

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, APRIL 21, 2008 AT 8:00 P.M.**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Attending were Council members Charles Davis, George Dillinger, Ronald Massung, David Pasternak, and Kenneth Robb. Also attending were Mayor Ina Jean Marton, Solicitor Terry Leckman, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

Council members Edward Babyak and Jack Petro, Jr. were absent.

MINUTES

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

Workshop Meeting – March 12, 2008
Workshop Meeting – March 17, 2008
Regular Meeting – March 17, 2008

There were none.

A motion was made by Mr. Davis, seconded by Mr. Massung, 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

Don Kudas – 1525 Kansas Avenue

Mr. Kudas stated he felt the Borough should hold a fall clean-up which would be similar to the spring clean-up that is held. He noted that if residents would take a plastic grocery bag and

pickup litter as they walk this would be a partial solution. He also asked if the Borough could do anything with several areas that people throw junk over the hillside/creek beds.

Mr. Robb noted the Public Works Department does cleanup along the streets.

Mr. Pasternak indicated that the police would cite an individual if someone is seen dumping/littering by the officer.

Mrs. Bartko – 2810 McClintock Road

Mrs. Barkto noted that since she moved to her residence there have been 54 vehicle accidents in front of her place. The last one was two (2) weeks ago. She noted the fire hydrant has been damaged, the tree in her yard has been hit, the utility pole in front of the lot has been struck, the fence, the stone wall and the railroad tie wall in her yard have been damaged.

She asked if there was anything that could be done and suggested that rumble strips might work.

Mr. Robb stated he worked with PennDOT a number of years ago to have McClintock Road declared dangerous so that school bus transportation would be provided to the kids in the area. He indicated he would contact the state to see if rumble strips could be cut into the surface, but noted that if anything is done it is entirely up to PennDOT.

Mr. Davis asked if there were curve signs along the road.

Mrs. Bartko stated she was unaware of any signage.

Mr. Pasternak stated McClintock Road is owned by PennDOT and if anything is done it is Penn DOT's responsibility.

Rich Bryce – Messinger Lane

Mr. Bryce indicated that maybe progressive arrow signs would be beneficial along this section of the road.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

None

Mayor's Report

Mrs. Marton gave the police activity report for the month of March.

Persons Arrested 12 (11 adult(s)1 juvenile(s))

Disorderly Conduct	2
Drug Offenses	8*

DUI 2

* One person charged with theft another person charged with resisting arrest

Summary Traffic Violations 143

TOTAL INCIDENTS 415

Finance

Mr. Dillinger, Chairperson, stated he had a motion to present for consideration.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	100248-100363	\$ 91,273.03
Fire Protection		\$ 0.00
Solid Waste	600040-600044	\$ 39,757.11
Pool/Park Fund	8411-8415	\$ 3,176.94
Capital Expenditures		\$ 0.00
Liquid Fuels	637-638	<u>\$ 26,720.45</u>
Total Bills Paid		\$ 160,927.53

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 6,272.32
Fire Protection	\$ 8,365.60
Solid Waste	\$ 0.00
Pool Fund	\$ 1,040.08
Capital Projects	\$ 0.00
Liquid Fuels	<u>\$ 21,255.16</u>
Total Accounts Payable	\$ 36,933.16

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the Bills paid in March and the Accounts Payable as of April 17, 2008.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, authorizing the proper officials to file liens against Kenneth & Charlene Green – 3119 Capital Street, Block & Lot 460-S-91 in the amount of \$1,717.60 for delinquent sewer/garbage fees.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, authorizing the proper officials to enter into an agreement with the Municipal Authority of Westmoreland County to make 12 equal monthly payments in the amount of \$12,500.00 to MAWC, totaling \$150,000.00 in

order to offset a \$0.90 per thousand gallon increase in sewer rates being imposed on MAWC sewer customers with the next billing cycle. The funds being utilized to offset the rate increase for White Oak Borough customers are from the fund balance in the former sewer fund, which became available for general purposes to the Borough with the sale of the sanitary sewer system to the Municipal Authority of Westmoreland County.

