

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, AUGUST 19, 2013 AT 7:30 P.M.**

**CALL TO ORDER**

Mr. Babyak, Vice President of Council, called the Regular Meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

Attending were Council members: Edward Babyak, Charles Davis, George Dillinger, Carrie Noll, and Ken Robb. Also attending were Mayor Ina Marton, Solicitor Representative Krisha Mackulin, Engineer Representative Donald Hultberg and Borough Clerk Michelle Gessner.

Council member David Pasternak was absent.

**MINUTES**

Mr. Pasternak asked if there were any additions or corrections to the following minutes submitted for approval.

Workshop Meeting – July 10, 2013  
Workshop Meeting – July 15, 2013  
Regular Meeting – July 15, 2013

There were none.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, to accept the minutes as presented for approval.

Motion carried unanimously.

**EXECUTIVE SESSION**

Ms. Mackulin stated an Executive Sessions were held last Wednesday and this evening at which time personnel matters as well as potential/pending litigation were discussed.

**PUBLIC COMMENTS**

**Dru Soisson – 502 Riverview Drive**

Ms. Soisson thanked the officials for their service and noted that she has been the property manager of the White Oak Farms Apartment Complex. She stated that she is concerned about the safety of the residents that must cross Riverview Drive to access the parking lots. This

concern has come with the detouring of traffic through the complex due to the closure of Center St. Ext. She stated she did not feel this was a viable detour as the drivers are ignoring the speed limit and stop signs. She noted the situation will only get worse with the start of the school year next week. There has been an increase in litter as well as wear/tear on the roadway. She commented she felt the detour was a detriment to the health and welfare of the residents of the apartment complex due to the speeding and drivers not stopping for the stop signs.

Mr. Davis indicated the Borough is set to take action later in the meeting that will authorize core samples to be taken. Once that is done and an analysis completed, we will know needs to be done to repair the road.

Mr. Hultberg noted that every slide is different. You just can look at it and tell what is going on the problem could be on the surface or as far down as 50 feet. Once the core samples and study is completed we can then address what needs to be done to repair the slide area. If the core samples indicated the inside lane is sound we may be able to open up one lane of traffic. It will take the company several weeks to mobilize and get the report back to us. He noted the timeline was tight for the next meeting, but he hopes to have the report to present at that time.

Ms. Noll stated it was the Borough's position to repair and reopen the road.

Mr. Robb and Ms. Marton were also in agreement with Ms. Noll's statement.

Mr. Robb stated the police could be sent up during peak traffic times to deter the speeding and watch for stop sign violations.

Ms. Soisson noted that one lane was closed over two (2) years ago the issue should have been addressed at that time.

Mr. Robb noted that the slide area from two (2) years ago was on private property and the Borough was unable to do anything at that time other than close one lane of the roadway as a precaution. With the heavy rains in July and August the slide has now moved into the roadway.

### **Fred Haynes – 98 Carmella Drive**

Mr. Haynes noted that six (6) months ago Mr. Petro was removed from his position as solicitor to save money. He indicated that in his employment contract he is entitled to six (6) months severance pay at a rate of \$5,700 per month. That should be ending this month. He further commented the evening this happened Mr. Petro left the building like a scared rabbit.

Mr. Dillinger stated the severance would be completed this month.

Mr. Hayes suggested the Borough consider replacing Ms. Gessner an office employee with an intern from the Local Government Academy. Noting it would save the borough money. He indicated Ms. Gessner between the clerk's position and custodial position earned \$48,100. There are allocations for medical coverage and pension at rates of \$7,210 and \$9,500 respectively.

He indicated if the borough secured an intern the rate of pay is \$10.00, \$5.00 paid by the Borough and \$5.00 paid by the Local Government Academy. He further commented the same person should not hold a position as an office clerk and custodian.

Mr. Haynes noted James McCabe, Public Works Manager, has the same language in his contract regarding severance pay, which Council has been extending on a monthly basis. His salary is \$60,000 per year with a medical buy out of \$6,500 and a pension benefit of \$9,500. He only supervises 5 individuals and has 4 weeks vacation and 135 sick days. He suggested the position be made part-time with 30 hours per week at a rate of \$25.00 per hour.

Mr. Dillinger stated he felt that seek part-time personnel who move on to full-time positions may could create a lack of continuity within the operation.

