

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, SEPTEMBER 21, 2009 AT 8:00 P.M.**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mr. Petro led those attending in the Pledge of Allegiance.

ROLL CALL

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

Council member David Pasternak was absent.

MINUTES

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

Workshop Meeting – August 12, 2009

Workshop Meeting – August 17, 2009

Regular Meeting – August 17, 2009

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 litigation and personnel matters were discussed.

PUBLIC COMMENTS

James Sunstein – 1304 Ohio Avenue

Mr. Sunstein expressed concern regarding the backup of sanitary sewers in June. He noted that his basement flood several years ago and at that time he had eight (8) inches of sewage backup, which was caused by some kind of a blockage in the line. He stated this is an on-going

situation. He suggested that a regular inspection schedule be established for the sanitary sewer lines.

Mr. Petro asked those in attendance as to who was attending the meeting due the flooding in June. The majority (approx. 10) of those in attendance raised their hands. He asked if there was any objection to Council listening to their concerns and answering any questions they had after the Public Meeting was over. There were no objections from the public.

Dorothy Schink – 1318 Ohio Avenue

Ms. Schink indicated she was in receipt of a notice from Dale Property regarding the leasing of land for the drilling of natural gas. She asked if she should be concerned and if Council had any additional information regarding the matter.

Mr. Petro noted Dale Property is involved in securing leases of natural gas rights on five (5) or more acres of land. The notice is being sent to residents within the vicinity of these larger parcels. Representatives from Dale have met with Borough officials three times to address any concerns and zoning issues. He indicated that if Dale decides to drill there would be a public hearing. He noted this is very similar to the program that Huntley & Huntley started approximately two (2) years ago

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President’s Report

There was nothing to report at this time.

Mayor’s Report

Mrs. Marton gave the August Stat Report.

Arrests: 15 (14 adults/1 juveniles)

Assault	1
Bad Checks	1
Criminal Mischief	1
Disorderly Conduct	2
Drug Offenses	2
DUI	1
Liquor Law Violations	1
Public Drunkenness	2
Robbery	4
Theft/Receiving Stolen Property	3
Summary Traffic Violations	75
Total Incidents	625

Mrs. Marton reminded residents to make sure they lock their locks, garages and homes. There have been a number of break-ins via unlocked vehicles/structures as well as some vandalism. She further suggested that residents remove valuables from their vehicles when not in use.

Finance

Mr. Dillinger, Chairperson, indicated he had the standard motion for approving the bills and accounts payable.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to accept the Check Register for August and Accounts Payable as of August 31, 2009.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	1017848-10896	\$ 71,505.07
Fire Protection	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600171-600173	\$ 43,240.70
Pool/Park Fund	900196-900212	\$ 3,236.59
Capital Expenditures	180010	\$ 6,967.27
Liquid Fuels	350064-350068	\$ 16,197.22
Total Bills Paid		\$ 124,950.63

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 166,328.10
Fire Protection	\$ 0.00
Super Fund	\$ 12,500.00
Solid Waste	\$ 43,250.70
Pool Fund	\$ 10,557.97
Capital Projects	\$ 6,967.27
Liquid Fuels	\$ 8,980.36
Total Accounts Payable	\$ 241,607.13

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Babyak, authorizing the proper officials to file revive liens for unpaid 1988 real estate taxes.

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, setting the 2010 MMOs for the pension plans. The MMO for the Uniformed Plan is \$83,536. and for the Non-Uniformed Plan the MMO is \$56,033.

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Mr. Davis, Chairperson, indicated he had nothing to report at this time.

PARKS AND RECREATION AND COG REPRESENTATIVE

Mr. Pasternak, Chairperson, was absent.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 25 violation notices and 28 construction permits issued in August for fees totaling \$1,047.90.

Mr. Babyak requested the Public Hearing regarding dangerous structures be re-opened at this time. There were no objections. The Public Hearing was turned over to Mr. Leckman.

Mr. Leckman read the Findings of Fact and Order regard the structure at 211 Dome Street. (see attached) Owner has 10 days to demolish the structure or the Borough shall cause such structure to be demolished.

Mr. Leckman read the Finds of Fact and Order regarding the structure at 767 McKee Road (aka 747 McKee Road). (see attached). Owner has 10 days to demolish the structure or the Borough shall cause such structure to be demolished.

A motion was made by Mr. Babyak, seconded by Mr. Massung to accept the Findings of Act and Order regarding 211 Dome Street and 767 McKee Road (aka 747 McKee Road).

Motion carried unanimously.

PUBLIC SAFETY

Mr. Massung, Chairperson, noted the Recreation Board, volunteer Fire Departments, EMS including Search and Rescue along with the White Oak Chapter of the Red Cross are always looking for volunteers. He stated that if anyone was interested they should contact the appropriate group or Borough office.

A motion was made by Mr. Massung, seconded by Mr. Babyak, to extend the current police service agreement with South Versailles Twp. for the year of 2010.

Motion carried unanimously.

