

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, FEBRUARY 18, 2013 AT 7:30 P.M.**

**CALL TO ORDER**

Mr. Babyak, Vice President of Council, called the Regular Meeting to order at 7:55 p.m.  
(Lengthy Executive Session Held)

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

Attending were Council members: Edward Babyak, Charles Davis, George Dillinger, Ronald Massung, Carrie Noll and Kenneth Robb. Also attending were Mayor Ina Marton, Solicitor Patricia McGrail, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

Council member David Pasternak and Borough Manager John W. Petro were absent.

**MINUTES**

Mr. Pasternak asked if there were any additions or corrections to the following minutes submitted for approval.

Workshop Meeting	January 16, 2013
Workshop Meeting	January 21, 2013
Regular Meeting	January 21, 2013

There were none.

A motion was made by Mr. Dillinger, seconded by Mr. Massung to accept the minutes as presented for approval.

Motion carried unanimously.

**EXECUTIVE SESSION**

Ms. McGrail stated an Executive Session was held this evening between 7:00 p.m. and 7:30 p.m. at which time legal issues were discuss.

**PUBLIC COMMENTS**

**Fred Haynes – 98 Carmella Drive**

Mr. Haynes noted that six (6) of the elected officials have served the Borough for at least ten (10) years.

Mr. Haynes asked that Council consider development of a senior citizen center. He noted East McKeesport has a population of 1,700 and has a center.

Ms. Marton indicated that about 5 years ago there was a center run out of the Rainbow V.F.C. by Life Span. She noted it was actually costing the fire company to let Life Span use the facility.

Ms. Noll stated the Borough is looking into acquiring White Oak Elementary School from the school district for a possible senior center.

Mr. Davis noted the there were very few individuals from White Oak attending the center at R.V.F.C.

Mr. Massung suggested to Mr. Hayes that he spearhead the project.

**PRESIDENT’S REPORT AND COG REPRESENTATIVE**

Mr. Pasternak, President, was absent.

**MAYOR’S REPORT**

Mayor Marton gave the January 2013 Stat Report for the Police Department.

Arrests: 20 (20 adult/0 juvenile)

Criminal Mischief	1
Disorderly Conduct	1
Drug Offenses	8
DUI	4
Harassment (Summary Assault)	2
Theft	4

Summary Traffic Violations 73

**TOTAL INCIDENTS: 633**

Mayor Marton noted this was National MS month and read a proclamation.

**FINANCE REPORT**

Mr. Dillinger, Chairperson, stated he had the standard monthly motion for approval of bills paid and accounts payable.

A motion was made by Mr. Dillinger, seconded by Mr. Massung, to accept the Check Register and Accounts Payable as of January 31, 2013.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	105564-105613	\$ 93,342.91
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600307-600310	\$ 48,459.67
Pool/Park Fund	900771-900773	\$ 1,871.13
Capital Expenditures	0-0	\$ 0.00
Capital Debt Sinking	0-0	\$ 0.00
Liquid Fuels	350227-350230	\$ 9,232.90
Total Bills Paid		\$ 152,906.61

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 17,601.69
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 83.38
Pool Fund	\$ 4,086.32
Capital Projects	\$ 0.00
Capital Debt	\$ 68,162.99
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 89,934.38

Motion carried unanimously.

**HEALTH, ENVIRONMENT AND CABLE**

Ms. Noll announced there would be no delay in the garbage/recycling pickup due to the upcoming President's Day Holiday.

A motion was made by Ms. Noll, seconded by Mr. Massung, authorizing the proper officials to satisfy the following Municipal Liens, noting these accounts had been paid in full:

Delaney	3001 State Street	GD10-001753
Gallagher	600 New Jersey	GD05-3386
Lohr	3623 Pond Way	GD10-24785
Thomas	2108 Fawcett	GD11-22547

Motion carried unanimously.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, indicated he had nothing to report at this time.

## **PLANNING, ZONING AND CODE ENFORCEMENT**

Mr. Babyak, Chairperson, noted there were 16 building/occupancy permits issued, for a total of \$1,148.00 and 4 property violation notices were issued. There was one (1) magistrate hearing was held.

## **PUBLIC SAFETY**

Mr. Massung, Chairperson, advised the Civil Service Commission would be meeting on Saturday, March 2, 2013 at 9:30 a.m. to review current Rules and Regulations for possible updates/amendments.

Mr. Massung announced the Police Department is holding its annual Cops and Kids Basketball Program. The dates are March 14 and 21 and April 4 and 11. The event will be held at McClure gym and runs from 7:00 p.m. until 8:30 p.m.

Mr. Massung indicated the Police Department is holding its first annual Tips for Cops event at the Rose on Monday February 25 from 5:00 p.m. until 9:00 p.m. All tips and 10% of the check will be donated to the Sampson Mills Food Pantry.

## **PUBLIC WORKS**

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

## **TAX COLLECTOR'S REPORT**

### **Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$21,649.42 on the 2012 Tax Duplicate, for the period of January 1, 2013 – January 31, 2013.

### **Commission due – \$146.25 (39 accounts @ \$3.75)**

Assessed Value	\$337,188,268.00
Exonerations (Less)	\$ 2,893,200.00
Additions	\$ 2,475,400.00
Abatement Values	\$ 465,250.00
Adjusted Value	\$336,305,218.00
Value of statements (actual)	\$ 1,903,487.53
Act 77 Revoked @ Face	\$ 455.58
Act 77 Eligible @ Face	<u>\$ 56,563.10</u>
Corrected Value of Statements	\$ 1,847,380.01
Collected from – 1/01/13 – 1/31/13	\$ 21,649.42

Discount (add)	\$	0.00
Less Penalty (sub)	\$	<u>1,962.86</u>
Total Credited to Duplicate	\$	19,686.56
Amount Previously Collected	\$	1,748,446.71
Collections	\$	19,686.56
Total Collected	\$	<u>1,768,133.27</u>
Balance to be collected	\$	79,246.74

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$2,871.56 in taxes and costs collected for the collection period of January 1, 2013 – January 25, 2013.

