

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, FEBRUARY 18, 2008 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 – January 16, 2008
Workshop Meeting – January 21, 2008
Regular Meeting – January 21, 2008

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 indicated there were a number of issues discussed during various Executive Sessions. Discussions were held on personnel matters and pending litigation.

PUBLIC COMMENTS

Daryl Cassidy – 817 Vermont Avenue

Mr. Cassidy indicated a new gas line was installed along Vermont Avenue by Trafford Corp. a sub-contractor for Equitable Gas. Since the work was completed, he noted his retaining wall fell down twice. Water runoff from this work washed away the footer. The road is still closed to through traffic. He stated he felt that Equitable and Trafford should be held accountable for the problems in this area.

Mr. Robb noted he was briefed by Mr. McCabe, Public Works Supervisor, and this is a private matter between the gas company, its subcontractor and the property owners. The Borough is acting only as a middle man.

Mr. McCabe stated Trafford was to have been in last week to patch the roadway with cold patch, but due to the weather this was not done. He noted hot paving material would not be applied until spring when the asphalt plants open up. He commented the issue with the wall is between the property owner and Trafford Corp and Equitable Gas. He further noted that when the new gas line was being installed Trafford broke several sewer laterals in that area and waste water was running on the street. The Public Works Department has been applying salt. The road was closed as a safety issue so that the new line would not be crushed under the pressure of traffic. The work also caused ground/surface water to flow out onto the street and stated once the cold patch is installed the drainage issue on the road should be eliminated. He indicated he would contact Trafford tomorrow to find out when they would be laying the cold patch.

Mr. Massung asked Mr. Cassidy if he had contacted Equitable or Trafford.

Mr. Cassidy indicated he called Equitable Gas who in turn referred him to Trafford Construction. He further stated he had also referred the matter to the PUC which is investigating the problem.

Mr. Robb noted the Borough would continue to act as a middle man.

George Ursta – 218 Congress

Mr. Ursta stated Trafford Construction put a cap on his neighbors lateral and eliminated 60 to 70 feet of pipe. This caused sewage to back up into the neighbor's home. There was raw sewage running on the road for three (3) weeks. During the excavation, quarter size holes could be seen in the water line. He noted the Borough's Public Works Department has done an excellent job in trying to assist and eliminate some of the issues. He stated the wall that collapsed was installed 7 years ago and since the gas line was replaced the wall had to be rebuilt twice.

Mr. Babyak asked if the condition of the water line was reported to MAWC.

Mr. Ursta noted it was and there have been three (3) or four (4) breaks over the last eight (8) or nine (9) years. He further stated that when digging the trench for the new line Trafford must have broken into a water shed which created a constant flow of water.

Mr. Petro stated the Borough would do what they could to mediate the problem. He again stated this was a private matter between the property owners and the gas company and its subcontractor.

REPORTS OF THE STANDING COMMITTEES

President's Report

NONE.

Mayor's Report

Mrs. Marton gave the police activity report for the month of January.

Persons Arrested 41 (39 adult(s)/2 juvenile(s))

Assault	3
Burglary	3
Disorderly Conduct	5
Drug Offenses	16
DUI	3
False ID to Law Enforcement	1
Fraud	1
Harassment	2
Liquor Law Violations	1
Public Drunkenness	2
Terroristic Threats	1
Theft	3
Traffic Violations	71
TOTAL INCIDENTS	430

Finance

Mr. Dillinger, Chairperson, stated he had a motion to present for consideration.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the list of accounts payable and bills paid in January.

Bills -

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	100001-100131	\$ 152,936.69
Fire Protection	21974	\$ 1,287.02
	1072	\$ 5,148.06
Solid Waste	570	
	& 600001-600033	\$ 65,409.50
Sewer Fund	None	\$ 00.00
Pool/Park Fund	8401-8405	\$ 1,056.43
Liquid Fuels	None	\$ 0.00
Total Bills Paid		\$ 225,837.70

Accounts Payable -

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 18,950.94
Fire Protection	\$ 0.00

Solid Waste	\$ 41,344.40
Sewer Fund	\$ 0.00
Pool Fund	\$ 243.88
Capital Projects	\$ 1,724.30
Liquid Fuels	\$ 21,006.63
Total Accounts Payable	\$ 83,270.15

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Robb, to satisfy lien GD03-13821 filed against Bernard Sabol, 2807 Lincoln Way, Block & Lot 640-H-62 for delinquent sewer invoice. Lien has been paid in full.

Motion carried unanimously.

Health, Environment and Cable

Mr. Davis, Chairperson, indicated he had several motions to present.

