

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, APRIL 20, 2015 AT 7:30 P.M.**

**CALL TO ORDER**

Ms. Noll, President of Council, called the Regular Meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

Attending were Council members: Edward Babyak, Charles Davis, Ronald Massung, Joseph Nagy, Carrie Noll, David Pasternak and Ken Robb. Also attending were Mayor Ina Marton, Solicitor Krisha Mackulin, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

**MINUTES**

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to approve the following Minutes:

Workshop Meeting – March 6, 2015  
Workshop Meeting - March 16, 2015  
Regular Meeting March 16, 2015

**EXECUTIVE SESSION**

Ms. Mackulin stated an Executive Sessions were held on March 6<sup>th</sup> and 16<sup>th</sup> at which time personnel matters.

**PUBLIC COMMENTS**

**Jason Damarski – 130 Park Way**

Mr. Damarski asked if Council would consider putting the second rim back up on the basketball court at Bishop Playground. He indicated it was taken down last year, which doesn't allow the kids in the neighborhood to play a full court game.

Ms. Noll advised him the rim was taken down last year due to vandalism at the playground.

Mr. Robb stated he received a call on a weekend that all the trashcans were overturned and litter was all over the playground.

Mr. Damarski stated the kids in the area clean up after themselves.

Mr. Davis stated the individuals using the site need to clean up after themselves.

Mr. Robb noted that if the rim were put backup and the grounds were not kept clean or vandalism occurred it could be taken back down again.

### **Bill Wehner – 1501 Lower Heckman Road**

Mr. Wehner stated he came before Council last summer asking if a stop signs to be installed along Lower Heckman Road at Allen Way to assist in reducing the speeding. Mr. Wehner stated he was aware the Borough was not permitted to install stop signs to control speed and noted the speed lines had been repainted in that area but, the speeding issue is still ongoing. He asked if it would be possible to have some extra patrols in the area to try to eliminate the speeding problem. He asked if additional speed limit signs could be placed along Lower Heckman, in particular at rush hour, noting that school buses seem to be speeding also.

Ms. Noll stated she would discuss the issues with Chief Bender.

Mr. Babyak asked what time the buses travel the Lower Heckman.

Mr. Wehner noted it is between 8 and 8:30 am.

Mr. Wehner thanked the individuals who cleaned up the litter along the Lower Heckman.

### **Christine Davis – 142 Victoria Drive**

Ms. Davis indicated she was representing the McKeesport Area School District. The district is attending local meeting. She asked if it would be possible to post/distribute flyers for a musical event set for the first week in May.

There were no objections.

Ms. Noll asked Ms. Davis to discuss the app she developed for the distrct.t

Ms. Davis noted this is a mobile communication application and is available for both apple and android systems. There a number of pulls down form the website that is handy for both students and parents.

### **Fred Haynes – 98 Carmella Drive**

Mr. Haynes noted he had approached Council in the past, about mailing out a new information map, noting it has been 4 years since residents received a new one. He stated he was advised the Borough would not be doing that this year as little information had changed and due to the cost. Mr. Hayes stated he contacted the postal service and was advised the cost to mail out the maps would be approx. \$1,330. (\$230 annual permit and \$1,100 postage).

Mr. Haynes indicated that Elizabeth Twp. adopted (9/30/14) regulations that require all employees to live within the Twp. Employees have one year to make the transition or their employment will be terminated. He stated he did not know why White Oak couldn't do the same.

Mr. Haynes stated that in 2013 the borough applied for a \$500,000. grant for a community center and again in April of 2014 re-applied for the same grant but to date nothing has been done.

Mr. Massung noted the Borough is activity working on the project.

Mr. Haynes stated he doesn't see any work being done.

Ms. Noll stated the Borough did not reapply; Council authorized applying for the grant and then accepting the grant. The project is currently in the architect's hands, who are finishing up on the design work.

Mr. Robb stated there were different procedures that needed to be revised/addressed and those had to be accepted.

Mr. Haynes expressed concern that it has taken 12 years to get Lincoln Way fixed.

