

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, MAY 17, 2010 AT 8:00 P.M.**

CALL TO ORDER

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

Mr. Pasternak noted there were two scouts in the audience who are going to be working on their Eagle Scout Badge. He asked that they lead the group in the Pledge of Allegiance

PLEDGE OF ALLEGIANCE

The scouts led those attending in the Pledge of Allegiance.

ROLL CALL

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

Council member Edward Babyak was absent.

MINUTES

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

Public Meeting – April 14, 2010, Demolition 1311 Amherst Street
Workshop Meeting – April 14, 2010
Workshop Meeting – April 19, 2010
Regular Meeting – April 19, 2010
Special Meeting – April 26, 2010

There were none.

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

Jeff Winowich – 2110 Fawcett Avenue

Mr. Winowich expressed concern about the pooling of water in front of his home. He noted the fall for rain water on the street is very limited and he had presented the matter in the past with the officials. He asked if there was any thing that was scheduled to be done to correct the problem, noting it is more of a nuisance than anything.

Mr. Petro noted the matter has been reviewed by the Public Works department and the issue is the lack of a catch basin in the area as well as the layer upon layer of asphalt. He advised the Borough has a multi-year major road rehab project coming up and work is scheduled for Fawcett Avenue but he wasn't sure if it took in this area.

Mr. Winowich also suggested a stop sign be installed between Henderson and Oliver Drive on Fawcett Avenue. He suggested the sign be erected at Spruce Way.

Mr. Petro suggested a petition be circulated amongst the neighbors. Once it is received it will be turned over to the Police Department for review and a recommendation.

Katherine Malloy – 213 Sunset Drive

Ms. Malloy expressed concern about 215 Sunset Drive, which has been empty since the fall. She noted the brother of the owner indicated the owner was in a care home. The grass is excessive in height and asked if the Borough could get the grass cut under section 733.03 of the Borough's codified ordinances.

Mr. Petro noted there was a discussion on this site last week and further advised that proper notice has to be issued to the owner giving time to correct the problem. He indicated he would discuss the complaint with Mr. Washowich, Code Officer, in the morning.

Mr. James McCabe, Public Works Supervisor, stated the owner passed away last weekend.

Mr. Pasternak indicated the Borough would contact the appropriate party giving them time to correct the issue and if not completed by the deadline the Borough would then contact its landscape contractor to rectify the problem.

Rebecca and Frances Weiss – 1037 Amherst Street

Ms. Weiss indicated that for three (3) years she and her sister have been tormented and harassed by their neighbor at 1035 Amherst Street. The neighbor just moved out leaving garbage/debris on the site as well as an abandoned vehicle. She further advised the grass is very high and in need of being cut. Cans of hazardous chemicals were left on the porch and a small pool with water in it is in the backyard.

Mr. Petro noted he would address this matter with Mr. Washowich, the Code Enforcement Officer.

John Tokarska – 537 McCully Street

Mr. Tokarska presented a petition signed by residents of McCully Street reporting speeding along McCully as well as the lack of proper signage along the roadway. She noted the wasn't a stop sign (going up hill) until you get to Prescott Street, there is only one Watch Children sign. He

suggested Monongahela and McCully be a three way stop, that speed limit signage be installed along with additional Watch Children signs and Hidden Driveway signs.

Chief Hoffman noted the he has spoken with Mr. Tokarska and advised the Borough would be installing a speed strip along McCully Street. The data from the strip will assist in determining what can be done to rectify the complaint about speeding.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

Mr. Pasternak asked for a motion authorizing the issuance of a letter opposing House Bill 243. He noted the proposed legislation would only permit local governments to exist under the jurisdiction of the county. The county would determine what type of duties the municipal officials would perform as well as being tasked with control of personnel, law enforcement, land use/zoning regulations, sanitation and health and safety issues. If adopted there would virtually be no local government.

A motion was made by Mr. Robb, seconded by Mr. Davis, to author a letter opposing adoption of HB 2431.

Motion carried unanimously.

Mayor's Report

Mrs. Marton gave the April Stat Report.

Arrests: 15(15 adults/0 juveniles)

Assault & Related Offenses	2
Disorderly Conduct	1
Drug Offenses	3
DUI	4
Public Drunkenness	2
Theft	3*
Summary Traffic Violations	101
Total Incidents	502

*One person also charged with terroristic threats and public drunkenness.

Mrs. Marton noted she was on the Board of Directors for the McKeesport Library. The library is having a fundraiser. Proceeds will benefit both the McKeesport and White Oak Branches.

Mrs. Marton read a letter from Brian and Sandy Bozack, support/honoring the White Oak Police Department as well as the EMS personnel and fire personnel. The Bozacks suggested the Borough consider honor the department on Community Day.

Mrs. Marton advised that the week of May 16 – May 22 was Emergency Services Week.

Mrs. Marton commented she had tickets for the benefit concert for Carnegie Library. The concert features the group Dancing Queen.

