

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, APRIL 20, 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 – March 11, 2009

Workshop Meeting – March 16, 2009

Regular Meeting – March 16, 2009

There were none.

A motion was made by Mr. Babyak, seconded by Mr. Robb, 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 PRESENTATION

Jim Hoffman, Chief of White Oak V.F.C. #1 noted the Fire Department received a grant through the Mon-Yough Fire Defense Council for the purchase of new radios. He noted the new equipment is UFH. Personnel no longer need to carry several radios for communication. He stated the members of WO #1 V.F.C. have agreed to donate the VHF frequency radios to the White Oak Borough Police Department. He noted the police still use the VHF frequency.

Joe Hoffman, Chief of White Oak Police Department thanked the Fire Company for the radios noting that although each officer currently has his/her own unit. The radios from WO#1 would be used as back-ups for the department.

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.

Carol McClure – McClure Lane

Ms. McClure stated there was a deer problem in the Borough. She presented a petition signed by 28 residents with the same concerns along with photos of damage caused to vegetation. She noted the uncontrolled deer population started in the mid 90s and has only gotten worse.

Ms. McClure stated that a deer eats one ton of vegetation a year. There are millions of dollars spent by Penn DOT to remove carcasses from the highways. There are also millions of dollars of damage caused to vehicles that are involved in accidents with deer. She further noted that a deer went through the window of the pizza shop at McClure and Lincoln Way. She stated the state indicates that there should only be 1 to 2 deer for square mile. Not only are the deer destroying property they carry disease. Repellant spray only works temporarily. Archery hunting can be done within 50 yards of a home and a special group of sharp shooters can be contacted to harvest the herd. She noted she has been writing letters regarding this issue for the last 3 to 4 years.

Mr. Petro noted the Borough would take the matter under advisement, collectively make a decision and get back to her.

Marvin Berk – Monongahela Blvd

Mr. Berk stated his neighbor told him there were 18 deer in his yard recently. He also expressed concern over the turkey population.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

Mr. Petro noted that the McKeesport Area School District has obtained the services of an outside firm to review recent commercial and residential purchases. The recent purchases are reviewed and if the assessed value is a certain percentage below the sale price, this would trigger a notice from the MASD that it intends to appeal the assessed value. He stated he felt this was a form of spot reassessment and terribly unfair. There were no properties picked in South Versailles or Versailles Borough, six (6) in Dravosburg and 16 pages of properties in White Oak. Some Borough residents have already received notice of the upcoming appeal hearings.

Mr. Petro expressed concern this re-assessment program could create an issue with trying to sell homes within White Oak as well as the other municipalities within the district.

Mr. Petro noted that he felt the school officials should be working on the reputation of the district, improving the test scores and promoting all the good aspects of the district.

Mr. Petro indicated the officials have indicated they have reevaluated the program and will be putting the assessment appeals on hold. He expressed concern that this position may change after the upcoming election.

Mr. Massung stated that he felt the school district should cancel any hearings that are already scheduled.

Mr. Petro suggested that residents involved in this re-assessment should also take this same approach with the school district.

Mr. Robb stated that the entire Council was in agreement with the comments made by Mr. Petro.

Mayor's Report

Mrs. Marton Mrs. Marton gave the December Stat Report.

Arrests: 28 (27 adult/1 juvenile)

Burglary	3
Criminal Conspiracy (to commit burglary)	1
Criminal Mischief	1
Disorderly Conduct/Public Drunkenness	6
Drug Offenses	5
DUI	5
Driving Under Suspension (habitual offender)	1
Harassment	1
Prohibited Offense Weapon	1
Terroristic Threats	2
Theft	2

Summary Traffic Violations 134

Total Incidents 897

Mrs. Marton noted the Consortium for Public Education has declared April 20-24 as "Reading Rocks Week".

Mrs. Marton noted that May 1-2 would be White Oak Borough Poppy Week. She asked everyone to support the annual American Legion Poppy Sale/Donation. She advised that 100% of the profits from this program are used to provide welfare relief to military service personnel and their families.

Finance

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

1. A motion was made by Mr. Dillinger, seconded by Mr. Babyak, to accept the Bills Paid in March and Accounts Payable as of March 31, 2009.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	101340-101501	\$ 142,814.57
Fire Protection		\$ 0.00
Super Fund	400010	\$ 12,500.00
Solid Waste	600105-600152	\$ 94,650.44
Pool/Park Fund	900118-900125	\$ 4,279.46
Capital Expenditures		\$ 0.00
Liquid Fuels	350044-350051	\$ 37,814.83
Total Bills Paid		\$ 292,059.30

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 27,063.33
Fire Protection	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 83.12
Capital Projects	\$ 0.00
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 27,146.45

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Mr. Davis, Chairperson, indicated he had a motion to introduce and several announcements to make.

A motion was made by Mr. Davis, seconded by Mr. Massung, authorizing the proper officials to file municipal liens against:

Rex Hovatter -228 Cool Springs Road, Block & Lot 463-D-337
in the amount of \$314.06 for delinquent garbage fees

Robert S. Thomas – 736 O’Neil Blvd, Block & Lot 461-J-276
In the amount of \$353.44 for delinquent garbage fees.

Motion carried unanimously.

Mr. Davis announced the following events:

The Annual Clean-up Day is set for Saturday, May 16th. Anyone wishing to participate in this event should be at the Municipal Building at 9:45 a.m. for assignment. The program will run from 10:00 a.m. until 1:00 p.m.

He also noted that any residents, groups or business that would be interested in adopting a highway (borough road) should contact the office.