Mr. Haynes expressed concern the Borough did not bid for operation of the pool concession.

Ms. Noll stated this was done through a request for proposal procedure. Proposals were sent out to approximately 10 local food vendors. Only one vendor responded.

**Ms. Baran-Chung - 2229 Lewis Street**

Ms. Baran-Chung stated she lived in China for two (2) years and had requested a wavier on the annual garbage fee, which was not granted. She indicated if you had a connection of officials you did not have to pay the fee or taxes.

Ms. Mackulin advised it was the decision of Council not to pay the fee as the Borough would still have to pay the fee to the contractor under the current agreement. This would mean that other citizens would have to cover the fee on that site.

Ms. Baran-Chung indicated the Borough allowed a neighboring property owner to build a garage at the side of their house and this has decreased the value of her home. She stated anyone connected to the Borough can do whatever they want.

Ms. Marton noted she owns a home that has been vacant for 3 years and she pays garbage fee for that site.

Mr. Pasternak advised Ms. Baran-Chung her request for a waiver was reviewed by Council and it was determined not to grant the waiver.

**Dr. Bill Varli**

Dr. Varli stated his operation took over Dr. Silberman's practice upon his (Silberman) retirement. He stated the practice was excited to expand to White Oak and that there would be an open house on May 13.

## PRESIDENT'S REPORT AND COG REPRESENTATIVE

Ms. Noll, President of Council, indicated Allegheny County's Redevelopment Authority met on April 17 at which time it reviewed the Borough's request for a \$150,000 CITF Grant to assist in covering the costs of repairs to the Stepanik Road Slide as well as the Borough's desire to participate in the Side-yard/Blighted Structure Turn Back Program. Both of these requests were approved by the County's Authority.

Ms. Noll further noted the deadline for this year's Side-Yard/blighted Structure Program is June 30.

## MAYOR'S REPORT

Mayor Marton gave the March 2015 Stat Report for the Police Department.

Arrests: 22 (20 adult/2 juvenile)

Assault & Related Offenses	4
Disorderly Conduct	1
Drug Offenses	5* (1 defendant also charged with Retail Theft)
DUI	1
Public Drunkenness	2* (1 defendant also charged with Open Lewdness)
Robbery, Firearm	1* (1 defendant also charged with Reckless Endangering of another, Simple Assault, Theft by Unlawful Taking & Firearms Not To Be Carried without License)
Robbery, Strong Arm	1* (1 defendant also charged with Theft by Unlawful Taking & 9
Theft & Related Offenses	7
Summary Traffic Violations	71
<b>TOTAL INCIDENTS:</b>	<b>770</b>

Ms. Marton announced the White Oak Rotary would be sponsoring a health fair on Saturday from 6:30 am until 9:30 am. at the Municipal Building. The cost is \$45.00.

## FINANCE REPORT

Mr. Massung, Chairperson, stated he had the standard monthly motion regarding the check register and accounts payable.

Bills:

Fund	Check No.	Amount
General	107801-10879	\$ 52,990.48
Solid Waste	600423-600429	\$ 46,823.80

Pool/Park Fund	901136-901138	\$ 1,762.11
Liquid Fuels	350326-350331	<u>\$ 32,171.13</u>
Total Bills Paid		\$ 133,747.52

Accounts Payable Due

All Funds Current

A motion was made by Mr. Massung, seconded by Mr. Babyak, to accept the Check Register and Accounts Payable as of March 31, 2015.

Motion carried unanimously.

## **HEALTH, ENVIRONMENT AND CABLE**

Mr. Pasternak, Chairperson, noted the following:

The County in conjunction with Pennsylvania Resource Council will be holding a hard to recycle collection event on April 25. Residents can take items for recycling to the Galleria at Pittsburgh Mills. Flyers for this event are located on the table. He further advised there would be additional collections sites offered through the fall.