<b>Commission due</b>	- \$	<b>40.34</b>
<b>Costs</b>	- \$	<u><b>0.00</b></u>
<b>Total Due</b>	- \$	<b>40.34</b>

**Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$51,631.60 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of January 1, 2013 – January 31, 2013.

<b>Commission due</b>	- \$	<b>822.08</b>
<b>Costs</b>	- \$	<u><b>30.23 (Postage)</b></u>
<b>Total Due</b>	- \$	<b>852.31</b>

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$265.00 in Local Service Tax for the collection period of January 1, 2013 – January 31, 2013.

<b>Commission due</b>	- \$	<b>5.28</b>
<b>Costs</b>	- \$	<u><b>0.00</b></u>
<b>Total Due</b>	- \$	<b>5.28</b>

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 January 1, 2013 – January 25, 2013.

<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>

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$630.28 in delinquent Business Privilege Tax, \$0.00 in delinquent Mercantile Tax for the collection period of January 1, 2013 – January 25, 2013.

<b>Commission due</b>	- \$	<b>91.23</b>	
<b>Costs</b>	- \$	<b>7.43</b>	<b>(33 Non-File Letters)</b>
<b>Total Due</b>	- \$	<b>98.66</b>	

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

Motion carried unanimously.

**ENGINEER'S REPORT**

Mr. Hultberg, Engineer Representative, indicated he attended last Wednesday's and this evening's Work Sessions and the firm is working on those items outlined at those sessions.

A motion was made by Ms. Noll, seconded by Mr. Dillinger, to accept Engineer's Report as presented.

Motion carried unanimously.

**SOLICITOR'S REPORT**

Ms. McGrail, Solicitor, indicated several Executive Sessions were held at which time personnel matters and potential/pending litigation were discussed. She also advised there would be several ordinances and/or resolutions introduced for official action.

**ANIMAL CONTROL OFFICERS' REPORTS**

Ms. Noll read the Animal Control and Wildlife Officer's Reports for the month of January 2013.

**Ferree Kennels – Animal Control Officer**  
 Report for the month of January 2013

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	7
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	\$ 0.00
State Housing Reimbursement	\$ 0.00
<b>Total Due</b>	<b>\$ 50.00</b>

A motion was made by Ms. Noll, seconded by Mr. Dillinger, to accept the report and pay the fee due Ferree Kennels for services rendered in January.

Motion carried unanimously.

**Dave Collura** – Wildlife Control  
Report for the month of January 2013

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	18	18
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	0	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	0	0	
Opossums	3	2	
Rabbits	0	0	
Raccoons	16	7	
Skunks	0	0	
Squirrels	1	1	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 360.00</b>
<b>Grand Total: \$850.00</b>			

A motion was made by Ms. Noll, seconded by Mr. Massung, to accept the Wildlife Officer's Report for the month of January.

Motion carried unanimously.

**RESOLUTIONS AND ORDINANCES**

Ms. McGrail read Ordinance No. 3687 by short title for adoption.

**O-3687 2013 TAX LEVY**

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to table adopt Ordinance No. 3687.

Mr. Dillinger stated the Borough would like to review the numbers more closely. We are trying to keep the revenues below the five (5%) percent windfall. At this time we are using a \$394,000,000 assessed value. There are currently 184 appeals still outstanding, which have an assessed value of \$10,000,000. We are banking on the fact that the remaining appeals will not average a reduce of \$54,000. We are looking at a tax levy rate of 4.66 mills, which should bring in \$65,000 more than last year. This is less than the five (5%) windfall.

Motion carried unanimously.

**O-3688 REPEALING ORDINANCE 3476, RESTRICTIONS ON PROCEEDS FROM THE SALE OF WASTEWATER SYSTEM**

Mr. Dillinger noted this fund was set up when the Borough sold the sanitary sewer system. The principal was never touched, but interest income from the investment of the funds was rolled over into the General Fund. He advised the ordinance is being repealed based on the fact that the ordinance requires a referendum which cannot be legally done under current law.

Mr. Robb stated he felt this should be left up to future Councils to repeal the ordinance.

A motion was made by Ms. Noll, seconded by Mr. Dillinger, to adopt Ordinance No. 3688 by short title.

Motion carried with Mr. Robb voting Nay.

Mr. Babyak declared Resolution No. 3686 adopted.

Ms. McGrail read Resolution No. 3689 by short title for adoption.

**R-3689 REAL ESTATE TAX REFUND**

A motion was made by Mr. Dillinger, seconded by Ms. Noll, to adopt Resolution No. 3689 by short title.

Motion carried unanimously.

**NEW BUSINESS**

A motion was made by Mr. Dillinger, seconded by Ms. Noll, to eliminate allocation(s) for the position of Borough Manager from the current budget and to terminate the individual holding in that position, effective immediately.

Mr. Dillinger noted ways to reduce expenses have been discussed at a number of meetings in the past.

Mr. Massung stated this is a financial move, which is for the betterment of the Borough.

Mr. Robb stated he felt that this action would be because of personality conflicts and would cost the Borough in the end.

Mr. Babyak called for a roll call vote.

**Ayes**

Massung  
Babyak  
Dillinger  
Noll

**Nays**

Davis  
Robb

**Abstain**

**Absent**

Pasternak

Motion carried.



**OLD BUSINESS**

NONE

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:20 p.m.

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Date Approved

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Borough Secretary