

BOROUGH OF WHITE OAK
Minutes of October 19, 8:00 PM
Council Meeting

Due to the COVID-19 pandemic, our meeting was held at the White Oak Community Center located at 1796 Lower Heckman Road, White Oak, PA. Public access to this meeting was granted following mask and social distancing requirements.

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

PLEDGE OF ALLEGIANCE: Charles Davis

ROLL CALL: Charles Davis requested the roll call. In attendance was:

Elected Officials:

Mayor Ina Marton
Charles Davis, President
Louis Bender
Julie Opferman
George Pambacas
Kenneth Robb

Borough Staff and Professional Services:

Patricia McGrail, Borough Solicitor
Kenneth Hillman, Borough Engineer
John Palyo, Borough Manager
MaryAnn Winemiller, Admin. Asst.

MINUTES: George Pambacas made a motion to accept the minutes of the September 21, 2020 Council meeting. Kenneth Robb seconded the motion. The motion was unanimously approved.

EXECUTIVE SESSION: Patricia McGrail announced that prior to the Council meeting on October 19, 2020 Council had an Executive Session to discuss personnel and pending legal matters.

PUBLIC COMMENTS:

State Senator James Brewster and Allison Piccolino (Senator Brewster District Office Manager) were in attendance with Paul Falavolito from the White Oak Office of Emergency Management to recognize members and staff members of the White Oak Community for their help and assistance during COVID-19 this year. Senator Brewster presented a certificate of Recognition to Michelle Gessner, Brian Dinkfelt, John Palyo, Police Chief Mark Sargent, Mayor Ina Marton, WOOEM Coordinator Mark Jones, WOOEM Deputy Coordinator Josh Gelman, White Oak #1 VFC Chief Steve Staniech, Rainbow VFC Chief BJ Schmidt, White Oak EMS Deputy Chief Justin Webster, White Oak EMS Deputy Chief Brian Knight, White Oak Police Department, White Oak EMS Department, Rainbow Volunteer Fire Company, White Oak #1 Volunteer Fire Company, White Oak Public Works Department and White Oak EMS Chief Paul Falavolito, who also serves as a WO OEM Deputy Coordinator.

Mayor Ina Marton wanted to thank Paul Falavolito from the office of OEM for reaching out to her to get the recognition for these deserving individuals and departments.

PRESIDENT'S REPORT: Charles Davis

President Charles Davis read a letter from Edward Babyak announcing his resignation from Council.

Louis Bender made a motion to accept the resignation of Councilman Edward Babyak effective immediately. Julie Opferman seconded the motion. The motion was unanimously approved.

Louis Bender made a motion to appoint Joseph Nagy to fill the remainder of Edward Babyak's term on Council. Julie Opferman seconded the motion. The motion was approved by a three to two margin. Yes, Votes included: Charles Davis, Julie Opferman & Louis Bender and No, Votes included: Kenneth Robb & George Pambacas.

Discussion on the motion included: Ken Robb stated that he would prefer that Council solicit applicants to be reviewed for the vacant seat and that he did not appreciate that the majority resorted to the fact without any discussion on the appointment. Lou Bender stated that Joe Nagy was nominated due to his previous experience on Council. Ken Robb stated that this was designed ahead of time.

MAYOR'S REPORT: Mayor Ina Marton provided the Police Activity Report for September 2020.

Arrests: (19 adults / 0 juveniles)	19
Assault & Related Offenses	2
Criminal Attempt & Criminal Conspiracy	5
Drug Offenses	4
DUI	3
Firearms not to be Carried without a License	1
Harassment	1
Theft	3
Summary of Traffic Violations	63
Total Incidents	718

Mayor Ina Marton presented a proclamation declaring the week of Veterans Day, November 7th through November 14th as "Poppy Week" in White Oak Borough. Mayor Marton also recognized Jackie Slinski, Unit 701 Second Vice president from the White Oak America Legion Auxiliary.

COUNCIL COMMITTEE REPORTS:

FINANCE: Louis Bender presented the Finance report.

Louis Bender made a motion to accept the Treasurer's Report for September 2020. Kenneth Robb seconded the motion. The motion was unanimously approved.

Louis Bender made a motion approving the Check Register for the month of September, which includes Electronic Fund Transfers and General Fund Checks in the following ranges (206152 to 206274) totaling \$1,143,919.68. Kenneth Robb seconded the motion. The motion was unanimously approved

Louis Bender made a motion authorizing the following Interfund Transfers for the month of September. Kenneth Robb seconded the motion. The motion was unanimously approved.

From	To	Amount
Liquid Fuels	General Fund	8,198.37
Solid Waste	General Fund	39,898.43
Capital Projects	General Fund	1,420.00
Post Retirement	General Fund	786.55
Fire Fund RVFC	General Fund	10,189.00
Fire Fund WO#1VFC	General Fund	10,189.00
Total Transfers		\$70,681.35

HEALTH, ENVIRONMENT AND CABLE: George Pambacas presented the health, environment and cable report.

