

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, MAY 16, 2011 AT 8:00 P.M.**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

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

**MINUTES**

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

Workshop Meeting – April 13, 2011  
Workshop Meeting – April 18, 2011  
Regular Meeting – April 18, 2011

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/potential litigation and personnel matters were discussed.

**PUBLIC COMMENTS**

**Don Kudas – 1525 Kansas**

Mr. Kudas stated he read that gas drilling at the WOAA was being looked into, but felt that the furnaces and poor insulation of the structure needed to also be addressed.

Mr. Davis stated the current furnaces run off of oil and a switch would need to be made if the site went to natural gas as a heating source.

Mr. Kudas suggested the Borough consider a volunteer cleanup program throughout the Borough similar to the program the City of Pittsburgh has. He noted that dump sites could be addressed.

Mr. Petro stated the staff has been working on such a program and it should be launched in the very near future.

Mr. Kudas asked how election signs that are placed throughout the community are taken care of once the election is over.

Mr. Petro stated anyone wishing to erect signs is required to place a security deposit with the Borough. Once the election is over the candidates or the political parties are required to remove the signs within a specified period of time. If this is not done the signs are removed by borough personnel and the security deposit is forfeited.

### **Keith Reigh – 100 Navy Street**

Mr. Reigh asked when backfill was going to be placed behind the curbs along the roads that were paved last year. He stated the curb is about 10 inches high and asked if top soil would be placed behind the curb.

Mr. Hultberg indicated the completion of this process was put off due to the lateness in the season. The contractor has already been in the Borough to complete start this process but the weather has not been cooperating. He stated he hoped this would be completed within the next week or so. If the area has grass top soil will be placed behind the curb. These issues are being address.

## **REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES**

### **President's Report**

Mr. Pasternak, Vice President of Council, noted the Borough Offices would be closed on Monday, May 30<sup>th</sup> in observance of the Memorial Day Holiday.

Mr. Pasternak read a letter received from a resident on Tangleview Drive expressing their gratitude that the elected officials of White Oak Borough bit the bullet and instituted a tax increase to improvement the infrastructure of the Borough. They noted the small increase of \$10.00 per month now would save larger increases in the future.

### **Mayor's Report**

Mrs. Marton gave the April Stat Report:

Arrests: 18 (18 adult/0 juvenile)

Assault	2*
*one person charged with aggravated assault in additional to reckless endangerment and drug offenses	
Criminal Mischief	2
Disorderly Conduct	1
Drug Offenses	8
DUI	2
Public Drunkenness	1
Theft	2
Summary Traffic Violations	89
<b>Total Incidents:</b>	<b>440</b>

Mrs. Marton noted tickets for the upcoming fund raiser for the library were still available. The event is a dance to be held at the Palisades and costs \$10.00 per person.

## Finance

Mr. Dillinger, Chairperson, indicated he had several motions to present for consideration.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the Check Register and Accounts Payable as of April 30, 2011.

### Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	103754-103851	\$ 95,125.10
Fire Protection	0-0	\$ 0.00
	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600227-600229	\$ 46,495.00
Pool/Park Fund	900437-900444	\$ 1,613.95
Capital Expenditures	0-0	\$ 0.00
Capital Debt Sinking	23112-231013	\$ 496,411.05
Liquid Fuels	350149-350151	\$ 8,505.53
Total Bills Paid		\$ 648,150.63

### Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 14,463.95
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 57.46
Capital Projects	\$ 0.00

Capital Debt	\$	0.00
Liquid Fuels	\$	0.00
Total Accounts Payable	\$	14,521.41

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Massung, authorizing the proper officials to satisfy the following liens, they have been paid in full:

GD11-1509	Safos	1321 Lincoln Way
FD10-001758	Safos	1321 Lincoln Way
GD08-019921	Safos	1321 Lincoln Way
GD92-7664	Safos	1321 Lincoln Way
GD92-7663	Safos	1321 Lincoln Way
GD11-1510	Kasyan	227 Carmella Dr.
GD11-563	Nickels	1419 Fawcett Avenue
GD10-24908	Lefkowitz	2404 Briarhill Court
GD10-24811	Lefkowitz	1136 Lincoln Way
GD10-24924	Carr	1207 Monongahela Blvd.
GD11-322	Simko	1118 Glass Street
GD11-175	Paunovich	2237 Lewis Street

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Babyak, authorizing the proper officials to revive 52 1991 delinquent real estate tax liens. Mr. Dillinger noted liens must be revived every 20 years in order to keep the Borough's priority on the claim in place.