PUBLIC WORKS

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

A motion was made by Mr. Robb, seconded by Mr. Babyak, authorizing the proper officials to accept proposals for the purchase of two (2) small dump trucks, one (1) large dump truck and one (1) hauling trailer.

Motion carried unanimously.

TAX COLLECTOR'S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$46,786.25 on the 2009 Tax Duplicate, for the period of August 1, 2009 – August 31, 2009.

Commission due – \$498.75 (133 accounts @ \$3.75)

Assessed Value	\$336,915,588.00
Exonerations (Less)	\$ 388,600.00
Additions	\$ 745,000.00
Abatement Values	\$ 522,600.00
Adjusted Value	\$336,749,388.00
Value of statements (actual)	\$ 1,400,877.46
Act 77 Revoked @ Face	\$ 750.00
Act 77 Eligible @ Face	<u>\$ 42,989.04</u>
Corrected Value of Statements	\$ 1,358,638.42
Collected from – 8/01/09 – 8/31/09	\$ 46,786.25
Discount (add)	\$ 0.00
Less Penalty (sub)	<u>\$ 659.63</u>
Total Credited to Duplicate	\$ 46,126.62
Amount Previously Collected	\$ 1,216,314.37
Collections	\$ 46,126.92
Total Collected	<u>\$ 1,262,440.99</u>
Balance to be collected	\$ 96,197.43

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, had nothing to report, at this time, for the collection period of July 26, 2009 – August 25, 2009.

Commission due	- \$	0.00
Costs	- \$	<u>0.00</u>
	- \$	0.00

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$34,223.14 in current Earned Income Tax for the collection period of July 26, 2009 – August 25, 2009.

Commission due	- \$	513.22	
Costs		- \$	9.19 – Account Reactivations
Total Due	- \$	522.41	

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$2,825.59 in delinquent Earned Income Tax and \$2,085.67 audited in delinquent Earned Income Tax, including costs for the collection period of July 26, 2009 – August 25, 2009.

Commission due	- \$	0.00	
Costs		- \$	18.99 Writs of Execution, Postage
	\$	18.99	

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, had nothing to report, at this time, for the collection period July 26, 2009 – August 25, 2009.

Commission due	- \$	39.88	
Costs	- \$	0.00	
Total Due	- \$	39.88	

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$8,564.35 in delinquent Business Privilege Tax and \$253.73 in delinquent Mercantile Tax for the collection period of July 26, 2009 – August 25, 2009.

Commission due	- \$	552.27	
Costs	- \$	0.00	
Total Due	- \$	552.27	

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 August 15 as well as September 16 and September 21. Issues/projects discussed at these sessions are being worked on.

A motion was made by Mr. Robb, seconded by Mr. Babyak, to accept the Engineer's Report and pay Invoice No. 40990, 40991, 40992 and 40993 dated August 26, 2009, in the amount of \$4,271.51.

Motion carried unanimously.

SOLICITOR'S REPORT

Mr. Leckman stated he provided his report to Council at the Workshop meetings and he would present two (2) resolutions for consideration.

A motion was made by Mr. Robb, seconded by Mr. Babyak, to accept the Solicitor's Report and pay Invoice No. WOB 232, dated September 21, 2009, in the amount of \$3,101.25.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

Mr. Davis read the Animal Control Officer's and Wildlife Officer's Reports for the month of August 2009.

Trisha Hroblak – Animal Control – Report for the month of August 2009

Number of 911 calls taken	0
Number of calls taken shelter/borough/residents	9
Complaints	2
Number of Dogs returned to owners	6
Number of Dogs surrendered to Shelter	0
Number of Dogs humanely disposed of	0
Number of Dogs hit/killed by Vehicle	0
Number of Cats returned to owners	0
Number of Cats surrendered to Shelter	0
Number of Cats humanely disposed of	0
Number of Cats hit/killed by Vehicle	0
Number of people information filed against	0
Number of citations issued	0
Number of after hour calls	0
Total Due	\$225.00

Note: One call – 38 birds were removed from a home

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

Motion carried unanimously.

Dave Collura – Wildlife Control
Report for the month of July 2009

	Live Trap	Road Kill
Deer	0	3
Birds/Fowl	0	0
Chipmunk	0	0
Degas	0	0
Groundhogs	26	4
Rabbits	0	0

Raccoons	31	7
Opossums	7	0
Skunks	36	5
Squirrels	4	3
Snakes	0	0
Turtles	0	0
Total Due	\$300.00	\$125.00

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Wildlife Control Officer's Report and pay the fee due in the amount of \$425.00 for the month of August.

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution No. 3554 by short title for adoption.

R-3554 REAL ESTATE TAX REFUND

A motion was made by Mr. Robb, seconded by Mr. Massung, to adopt Resolution No. 3554 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3554 officially adopted.

Mr. Leckman read Resolution No. 3555 by short title for adoption.

R-3555 FORMAL CLOSING OF SEWER FUND(S) AND REASSIGNMENT OF THE ASSETS AND LIABILITIES

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to adopt Resolution No. 3555 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3555 officially adopted.

NEW BUSINESS

None

OLD BUSINESS

None

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:21 p.m.

Date Approved

Borough Secretary