

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, OCTOBER 19, 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, David Pasternak, 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.

MINUTES

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

Workshop Meeting – September 16, 2009
Workshop Meeting – September 21, 2009
Regular Meeting – September 21, 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

Marvin Berk – Monongahela Blvd.

Mr. Berk expressed concern over the number of residents who have received notice of possible drilling for natural gas in the Borough and that the residents will not utilize the services of a lawyer who practices in this area. He suggested the Borough have a list of lawyers on file who practice in this field. His concern was that he did not want the natural gas removed from

beneath his property and asked how that could be verified if neighbor properties in his neighborhood authorized the drilling.

Mr. Petro noted he recently met and attend a meeting held by Dale Properties the company sending out the notices to property owners within the Borough. He noted that Dale has indicated it does not do the standard vertical drilling. Dale does a combination of vertical and horizontal drilling and needs 640 areas in a specific area before they would proceed with drilling. Five (5) acres is needed for the drill head site. Dale Properties will be holding another public meeting at the WOAA in the near future.

Mr. Hultberg stated the drilling company is only allowed to fracture within a certain distance of property lines.

Mr. Petro stated that Dale Properties is interested in working with the Borough and possibility drilling on Borough property. Before this can be done Dale indicated the Borough would need to bid out for this service.

Margaret Handel – 1108 Coulter Road

Mrs. Handel asked if there had been any final decision regarding the status, as to whether or not Kay Drive is private or public road.

Mr. Leckman stated that to the best of his knowledge that matter was still in litigation.

REPORTS OF CHAIRPERSONS OF STANDING COMMITTEES

President's Report

Mr. Petro noted Penn DOT invited residents and business owners along the Lincoln Way corridor to a meeting held at the WOAA earlier this month. Penn DOT had the latest version of the proposed Lincoln Way Widening Project. The state is still in the processes of securing all of the necessary right-of-ways. He further advised that Penn DOT will be holding a TIP meeting on November 5th. He suggested that residents and businesses submit letters either supporting or opposing the project.

Mayor's Report

Mrs. Marton gave the September Stat Report.

Arrests: 28 (28 adults/0 juveniles)

Assault	1
Disorderly Conduct	5* (One person also charged with resisting arrest)
Drug Offenses	7
DUI	6
Liquor Law Violations	1
Public Drunkenness	2
Receiving Stolen Property	2
Terroristic Threats	1
Theft	3

Summary Traffic Violations 106

Total Incidents 692

Mrs. Marton announced that Trick or Treat would be held on Saturday, October 31st from 6:00 p.m. until 8:00 p.m.

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 September 30, 2009.

Bills-

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	1017899-102009	\$ 215,120.14
Fire Protection	0-0	\$ 0.00
Super Fund	0-0	\$ 18,750.00
Solid Waste	600174-600177	\$ 45,935.70
Pool/Park Fund	900213-900230	\$ 18,974.02
Capital Expenditures	0-0	\$ 18,974.02
Liquid Fuels	350069-350075	\$ 17,496.87
Total Bills Paid		\$ 316,276.73

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 121,082.55
Fire Protection	\$ 18,823.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 2,809.00
Capital Projects	\$ 0.00
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 142,714.55

Motion carried unanimously.

HEALTH, ENVIRONMENT AND CABLE

Mr. Davis, Chairperson, indicated he had a motion to present for consideration.

A motion was made by Mr. Davis, seconded by Mr. Robb, authorizing the proper officials to satisfy the municipal claim GD08-019922 filed against William M. and Patricia L. Wentroble of 102 Sharp Road , for delinquent garbage fees. The lien has been paid in full.

Motion carried unanimously.

PARKS AND RECREATION AND COG REPRESENTATIVE

Mr. Pasternak, Chairperson, reported the Recreation Board would be sponsoring the annual Halloween Parade on Saturday, October 31. Line up is 11:30 a.m. at McClure Intermediate School. The parade will start at 12:00 noon traveling along Long Vue Drive to the pavilion at Heritage Hill Park. In case of inclement weather the parade will be held at the WOAA gymnasium.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 17 violation notices and 26 construction permits issued in August for fees totaling \$1,651.10.

PUBLIC SAFETY

Mr. Massung, Chairperson, noted the Chief of Police has scheduled a Public Safety Program. The first session will be held this Wednesday at McClure Intermediate School. The Police Department and Emergency Medical Services will be featured. The second session will be held on October 28 and feature, the Fire Companies, Emergency Preparedness the Disaster Evacuation Team. Both sessions will run from 7:00 p.m. until 9:00 p.m.

Mr. Massung announced the borough is looking for volunteers to serve on Evacuation Team, , WOAA, and to form a historical society. If you would like to volunteer please submit a letter of interest to service.

Mr. Massung asked if any members of the Local Development Corp. would be attending the upcoming TIP Meeting regarding the Lincoln Way Widening Project.

Mr. Petro noted representatives from the Borough would be in attendance.

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. Pasternak, authorizing the proper officials to submit a letter of support for the Lincoln Way Widening Project to the Pennsylvania Department of Transportation Improvement Program.

Motion carried unanimously.