The Joyful Bloomers Junior Gardeners in McKeesport are sponsoring an electronic/hard to recycle drop off program this Saturday from 10 to 2. Electronics including television can be taken to the fire station on Eden Park Blvd. The group is also collecting old glasses and CFL bulbs. Flyers for this event are located on the table.

The Rabies Clinic is set for May 16 from 12 noon until 2 pm at the Municipal Garage. Fee for residents is \$5.00 per pet and for non-residents \$10.00. Flyers for the event are on the table.

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to satisfy municipal liens GD10-23970 and GD11-20813 for delinquent garbage fees filed against Block & Lot 461-D-11, 2924 State Street. These liens have been paid in full.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, stated he had a motion to introduce.

A motion was made by Mr. Robb, seconded by Mr. Babyak, authorizing the proper officials to enter into an agreement with B & R Pool for testing of pool water during the 2015 pool season.

Motion carried unanimously.

## **PLANNING, ZONING AND CODE ENFORCEMENT**

Mr. Davis, Chairperson, noted \$507.00 in fees were collected in March for 7 Building, Zoning and Occupancy Permits. There were also 75 violation notices issued.

A motion was made by Mr. Davis, seconded by Mr. Pasternak, to advise Tri-COG Collaborative of the Borough's interest in participating in the Housing Market Profile Project.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to enter into a multi-year agreement with CEA to perform building plan review and construction inspections. This is contingent upon final approval of the solicitor.

Motion carried unanimously.

## **PUBLIC SAFETY**

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

## **PUBLIC WORKS**

Mr. Nagy, Chairperson, noted the Work Activity Report would be available for viewing during normal business hours.

## **TAX COLLECTOR'S REPORT**

### **Current Real Estate**

Lisa Pitchford, Current Tax Collector, turned in \$0.00 on the 2014 Tax Duplicate, for the period of March 1, 2015 – March 31, 2015.

### **Commission due – \$ 0.00 (0 accounts @ \$3.75)**

Assessed Value	\$394,085,277.00
Exonerations (Less)	\$ 5,549,620.00
Additions	\$ 1,380,400.00
Abatement Values	\$ 232,100.00
Adjusted Value	\$389,916,057.00
Value of statements (actual)	\$ 1,817,008.82
Act 77 Revoked @ Face	\$ 354.67
Act 77 Eligible @ Face	<u>\$ 47,146.15</u>
Corrected Value of Statements	\$ 1,709,598.03
Collected from –3/01/15 – 3/31/15	\$ 0.00
Discount (add)	\$ 0.00
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 0.00
Amount Previously Collected	\$ 1,709,598.03
Collections	\$ 0.00
Total Collected	<u>\$ 1,709,598.03</u>
Balance to be collected	\$ 60,619.31

### **Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$12,899.39 in taxes and costs collected for the collection period of February 26, 2015 to March 25, 2015.

<b>Commission due</b>	- \$	<b>409.42</b>
<b>Costs</b>	- \$	<b>5.00 (postage/costs)</b>
<b>Total Due</b>	- \$	<b>414.52</b>

**Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$88,133.73 in current and delinquent Earned Income Tax for the collection period of March 1, 2015 – March 31, 2015.

<b>Commission due</b>	- \$	<b>1,314.19</b>
<b>Costs</b>	- \$	<b>46.17 (postage/costs)</b>
<b>Total Due</b>	- \$	<b>1,360.36</b>

**Mercantile/Business Privilege and Local Service Tax Collector**

Keystone Collections Group, Current/Delinquent Act 511 Tax Collector, turned in \$269.45 in current Local Service Tax and \$0.00 in delinquent Local Service Tax for the collection period of March 1, 2015 – March 31, 2015.

<b>Commission due</b>	- \$	<b>0.50</b>
<b>Costs</b>	- \$	<b>0.59 (postage/costs)</b>
<b>Total Due</b>	- \$	<b>1.09</b>

Keystone Collections Group, Current/Delinquent Business Privilege and Mercantile Tax Collector, turned in current \$3,914.69 Business Privilege and \$4,464.35 in delinquent Business Privilege Tax and \$960.28 in Mercantile Tax and \$30.15 in delinquent Mercantile Tax collections plus costs for the collection period February 26, 2015 – March 25, 2015.

