineer Representative, indicated he attended the Workshop Sessions on November 11 and 16 and is working on those items outlined at the sessions.

Mr. Hultberg indicated he provided both verbal and written testimony to the South Western Pennsylvania Commission for Transportation improvement Program. This is a 12 year project program for various road/transportation improvement projects. He stated the Borough was well represented at the hearing and felt the Borough's testimony was taken in a positive manner.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Engineer's Report and pay Invoice No. 41290 dated October 22, 2009, in the amount of \$119.70.

Motion carried unanimously.

## **SOLICITOR'S REPORT**

Mr. Leckman stated he provided his report to Council at the Workshop meetings and he would present one ordinance and 1 resolution for consideration.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Solicitor's Report and pay Invoice No. WOB 236, dated November 16, 2009, in the amount of \$1,713.75.

Motion carried unanimously.

## **ANIMAL CONTROL OFFICERS' REPORTS**

Mr. Davis read the Animal Control Officer's and Wildlife Officer's Reports for the month of October 2009.

Trisha Hroblak – Animal Control – Report for the month of October 2009

Number of 911 calls taken	3
Number of calls taken shelter/borough/residents	14
Complaints	3
Number of Dogs returned to owners	12
Number of Dogs surrendered to Shelter	4
Number of Dogs humanely disposed of	0
Number of Dogs hit/killed by Vehicle	0
Number of Cats returned to owners	1
Number of Cats surrendered to Shelter	0
Number of Cats humanely disposed of	0
Number of Cats hit/killed by Vehicle	1
Number of people information filed against	0
Number of citations issued	0

Number of after hour calls	0
<b>Total Due</b>	<b>\$225.00</b>

A motion was made by Mr. Davis, seconded by Mr. Pasternak, to accept the Animal Control Officer's Report and pay the fee due in the amount of \$225.00 for the month of October.

Motion carried unanimously.

Dave Collura – Wildlife Control - Report for the month of October 2009

Live Trap	Road Kill	
Deer	0	10
Birds/Fowl	0	0
Chipmunk	0	0
Degas	0	0
Groundhogs	6	1
Rabbits	1	1
Raccoons	11	5
Opossums	23	4
Skunks	13	2
Squirrels	16	1
Snakes	0	0
Turtles	0	0
<b>Total Due</b>	<b>\$300.00</b>	<b>\$125.00</b>

A motion was made by Mr. Davis, seconded by Mr. Dillinger, to accept the Wildlife Control Officer's Report and pay the fee due in the amount of \$425.00 for the month of September.

Motion carried unanimously.

**RESOLUTIONS AND ORDINANCES**

Mr. Leckman read Ordinance No. 3560 by short title for adoption.

**O-3359      Amendment to Borough Manager's Regulations**

A motion was made by Mr. Davis, seconded by Mr. Babyak, to adopt Ordinance No. 3559 as read by Mr. Leckman.

Mr. Petro declared Ordinance No. 3559 officially adopted.

Mr. Leckman read Resolution No. 3560 by short title for adoption.

**R-3560      Support Federal H.B. 3007 – Local Fiscal Assistance Act**

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to adopt Resolution No. 3560 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3560 officially adopted.

**NEW BUSINESS**

None

**OLD BUSINESS**

None

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:17 p.m.

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Date Approved

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Borough Secretary