Ms. Noll advised that Council in currently in the process of reviewing Mr. McCabe employment contract.

Mr. Dillinger advised that Mr. Haynes has indicated there was no savings with elimination Mr. Petro's position. There are savings for 2013 and will be future savings. The salary and medical benefits will not be paid for the full year of 2013 and since the position is eliminated this will eliminate approximately \$89,000 in expenditures in future budgets.

Mr. Robb stated that he spoke with Mr. Haynes and suggested he secure a copy of the current collection bargaining agreement with the Public Works Department.

Mr. Haynes indicated he did not talk to Mr. Robb.

Mr. Robb noted this was discussed with you at our Workshop meeting held last Wednesday.

### **Theresa Dapapolito – 205 Riverview Drive**

Ms. Dapapolito expressed concern that there are a lot more vehicles traveling Riverview Drive. She also noted that vehicles are cutting through the parking lots and speeding. She stated she was concerned to take a walk along the Riverview now.

Mr. Robb asked if placing road horses would eliminate vehicles from using the parking lots.

Ms. Soisson stated she did not thing that would work. Noting residents would have a difficult time getting in and out of the lots.

### **Ed Stefan – 1018 Riverview**

Mr. Stefan suggested the Borough consider reducing the speed limit to 10 MPH. He noted traffic is only going to get worse due to school buses which will be using the detour. He indicated this is a short cut for drivers traveling from Versailles to North Huntingdon Twp.

Mr. Stefan stated he traveled Center St. Ext. at the posted speed limit of 25 MPH and it took six (6) minutes to travel the 1.8 miles of roadway. He noted he also traveled the main route – Rt. 48 and Lincoln Way which is a total of 2.3 miles and made that trip in five (5) minutes. He

suggested the Center St. Ext. be closed to through traffic and access limited to local residents and delivery.

### **Richard Bryce – Messinger Lane**

Mr. Bryce suggested speed bumps be installed in the roadway and in the parking lots.

Mr. Robb indicated a traffic study may need to be done.

Ms. Mackulin stated the Borough can't stop drivers from using a public roadway, but they can implement some other policies such as traffic stops for not following the speed limit and stop sign regulations. The Borough could not do anything in the parking lot areas. But, if the owner were interested in securing temporary speed bumps the Borough could supply the name of a vendor. She again noted the Borough cannot stop people from using a public road not matter where they live.

### **Gina Gaspar – 506 Riverview Drive**

Ms. Gaspar indicated her main concerns were the car speed, additional noise and litter. She asked if there was a way to securing funding to repair the road. She expressed concern that this has distributed the little slice of heaven the residents of the complex had. Ms. Gaspar stated she was also concern as to why nothing was done two (2) years ago when the slide first started. She asked why their area was not included in the annual spring clean-up.

Mr. Robb again stated that when the slide area started two (2) years ago it was all on private property. The Borough cannot go on private property to perform any work. With the heavy rains in July and August the slide has now encroached into the roadway.

### **Bill Morris – 401 Riverview Drive**

Mr. Morris expressed concern that the extra traffic is a concern for residents with regards to the children and elderly living in the complex. He noted he has almost been T-boned twice trying to get out of the parking space/lot.

### **Mary Walbaum – 306 Riverview Drive**

Ms. Walbaum expressed concern that elderly residents trying to cross the street, at the crest of the hill, would not have a chance with the speed of cars. She stated she did not think drivers could see the speed sign board and suggested the sign be moved so it was more visible.

Ms. Marton asked Ms. Walbaum if she could suggest a better location for the speed board.

Mr. Dillinger suggested the sign be placed near an intersection.

Mr. Hultberg asked if stop signs could be installed under an emergency situation. If this is possible he suggested making the intersections "All-Way" stops.

Mr. Robb asked if the emergency stop signs could be installed.

Ms. Mackulin indicated she would check to see if stop signs could be installed under an emergency situation. She did advise that she did not feel there were any issues with the installation of crosswalks at the intersections. Ms. Mackulin noted that under state law drivers are required to stop for pedestrians in a crosswalk.

**Don Lewis – 303 Riverview Drive**

Mr. Lewis stated his main concern was the safety of the residents at the complex, noting the majority are senior citizens. He noted drivers cannot see pedestrians coming down the hill.