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Mr. Davis indicated he had several events to announce.

The Annual Clean-up Day is set for Saturday, May 17. Anyone interested in participating should arrive at the Municipal Building by 9:45 a.m.

The Rabies Clinic is set for Saturday, May 3, 2008 from 12:00 noon until 2:00. The charge for White Oak Residents' Pets is free and for Non Residents' Pets \$10.00. Additional pet inoculations for both residents and non-residents are available for a fee of \$15.00 for each of the following inoculation for dogs DHLPP or Bordetella and for cats the FVRCP or FELV. Proceeds benefit the White Oak Animal Safe Haven.

PARKS AND RECREATION AND COG REPRESENTATIVE

Mr. Pasternak, Chairperson, announced the flyers to purchase pool passes will be mailed out this week. Passes can also be purchased through the Borough's web-site.

Mr. Pasternak noted the Borough is accepting applications for lifeguards.

Mr. Pasternak advised he attended the PA COG Board Meeting at State College. Discussions were held on legislative issues and the upcoming annual conference.

PLANNING, ZONING AND CODE ENFORCEMENT

In the absence of Mr. Babyak, Chairperson, Mr. Davis noted during the month of March 13 permits were issued for fees totaling \$567.80. There were also 20 violation notices issued during the month. Other fees collected were \$400.00 in Zoning Hearing Fees, \$5,625.00 in Mechanical Device Fees and \$42.00 in Temporary Vendor Fees.

A motion was made by Mr. Davis, seconded by Mr. Dillinger, accepting the resignation of Jack Myers as a member of the Zoning Board. Mr. Myers has moved out of the Borough.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the resignation of J. Terrance Farrell as a member of the Planning Commission and to appoint Mr. Farrell to fill the unexpired term of Jack Myers on the Zoning Hearing Board. Term expires the first Monday in January of 2009.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to appoint Glenn Beach the alternate to the Planning Commission to fill the unexpired term of J. Terrance Farrell on the Planning Commission. Term expires the first Monday in January of 2010.

Motion carried unanimously.

PUBLIC SAFETY

Mr. Massung, Chairperson, indicated the Red Cross Evacuation Team participated with other Evacuation Teams in a wash/waxing of the trailers and supply trucks on April 12th. He stated he wished to thank a group of young gentlemen from Auberle that assisted. They are Jacques, Savon, Adrian, Devin, and Franklin.

A motion was made by Mr. Massung, seconded by Mr. Davis, authorizing the Civil Service Commission to start the testing process for promotion to sergeant. This would allow the Borough to have three (3) sergeants.

Motion carried unanimously.

PUBLIC WORKS

Mr. Robb, Chairperson, noted the monthly activity report for the Public Works Department was available for review during normal business hours.

TAX COLLECTOR'S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$600.68, on the 2007 Tax Duplicate, for the period of March 1, 2008 – March 31, 2008.

Commission due – \$11.25 (3 accounts @ \$3.75)

Assessed Value	\$335,398,688.00
Exonerations (Less)	\$ 1,531,200.00
Additions	\$ 890,100.00
Abatement Values	\$ 1,086,800.00
Adjusted Value	\$333,670,988.00
Value of statements (actual)	\$ 1,388,071.31
Act 77 Revoked @ Face	\$ 746.44
Act 77 Eligible @ Face	<u>\$ 45,099.25</u>
Corrected Value of Statements	\$ 1,343,718.50
Collected from – 3/01/08 – 3/31/08	\$ 699.68
Add Discount	\$ 0.00
Less Penalty	<u>\$ 63.61</u>
Total Credited to Duplicate	\$ 636.07

Amount Previously Collected	\$ 1,293,621.00
Collections	\$ 636.07
Total Collected	<u>\$ 1,294,257.07</u>
Balance to be collected	\$ 49,461.43

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in \$3,385.87 in delinquent real estate taxes plus costs for the collection period of February 26, 2008 – March 25, 2008.

