

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, MAY 18, 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 – April 15, 2009

Workshop Meeting – April 20, 2009

Regular Meeting – April 20, 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 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.

Charmin Cook – 601 Will Court

Ms. Cook noted she lives along a private road, Will Court, which was damaged when one of the fire trucks (Rainbow) tipped over on its side. The fire truck was responding to a fire call at another residence along Will Court. This occurred on April 14. She indicated that in September of last year she put own money into putting 5 inches of material on the cart way for a length of approximately ½ mile. She noted the road fill is now gone where the accident occurred and asked who was responsible for repairs. She further commented this is the only access for the residents along this private road to get water and heating oil.

Mr. Petro stated that unfortunately because Will Court is a private lane the municipality can not do anything to the cart way. He indicated he had spoken with the Chief at Rainbow regarding the matter and was advised that an insurance adjustor had or will be out to look at the cart way. He asked Ms. Cook to provide her phone number and he would then turn the phone number over to the Chief at Rainbow.

Mark Stanchik - 350 Twin Springs Road

Mr. Stanchik indicated the insurance adjustor was already out and did look at the damage to the road. He indicated that his private road, which the truck ended up on, on its side, was also damaged and expressed concern that if something wasn't done with Will Court that it could slip down onto his lane.

Mr. Petro also asked Mr. Stanchik for his phone number and indicated he would turn it over to the Chief at Rainbow.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

Mr. Petro had nothing to report at this time.

Mayor's Report

Mrs. Marton Mrs. Marton gave the April Stat Report.

Arrests: 19 (15 adult/4 juvenile)

Disorderly Conduct	2
Drug Offenses	4
DUI	3
Harassment	2
Ignition Interlock Violation	1
Liquor Law Violations	2
Theft	5

Summary Traffic Violations 117

Total Incidents 779

Finance

Mr. Dillinger, Chairperson, indicated he had the standard motion for approving the bills and accounts payable.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to accept the Bills Paid in April and Accounts Payable as of April 30, 2009.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	101502-101589	\$ 89,212.21
Fire Protection	997	\$ 2,134.57
Super Fund	400011-400012	\$ 18,750.00
Solid Waste	600153-600159	\$ 43,488.89
Pool/Park Fund	900126-900133	\$ 10,209.74
Capital Expenditures		\$ 0.00
Liquid Fuels	350052-350055	\$ 8,636.00
Total Bills Paid		\$ 172,431.41

Accounts Payable-

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 8,333.47
Fire Protection	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 154.88
Capital Projects	\$ 0.00
Liquid Fuels	\$ 2,982.00
Total Accounts Payable	\$ 11,470.35

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

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

A motion was made by Mr. Davis, seconded by Mr. Pasternak, authorizing the proper officials to file a municipal lien against Donald and Patricia Sharbaugh, 430 Oliver Drive, Block & Lot 551-N-57, in the amount of \$855.36, for delinquent sewer and garbage fees

Motion carried unanimously.

Mr. Davis announced the Annual Clean-up Day was held Saturday, May 16th. He thanked all who participated – including the RVFC, WO#1VFC, WOEMS and particular the vendors who provided refreshments and prizes.

Mr. Davis announced the Annual Rabies Clinic is set for Saturday, May 23rd 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 \$10.00. 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 pool is set to open Monday, May 25 at 12:00 noon. The early bird pass rate has been extended until May 25. Passes can be purchased at the Municipal Building through close of business on Friday May 22. Once the pool opens pass will be sold at the pool.

Mr. Pasternak noted the Memorial Day Parade is scheduled to start at 12:30 p.m. on Monday, May 25th.

Mr. Pasternak announced Twin Rivers COG will be holding an Open House at its new offices on June 26th.

A motion was made by Mr. Pasternak, seconded by Mr. Babyak, authorizing the proper officials to file grant applications for demolition of several structures within the Borough and an energy audit of the Municipal Building. Funding for these grants will be supplied through the County's DCED Programs.

Motion carried unanimously.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 17 permits issued in April for fees totaling \$530.00, along with Amusement Device Fees total \$2,475.00. Nine code violation notices were issued in April.

PUBLIC SAFETY

Mr. Massung, Chairperson, noted this was National Emergency Medical Service Week. He asked that a special thank you be extended to the personnel that provide the emergency medical services.