Mr. Dillinger stated he felt the Borough could do something to deter speeding by citing drivers.

Mr. Robb indicated he felt that was a good idea.

Mr. Dillinger reminder residents who live in the complex that if police were stopping drivers for moving violations that would also include them.

Mr. Lewis stated he hoped the issue was resolved soon as he did not want to come back because someone got hurt.

**Rhonda Sivak – 223 Riverview Drive**

Ms. Sivak stated she recently moved to the complex and has two (2) small children. The section of road around her apartment is on the hill. She noted drivers are zipping up and down the hill. She further commented that she leaves for work early in the morning and one morning as she was walking through the lot she saw a man who seemed to follow her, noting this was a concern not only for her safety but for the safety of the children in the complex.

Mr. Babyak asked Ms. Sivak that if the situation of her being followed ever occurs again to call 911 right away.

Ms. Noll stated the Borough would be conducting speed checks.

**PRESIDENT’S REPORT AND COG REPRESENTATIVE**

Mr. Pasternak, President of Council, was absent. There was not report given at this time.

**MAYOR’S REPORT**

Mayor Marton gave the July 2013 Stat Report for the Police Department.

Arrests: 11 (10 adult/1 juvenile)

Accidents Involving Damage to Attended Vehicles	1
Burglary	3
Drug Offenses	2
DUI	1
Public Drunkenness	1

Robbery	1*
Theft	2
Summary Traffic Violations	60
<b>TOTAL INCIDENTS:</b>	<b>656</b>

Ms. Marton stated Excelsa Health System and the White Oak Rotary are sponsoring a wellness check. She noted various blood testing as well as other health testing would be conducted. This is set for September 28, 2013 at the Municipal Building between the hours of 6:30 and 9:30 am.

## **FINANCE REPORT**

Mr. Dillinger, Chairperson, stated he had the standard monthly motion regarding the check register and accounts payable.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the Check Register and Accounts Payable as of July 31, 2013.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	106059-106121	\$ 47,633.68
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600343-600346	\$ 47,735.05
Pool/Park Fund	900847-900887	\$ 13,586.44
Capital Expenditures	0-0	\$ 0.00
Capital Debt Sinking	0-0	\$ 0.00
Liquid Fuels	350248-350250	\$ 8,408.76
Total Bills Paid		\$ 117,363.93

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 26,171.99
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 1,601.83
Capital Projects	\$ 0.00
Capital Debt	\$ 0.00
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 27,773.82

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, authorizing Keystone Collections Group, Delinquent Real Estate, to file liens on any unpaid 2010 real estate tax with a face value of \$75.00 or more.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Massung, to enter into an agreement with Larry G. Ratvasky to provide software upgrade to the real estate tax program that will enable the collector to print the real estate tax invoices on site. Total cost, which includes the data base from Allegheny County, will not exceed \$1,800.

He noted that effective with 2014 Allegheny County will no longer be able to print/provide the tax statements to local municipalities.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, authorizing the proper officials to prepare and advertise an ordinance restricting any member of Council or the Mayor from being appointed to any position within the Borough neither during the term elected/appointed nor within one (1) year after the expiration of such term.

Motion carried unanimously.

## **HEALTH, ENVIRONMENT AND CABLE**

Ms. Noll, Chairperson, announced the following:

The borough will be sponsoring a computer electronic collection day. This is set for Saturday, September 7 from 10 am until 2 pm. This program is being held in cooperation with Goodwill. Electronic equipment can be dropped off at the Municipal Building during those hours. **THERE WILL BE NO COLLETION OF TELEVISIONS.**

Allegheny County will be sponsoring a common household chemical collection day on Saturday, September 21 from 9 am until 1 pm. Items can be dropped off at South Park – Wave Pool parking lot. There is a fee of \$2.00 per gallon.

The County is also sponsoring is annual oral rabies baiting program during the months of August and September. Pelts will be distributed by air and throw from moving vehicles.

A motion was made by Ms. Noll, seconded by Mr. Robb, authorizing the solicitor to satisfy municipal lien filed for delinquent garbage fees against:

2920 Skelly Street

GD11-1507, GD11-22426 & FD10-001759

Motion carried unanimously.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, announced that Heritage Hill Pool and Concession passed the 2013 county health inspections with no issues report.