George Pambacas made a motion to authorize payment to Dave Collura, for Wildlife Control Services, in the amount of \$600.00 for the month of September 2020. Julie Opferman seconded the motion. The motion was unanimously approved.

George Pambacas made a motion to authorize payment to Sable Kennel, for Animal Control Services, in an amount of \$400.00 for services in the month of September. (This is an hourly rate not a contractual rate for service.) Julie Opferman seconded the motion. The motion was unanimously approved

George Pambacas made a motion to satisfy the following liens as paid in full. Kenneth Robb seconded the motion. The motion was unanimously approved

Lot & Block	Lien Number
461-K-106	GD-16-006302 GD-19-003900
461-K-115	GD-16-006386
752-B-194	GD-11-21824

Councilman Pambacas made an announcement the White Oak EMS will be holding a Shredding Event on Saturday October 24, 2020 from 11am – 2pm.

PARKS AND RECREATION: Julie Opferman

Julie Opferman made a motion to authorize payment of \$1,712.75 to Burt Processing Equipment, Inc. for new flow meters located at Heritage Hill swimming pool. Kenneth Robb seconded the motion. The motion was unanimously approved

Julie Opferman made a motion to authorize payment of \$2,695.00 to Advance Instruments, Inc. for the installation of the new flow meters located at the Heritage Hill swimming pool. George Pambacas seconded the motion. The motion was unanimously approved

Councilwoman Opferman made the announcement: WPIAL Cross Country Championships on October 28th and 29th will be held at the White Oak Park. We welcome the runners to our community and wish them good luck.

Councilwoman Opferman also announced that the Borough will sponsor a Holiday Christmas Contest with more details to follow.

PLANNING AND ZONING: Charles Davis

The monthly permit/violation reports for September are available for review during normal business hours.

PUBLIC SAFETY REPORT: Louis Bender presented the Public Safety Report

Councilman Bender wanted to Thank all First Responders, Volunteer Fire Companies and our Office of Emergency Management for what they do for our community day in and day out.

PUBLIC WORKS: Kenneth Robb

The monthly reports for September are available for review during normal business hours

Kenneth Robb made a motion to accept the proposal from RC Haywood Refrigeration in an amount of \$ 8,660.00 for the repair of the Heat Pump System located at the Community Center. George Pambacas seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to approve the purchasing of 3 trees from Grandview Nursery at a cost not to exceed \$3,651.00 for the lot at Henderson and Lincoln Way. George Pambacas seconded the motion. The motion was unanimously approved.

PERSONNEL: Charles Davis
No Report.

TAX COLLECTORS' REPORTS: Charles Davis

Julie Opferman made a Motion to accept the Tax Collectors' Reports and pay the commissions and fees due. George Pambacas seconded the motion. The motion was unanimously approved

Current Real Estate – Real Estate Tax Collector (Lisa Pitchford) collected \$31,843.30 current Real Estate Tax for the collection period of September, 2020.

Commission Due	\$217.50
Costs	.00
Total Due	\$217.50

Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector(s) collected \$487.04 plus costs in delinquent Real Estate Tax for the collection period of September 1, 2020 – September 30, 2020

Commission Due	\$.00
Costs	\$102.50
Total Due	\$102.50

Earned Income Tax

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector(s) collected \$83,942.15 in current and delinquent Earned Income Tax for the collection period of September, 2020.

Commission Due	\$1,231.73
Costs (refunds/postage and/or costs)	\$2.00
TCC Annual Fee	\$0.00
Total Due	\$1,233.73

Berkheimer Associates, Current/Delinquent Earned Income Tax Collector(s)
 Collected \$104.60 in current and delinquent Earned Income Tax for the collection period of
 September, 2020.

Commission Due	\$1.49
Costs (refunds/postage and/or costs)	\$0.00
Total Due	\$1.49

Mercantile/Business Privilege and Local Service Tax

Keystone Collections Group, Current Act 511 Tax Collector, collected \$604.20 in current Local
 Service Tax for the collection period of September, 2020.

Commission Due	\$10.56
Refund	\$0.00
Costs (postage and/or costs)	\$0.00
Total Due	\$10.56

Keystone Collections Group, current Business Privilege and Mercantile Tax Collector, collected
 \$3,252.01 in Business Privilege and \$7,216.82 in Mercantile Tax collections for the September,
 2020 collection period.

Commission Due	\$314.07
Costs	\$51.25
Total Due	\$365.32

Keystone Collections Group, delinquent Business Privilege and Mercantile Tax
 Collector, collected \$.4,967.31 in delinquent Business Privilege Tax and \$.00 in
 delinquent Mercantile Tax for the collection period of September, 2020.