Mr. Massung indicated he was in receipt of a letter address to Mayor Marton from Penn State – Greater Allegheny. The letter express thanks to Lt. Lou Bender of our police department, as well as, Allegheny County Police for their assistance in a case involving one of the students at the campus.

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 2009 Tax Duplicate, for the period of April 1, 2009 – April 30, 2009.

Commission due – \$3,161.25 (843 accounts @ \$3.75)

Assessed Value	\$336,915,588.00
Exonerations (Less)	\$ 161,000.00
Additions	\$ 230,000.00
Abatement Values	\$ 522,600.00
Adjusted Value	\$336,461,988.00
Value of statements (actual)	\$ 1,399,681.87
Act 77 Revoked @ Face	\$ 750.00
Act 77 Eligible @ Face	<u>\$ 41,933.04</u>
Corrected Value of Statements	\$ 1,358,498.83
Collected from – 4/01/09 – 4/30/09	\$ 302,533.09
Discount (add)	\$ 6,191.97
Less Penalty	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 308,725.06
Amount Previously Collected	\$ 0.00
Collections	\$ 308,725.06
Total Collected	<u>\$ 308,725.06</u>
Balance to be collected	\$ 1,049,733.77

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in 10,773.92 for the period of March 26, 2009 – April 25, 2009.

Commission due	- \$ 486.64
Costs	- <u>\$ 125.00</u> – Constable Fees, Satisfactions
	- \$ 611.64

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$75,879.97 in current Earned Income Tax for the collection period of March 26, 2009 – April 25, 2009.

Commission due	- \$ 1,117.39
Costs	- <u>\$ 58.33</u> – Refunds, Reactivates, Final Reprints
Total Due	- \$ 1,175.72

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$270.58 in delinquent Earned Income Tax and 3,252.88 audited in delinquent Earned Income Tax, including costs for the collection period of March 26, 2009 – April 25, 2009.

Commission due	- \$	0.00	
Costs	- \$	379.13	– Civil Complaints, Writs of Execution, Constable Fees
	- \$	379.13	

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$17,782.00 in current Business Privilege Tax, \$783.01 in current Mercantile Tax and \$651.71 in current Municipal Service Tax for the collection period of March 26, 2009 – April 25, 2009.

Commission due	- \$	566.73	
Costs	- \$	0.21	- Postage
Total Due	- \$	556.95	

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$970.41 in delinquent Business Privilege Tax and \$3,929.20 in delinquent Mercantile Tax for the collection period of March 26, 2009 – April 25, 2009.

Commission due	- \$	666.02
Costs	- \$	0.00
Total Due	- \$	666.02

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

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Hultberg, Engineer Representative, was absent. There was no report submitted at this time.

SOLICITOR'S REPORT

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

A motion was made by Mr. Babyak, seconded by Mr. Robb, to accept the Solicitor's Report and pay Invoice No. WOB 224, dated May 18, 2009, in the amount of \$2,382.23, which includes advanced costs in the amount of \$150.98.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

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

Number of 911 calls taken	7
Number of calls taken shelter/borough/residents	8
Complaints	3
Number of Dogs returned to owners	15
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	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	3
Total Due	\$315.00

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 \$315.00 for the month of April.

Motion carried unanimously.

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

	Live Trap	Road Kill
Deer	0	4
Birds/Fowl	0	0
Chipmunk	0	0
Degs	0	0
Groundhogs	15	2
Rabbits	0	0
Raccoons	16	7
Opossums	9	1
Skunks	13	1
Squirrels	7	0
Snakes	0	0
Turtles	0	0
Total Due	\$300.00	\$125.00

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Ordinance No. 3542 by short title for adoption.

O-3542 UNLICENSED VEHICLES

A motion was made by Mr. Babyak, seconded by Mr. Massung, to adopt Ordinance No. 3542 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Ordinance No. 3542 officially adopted.

Mr. Leckman read Resolution No. 3543 by short title for adoption.

R-3543 REAL ESTATE TAX REFUND

A motion was made by Mr. Massung, seconded by Mr. Babyak, to adopt Resolution No. 3543 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3543 officially adopted.

NEW BUSINESS

None

OLD BUSINESS

None

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:16 p.m.

Date Approved

Borough Secretary