Commission due	- \$ 0.00	
Costs	- <u>\$ 1,765.00</u>	Constable Service, Default Judgment, Sheriff Services, Postage
Total Due	- \$ 1,765.00	

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$40,457.95 in current Earned Income Tax for the collection period of February 26, 2008 – March 25, 2008.

Commission due	- \$ 606.83	
Costs	- <u>\$ 37.03</u>	– Final Return Reprints, Employer Package Postage
Total Due	- \$ 643.86	

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned in \$73.43 in delinquent Earned Income Tax including costs for the collection period of February 26, 2008 – March 25, 2008.

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

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$1,536.21 in current Business Privilege Tax, \$475.50 in current Mercantile Tax and \$0.00 in Municipal Service Tax (formerly Occupational Privilege Tax) for the collection period of February 26, 2008 – March 25, 2008.

Commission due	- \$ 60.35
Costs	- <u>\$ 0.00</u>
Total Due	- \$ 60.35

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$5,135.95 in

delinquent Business Privilege Tax, \$6.03 in delinquent Mercantile Tax and \$0.00 in delinquent Municipal Service Tax for the collection period of February 26, 2008 – March 25, 2008.

Commission due	- \$	220.78
Costs	- \$	0.00
Total Due	- \$	220.78

Delinquent Garbage Fee Collector

Keystone Municipal Collections, Delinquent Garbage Fee Collector, had nothing to report at this time.

Commission due	- \$	0.00
Costs	- \$	0.00
Total Due	- \$	0.00

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

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Hultberg indicated he attended the March 17 and April 16 Workshops. Reviewed the Kolosvary (Burns) subdivision. Reviewed the requirements for street opening for the Gesmond Plan and provided recommendations to the Public Works Department with regards to remedies to slow the deterioration of the Oakview Bridge.

Mr. Hultberg advised the core drilling has been completed at WOAA and the samples are being studied. The core drilling at Heritage Hill Park is partially completed. The sample drilling should be completed this week.

Mr. Hultberg noted he received proposals for the Phase I environmental site assessment and Asbestos Survey at the WOAA Site. He indicated it was his recommendation to award the contract to AGI.

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to accept the Engineer's Report and pay invoices 38023, 38024, 38025 dated March 19, 2008 and invoices 38146, 38147 and 38148 dated April 15, 2008 totaling \$6,780.02.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, to award the Phase I Environmental project and Asbestos Survey to AGI.

Motion carried unanimously.

SOLICITOR'S REPORT

Mr. Leckman noted he gave his report during the Workshop and he would present one Resolution for consideration later in the meeting.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Solicitor's Report and pay invoice WOB 198 dated April 21, 2008 in the amount of \$2,377.50.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

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

Trisha Hroblak – Animal Control – Report for the month of March 2008

Number of 911 calls taken	5
Number of calls taken shelter/borough/residents	10
Number of Dogs returned to owners	9
Number of Dogs surrendered to Shelter	1
Number of Dogs humanely disposed of	0
Number of Dogs hit/killed by Vehicle	0
Number of Cats returned to owners	2
Number of Cats surrendered to Shelter	0
Number of Cats humanely disposed of	0
Number of Cats hit/killed by Vehicle	3
Number of people information filed against	1
Number of citations issued	1
Number of after hour calls	5

Total Due **\$325.00**

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Animal Control Officer's Report and pay the fee due in the amount of \$325.00 for the month of March.

Motion carried unanimously.

Dave Collura – Wildlife Control
Report for the month of March 2008

	Live Trap	Road Kill
Deer	0	3
Birds/Fowl	0	0
Degs	0	0
Groundhogs	3	1
Rabbits	0	2

Raccoons	6	2
Opossums	9	4
Squirrels	0	4
Skunks	4	1
Snakes	0	0
Total Due	\$300.00	\$125.00

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution No. 3517 by short title for adoption.

R-3517 REAL ESTATE TAX REFUND

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to adopt Resolution No. 3517 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3517 officially adopted.

NEW BUSINESS

NONE

OLD BUSINESS

NONE

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:22 p.m.

Date Approved

Borough Secretary