Mr. Robb announced Community Day was a success even with the rainy weather. The fireworks were great this year.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, to conduct an existing conditions evaluation at the White Oak Athletic Association. The evaluation will enable the architect to put together an accurate proposal and the basis of proposed architectural costs. Cost of the evaluation is not to exceed \$2,900.00.

Motion carried unanimously.

Mr. Massung asked if there was a time line for the project.

Mr. Robb stated there is a tentative time line a final time line will be developed after this evaluation is completed and reviewed by the architect.

Mr. Robb announced that due to lifeguard staffing the pool will not be opened everyday through Labor Day. The pool will be opened the rest of this week. Starting Saturday, the 24<sup>th</sup> the hours are 12 to 4 p.m.; closed Sunday, August 24<sup>th</sup>; closed Monday- Friday, August 26 -30, will be opened Saturday, August 31 and Sunday, September 1, from 12 noon until 8 p.m. and Monday September 2 from 12 to 5 p.m.

Mr. Robb stated he was in receipt of a letter signed by a number of patrons saying how beautiful the facility was kept.

## **PLANNING, ZONING AND CODE ENFORCEMENT**

Mr. Babyak, Chairperson, noted there were 65 building/occupancy/road opening/transient retail/solicitation permits issued, for a total of \$4,246.00. There were also seven (7) violation notices sent and one hearing was held at the magistrate's office.

Mr. Babyak presented a motion to accept the proposal from Lutteman Excavating LLC, 1646 State Rt. 119, Greensburg to raze the structure at 1601 Summitt Street.

Motion was made by Mr. Dillinger, seconded by Mr. Robb, to accept the proposal from Lutteman Excavating.

Motion carried unanimously.

Mr. Babyak presented a motion authorizing the solicitor to file the necessary paper work to lien all costs associated with the razing of 1601 Summitt Street.

Motion was made by Mr. Robb, seconded by Mr. Davis, to authorize the solicitor to file the necessary paper work to lien all costs associated with the demolition of 1601 Summitt Street.

Motion carried unanimously.



Mr. Babyak announced that residents with tree/brush overhanging into the streets/alley ways should cut them back so that vehicles do not have to go into the oncoming lane of traffic or get the vehicles scratched up.

## **PUBLIC SAFETY**

Mr. Massung, Chairperson, stated he had several motions to present.

A motion as made by Mr. Massung, seconded by Mr. Dillinger, authorizing the police department to purchase two (2) tasers at a cost not to exceed \$1,730.00.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Dillinger, authorizing the police department to purchase two (2) desk top computers at t cost not to exceed \$2,200. An un-used balance from the taser allocation of \$1,000 along with the reminder of \$1,200 from the grant received from the Frew Family Trust will cover the cost of the computers.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Dillinger, to extend the police services contact with South Versailles Twp through December 31, 2014 at a rate of \$1,100.00 per month.

Motion carried unanimously.

## **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. Robb, authorizing the purchase of Jersey barriers for the closing of Center St. ext. Cost is not to exceed \$2,500.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to extend the contract with James McCabe, Public Works Manager, through September 30, 2013.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to enter into an agreement with Garvin Boward Beitko to conduct a geotechnical exploration of the landslide area long Center St. Ext. Cost is not to exceed \$25,000.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Massung, to enter into an agreement with

Garvin Boward Beitko to conduct a geotechnical exploration of the landslide area long Stepanik Road. Cost is not to exceed \$15,000.

Motion carried unanimously.

**TAX COLLECTOR’S REPORT**

**Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$323,431.89 on the 2013 Tax Duplicate, for the period of July 1, 2013 – July 31, 2013.

**Commission due – \$ 330.00 (88 accounts @ \$3.75)**

Assessed Value	\$399,955,508.00
Exonerations (Less)	\$ 5,592,501.00
Additions	\$ 534,500.00
Abatement Values	\$ 232,100.00
Adjusted Value	\$394,665,407.00
Value of statements (actual)	\$ 1,839,140.80
Act 77 Revoked @ Face	\$ 595.97
Act 77 Eligible @ Face	\$ 50,044.76
Corrected Value of Statements	\$ 1,789,692.01
Collected from – 7/01/13 – 7/31/13	\$ 38,558.62
Discount (add)	\$ 17.52
Less Penalty (sub)	\$ 0.00
Total Credited to Duplicate	\$ 38,676.14
Amount Previously Collected	\$ 1,499,215.63
Collections	\$ 38,576.14
Total Collected	\$ 1,537,791.77
Balance to be collected	\$ 251,900.24

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$6,019.60 in taxes and costs collected for the collection period of July 1, 2013 to July 25, 2013.