Motion carried unanimously.

## **HEALTH, ENVIRONMENT AND CABLE**

Ms. Verbanick, Chairperson, Chairperson, announced the following:

The Rabies Clinic is set for Saturday, May 21 from 12:00 noon until 2:00 p.m.

There would be a one day delay in garbage collection during the week of May 30<sup>th</sup>. This is due to the Monday Memorial Day holiday.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, announced the annual Memorial Day Parade is set for Monday, May 30<sup>th</sup> at 12:30 p.m. – parade route is Lincoln Way from Willard Street to State then up State Street to Pennsylvania Avenue then onto Capitol to the American Legion parking lot where a service will be conducted following the parade.

Mr. Robb indicated weather permitting the pool is set to open May 30<sup>th</sup> at 12:00 noon. Pool passes are on sale through the borough's website or at the office during normal business hours.

## PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 20 permits issues for a total of \$702.00 for the month of April. There were also 12 violation notices issued.

## PUBLIC SAFETY

Mr. Massung, Chairperson, stated the police are using speed enforcement devices throughout the Borough and that the current collective bargaining agreement with the department expires at the end of the year.

## PUBLIC WORKS

Mr. Davis, Chairperson, noted the Work Activity Report would be available for viewing during normal business hours.

Mr. Davis advised that the Borough received the new John Deere riding mower today. The purchase of \$11,400.00 was made through a co-operative purchasing agreement

## TAX COLLECTOR'S REPORT

### Current Real Estate

Robert Hart, Current Tax Collector, turned in \$0.00 on the 2011 Tax Duplicate, for the period of April 1, 2011 – April 30, 2011.

### **Commission due – \$3,543.75 (945 accounts @ \$3.75)**

Assessed Value	\$337,235,488.00
Exonerations (Less)	\$ 259,200.00
Additions	\$ 28,100.00
Abatement Values	\$ 535,800.00
Adjusted Value	\$336,468,588.00
Value of statements (actual)	\$ 1,884,224.09
Act 77 Revoked @ Face	\$ 293.83
Act 77 Eligible @ Face	<u>\$ 55,324.41</u>
Corrected Value of Statements	\$ 1,829,193.51
Collected from – 4/01/11 –4/31/11	\$ 475,465.80
Discount (add)	\$ 9,714.30
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 485,180.10
Amount Previously Collected	\$ 0.00
Collections	\$ 485,180.10
Total Collected	<u>\$ 485,180.10</u>

Balance to be collected \$ 1,344,013.41

**Delinquent/Liened Real Estate**

Keystone Municipal Collections, Delinquent/liened Real Estate Tax Collector, turned in \$10,530.00 in taxes and costs collected for the collection period of March 26, 2011 – April 25, 2011.

<b>Commission due</b>	- \$	<b>334.64</b>	
<b>Costs</b>	- \$	<b>479.75</b>	<b>(Estate Claim, Civil Complaints)</b>
<b>Total Due</b>	- \$	<b>814.39</b>	

**Earned Income Tax Collector**

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$84,298.53 (current year minus refunds/non-resident distributions) and \$838.83 (prior year minus refunds/non-resident distributions) in current Earned Income Tax for the collection period of March 26, 2011 – April 25, 2011.

<b>Commission due</b>	- \$	<b>1,265.29</b>	
<b>Costs</b>	- \$	<b>282.70</b>	<b>2010 Final Forms, Refunds Postage)</b>
<b>Total Due</b>	- \$	<b>1,547.99</b>	

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$961.82 (audited) in delinquent Earned Income Tax, including costs for the collection period of March 26, 2011 – April 25, 2011.

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

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

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$4,691.33 in Local Service Tax and \$5,979.54 in Business Privilege and \$2,060.91 in Mercantile Tax collections for the collection period March 26, 2011 – April 25, 2011.

<b>Commission due</b>	- \$	<b>311.61</b>	
<b>Costs</b>	- \$	<b>0.00</b>	
<b>Total Due</b>	- \$	<b>311.61</b>	

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$661.90, in delinquent Business Privilege Tax, \$651.03 in delinquent Mercantile Tax for the collection period of March 26, 2010 – April 25, 2010.