Mr. Pasternak congratulated Mrs. Marton and Ms. Verbanick on their appoint to the board of the Friends of White Oak Park. He noted their terms expire in 2012.

Finance

Mr. Dillinger, Chairperson, noted he would present the bills and accounts payable for approval.

A motion was made by Mr. Dillinger, seconded by Mr. Massung, to accept the Check Register and Accounts Payable as of April 30, 2010.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	102587-102687	\$ 133,959.80
Fire Protection	None	\$ 0.00
Super Fund	400019	\$ 12,500.00
Solid Waste	600194-600197	\$ 51,382.83
Pool/Park Fund	900264-900271	\$ 1,292.85
Capital Expenditures	None	\$ 0.00
Liquid Fuels	350102-350104	\$ 8,555.63
Total Bills Paid		\$ 207,691.11

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 2,577.77
Fire Protection	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 49.97
Capital Projects	\$ 0.00
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 2,627.74

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to reject the bid received from Aaron Gentile, for the sale of the lot at the corner of Anthony Drive and Heckman Road.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded Mr. Massung, authorizing the proper officials to enter into a loan agreement, with the White Oak Borough Local Development Corp., and to sign any other necessary agreements/documents for the sum of \$10,000,000 to be repaid in full by December 31, 2010.

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Ms. Verbanick indicated the Borough has finalized the details for The Rabies Clinic has been scheduled for Saturday, May 22, 2010 from 12:00 Noon until 2:00 PM at the Municipal Garage. Rabies shots are free for White Oak residents - proof of residency will be required. A fee of \$10.00 Per Pet for non-residents. Please have correct change. Pets should be on a leash or in a pet carrier. Pets (dogs and cats) must be in good health, not pregnant, and be at least 3 months of age or older. Proceeds benefit the White Oak Animal Safe Haven.

ADDITIONAL INOCULATIONS AVAILABLE FOR A FEE

DHLPP (dog only)	\$15.00
Bordetella (dog only)	\$15.00
FVRCP (cat only)	\$15.00
FELV (cat only)	\$15.00

PARKS AND RECREATION

Mr. Robb, Chairperson, announced Season Pool Passes are now on sale – the fee is \$45.00 per person. A photo pass ID will be required, pictures are being taken during normal business hours and the Borough will be offering evening hours from 6:00 p.m. until 8:00 p.m. on Thursday, May 20th and Wednesday May 26. The pool is set to open May 31, Memorial Day. After the pool is opened passes and photos can be secured at the pool.

PLANNING, ZONING AND CODE ENFORCEMENT

In the absence of Mr. Babyak, Mr. Massung, noted there were 28 violation notices issued and 16 construction permits, 15 residential occupancy permits, 2 mechanical amusement device licenses issued in April for fees totaling \$2,270.00.

PUBLIC SAFETY

Mr. Massung, Chairperson, noted the Memorial Day will have an Honor Guard from White Oak EMS marching in it this year.

Mr. Massung noted residents in the area of Stewartsville Hollow Road received survey regarding engineering work for the state road.

PUBLIC WORKS

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

A motion was made by Mr. Davis, seconded by Mr. Robb, authorizing the proper officials to satisfy a municipal lien for Grading and Paving filed against JELL. Frick – 1807 Kansas Avenue, C.P. No. B186, Oct, 1954. The lien has been paid in full.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded Mr. Robb, authorizing the purchase of the following commodities as submitted to the SHACOG Purchasing Alliance for bid opening on April 8, 2010.

Culverts, Inc. - Concrete boxes, risers, tops for catch basins
 Walsh Equipment - Plastic Pipe
 Hanson Aggregates - Stone, Asphalt
 Russell Standard – Tac-kote
 Hei-Way – Cold Patch
 Ibis Signs – Street Signs
 U.S. Municipal Signs – Street Signs
 Chemung – Street Sign Posts
 Natural Sand – Ball Field Mix
 Federouch – Ball Field Mix
 Witmer Public Safety Group – Ammunition and Range Supplies

Motion carried unanimously.

TAX COLLECTOR’S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$328,781.02 on the 2010 Tax Duplicate, for the period of April 1, 2010 – April 30, 2010.

Commission due – \$3,618.75 (965 accounts @ \$3.75)

Assessed Value	\$336,655,388.00
Exonerations (Less)	\$ 0.00
Additions	\$ 0.00
Abatement Values	\$ 517,250.00
Adjusted Value	\$336,138,138.00
Value of statements (actual)	\$ 1,398,334.66
Act 77 Revoked @ Face	\$ 191.45
Act 77 Eligible @ Face	<u>\$ 41,013.29</u>
Corrected Value of Statements	\$ 1,357,512.82

Collected from – 4/01/10 –4/30/10	\$ 328,781.02
Discount (add)	\$ 6,583.50
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 0.00
Amount Previously Collected	\$ 335,364.52
Collections	\$ 0.00
Total Collected	<u>\$ 335,364.52</u>
Balance to be collected	\$ 1,022,148.30

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in \$10,931.31 in delinquent real estate taxes plus costs for the collection period of March 26, 2010 – April 25, 2010.

