

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, AUGUST 15, 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:

Public Bid Opening – March 21, 2011, Sale of 1996 Ford Explorer and Blaw Knox Paver
Public Hearing Meeting – April 18, 2011, Ordinance 3602 –Buffer Zones & Non-
Conforming Uses with regards to the Lincoln
Way Widening Project

Workshop Meeting – July 13, 2011

Public Bid Opening – July 15, 2011- Fuel Line Rehab, Emergency Generator, Animal
Control

Workshop Meeting – July 18, 2011

Regular Meeting, July 18, 2011

There were none.

A motion was made by Mr. Babyak, 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/potential litigation and personnel matters were discussed.

PUBLIC COMMENTS

Carolyn Leitzel – 2155 Lewis Street

Ms. Leitzel expressed concern that a new home built on Clark Street was still not assessed. She indicated she had viewed the County's real estate website and there is only an assessed value on the land. She commented that based on Act 202 the structure should have been assessed by now based on the cost of materials and labor. She asked what procedure the Borough uses to notify the County that the new construction has been completed noting the owners moved into the home in 2010.

Mr. Petro stated the Borough conducts a final inspection then issues an occupancy permit for habitation. This information is then forwarded to Allegheny County on a routine basis. He further commented that the County normally sets the assessment bases on square footage. He stated that just because an assessed value is not showing up on the County website doesn't mean that it has not been assessed.

Mr. Petro advised Ms. Leitzel that he would research this matter and get back to her.

Dave Farkas – West Penn Communications

Mr. Farkas indicated it was his understanding Allegheny County would be requiring all police, fire and ems services would be required to switch over from the VHF to UHF systems. He noted he has a two way radio sales and service center located on Long Run Road and is a Kenwood brand dealer. He asked that he be given the opportunity to provide a price quote for supply/installation of the equipment.

Mr. Petro advised the Borough has already placed an order for the equipment and installation has already started. He further noted that the City of McKeesport has also placed an order to update. As the equipment was secured through a co-operative purchasing agreement the Borough was not required to do any further bidding.

Mr. Farkas expressed concern that he was not given the opportunity to bid the project.

Dean Finfinger – 2114 Kansas Avenue

Mr. Finfinger noted that right after Kansas Avenue was resurfaced his neighborhood someone painted "SLOW DOWN" in four (4) foot lettering across the street.

Mr. Pasternak asked if the residents in that area had seen who vandalized the street paving.

Mr. Hultberg stated at this time the Borough has no viable way to remove the wording off the pavement without causing damage.

Mr. Finger asked if anyone had looked at using soda blasting noting it was used on antique/classic cars and it doesn't damage etched glass.

Mr. Hultberg stated he would be interested in looking at this process.

Mr. Pasternak noted that the cost of milling and resurfacing that area is approximately \$10,000.00.

Mary Summerly – 2113 Kansas Avenue

Ms. Summerly stated she was also concerned about the unsightly letter on Kansas Avenue. She noted the neighbors have a good idea as to who did the spray painting. She noted that she and Mr. Finfinger weren't the only residents from this neighborhood concerned about and felt that the matter should not be let go.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

Mr. Pasternak, President of Council, indicated the Borough offices would be closed on Monday, September 6th in observance of the Labor Day holiday.

Mr. Pasternak stated White Oak Borough participates in the South Hills COG Cable Franchising Authority. The Cable Board just approved a 10 year agreement with Comcast which has an additional 5 year rider. He noted that a portion of the franchising fees are held and used toward legal fees during contract negotiations as this process has just been completed the Borough should be receiving \$54,952.10 from the escrowed funds.

Mayor's Report

Mrs. Marton gave the July Stat Report:

| | |
|---------------------------------------|--------------------------|
| Arrests: | 21 (14 adult/7 juvenile) |
| Assault | 1 |
| Criminal Trespass | 1 |
| Curfew Violations | 7 |
| Disorderly Conduct/Public Drunkenness | 6 |
| Drug Offenses | 1 |
| DUI | 3 |
| Theft | 2 |
| Summary Traffic Violations | 71 |

Total Incidents: 1,052

Mrs. Marton stated she was in receipt of a letter from Mon-Yough Community Services expressing its appreciation to the members of the Rainbow V.F.C. for its presentation of information and equipment to the children attending its sessions.

