

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD WEDNESDAY, AUGUST 17, 2015 AT 7:00 P.M.**

CALL TO ORDER:

Ms. Noll, President of Council, called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was given.

PRESENT:

Attending were Council members: Edward Babyak, Charles Davis, Ronald Massung, Carrie Noll, Joseph Nagy, David Pasternak and Ken Robb. Also attending were Mayor Ina Marton, Solicitor Krisha DiMascio, Donald Hultberg, Engineer Representative and Borough Secretary Nancy Greenland.

MINUTES:

A motion was made by Mr. Davis, seconded by Mr. Massung, to accept the following as presented:

Workshop Meeting – April 1, 2015
Workshop Meeting – April 20, 2015
Regular Meeting – April 20, 2015
Workshop Meeting – May 6, 2015
Workshop Meeting – June 3, 2015
Workshop Meeting – June 15, 2015
Regular Meeting – June 15, 2015
Workshop Meeting – July 20, 2015
Regular Meeting – July 20, 2015
Public Bid Opening – August 4, 2015
Public Bid Opening – August 5, 2015

Motion carried unanimously.

EXECUTIVE SESSION

Ms. DiMascio indicated Council held a session this evening at which personnel matters as well as litigation issues were discussed.

PUBLIC COMMENT

Ms. Noll opened the Public Comment portion of the meeting up, noting that there was a three (3) comment session for those wishing to address Council.

Jozef Madar – 1120 Liberty Way, Port Vue.

Mr. Madar indicated he owns the vacant lot at the corner of Fawcett Avenue and Henderson Road. He stated he is in the process of appealing the assessment and is asking for a letter from Council indicating the lot is not buildable as there is a storm sewer that cross the lot.

Ms. DiMascio stated the Borough would not be able to write a letter indicating the lot is not buildable as this has not be reviewed by any of the Borough officials. She advised Mr. Madar that is an argument he would need to address through the County Assessor's office and possibly the court system. She stated Council would need to authorize the Engineer to investigate this issue. She noted the Borough could possibility issue a letter stating there is a storm sewer crossing the lot, if the line belongs to the Borough, but we could not indicate the lot is unbuildable.

Ms. Noll asked Mr. Hultberg to investigate the issue.

Anthony Villinger – 2212 Hemlock Drive

Mr. Villinger expressed concern about the increase in traffic along Fawcett Avenue, near Oliver Drive. He noted there have been a number of near misses as drivers are failing to stop for at the stop signs. He asked if additional police presents could be directed to the area during heavy traffic times and school times.

Mr. Davis asked if an additional stop sign would help.

Mr. Hultberg suggested this might be the responsibility of the construction company.

The staff was asked to check to see if the construction company could place temporary signage at this intersection during construction.

Dave Preece – 142 Carmella Drive

Mr. Preece indicated a letter on behalf of the WOAA Board was directed to all members of Council and wanted to verify that it had been received.

Ms. Noll stated it was received by Council members on Friday and is currently being discussed.

Mr. Preece asked if the contracts for the Community Center Project had been awarded as yet.

Mr. Hultberg stated the contracts have not been awarded as yet.

Mr. Robb stated the Borough needs to verify the lower bidders are all viable contractors.

Jonathan Stark – 1664 Fawcett Avenue

Mr. Stark stated he was also concerned about the increase in traffic along Fawcett Avenue as well as the speed of the vehicles.

Mr. Stark asked if Council would consider tabling the proposed ordinance that would require licensing of rental units. He stated he does own a number of units and just found out about the possible adoption of this ordinance. He stated he was also aware that other landlords were not aware of this suggested legislation. He indicated he was aware of Council concerns to keep properties from being in a state of disrepair. He further commented there are a number of privately owned homes that could be considered in a state of disrepair and asked why landlords were being singled out.

Ms. DiMascio stated that if Council did table action on this matter, the person making the motion to table would also have to introduce a motion to take it off the table, this would have to be done at the next regularly scheduled meeting.

Ms. DiMascio stated there would an inspection required every two (2) years and that the fee for these inspections have not been established as yet. This would be done by resolution.

Richard Bryce – Messinger Lane

Mr. Bryce stated he believed state regulations prohibit a three (3) way stop. He suggested the Borough consider temporary speed bumps in that area.

Mr. Bryce indicated he was concerned that several young residents from the Borough who were playing ball on one of the WOAA fields were told they were not allowed to play on the field.

Mr. Robb advised Mr. Bryce the Borough has no control over the regulations for the WOAA.

Mr. Preece stated he was on the Board at the WOAA but would need details regarding the incident before he could really comment. He stated they request to leave could have been due to a scheduled game. He further noted that each individual sport activity is insured through the WOAA.

PRESIDENT'S REPORT

Ms. Noll indicated the office would be closed on Monday, September 7th in observance of the Labor Day Holiday.