Mr. Petro asked that the letter of support indicated the letter received unanimous support from the local officials.

A motion was made by Mr. Robb, seconded by Mr. Babyak, authorizing the proper officials to sign an Associate Membership Agreement with Central Westmoreland COG and to pay the membership fee of \$175.00.

Motion carried unanimously.

TAX COLLECTOR'S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$4,952.98 on the 2009 Tax Duplicate, for the period of September 1, 2009 – September 30, 2009.

Commission due – \$48.75 (13 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 – 9/01/09 – 9/30/09	\$ 4,952.98
Discount (add)	\$ 7.57
Less Penalty (sub)	<u>\$ 394.33</u>
Total Credited to Duplicate	\$ 4,566.22
Amount Previously Collected	\$ 1,262,440.99
Collections	\$ 4,566.22
Total Collected	<u>\$ 1,267,007.21</u>
Balance to be collected	\$ 91,631.21

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/lienied Real Estate Tax Collector, turned in \$819.23 in delinquent real estate taxes plus costs for the collection period of August 26, 2009 – September 25, 2009.

Commission due	- \$	3.51
Costs	- <u>\$</u>	0.00
Total Due	- \$	3.51

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$30,772.88 in current Earned Income Tax for the collection period of August 26, 2009 – September 25, 2009.

Commission due	- \$	461.55
Costs	- <u>\$</u>	1.23 – Account Reactivations
Total Due	- \$	462.78

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned \$2,391.21 in

delinquent Earned Income Tax and \$1,613.40 (audited) in delinquent Earned Income Tax, including costs for the collection period of August 26, 2009 – September 25, 2009.

Commission due	- \$	0.00	
Costs	- \$	258.04	– Postage & Refunds
Total Due	- \$	258.04	

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$103.40 in Local Service Tax and had nothing to report regarding the Business Privilege and Mercantile Tax collections for the collection period August 26, 2009 – September 25, 2009.

Commission due	- \$	1.54	
Costs	- \$	0.00	
Total Due	- \$	1.54	

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$1,412.83 in delinquent Business Privilege Tax and \$7.02 in delinquent Mercantile Tax for the collection period of August 26, 2009 – September 25, 2009.

Commission due	- \$	104.74	
Costs	- \$	0.00	
Total Due	- \$	104.74	

A motion was made by Mr. Dillinger, seconded by Mr. Pasternak, 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 October 15. The issues/projects discussed at this session are being worked on.

A motion was made by Mr. Babyak, seconded by Mr. Robb, to accept the Engineer's Report and pay Invoice No. 41200 and 41201 dated September 30, 2009, in the amount of \$1,784.43.

Motion carried unanimously.

SOLICITOR'S REPORT

Mr. Leckman stated he provided his report to Council at the Workshop meetings and he would present three (3) resolutions for consideration. He further advised that Collective Bargaining Agreements had been reached with union personnel of the Public Works Department and Police Department. The Public Works agreement covers the period of August 1, 2009 through July 31, 2012. The Police Department agreement covers the period of January 1, 2009 through December 31, 2011.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Solicitor's Report and pay Invoice No. WOB 234, dated October 19, 2009, in the amount of \$2,156.25.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORTS

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

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

Number of 911 calls taken	15
Number of calls taken shelter/borough/residents	3
Complaints	1
Number of Dogs returned to owners	16
Number of Dogs surrendered to Shelter	2
Number of Dogs humanely disposed of	0
Number of Dogs hit/killed by Vehicle	0
Number of Cats returned to owners	1
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	6
Total Due	\$405.00

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 \$405.00 for the month of September.

Motion carried unanimously.

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

	Live Trap	Road Kill
Deer	0	5
Birds/Fowl	0	0
Chipmunk	0	0
Degas	0	0
Groundhogs	17	2
Rabbits	0	0
Raccoons	3	22
Opossums	1	10
Skunks	3	41
Squirrels	4	2
Snakes	0	0
Turtles	0	0

Total Due

\$300.00

\$125.00

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution No. 3556 by short title for adoption.

R-3556 REAL ESTATE TAX REFUND

A motion was made by Mr. Dillinger, seconded by Mr. Pasternak, to adopt Resolution No. 3556 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3556 officially adopted.

Mr. Leckman read Resolution No. 3557 by short title for adoption.

R-3557 ARRA ACT OF 2009 – ENERGY AUDIT

A motion was made by Mr. Robb, seconded by Mr. Pasternak, to adopt Resolution No. 3557 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3557 officially adopted.

Mr. Leckman read Resolution No. 3558 by short title for adoption.

R-3558 VERSAILLES BOROUGH – JUDICIAL HEARING REIMBURSEMENT AGREEMENT

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to adopt Resolution No. 3558 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3558 officially adopted.

NEW BUSINESS

Mr. Pasternak indicated the Borough is also looking for residents 18 years of age or older to serve on the Civil Service Commission and Recreation Board. Anyone interested in volunteering their services should send a letter of interest to the Borough.

OLD BUSINESS

None

ADJOURNMENT

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

Motion carried unanimously.

Meeting adjourned at 8:27 p.m.

Date Approved

Borough Secretary