

BOROUGH OF WHITE OAK
Minutes of a Council Meeting
August 19, 2019, 8:00 PM

CALL TO ORDER: Council President Dave Pasternak called the meeting to order at 8:00 PM.

PLEDGE OF ALLEGIANCE:

ROLL CALL: Dave Pasternak requested the roll call. In attendance was:

Elected Officials:

Mayor Ina Marton
Edward Babyak
Louis Bender
Charles Davis
George Dillinger
David Pasternak

Borough Staff and Professional Services:

Krishna DiMascio, Borough Solicitor
Kenneth Hillman, Borough Engineer
John Palyo, Borough Manager
MaryAnn Winemiller, Admin. Asst.

MINUTES: Charles Davis made a motion to accept the minutes of the June 19, 2019 Special Council meeting and the July 15, 2019 Council meeting. George Dillinger seconded the motion. The motion was unanimously approved.

EXECUTIVE SESSION: Krisha DiMascio announced Following the Workshop meeting of August 12, 2019, Council had an Executive Session to discuss personnel and pending legal matters.

PUBLIC COMMENTS:

Mary Summerly – 2113 Kansas Avenue

Ms. Summerly concerns are with a neighboring piece of property being sold and developed would led to hillside sliding and doing damage to her property.

Council President Dave Pasternak stated that we cannot stop a property sale but that the required permits would have to be obtain to do any development on the property.

Anton Leppo – 2122 Kansas Avenue

Mr. Leppo stated that he has experienced flooding in his home and lost the floor in his basement; Mr. Leppo has only lived in the home 1 year and hopes a fix for his home comes soon.

Solicitor Krisha DiMascio stated that Council has agreed to have n Senate Engineering (Borough's Engineer) look into a cost effective solution to this matter and that the road is not a Borough's Road and that some of the Storm Water Systems belong to the Borough and some are privately owned.

Anne Radakovich – 2205 Kansas Avenue

Mrs. Radokovish stated that Mr. George Hart (previous Borough Engineer) had stated that the hillside is prone to sliding. Mr. McCabe (former Public Works Foreman) diverted the water flow from two (2) catch basins to one (1) and ever since has had a problem with water during heavy storms. Suggested maybe a catch basin would help the water situation and hopes that we can resolve this issue soon.

Solicitor Krisha DiMascio stated that some of the lines and catch basins in this area of Kansas Avenue are private and some are the Boroughs.

Barbara Willis – 2227 Hemlock Drive

Ms. Willis wanted to discuss a Waterline Break that ruined her Car, Washer & Dryer, her Finished Basement, she had 2ft of water in her house. She knows that MAWC owns the Water and Sewer Lines but feels the Borough should be able to do something about this situation as this is not the first time this has happen. She also asked if it was true that the Borough owns the first 10ft of her property. She was informed that is an easement on the property.

PRESIDENT’S REPORT: No report this month

MAYOR’S REPORT: Mayor Ina Marton provided the Police Activity Report for July 2019.

Arrests: (11 adults / 0 juvenile)	11
Assault	3
Drug offenses (Violation of Title 35)	1
DUI	3
Harassment	1
Theft	3
Summary Traffic Violations	59
Total incidents	849

COUNCIL COMMITTEE REPORTS:

FINANCE: George Dillinger presented the finance report.

George Dillinger made a motion to accept the Treasurer’s Report for July 2019. Chuck Davis seconded the motion. The motion was unanimously approved.

George Dillinger made a motion approving the Check Register for the month of July, which includes Electronic Fund Transfers and General Fund Checks in the following ranges (204641 - 204790) totaling \$528,008.32. Chuck Davis seconded the motion. The motion was unanimously approved.

George Dillinger made a motion authorizing the following Interfund Transfers for the month of July. Chuck Davis seconded the motion. The motion was unanimously approved

From	To	Amount
Solid Waste	General Fund	79,452.35
Post Retirement	General Fund	728.22
RVFC Money Market	General Fund	40,000.00
RVFC Fire Fund	General Fund	870.20
WO#1 Fire Fund	General Fund	888.47
Total Transfers		\$121,939.24

George Dillinger made a motion to ratify action taken at the August 12th Council Workshop that authorized the Solicitor to advertise the Bond not to exceed motion and Resolution in the amount of \$7.5 Million Dollars. Chuck Davis seconded the motion. The motion was unanimously approved

HEALTH, ENVIRONMENT AND CABLE: Dave Pasternak presented the health, environment and cable report.