Finance

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

A motion was made by Mr. Dillinger, seconded by Mr. Babyak, to accept the Check Register and Accounts Payable as of July 31, 2011

Bills-

| <u>Fund</u> | <u>Check No.</u> | <u>Amount</u> |
|----------------------|------------------|---------------|
| General Fund | 104021-104123 | \$ 81,199.00 |
| Fire Protection | 0-0 | \$ 0.00 |
| | 0-0 | \$ 0.00 |
| Post Retirement | 0-0 | \$ 0.00 |
| Super Fund | 0-0 | \$ 0.00 |
| Solid Waste | 600236-600238 | \$ 52,420.50 |
| Pool/Park Fund | 900486-900510 | \$ 6,623.39 |
| Capital Expenditures | 0-0 | \$ 0.00 |
| Capital Debt Sinking | 231017-231018 | \$ 696,462.86 |
| Liquid Fuels | 350160-350162 | \$ 8,906.39 |
| Total Bills Paid | | \$ 845,612.24 |

Accounts Payable

| <u>Fund</u> | <u>Amount</u> |
|------------------------|---------------|
| General Fund | \$ 14,737.77 |
| Fire Protection | \$ 0.00 |
| Post Retirement Fund | \$ 0.00 |
| Super Fund | \$ 0.00 |
| Solid Waste | \$ 0.00 |
| Pool Fund | \$ 8,391.52 |
| Capital Projects | \$ 0.00 |
| Capital Debt | \$ 11,161.64 |
| Liquid Fuels | \$ 0.00 |
| Total Accounts Payable | \$ 34,290.93 |

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Ms. Verbanick, Chairperson, noted garbage collection for the week of September 5th will be delayed one day due to the Monday Labor Day Holiday.

A motion was made by Ms. Verbanick, seconded by Mr. Davis, authorizing the proper officials to file liens for the delinquent 2009 and 2010 garbage fees.

Motion carried unanimously.

PARKS AND RECREATION

Mr. Robb, Chairperson, noted Community Day as held August 6th and he wished to thank members of the office staff – Ms. Gessner and Ms. O'Brien as well as Mr. McCabe for the time they put in. He also thanked the Recreation Board, Fire Companies and EMS for their participation.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 23 permits issues, for a total of \$1,642.00 in fees for the month of July. There were also 26 violation notices issued.

A motion was made by Mr. Babyak, seconded by Mr. Davis, to accept the Petro/Hoffman boundary line change between lots (Heatherlynn Court). The subdivision and consolidation of these lots has received a favorable recommendation from the Planning Commission.

Motion carried unanimously.

Mr. Babyak announced there would be a Public Hearing on Monday, August 22, 2011 at 7:30 p.m. to obtain input regarding the structural stability of the dwellings at 213 Dome Street and 621 Osborne Street.

PUBLIC SAFETY

Mr. Massung, Chairperson, announced the speed board would be relocated to the Carmella Drive area of the Borough.

PUBLIC WORKS

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

A motion was made by Mr. Davis, seconded by Mr. Babyak, authorizing payment in the amount of \$355,286.42 to Morgan Excavating L.P., under Contract 9775-11-01. This represents payment for work already performed under Request No. 2 for the 2011 Road Rehab Project.

Mr. Massung asked how many payments were scheduled for the 2011 Road Rehab Project.

Mr. Hultberg noted that based on the schedule there would probably be 3. The payment requests are based on the work performed during a month.

Motion carried unanimously.

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 1102 Carolina Way.

Motion carried unanimously.

TAX COLLECTOR'S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$52,284.47 on the 2011 Tax Duplicate, for the period of July 1, 2011 – July 31, 2011.

Commission due – \$468.75 (125 accounts @ \$3.75)

| | |
|-----------------------------------|------------------------|
| Assessed Value | \$337,235,488.00 |
| Exonerations (Less) | \$ 481,030.00 |
| Additions | \$ 34,000.00 |
| Abatement Values | \$ 535,800.00 |
| Adjusted Value | \$336,252,658.00 |
| Value of statements (actual) | \$ 1,883,014.88 |
| Act 77 Revoked @ Face | \$ 379.34 |
| Act 77 Eligible @ Face | <u>\$ 57,146.71</u> |
| Corrected Value of Statements | \$ 1,826,247.51 |
| | |
| Collected from – 7/01/11 –7/31/11 | \$ 52,284.37 |
| Discount (add) | \$.10 |
| Less Penalty (sub) | <u>\$ 0.00</u> |
| Total Credited to Duplicate | \$ 52,284.47 |
| | |
| Amount Previously Collected | \$ 1,593,165.35 |
| Collections | \$ 52,284.47 |
| Total Collected | <u>\$ 1,645,449.82</u> |
| Balance to be collected | \$ 180,797.69 |