A motion was made by Mr. Davis, seconded by Mr. Babyak, to satisfy liens GD07-4661, filed against Nancy A. Miracle, GD07-16482 filed against JP Morgan Chase Bank, 2731 Mohawk Drive, for delinquent garbage fees. Liens has been paid in full.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to file a lien against Carol R. Scott, 3524 O'Neil Blvd., Block & Lot 380-S-0313 for delinquent garbage fees, in the amount of \$157.52.

Motion carried unanimously.

Parks and Recreation & COG Representative

Mr. Pasternak, Chairperson, noted the Borough hosted the January COG meeting at which he was sworn in as President. He further stated a Search committee was formed to look for a new location to house the COG operations. A number of sites will be looked at in several municipalities.

Mr. Pasternak stated the Recreation Board in co-operation with the WOAA Board held a New Year's Eve Party. The event had a net profit of approximately \$3,100.00 which will be split between the two groups.

Mr. Pasternak commented Community Day has been scheduled for Saturday, July 5th.

Mr. Pasternak advised the WOAA participated in the Festival of Trees for the first time. It took first place in the inspiration division. He further noted the Board reorganized this year and President is Karen Slobodian; Vice President is Andrew Macey; Treasurer is Sylvan Lange; Kim Winters is Secretary; and Denise Haselhoff as Financial Secretary.

Mr. Pasternak advised the annual dinner meeting of COG is scheduled for March 27 at the Yough Country Club.

A motion was made by Mr. Pasternak, seconded by Mr. Robb, authorizing the proper Borough officials to receive proposals for core drilling at Heritage Hill Park and WOAA.

Motion carried unanimously.

Planning, Zoning and Code Enforcement Officer's Reports

Mr. Babyak, Chairperson, noted there were 22 violation notices sent out in January. Twelve (12) permits were issued with fees totaling \$448.00

Mr. Babyak announced there would be an informal question and answer session for anyone interested in the possible location of gas wells within the Borough. The meeting is set for Tuesday, February 26, 2008 at 7:00 p.m. in the Municipal Building. Representatives from Huntley and Huntley would be in attendance to answer questions and address concerns.

Public Safety

Mr. Massung, Chairperson, reported the Red Cross Evacuation Team met in February. The main purpose of the meeting was to evaluate sites within the Borough that could be used for shelters. Once these sites have been identified a floor plan for each shelter site will be developed.

Public Works- Mr. Robb

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

TAX COLLECTORS' REPORTS

Mr. Petro advised the various Tax Collectors' Reports were listed on the Agenda and asked for a motion to accept the reports after Council had an opportunity to review said reports.

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$6,502.19 for the period of January 1, 2008 – January 31, 2008.

Commission due – \$82.50 (22 accounts @ \$3.75)

Assessed Value	\$335,398,688.00
Exonerations (Less)	\$ 1,531,200.00
Additions	\$ 890,100.00
Abatement Values	\$ 1,060,200.00

Adjusted Value	\$333,697,588.00
Value of statements (actual)	\$ 1,388,181.97
Act 77 Revoked @ Face	\$ 746.44
Act 77 Eligible @ Face	\$ 45,099.25
Corrected Value of Statements	\$ 1,343,829.16

Collected from – 1/01/08 – 1/31/08	\$ 6,502.19
Add Discount	\$ 0.42
Less Penalty	\$ 589.20
Total Credited to Duplicate	\$ 5,913.41

Amount Previously Collected	\$ 1,230,063.43
Collections	\$ 5,913.41
Total Collected	\$ 1,235,976.84
Balance to be collected	\$ 107,852.32

Delinquent/Liened Real Estate

Keystone Municipal Collections, Delinquent/liened Real Estate Tax Collector, turned in \$2,869.38 in delinquent real estate taxes plus costs for the collection period of January 1, 2008 – January 25, 2008.

Commission due	- \$ 25.36	
Costs	- \$ 1,128.50	Lien Satisfaction, Civil Complaint, Complaint & Sheriff Service
Total Due	- \$ 1,153.86	

Earned Income Tax Collector

Keystone Municipal Collections, Current Earned Income Tax Collector, turned in \$29,912.03 in current Earned Income Tax for the collection period of January 1, 2008 – January 25, 2008.

Commission due	- \$ 554.17	
Costs	- \$ 6.38	– Reactivation of Accounts, Employer Packets
Total Due	- \$ 560.55	

Keystone Municipal Collections, Delinquent Earned Income Tax Collector, turned in \$318.69 in delinquent Earned Income Tax including costs and \$4,441.95 in delinquent Earned Income Tax (Audit) including costs for the collection period of January 1, 2008 – January 25, 2008.