George Dillinger made a motion to authorize payment to Dave Collura, for Wildlife Control Services, in the amount of \$600.00 for the month of July 2019. Chuck Davis seconded the motion. The motion was unanimously approved

Chuck Davis made a motion to satisfy the following liens as paid in full, George Dillinger seconded the motion. The motion was unanimously approved

Lot & Block	Lien Number
751-P-164	GD-16-002390 GD-19-002271 GD-11-000449
461-G-204	GD-11-958 GD-11-20822 GD-16-002613

We hosted our Electronics and Household Hazardous Waste recycling Collection drop off program on Saturday, July 20th from 9:00 AM to 1:00 PM at the Borough Building. We collected 2,427 pounds of Universal & Household Hazardous Waste and an additional 3,260 pounds of Electronic Waste. (2018 Collection: 2,042 lbs of UHW and 5,286 lbs of EW)

PARKS AND RECREATION: Louis Bender presented the parks and recreation report

We had a well-attended Community Day celebration on Saturday, August 3rd. Thank you to all who helped to make this year's event a great success

Community-Wide Yard Sale in on Saturday, August 24th from 8:00 AM till 3:00 PM.

Announce the modified schedule for the Swimming Pool.

- Closed 8/19-8/23
- Open 8/24-8/25
- Close 8/26-8/30
- Open Labor Day weekend of 8/31-9/2/19 and close at 6:00 on Labor Day

PLANNING AND ZONING: Ed Babyak presented the planning and zoning report

The monthly permit/violation report for July is available for review during normal business hours.

Announcements: The Allegheny County Vacant Property Recovery Program is currently taking applications through September 30, 2019. Contact the Borough Office for more information.

PUBLIC SAFETY REPORT: Dave Pasternak, presented the report

Chuck Davis made a motion to authorize the purchase of three New 2020 model year Police Interceptor Utility Vehicles from C. Harper Ford under the State COSTARS program and authorize the President and Borough Manager to execute all paperwork on behalf of the Borough for the financing of \$127,793.00 for a three year term at an interest rate of 4.26%. Lou Bender seconded the motion. The motion was unanimously approved

PUBLIC WORKS: Chuck Davis presented the Public Works report

The monthly report for July is available for review during normal business hours.

Chuck Davis made a motion to appoint Larry Robertson to the vacant “Operator A” position effective from August 12, 2019 as per all conditions within the Collective Bargaining Agreement. Lou Bender seconded the motion. The motion was unanimously approved

Chuck Davis made a motion to accept the 2019 Bid for Rock Salt in the base bid amount of \$82.24 as provided by Cargill, Inc. and authorize the President and Borough Manager to execute all contracts for the 2019-2020 winter season. Ed Babyak seconded the motion. The motion was unanimously approved

Chuck Davis made a motion to enter into contract with West Penn Power Company to convert street lights from Mercury Vaper to LED within the Borough of White Oak and authorize the President and Borough Manager to execute all contracts for the conversion process. George Dillinger seconded the motion. The motion was unanimously approved

*Note As of 5pm today Center Street Extension was opened.

PERSONNEL: No Report this month

TAX COLLECTORS’ REPORTS:

Chuck Davis made a motion to accept the Tax Collectors’ Reports and pay commissions and fees due. George Dillinger seconded the motion. The motion was unanimously approved.

Current Real Estate – Real Estate Tax Collector (Lisa Pitchford) collected \$110,180.18 for **current Real Estate Tax** for the collection period of July, 2019.

Commission Due	\$836.25
Costs	\$0.00
Total Due	\$836.25

Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector(s) collected \$8,251.70 plus costs in **delinquent Real Estate Tax** for the collection period of July 1, 2019 – July 31, 2019.

Commission Due	\$0.00
Costs	\$10.00
Total Due	\$10.00

Earned Income Tax

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector(s) collected \$49,813.94 in current and delinquent Earned Income Tax for the collection period of July, 2019.

Commission Due	\$688.91
Costs(refunds/postage and/or costs)	\$199.33
TCC Annual Fee	\$0.00
Total Due	\$888.24

Berkheimer Associates, Current/Delinquent Earned Income Tax Collector(s) collected (\$-48.12) in current and delinquent Earned Income Tax for the collection period of July, 2019.

Commission Due	\$0.00
Costs(refunds/postage and/or costs)	\$0.00
Total Due	\$0.00

Mercantile/Business Privilege and Local Service Tax

Keystone Collections Group, Current Act 511 Tax Collector, collected \$72.36 in current Local Service Tax for the collection period of July, 2019.

Commission Due	\$10.02
Refund	\$0.00
Costs(postage and/or costs)	\$0.00
Total Due	\$10.02

Keystone Collections Group, current Business Privilege and Mercantile Tax Collector, collected \$6915.17 in Business Privilege and \$ 7.77 in Mercantile Tax collections for the July 2019 collection period.

