

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, MARCH 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, George Dillinger, Ronald Massung, David Pasternak, Jack Petro, Jr. and Kenneth Robb. Also attending were Mayor Ina Jean Marton, Solicitor Terry Leckman, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

**MINUTES**

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

Workshop Meeting – February 11, 2009  
Workshop Meeting – February 16, 2009  
Regular Meeting – February 16, 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**

Mr. Petro advised those in attendance that Council is unable to respond to any questions regarding legal or personnel matters at the public meeting and that anyone wishing to speak would be limited to three (3) minutes.

No one in attendance had any comments.

## REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

### President's Report

### Mayor's Report

Mrs. Marton stated the February Stat Report was not available as yet. She noted once she received the report later this week, she would release the information to the news media.

### Finance

Mr. Dillinger, Chairperson, indicated he had several motions to introduce.

A motion was made by Mr. Dillinger, seconded by Mr. Pasternak, to accept the bills paid and the accounts payable for February.

#### Bills- Paid in February

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	101296-101339	\$ 65,123.32
Fire Protection		\$ 0.00
Super Fund	12564	\$ 12,500.00
Solid Waste		\$ 0.00
Pool/Park Fund	900117	\$ 39.15
Capital Expenditures		\$ 0.00
Liquid Fuels	350042-350043	\$ 6,966.55
Total Bills Paid		\$ 84,629.02

#### Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 57,987.02
Fire Protection	\$ 0.00
Super Fund	\$ 12,500.00
Solid Waste	\$ 47,229.70
Pool Fund	\$ 949.38
Capital Projects	\$ 0.00
Liquid Fuels	\$ 29,034.16
Total Accounts Payable	\$ 149,155.46

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to enter into an agreement with Mockenhaupt Benefit Group to conduct an Actuarial Study for post retirement benefits. The study is required to be completed in 2009 under GASB (Government Accounting Standardized Board).

Motion carried unanimously.

## **HEALTH, ENVIRONMENT AND CABLE**

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

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

Mr. Pasternak, Chairperson, noted the Easter Egg Hunt is scheduled for April 11, 2009 at 10:00 a.m. The event will be held at the WOAA. This will permit the event to be held inside if the weather is inclement.

Mr. Pasternak stated Twin Rivers COG will be holding its annual dinner meeting on March 26 at the Youghiogheny County Club. The event starts at 6:00 p.m.

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

Mr. Babyak, Chairperson,

Mr. Davis advised that in December there were 6 violation notices issued as well as 2 permits for fees totaling \$48.00. There were also 6 home inspections completed, 3 home occupancy permits issued for fees total \$240.00.

A motion was made by Mr. Babyak, seconded by Mr. Davis, to enter into an agreement with Eversmore Consulting to conduct the commercial inspections for the Borough of White Oak effective April 1, 2009.

Motion carried unanimously.

## **PUBLIC SAFETY**

Mr. Massung noted the White Oak Red Cross Community Evacuation Team met on March 4<sup>th</sup> with other teams in the area to discuss issues. This is to become a semi-annual event.

Mr. Massung advised residents he obtained information over the internet on how to reduce your electricity usage. He noted that by articles indicates that by unplugging household appliances you can reduce your usage.

## **PUBLIC WORKS**

Mr. Robb, Chairperson, noted the work activity report was available for review during normal business hours.

A motion was made by Mr. Robb, seconded by Mr. Pasternak, authorizing the proper Borough officials to make the necessary arrangements to auction, accept proposals or to trade-in the following vehicles: 88 GMC 7000, 91 Chevy 3500 and an 04 Ford Crown Victoria.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, authorizing the proper officials to forward a final proposal to the Utility Workers Union Local 433 with regards to a labor agreement with the public works department and execute the collective bargaining agreement in its final form.

Motion carried unanimously.

## **TAX COLLECTOR'S REPORT**

### **Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$3,999.43, on the 2008 Tax Duplicate, for the period of February 1, 2009 – February 28, 2009.

#### **Commission due – \$3.75 (1 accounts @ \$3.75)**

Assessed Value	\$335,899,388.00
Exonerations (Less)	\$ 377,500.00
Additions	\$ 402,200.00
Abatement Values	\$ 781,300.00
Adjusted Value	\$335,142,788.00
Value of statements (actual)	\$ 1,394,194.00
Act 77 Revoked @ Face	\$ 397.11
Act 77 Eligible @ Face	<u>\$ 43,360.24</u>
Corrected Value of Statements	\$ 1,351,230.87
Collected from – 2/01/09 – 2/28/09	\$ 215.66
Discount (add)	\$ 4.40
Less Penalty	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 220.06
Amount Previously Collected	\$ 1,292,999.80
Collections	\$ 220.06
Total Collected	<u>\$ 1,293,219.86</u>
Balance to be collected	\$ 58,011.01

### **Delinquent/Liened Real Estate**

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in \$344.42 in delinquent real estate tax for the collection period of February 1, 2009 – February 28, 2009.