The Annual Rabies Clinic is set for Saturday, May 23 rd from 12:00 noon until 2:00 p.m. There is no charge for the rabies vaccine for residents' pets. For non-residents' pet the fee is \$15.00. Additional inoculations DHLPP and Bordetella for dogs will be available as well as the FVRCP and FELV for cats. The fee for these inoculations is \$15.00 each.

PARKS AND RECREATION AND COG REPRESENTATIVE

Mr. Pasternak stated the Recreation Board did a great job in promoting and organizing the annual Easter Egg Hunt. He noted that approximately 200 children participated at the event which was held at the White Oak Athletic Association.

Mr. Pasternak indicated that as of May 1st Twin Rivers COG will be moving its offices from the West Mifflin location to the old City Hall in McKeesport.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 14 permits issued in March for fees totaling \$787.00. He further advised there was \$825.00 in Amusement Device Fees collected and that 17 violation notices were issued in March.

Mr. Babyak advised that there would be no Planning Commission meeting in May.

PUBLIC SAFETY

Mr. Massung stated he had a motion to present.

A motion was made by Mr. Massung, seconded by Mr. Robb, authorizing the proper officials to secure Requests for Proposal for new radio equipment and to apply for any grants that are available for this type of equipment.

Motion carried unanimously.

PUBLIC WORKS

Mr. Robb, Chairperson, 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, had nothing to report on the 2008 Tax Duplicate, for the period of March 1, 2009 – March 31, 2009.

Commission due – \$0.00 (0 accounts @ \$3.75)

Assessed Value	\$335,899,388.00
Exonerations (Less)	\$ 378,100.00
Additions	\$ 536,700.00
Abatement Values	\$ 781,300.00
Adjusted Value	\$335,276,688.00
Value of statements (actual)	\$ 1,394,751.03
Act 77 Revoked @ Face	\$ 397.11
Act 77 Eligible @ Face	\$ 43,360.24
Corrected Value of Statements	\$ 1,351,787.90
Collected from – 3/01/09 – 3/31/09	\$ 0.00
Discount (add)	\$ 0.00
Less Penalty	\$ 0.00
Total Credited to Duplicate	\$ 0.00
Amount Previously Collected	\$ 1,293,219.86
Collections	\$ 0.00
Total Collected	\$ 1,293,219.86
Balance to be collected	\$ 58,568.04

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in 3,702.35 for the period of February 26, 2009 – March 25, 2009.

Commission due	- \$ 184.93
Costs	- \$ 69.86 – DMV, Constable Fees, 2008 New Year Letters
Total Due	- \$ 254.76

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$73,226.15 in current Earned Income Tax for the collection period of February 26, 2009 – March 25, 2009.

Commission due	- \$ 1,098.53
Costs	- \$ 0.42 - Refunds
Total Due	- \$ 1,098.95

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$1,183.15 in delinquent Earned Income Tax and \$5,282.01 audited in delinquent Earned Income Tax, including costs for the collection period of February 26, 2009 – March 25, 2009.

Commission due	- \$	0.17	
Costs	- \$	24.99	- Overpay Letters, Refund
Total Due	- \$	25.16	

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$6,962.15 in current Business Privilege Tax, \$1,718.24 in current Mercantile Tax and \$35.00 in current Municipal Service Tax for the collection period of February 26, 2009 – March 25, 2009.

Commission due	- \$	260.58	
Costs	- \$	0.42	- Postage
Total Due	- \$	261.00	

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$4,690.87 in delinquent Business Privilege Tax and \$1,701.72 in delinquent Mercantile Tax for the collection period of February 26, 2009 – March 25, 2009.

Commission due	- \$	492.01	
Costs	- \$	1.89	- Postage
Total Due	- \$	493.90	

A motion was made by Mr. Pasternak, seconded by Mr. Robb, 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 March 11th and March 16th meetings of Council. A report was provided to Council at the Workshop Session held March 11.

A motion was made by Mr. Massung, seconded by Mr. Babyak, to accept the Engineer's Report and pay Invoices 40203-40206, Dated March 31, 2009, in the amount of \$5,709.19.

Motion carried unanimously.

SOLICITOR'S REPORT

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

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Solicitor's Report and pay Invoice No. WOB 222 dated April 20, 2009, in the amount of \$2,260.15, which includes advanced costs in the amount of \$126.40.

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 2009

Number of 911 calls taken	14
Number of calls taken shelter/borough/residents	11
Complaints	2
Number of Dogs returned to owners	20
Number of Dogs surrendered to Shelter	2
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	3
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	7
Total Due	\$435.00

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 \$435.00 for the month of March.

Motion carried unanimously.

Dave Collura – Wildlife Control
Report for the month of March 2009

	Live Trap	Road Kill
Deer	0	2
Birds/Fowl	0	0
Chipmunk	0	0
Degas	0	0
Groundhogs	4	3
Rabbits	0	5
Raccoons	15	7
Opossums	9	2
Skunks	12	9
Squirrels	6	2
Snakes	0	0
Turtles	0	0
Total Due	\$300.00	\$225.00

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution No. 3540 by short title for adoption.

R-3540 PENNDOT EALA LICENSING AGREEMENT

A motion was made by Mr. Massung, seconded by Mr. Robb, to adopt Resolution No. 3540 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3540 officially adopted.

Mr. Leckman read Resolution No. 3541 by short title for adoption.

R-3541 REAL ESTATE TAX REFUND

A motion was made by Mr. Dillinger, seconded by Mr. Massung, to adopt Resolution No. 3541 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3541 officially 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 8:23 p.m.

Date Approved

Borough Secretary