Commission Due	\$202.72
Costs	\$2.00
Total Due	\$204.72

Keystone Collections Group, delinquent Business Privilege and Mercantile Tax Collector, collected \$ 421.18 in delinquent Business Privilege Tax and \$0.00 in delinquent Mercantile Tax for the collection period of July 1 to July 31, 2019.

Commission Due	\$0.00
Costs	\$0.00
Total Due	\$0.00

ENGINEER'S REPORT: Mr. Ken Hillman

George Dillinger made a motion to accept the Engineer's Report and pay the fees due to Senate Engineering Company for Invoices #55676 through #55680, dated July 18, 2019, totaling \$3,458.83 and Invoices #55741 through #55743, dated July 26, 2019, totaling \$2,686.25. Grand Total is \$ 6,145.08. Chuck Davis seconded the motion. The motion was unanimously approved

Chuck Davis made a motion to authorize Senate Engineering to proceed with the bidding process once final approval from PennDOT has been received. George Dillinger seconded the motion. The motion was unanimously approved

Chuck Davis made a motion to approve Senate Engineering Company to proceed with the GPS of the entire Storm Sewer System of White oak Borough. This project is a time and materials project and is roughly estimated between \$40,000 and \$60,000 based on the number of system unit structures. George Dillinger seconded the motion. The motion was unanimously approved

George Dillinger made a motion to ratify action taken at the August 12th Council Workshop that approved a COSTARS quote from Insight Pipe in the amount of \$ 28,520.00 for the Relining of the Cypress to Lincoln Way Storm Sewer project. Chuck Davis seconded the motion. The motion was unanimously approved. Councilman Dave Pasternak abstained from the vote due to living on Cypress Street.

SOLICITOR'S REPORT: Krisha DiMascio presented the Report in Executive Session.

George Dillinger made a motion to accept the Solicitor's Report and pay the fees due to Dodaro, Matta & Cambest for Invoice #16350, dated August 9, 2019, totaling \$4,105.00. Chuck Davis seconded the motion. The motion was unanimously approved.

George Dillinger made a motion to approve a \$2,500.00 settlement for an asbestos claim as per all conditions of the settlement #18-009039 agreement pending Solicitor's approval. Chuck Davis seconded the motion. The motion was unanimously approved. Solicitor Krisha DiMascio thanked Councilman Ken Robb for attending the Asbestos Meeting and his expertise in this matter.

RESOLUTIONS AND ORDINANCES: Ms. Krisha DiMascio

Resolution #2019-12

George Dillinger made a motion to make refund of certain real property taxes to certain property owners as hereinafter listed by reason of official change order, gentrification, issued by the Allegheny County Board of Assessments, appeals and review as well as abatements or overpayments. Chuck Davis seconded the motion. The motion was unanimously approved.

Resolution #2019-13

George Dillinger made a motion to adopt Resolution #2019-13 under Section 8109 of the Local Government Unit Debt Act authorizes any local government unit to incur debt evidenced by notes to provide funds for a project as defined in Section 8002 without approval of the Department of Community and Economic Development provided: (1) the total amount of debt issued under Section 8109 and outstanding at any one time shall not exceed \$125,000 or 30% of the nonelectoral debt limit, whichever is less; (2) the principal shall mature within five years; and (3) the debt does not otherwise exceed the debt limits imposed in Section 8022 of the Act for the purpose of the three police vehicles. Chuck Davis seconded the motion.

Council President David Pasternak asked for a Roll Call Vote.

Roll Call Vote:

Yes Votes: Louis Bender, Edward Babyak, Dave Pasternak, George Dillinger, Charles Davis

No Votes: None

The motion passed with five (5) yes votes and zero (0) no votes.

NEW BUSINESS:

Chuck Davis made a motion to allow White Oak Borough to enter into a Beatification Agreement (for the Henderson at Lincoln Way Property) with PennDOT and authorize the proper officials to execute the agreement George Dillinger seconded the motion. The motion was unanimously approved.

OLD BUSINESS: None

ANNOUNCEMENTS:

- As of 5:00 PM this afternoon Center Street Extension is back open to thru traffic.
- September 9, 2019, 6:45 PM – Council Workshop Meeting (Open to the Public)
- September 16, 2019, 6:45 PM – Council Workshop Meeting (Open to the Public)
 - 8:00 PM – Council Meeting (Open to the Public)

ADJOURNMENT:

George Dillinger made a motion to adjourn the meeting at 8:44 PM. Chuck Davis seconded the motion. The motion was unanimously approved.

Respectfully submitted,

John Palyo
Borough Manager, Secretary & Treasurer

Date Approved by Council