Commission Due	\$298.04
Costs	\$0.00
Total Due	\$298.04

ENGINEER'S REPORT: Mr. Ken Hillman

Kenneth Robb made a motion to accept the Engineer's Report. Louis Bender seconded the
 motion. The motion was unanimously approved

Julie Opferman made a motion to approve Pay Request #3 submitted by M & B Services in
 amount of \$35,999.55 for the Green Light Go Project as reviewed and approved by the Engineer
 and authorize the Borough Manager to sign the above listed request on behalf of the Borough.
 Kenneth Robb seconded the motion. The motion was unanimously approved

Julie Opferman made a motion to approve Pay Request #3 (Final) submitted by Tresco Paving in amount of \$32,272.45 and a Summary Change Order Deduct in the amount of \$7,395.42 for the 2020 Street Paving Project as reviewed and approved by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough contingent upon receipt of all final close-out documents and completion of the remaining punchlist items. Kenneth Robb seconded the motion. The motion was unanimously approved

Kenneth Robb made a motion to approve Pay Request #2 submitted by Kucich Construction in an amount of \$51,750.00 for the WOAA Restroom Rehabilitation Project as reviewed and approved by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough. Julie Opferman seconded the motion. The motion was unanimously approved.

Kenneth Robb made a motion to approve Pay Request #2 submitted by Port Vue Plumbing in amount of \$35,344.00 for Heritage Hill Pool Pumps and Electrical Project as reviewed and approved by the Engineer and authorize the Borough Manager to sign the above listed request on behalf of the Borough. Julie Opferman seconded the motion. The motion was unanimously approved. The Borough is withholding 5% for receipt of all final close-out documents and completion of the remaining punchlist items.

SOLICITOR'S REPORT: Patricia McGrail presented the Report in Executive Session

Kenneth Robb made a motion to accept the Solicitor's Report and pay the fees due to McGrail & Associates, LLC for Invoices #36400 through #36406 dated October 16, 2020 totaling \$ 2,859.20. Louis Bender seconded the motion. The motion was unanimously approved.

RESOLUTIONS AND ORDINANCES: Patricia McGrail

RESOLUTION #2020-23

Kenneth Robb 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. George Pambacas seconded the motion. The motion was unanimously approved.

RESOLUTION #2020-24

Julie Opferman made a motion to approve Resolution of Council of the Borough of White Oak approving that the acquisition and subsequent disposition of numerous parcels of vacant property known as block and lot number 461-D-164 would be in accord with the Comprehensive Plan of our Municipality. (Note: This is in cooperation with the County of Allegheny and the Redevelopment Authority of Allegheny County as we are participating in the Allegheny County Vacant Property Program. Kenneth Robb seconded the motion. The motion was unanimously approved.

RESOLUTION #2020-25

Kenneth Robb made a motion to approve Resolution of Council of the Borough of White Oak approving that the acquisition and subsequent disposition of numerous parcels of vacant property known as block and lot number 461-C-360 would be in accord with the Comprehensive Plan of our Municipality. (Note: This is in cooperation with the County of Allegheny and the Redevelopment Authority of Allegheny County as we are participating in the Allegheny County Vacant Property Program. Julie Opferman seconded the motion. The motion was unanimously approved.

NEW BUSINESS:

Councilman Pambacas stated he wanted to clarify his vote for Joseph Nagy, he stated that there was no warning given and no discussion prior to the appointment vote. He does not discount Mr. Nagy’s experience just not happy about how the appointment was handled.

Councilman Bender stated that given in March 2018 at 12:01am a previous resignation occurred and for the next two (2) Council Meetings certain members didn’t attend, leading to no quorum for the meetings. This led to a vacancy and delayed proceedings.

Councilman Robb stated that Councilman Bender’s appointment was questionable plus the sum of money you received from retiring form the Police Department.

Councilman Bender replied there are many different ways to appoint Council Members.

Councilman Pambacas replied he wants to see what is best for White Oak Borough, we need to look forward and not looking to what has occurred in the past. That is wrong plain and simple.

OLD BUSINESS:

None

ANNOUNCEMENTS: Meetings are subject to change due to COVID-19 Pandemic Restrictions

- **November 9, 2020, 6:45 PM – Council Workshop Meeting (Open to the Public)**
- **November 16, 2020, 6:45 PM – Council Workshop Meeting (Open to the Public)**
 - **8:00 PM – Council Meeting (Open to the Public)**

ADJOURNMENT: Louis Bender made a motion to adjourn the meeting at 8:33PM. Julie Opferman seconded the motion. The motion was unanimously approved.

Respectfully submitted,

John Palyo

John Palyo
Borough Manager, Secretary & Treasurer

Date Approved by Council