MAYOR'S REPORT

Arrests: 21 (15 adults/6 juveniles)

Accidents involving damage to attended vehicle (Hit & Run “	1
Assault	2
Disorderly Conduct (1 defendant also charged with public drunkenness)	7*
Drug Offenses (Defendant also charged with public drunkenness)	1*
DUI (1 defendant also charged with drug offenses)	1*
Theft (1 defendant charged with Harassment, another charged with Access device fraud)	5*
Summary Traffic Violations	71
Total Incidents	705

FINANCE REPORT

Motion to accept the Check Register and Accounts Payable as of July 31, 2015.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	108124-108177	\$ 120,573.36
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600445-600453	\$ 53,516.02
Pool/Park Fund	901191-901227 & 108155&108177	\$ 18,479.90
Capital Expenditures	180035-180036	\$ 2,417.40
Liquid Fuels	350345-350347	\$ 8,088.17
Total Bills Paid		\$ 230,074.85

Accounts Payable Due

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

Capital Debt	\$	0.00
Liquid Fuels	\$	0.00
Total Accounts Payable	\$	0.00

A motion was made by Mr. Massung, seconded by Mr. Pasternak, setting the 2016 Minimum Municipal Obligation (MMO) for the Uniformed Pension Plan at \$195,265 and for the Non-Uniformed Pension Plan at \$99,531.

Motion carried unanimously.

HEALTH, ENVIRONMENT & CABLE AND COG REPORT

Mr. Pasternak noted there will be a one day delay in the garbage collection for the week of September 7th. This is due to the Labor Day Holiday on Monday.

A motion was made by Mr. Pasternak, seconded by Mr. Davis, authorizing the proper officials to satisfy the following liens:

These liens have been paid in full.

Margarcelli	815 Vermont	460-R-258	GD11-21827 GD10-24905
Mance	1524 Summitt	461-S-380	GD10-24901
Jordan	1710 Educational	550-R-109	GD11-21581
Yobst	1715 California	551-B-179	GD11-22577 GD11-0571

Mr. Pasternak noted the last official meeting of Twin Rivers COG will be held August 27. The new Steel Rivers COG, which is a merger of Twin Rivers and Steel Valley COGs is set for September 3rd.

PARKS AND RECREATION

Mr. Robb announced the final schedule for the pool:

Hours are as follows:

11 am to 7 pm	8/17 to 8/23 (Mon-Sun)
3 pm to 7 pm	8/24 to 8/28 (Mon-Fri)

11 am to 7 pm	8/29 to 8/30 (Sat-Sun)
Closed	8/31/ to 9/4 (Mon-Fri)
11 am to 7 pm	9/5 to 9/7 (Sat-Mon)

Final Day - 9/7 Labor Day

Mr. Robb stated the Recreation Board is sponsoring a Community Wide Yard Sale. This is set for August 29 from 8 am until 2 pm.

Planning, Zoning and Code Enforcement Officer’s Reports

Mr. Davis, stated the monthly Permit and Violation reports were available for review during normal business hours.

Public Safety Report

Mr. Babyak had nothing to report at this time.

Public Works Report

Mr. Nagy noted the Activity Period Report is available for review during normal business hours.

TAX COLLECTORS’ REPORTS

Current Real Estate

Lisa Pitchford, Current Tax Collector, turned in \$77,678.09 on the 2015 Tax Duplicate, for the period of July 1, 2015 – July 31, 2015.

Commission Due - \$810.00 (216 invoices paid x \$3.75 per invoice)

Assessed Value	\$390,220,757.00	
Exonerations (Less)	\$ 5,540,000.00	
Additions	\$ 424,300.00	
Adjusted Value		\$385,105,057.00
Value of Statements	\$ 1,794,589.57	
Act 77 (Less)	\$ 45,268.80	
Corrected Value of Statements	\$ 1,749,320.77	
Collected from – 7/01/15 – 7/31/15	\$ 77,687.09	
Discount (add)	\$ 13.68	
Less Penalty (sub)	\$ 0.00	
Other (over/under) + (overpayment)	\$ 77,691.77	
Total Credited to Duplicate	\$ 77,691.77	

Amount Previously Collected	\$ 1,475,212.33
Total Collections	<u>\$ 1,552,904.10</u>
Balance to be collected	\$ 196,416.67

Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$251.84 in taxes and costs for the collection period of July 1, 2015 to July 25, 2015.

Commission due	- \$	0.00
Costs	- \$	<u>100.75</u> (Lien Satisfactions/Execution)
Total Due	- \$	100.75

Earned Income Tax Collector

Current/Delinquent Earned Income Tax Collector(s), turned in \$35,144.17 in current and delinquent Earned Income Tax for the collection period of July 1, 2015 – July 31, 2015.