**Commission due - \$ 160.23**  
**Costs - \$ 0.00**  
**Total Due - \$ 160.23**

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, indicated he attended the Workshop Sessions on May 11<sup>th</sup> and May 16<sup>th</sup> Workshop Sessions. The EADS Group has been working on the items outlined at those meetings.

Mr. Hultberg advised the Borough held a public bid opening on Thursday at which time six bids were received. Bids were received from the following:

Contractor	Total Bid
Derry Construction	\$1,701,744.85
Donegal Construction	\$1,901,496.11
Caruso & Son Construction	\$1,789,142.07
Morgan Excavating LP	\$1,495,107.47
Victor Paving & Construction	\$1,569,444.05
El Grande Inc.	\$1,652,082.20

Mr. Hultberg stated the estimated cost of the project was set at \$1,653,000.00. There were three bids that came in under that estimate. All of the bids have been certified and he stated he was recommending Council award the bid to Morgan Excavating LP, the lowest bidder, for \$1,495,107.47.

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

**SOLICITOR'S REPORT**

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

A motion was made by Mr. Babyak, seconded by Mr. Dillinger, to accept the Solicitor's Report and pay Invoice No. WOB 272, dated May 16, 2011, in the amount of \$2,837.50.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS' REPORTS**

Mr. Verbanick read the Animal Control Officer's and Wildlife Officer's Reports for the month of March 2011.

Trisha Hroblak – Animal Control  
 Report for the month of March 2011

911 Calls Taken	5
Municipality/Resident Calls Taken	9
Complaints	0
Dogs Returned to Owners	10
Dogs Surrendered to Shelter	1
Dog Humanely Disposed of	0
Dogs Hit/Killed by Vehicle	0
Cats Returned to Owners	2
Cats Surrendered to Shelter	1
Cats Humanely Disposed of	0
Cats Hit/Killed by Vehicle	0
Individuals Filed Against	0
Citations Issued	0
Monthly Fee	\$225.00
Additional Charges	\$ 0.00
Total Due	\$225.00

A motion was made by Ms. Verbanick, seconded by Mr. Dillinger, to accept the Animal Control Officer's Report for the month of March and pay the fee in the amount of \$225.00.

Motion carried unanimously.

Dave Collura – Wildlife Control  
 Report for the month of April 2011

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	3	3
Bats	0	0	
Birds/Fowl	0	0	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	2	5	
Rabbits	0	2	
Raccoons	6	4	
Opossums	7	5	
Skunks	5	1	
Squirrels	1	2	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 100.00</b>

**Grand Total: \$550.00**

A motion was made by Ms. Verbanick, seconded by Mr. Babyak, to accept the Animal Control Officer's Report for the month of April and pay the fee due in the amount of \$550.00.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Mr. Leckman read Resolution No. 3608 by short title for adoption.

#### **R-3608 REAL ESTATE TAX REFUND**

A motion was made by Mr. Massung, seconded by Ms. Verbanick, to adopt Resolution No. 3608 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3608 officially adopted.

Mr. Leckman read Resolution No. 3609 by short title for adoption.

#### **R-3609 APPOINTING KRATZENBERG & ASSOCIATES INC. D/B/A KEYSTONE COLLECTIONS GROUP AS THE LOCAL SERVICE TAX ("LST") EFFECTIVE JANUARY 1, 2012**

A motion was made by Mr. Dillinger, seconded by Mr. Massung, to adopt Resolution No. 3609 as read by Mr. Leckman.

Mr. Petro stated the appointment of Kratzenberg & Associates Inc. d/b/a/ Keystone Collections Group was optional through the Earned Income Tax Contract Agreement with the Allegheny County Southeast Tax Collection Commission. He noted that as of January 1, 2012 it is mandatory that the EIT be collected by one collection in this district. This would place the collection of the LST with the same collector.

Ms. Greenland noted that the Borough currently uses Kratzenberg & Associates Inc. d/b/a Keystone Collections Group as the LST collector. Our agreement expires at the beginning of next year and we are not making a change in the collector

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3609 officially adopted.

### **NEW BUSINESS**

A motion was made by Mr. Robb, seconded by Mr. Davis, to enter into Contract Agreement No. 9775-11-01, with Morgan Excavating, L.P. for the 2011 Road Rehabilitation Project. Total Bid Price is \$1,495,107.47.

Motion carried unanimously.

**OLD BUSINESS**

NONE

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:18 p.m.

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Date Approved

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Borough Secretary