Commission due	- \$	579.34
Costs	- \$	15.75 (Constable Service, Postage)
Total Due	- \$	595.00

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$0.00 (2009 & 2010) and \$0.00 (2008 and Prior Years) in current Earned Income Tax for the collection period of March 26, 2010 – April 25, 2010.

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

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$0.00 in delinquent Earned Income Tax and \$3,477.68 (audited) in delinquent Earned Income Tax, including costs for the collection period of March 26, 2010 – April 25, 2010.

Commission due	- \$	0.00
Costs	- \$	384.75
	- \$	384.75

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$784.83 in Local Service Tax, \$17,567.61 in Business Privilege and \$3,685.36 in Mercantile Tax collections for the collection period March 26, 2010 – April 25, 2010.

Commission due	- \$	637.00
Costs	- \$	0.00
Total Due	- \$	637.00

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$(885.25) in delinquent Business Privilege Tax, \$1,751.12 in delinquent Mercantile Tax for the collection period of March 26, 2010 – April 25, 2010.

Commission due	- \$	(8.56)
Costs	- \$	0.00
Total Due	- \$	(8.56)

A motion was made by Mr. Dillinger, seconded by Ms. Verbanick, 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 Workshop Sessions on May 12 and May 17. The EADS Group has been working on the items outlined at those meetings.

A motion was made by Mr. Robb, seconded by Mr. Massung, to accept the Engineer's Report.

Motion carried unanimously.

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. Dillinger, seconded by Mr. Robb, to accept the Solicitor's Report and pay Invoice No. WOB 2486 dated May 17, 2010, in the amount of \$3,330.00.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

Mr. Verbanick read the Animal Control Officer's and Wildlife Officer's Reports for the month of April 2010.

Trisha Hroblak – Animal Control
Report for the month of April 2010

911 Calls Taken	9
Municipality/Residents Calls Taken	6
Complaints	0
Dogs Returned to Owners	12
Dogs Surrendered to Shelter	3
Dogs Humanely Disposed Of	0
Dogs Hit/Killed by Vehicle	0
Cats Returned to Owners	0
Cats Surrendered to Shelter	0
Cats Humanely Disposed Of	0
Individuals Filed Against	0
Citations Issued	0
Miscellaneous	0
After Hours Calls	3
 Total Due	 \$315.00

A motion was made by Ms. Verbanick, seconded by Mr. Davis, 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.

Report for the month of April 2010

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	4	4
Birds/Fowl	0	0	

Chipmunk	0	0	
Degas	0	0	
Groundhogs	11	4	
Rabbits	0	6	
Raccoons	13	5	
Opossums	9	7	
Skunks	8	1	
Squirrels	3	5	
Snakes	0	0	
Turtles	0	0	
Total Due	\$350.00	\$140.00	\$80.00

A motion was made by Ms. Verbanick, seconded by Mr. Robb, to accept the Wildlife Control Officer's Report and pay the fee due in the amount of \$570.00 for the month of April.

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Ordinance No. 3578 by short title for adoption.

O-3578 EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to adopt Ordinance No. 3578 as read by Mr. Leckman.

Mr. Pasternak declared Ordinance No. 3578 officially adopted.

Mr. Leckman read Resolution No. 3580 by short title for adoption.

R-3580 REAL ESTATE TAX REFUNDS

A motion was made by Mr. Robb, seconded by Mr. Dillinger, to adopt Resolution No. 3580 as read by Mr. Leckman.

Mr. Pasternak declared Resolution No. 3580 officially adopted.

NEW BUSINESS

A motion was made by Mr. Davis, seconded by Mr. Dillinger, authorizing the proper officials to sign an agreement with In Community Magazines, Inc, in order to participate in the McKeesport Area In Community Magazine.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, authorizing the proper officials to prepare the necessary bid documents for the drilling of gas wells on Borough property.

Motion carried unanimously.

Mrs. Marton asked Chief Hoffman to come forward and speak regarding the paper link chain on display across the dais.

Chief Hoffman noted this was prayer/thank you chain made by the 214 students and staff at St. Angela Merici Catholic School. This coincided with May 9-16 being National Police Week. The students asked about making a donation to an organization in the name of our department. It was suggested a donation be made by St. Jude Children's Research Hospital. The organization conducts research and treats children with life threatening diseases.

He noted that 2009 was a difficult year in Western Pennsylvania for police officers. Four officers were fatally shot (3 from Pittsburgh, 1 from Penn Hills). There were currently 900,000 sworn officers in the United States. One officer is killed about every 53 minutes, 56,000 are assaulted annually with 16,000 receiving significant injuries.

The Chief thanked the students and staff for their thoughts.

OLD BUSINESS

None

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:35 p.m.

Date Approved

Borough Secretary