Commission due	- \$	516.22
Costs	- \$	<u>3.39</u> (postage and/or costs)
Total Due	- \$	519.61

Mercantile/Business Privilege and Local Service Tax Collector

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$694.76 in Local Service Tax for the collection period of July 1, 2015 – July 25, 2015.

Commission due	- \$	9.25
Costs	- \$	<u>0.00</u> (postage and/or costs)
Total Due	- \$	9.25

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, 2015 – July 25, 2015.

Commission due	- \$	3,231.93
Costs	- \$	<u>102.34</u>
Total Due	- \$	3,334.27

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$1,307.05 in delinquent Business Privilege Tax, \$403.74 in delinquent Mercantile Tax for the collection period of July 1, 2015 – July 25, 2015.

Commission due	- \$	176.44
Costs	- \$	<u>37.50</u>
Total Due	- \$	213.94

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

Motion carried unanimously.

ENGINEER'S REPORT

Mr. Hultberg, Engineer Representative, indicated he gave his report at a workshop meeting earlier this month and one this evening. The firm is working on those items outlined in the report.

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to accept the Engineer's Report and pay the fees due on Invoices 314131-314134, dated July 30, 2015, totaling \$28,928.85.

Mr. Hultberg advised Council he would suggested a full geotechnical study/report be completed at the proposed site of the Community Center. Cost is not to exceed \$9,845.00.

Mr. Massung asked when the results of the study would be available.

Mr. Hultberg stated it would take approximately two (2) weeks.

A motion was made by Mr. Robb, seconded by Mr. Nagy, to approve core drilling and a geotechnical study at a cost not to exceed \$9,845.00.

Motion carried unanimously.

SOLICITOR'S REPORT

Ms. DiMascio advised her report was presented during the Executive Session. She stated she would present one (1) resolution and (1) ordinance for consideration later in the meeting.

A motion was made by Mr. Robb, seconded by Mr. Davis, to accept the Solicitor's Report and pay the fees due to Krisha DiMascio of Dodaro, Matta, and Cambest for Invoice #1455, dated August 13, 2015 for services rendered in July; totaling \$3,877.50.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

Mr. Pasternak read the July Animal Control Officer's Report.

Ferree Kennels – Animal Control Officer	JULY
Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	1
Number of Dogs Returned to Owners	0
Number of Calls Answered from Residents & Municipal Offices	7
Number of Person Information Signed Against	0
Number of Citations Issued	0
Number of Claims to State for Housing	0

Monthly Fee	\$ 50.00
After Hours Calls (1)	\$ 25.00
Total Due	\$ 75.00

A motion was made by Mr. Pasternak, seconded by Mr. Massung, to accept the July Animal Control Officer's Report and pay the fees due, in the amount of \$75.00.

Motion carried unanimously.

Mr. Pasternak read the July Wildlife Officer's Report.

Dave Collura – Wildlife Control, JULY

Hours Calls	Live Trap	Road Kill	Disposal After
Deer	0	3	3
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	0	
Chipmunk	0	0	
Groundhogs	51	6	
Opossums	12	2	
Rabbits	0	2	
Raccoons	28	7	
Skunks	8	0	
Squirrels	3	3	
Snakes	0	0	
Turtles	0	0	
Total Due	\$350.00	\$140.00	\$ 60.00

Grand Total: \$550.00

A motion was made by Mr. Pasternak, seconded by Davis, to accept the Wildlife Control Officer's July report and pay the fees due.

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Ms. DiMascio read Resolution No. 4062 by short title for adoption.

R-4062 REAL ESTATE TAX REFUNDS

A motion was made by Mr. Robb, seconded by Mr. Massung, to adopt Resolution No. 4062 by short title as just read by Ms. DiMascio.

Motion carried unanimously.

Ms. DiMascio read Ordinance No. 4063 by short title for adoption.

O-4063 ESTABLISHING THE LICENSING AND INSPECTION OF ALL RENTAL UNITS INCLUDING SINGLE AND MULTIPLE FAMILY DWELLINGS, BOARDING AND ROOMING HOUSE INCLUDING MOTELS, HOTELS AND BED AND BREAKFASTS – ESTABLISHING A SCHEDULE FOR INSPECTIONS BY THE CODE ENFORCEMENT OFFICER AND DESIGNEES AND ESTABLISHING A FEE SCHEDULE FOR LICENSING AND THE ESTABLISHMENT OF PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

A motion was made by Mr. Robb, seconded by Mr. Nagy to adopt Ordinance No. 4063 by short title as just read by Ms. DiMascio.

Motion carried with Mr. Massung abstaining. (Indicated he owns several rental properties)

COMMUNICATIONS

NONE

NEW BUSINESS

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to rehire one crossing guard for placement at McClure Elementary/Intermediate School.

Motion carried unanimously.

OLD BUSINESS

NONE

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:05 p.m.

Date Approved

Borough Secretary