<b>Commission due</b>	<b>- \$ 66.72</b>
<b>Costs</b>	<b>- \$ 451.15 (Civil Complaints/Satisfactions)</b>
<b>Total Due</b>	<b>- \$ 517.87</b>

**Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$52,866.20 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of July 1, 2013 – July 31, 2013.

<b>Commission due</b>	<b>- \$ 831.81</b>
<b>Costs</b>	<b>- \$ 25.87</b>

**Total Due - \$ 857.68**

**Mercantile/Business Privilege and Local Service Tax Collector**

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$282.50 in Local Service Tax for the collection period of July 1, 2013 – July 31, 2013.

**Commission due - \$ 5.64**  
**Costs - \$ 0.00**  
**Total Due - \$ 5.64**

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$0.00 in Business Privilege and \$0.00 in Mercantile Tax collections plus costs for the collection period July 1, 2013 – July 31, 2013.

**Commission due - \$ 496.93**  
**Costs - \$ 97.52**  
**Total Due - \$ 594.45**

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$3,030.83 in delinquent Business Privilege Tax, \$108.35 in delinquent Mercantile Tax for the collection period of July 1, 2013 – July 31, 2013.

**Commission due - \$ 211.48**  
**Costs - \$ 0.00**  
**Total Due - \$ 211.48**

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

Motion carried unanimously.

**ENGINEER'S REPORT**

Mr. Hultberg, Engineer Representative, indicated he attended last Wednesday's and this evening's Work Sessions and the firm is working on those items outlined at those sessions.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept Engineer's Report as presented.

Motion carried unanimously.

Mr. Hultberg noted the firm just secured new invoicing software and he was reviewing the invoices before submitting for payment to make sure there were no issues with the new process.

**SOLICITOR’S REPORT**

Ms. Mackulin, Solicitor Representative , stated she would present a resolution for consideration later in the meeting.

A motion was made by Mr. Davis, seconded by Mr. Dillinger, to accept the Solicitor’s Report and pay invoices for services rendered in July, totaling \$650.50.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS’ REPORTS**

Ms. Noll read Animal Control and Wildlife Officer’s Reports for the month of July.

<b>Ferree Kennels – Animal Control Officer</b>	July
Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	0
Number of Dogs Returned to Owners	8
Number of Calls Answered from Residents & Municipal Offices	7
Number of Person Information Signed Against	1
Number of Citations Issued	3
Number of Claims to State for Housing	0
Monthly Fee	\$ 50.00
After Hours Calls (1)	\$ 25.00
State Housing Reimbursement	<u>\$ 0.00</u>
<b>Total Due</b>	<b>\$ 75.00</b>

A motion was made by Ms. Noll, seconded by Mr. Robb, to accept the Animal Control officer’s reports for the month of July and paying the fees due of \$75.00.

Motion carried unanimously.

**Dave Collura – Wildlife Control**  
Report for the month of July 2013

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	0	0
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	1	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	18	5	
Opossums	7	6	
Rabbits	0	3	

Raccoons	26	2	
Skunks	10	1	
Squirrels	0	2	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 0.00</b>
<b>Grand Total: \$490.00</b>			

A motion was made by Ms. Noll, seconded by Mr. Robb, to accept the Wildlife Control officer's report for the months of July and pay the fees due of \$490.00.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Ms. Mackulin read Resolution No. 4003 by short title for adoption.

#### **R- 4003                      Real Estate Tax Refund**

A motion was made by Mr. Robb, seconded by Ms. Noll, to adopt Resolution No. 4003 as just read by Ms. Mackulin.

Mr. Babyak declared Resolution Number 4003 adopted.

### **NEW BUSINESS**

Mr. Davis indicated he was in receipt of correspondence from the Dawson family thanking the Public Works crew for the excellent job when responding to their chipping request.

### **OLD BUSINESS**

NONE

### **ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:37p.m.

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Borough Secretary