<b>Commission due</b>	<b>- \$ 0.66</b>
<b>Costs</b>	<b>- \$ <u>258.75</u> (Civil Complaints, Writs of Executions)</b>
<b>Total Due</b>	<b>- \$ 259.41</b>

### **Earned Income Tax Collector**

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$28,870.85 in current Earned Income Tax for the collection period of February 1, 2009 – February 28, 2009.

<b>Commission due</b>	- \$	<b>432.98</b>
<b>Costs</b>	- \$	<u>0.00</u>
<b>Total Due</b>	- \$	<b>432.98</b>

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$78.09 in delinquent Earned Income Tax and \$3,907.34 audited in delinquent Earned Income Tax, including costs for the collection period of February 1, 2009 – February 28, 2009.

<b>Commission due</b>	- \$	<b>0.00</b>
<b>Costs</b>	- \$	<u>69.31</u> – Writs of Execution, DMV, Satisfaction
<b>Total Due</b>	- \$	<b>69.31</b>

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

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$3,998.60 in current Business Privilege Tax, \$1,278.74 in current Mercantile Tax \$928.11 in current Municipal Service Tax for the collection period of February 1, 2009 – February 28, 2009.

<b>Commission due</b>	- \$	<b>172.30</b>
<b>Costs</b>	- \$	<u>0.00</u>
<b>Total Due</b>	- \$	<b>172.30</b>

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$3,798.20 in delinquent Business Privilege Tax and \$3,438.79 in delinquent Mercantile Tax for the collection period of February 1, 2009 – February 28, 2009.

<b>Commission due</b>	- \$	<b>887.75</b>
<b>Costs</b>	- \$	<u>2.17</u>
<b>Total Due</b>	- \$	<b>889.92</b>

A motion was made by Mr. Dillinger, 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 February 11 and February 16<sup>th</sup> meetings of Council. A report was provided to Council at the Workshop Session held March 11.

A motion was made by Mr. Babyak, seconded by Mr. Robb, to accept the Engineer's Report and pay Invoice 39982, dated February 18, 2009 in the amount of \$1,390.00.

Motion carried unanimously.

## SOLICITOR'S REPORT

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

A motion was made by Mr. Massung, seconded by Mr. Babyak, to accept the Solicitor's Report and pay Invoice No. WOB 220 dated March 16, 2009, in the amount of \$2,647.50.

Motion carried unanimously.

## ANIMAL CONTROL OFFICERS' REPORTS

Mr. Pasternak read the Animal Control Officer's and Wildlife Officer's Reports for the month of January, 2008.

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

Number of 911 calls taken	10
Number of calls taken shelter/borough/residents	12
Complaints	3
Number of Dogs returned to owners	10
Number of Dogs surrendered to Shelter	0
Number of Dogs humanely disposed of	0
Number of Dogs hit/killed by Vehicle	0
Number of Cats returned to owners	14
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	1
Number of citations issued	1
Number of after hour calls	4
<b>Total Due</b>	<b>\$345.00</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 \$345.00 for the month of February.

Motion carried unanimously.

Report for the month of February 2008

	Live Trap	Road Kill
Deer	0	7* removal of carcass 3157 JRR and 2231 Hemlock
Birds/Fowl	0	0
Chipmunk	0	0
Degas	0	0
Groundhogs	0	3
Rabbits	0	0
Raccoons	6	7

Opossums	0	0
Skunks	4	3
Squirrels	5	2
Snakes	0	0
Turtles	0	0
<b>Total Due</b>	<b>\$300.00</b>	<b>\$225.00</b>

A motion was made by Mr. Davis, seconded by Mr. Babyak, to accept the Wildlife Control Officer's Report and pay the fee due in the amount of \$525.00 for the month of February.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Mr. Leckman read Resolution No. 3539 by short title for adoption.

#### **R-3539 SMALL GAMES OF CHANCE – WHITE OAK EMS**

A motion was made by Mr. Davis, seconded by Mr. Robb, to adopt Resolution No. 3539 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3539 officially adopted.

### **NEW BUSINESS**

Mr. Petro indicated the McKeesport Area School District dropped off sign supporting the students in the upcoming PSSA Testing. He advised those attending they were welcomed to take a sign and place it in their yard.

### **OLD BUSINESS**

None

### **ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:14 p.m.

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Date Approved

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Borough Secretary