Commission due	- \$ 917.42	
Costs	- \$ 55.03	– Postage, Constable Service, DMV
Total Due	- \$ 972.45	

Mercantile/Business Privilege and Emergency Municipal Service Tax Collector

Keystone Municipal Collections, Current Act 511 Tax Collector, turned in \$0.00 in current Business Privilege Tax, \$0.00 in current Mercantile Tax and \$50.00 in Municipal Service Tax (formerly Occupational Privilege Tax) for the collection period of January 1, 2008 – January 25, 2008.

Commission due	- \$	0.74
Costs	- \$	0.00
Total Due	- \$	0.74

Keystone Municipal Collections, Delinquent Act 511 Tax Collector, turned in \$2,828.65 in delinquent Business Privilege Tax, \$1,032.76 in delinquent Mercantile Tax and \$0.00 in delinquent Municipal Service Tax for the collection period of January 1, 2008 – January 26, 2008.

Commission due	- \$	274.10
Costs	- \$.70
Total Due	- \$	274.80

- BP Refund, Balance Due Letters

Delinquent Garbage Fee Collector

Keystone Municipal Collections, Delinquent Garbage Fee Collector, had nothing to report at this time.

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

A motion was made by Mr. Massung, seconded by Mr. Babyak, to accept the Tax Collectors' Report and pay the fees due.

Motion carried unanimously.

Engineer's Report

Mr. Hultberg noted that due to the inclement weather and no Planning Commission or Zoning Hearing Board meeting his firm had no activity.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Engineer's report and pay the fees due in the amount of \$2,937.50 for invoices 37757 and 37758 dated January 31, 2008.

Motion carried unanimously.

Solicitor's Report

Mr. Leckman stated he gave his report to Council during the Workshop. He noted he would have several resolutions for Council to consider later in the meeting.

A motion was made by Mr. Robb, seconded by Mr. Pasternak, to accept the Solicitor's Report and pay Invoice No. WOB 194, dated February 18, 2008 in the amount of \$ 2,210.91.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS' REPORT

Mr. Davis read the Animal Control Officer's and Wildlife Officer's Reports for the month of January 2008.

Trisha Hroblak – Animal Control – Report for the month of January 2008

Number of 911 calls taken	4
Number of calls taken shelter/borough/residents	3
Number of Dogs returned to owners	5
Number of Dogs surrendered to Shelter	1
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	1
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	1
Total Due	\$255.00

A motion was made by Mr. Davis, seconded by Mr. Babyak, to accept the report and pay the fees due for the month of January.

Motion carried unanimously.

Dave Collura – Wildlife Control
Report for the month of January 2008

	Live Trap	Road Kill
Deer	0	6
Birds/Fowl	0	0
Degau	1	0
Groundhogs	0	0
Rabbits	0	0
Raccoons	3	2
Opossums	0	0
Squirrels	0	3
Skunks	0	0
Snakes	0	0

Total Due

\$300.00

\$125.00

A motion was made by Mr. Davis, seconded by Mr. Massung, to accept the Wildlife Officer's Report and pay the fees due for services rendered during the month of January.

Motion carried unanimously.

RESOLUTIONS/ORDINANCES

Mr. Leckman read Resolution No. 3513 by short title for adoption.

R-3513 SHACOG FRANCHISING AUTHORITY BOARD REPRESENTATIVE AND ALTERNATE REPRESENTATIVE

A motion was made by Mr. Robb, seconded by Mr. Babyak, to adopt Resolution No. 3513 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3513 adopted.

Mr. Leckman read Resolution No. 3514 by short title for adoption.

R-3514 SHACOG JOINT RATE REVIEW BOARD REPRESENTATIVE AND ALTERNATE REPRESENTATIVE

A motion was made by Mr. Massung, seconded by Mr. Robb, to adopt Resolution No. 3514 as read by Mr. Leckman.

Motion carried unanimously.

Mr. Petro declared Resolution No. 3514 adopted.

Mr. Leckman read Resolution No. 3515 by short title for adoption.

R-3515 PARTICIPATION IN THE COMMONWEALTH OF PENNSYLVANIA COOPERATIVE PURCHASING PROGRAM THROUGH PACC AUTOMOTIVE AND EQUIPMENT CONTRACT

A motion was made by Mr. Babyak, seconded by Mr. Dillinger, to adopt Resolution No. 3515 as read by Mr. Leckman.

Motion carried unanimously.

COMMUNICATIONS

None.

NEW BUSINESS

None.

ADJOURNMENT

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

Meeting adjourned at 8:20 p.m.

Date Approved

Borough Secretary