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in \$1,774.80 in taxes and costs collected for the collection period of July 1, 2011 – July 25, 2011.

| | |
|-----------------------|---|
| Commission due | - \$ 21.41 |
| Costs | - \$ <u>372.25</u> (Lien Revival, Default Judgment, Civil Complaint, Title Search) |
| Total Due | - \$ 393.60 |

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$29,257.82 (current year minus refunds/non-resident distributions) and \$2,873.10 (prior year minus refunds/non-resident distributions) in current Earned Income Tax for the collection period of July 1, 2011 – July 25, 2011.

| | |
|-----------------------|-------------------------|
| Commission due | - \$ 438.90 |
| Costs | - \$ <u>0.00</u> |
| Total Due | - \$ 438.90 |

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$0.00 (audited) in delinquent Earned Income Tax, including costs for the collection period of July 1, 2011 – July 25, 2011.

| | |
|-----------------------|-------------------------|
| 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 \$2,171.34 in Local Service Tax and \$37,048.46 in Business Privilege and \$10,051.02 in Mercantile Tax collections plus costs for the collection period July 1, 2011 – July 25, 2011.

Commission due - \$ 1,445.55
Costs - \$ 70.40 (License Mailed)
Total Due - \$ 1,515.95

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$225.00 in delinquent Business Privilege Tax, \$0.00 in delinquent Mercantile Tax for the collection period of July 1, 2010 – July 25, 2010.

Commission due - \$ 198.70
Costs - \$ 0.00
Total Due - \$ 198.70

A motion was made by Ms. Verbanick, 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 August 10th and August 15th Workshop Sessions. The EADS Group has been working on the items outlined at those meetings.

A motion was made by Mr. Babyak, seconded by Mr. Davis, to accept the Engineer's Report and pay Invoices 444434, 444436, 444437, and 444438, dated July 27, 2011 totaling \$11,490.59.

Motion carried unanimously.

SOLICITOR'S REPORT

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

A motion was made by Ms. Verbanick, seconded by Mr. Robb, to accept the Solicitor's Report and pay Invoice No. WOB 278, dated August 15, 2011, in the amount of \$3,637.50.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

Ms. Verbanick read the Wildlife Officer's Reports for the month of July 2011.

Dave Colure – Wildlife Control
 Report for the month of July 2011

| | Live Trap | Road Kill | Disposal After Hours Calls |
|------------------------------|-----------------|-----------------|-------------------------------|
| Deer | 0 | 4 | 4 |
| Bats | 0 | 0 | |
| Birds/Fowl/Turkey | 0 | 1 | |
| Chipmunk | 0 | 0 | |
| Degas | 0 | 0 | |
| Groundhogs | 25 | 6 | |
| Rabbits | 0 | 0 | |
| Raccoons | 21 | 4 | |
| Opossums | 32 | 2 | |
| Skunks | 8 | 1 | |
| Squirrels | 3 | 1 | |
| Snakes | 1 | 1 | |
| Turtles | 0 | 1 | |
| Total Due | \$350.00 | \$140.00 | \$ 80.00 |
| Grand Total: \$570.00 | | | |

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution No. 3618 by short title for adoption.

**R-3618 ACKNOWLEDGING RAINBOW VFC AND WHITE OAK #1 VFC AS
 EXCLUSIVE PROVIDERS OF EMERGENCY SERVICES WITH
 REGARDS TO FIRE PROTECTION FOR THE BOROUGH OF
 WHITE OAK**

A motion was made by Mr. Davis, seconded by Mr. Babyak, to adopt Resolution No. 3618 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3618 officially adopted.

NEW BUSINESS

A motion was made by Ms. Verbanick, seconded by Mr. Dillinger to enter into a long term lease agreement with the White Oak Athletic Association for the recreational facility at the corner of Lower Heckman Road and McKee Road.

Motion carried with Mr. Robb abstaining. He noted he was a board member at the WOAA.

OLD BUSINESS

NONE

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:30 p.m.

Date Approved

Borough Secretary