<b>Commission due</b>	- \$	<b>401.64</b>
<b>Costs</b>	- \$	<b>223.69</b>
<b>Total Due</b>	- \$	<b>625.33</b>

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

Motion carried unanimously.

**ENGINEER'S REPORT**

Mr. Hultberg, Engineer Representative, indicated he attended Wednesday and this evening's Work Sessions and the firm is working on those items outlined at those sessions.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Engineer's Report and pay the fees due on Invoice(s) 313406 and 313407 dated March 26, 2015 for services rendered in February 2015 totaling \$12,244.19.

Motion carried unanimously.

**SOLICITOR’S REPORT**

Ms. Mackulin, Solicitor, stated she would present several resolutions and ordinances for consideration later in the meeting.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Solicitor’s Report and pay the fees due to Krisha Mackulin of Dodaro, Matta & Cambest for March Services, totaling 32,739.35 on invoice Number 14438, dated April 17, 2015.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS’ REPORTS**

Mr. Pasternak read Animal Control and Wildlife Officer’s Reports for the month of March.

**Ferree Kennels – Animal Control Officer**

Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	0
Number of Dogs Returned to Owners	0
Number of Calls Answered from Residents & Municipal Offices	2
Number of Person Information Signed Against	0
Number of Citations Issued	0
Number of Claims to State for Housing	0
Monthly Fee	\$ 50.00
After Hours Calls	\$ 0.00
State Housing Reimbursement (4 <sup>th</sup> Qtr)	<u>\$ 40.00</u>
<b>Total Due</b>	<b>\$ 90.00</b>

A motion was made by Mr. Pasternak, seconded by Mr. Massung, to accept the Animal Control officer’s reports for the month of October and paying the fees due of \$90.00.

Motion carried unanimously.

**Dave Collura – Wildlife Control**

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	4	4
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	0	
Chipmunk	0	0	

Groundhogs	4	3	
Opossums	3	1	
Rabbits	0	2	
Raccoons	8	5	
Skunks	4	1	
Squirrels	1	1	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 80.00</b>

**Grand Total: \$570.00**

A motion was made by Mr. Pasternak, seconded by Mr. Babyak, to accept the Wildlife Control officer's report for the months of April and pay the fees due of \$570.00.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Ms. Mackulin read Resolution No. 4047 by short title for adoption.

#### **R- 4047 REAL ESTATE TAX REFUND**

A motion was made by Mr. Davis, seconded by Mr. Babyak, to adopt Resolution No. 4047 as just read by Ms. Mackulin.

Ms. Noll declared Resolution No. 4047 adopted.

Ms. Mackulin read Ordinance No. 4048 by short title for adoption.

#### **O-4048 PROVIDING FOR THE ADOPTION OF THE PROVISIONS OF THE NEIGHBORHOOD BLIGHT RECALMATION AND REVIATLIZATION ACT.**

A motion was made by Mr. Robb, seconded by Mr. Babyak, to adopt Ordinance No. 4048 as just read by Ms. Mackulin.

Ms. Noll declared Ordinance No. 4048 adopted.

Ms. Mackulin read Ordinance No. 4049 by short title for adoption.

#### **O-4049 PROVIDING FOR THE REGISTRATION OF VACANT PROPERTIES AND PROVIDING FOR REGULATION OF ABANDONED REAL AND PERSONAL PROPERTY, ESTABLISH GUIDELINES FOR DEFINING SAME, MANDATORY REGISTRATION OF PERSONS HAVING INTEREST IN SUCH ABANDONED PROPERTY, PENALTIES, EFFECTIVE DATE.**

A motion was made by Mr. Davis, seconded by Mr. Robb, to adopt Ordinance No. 4049 as just read by Ms. Mackulin.

Ms. Noll declared Ordinance No. 4049 adopted.

Ms. Mackulin read Ordinance No. 4050 by short title for adoption.

**O-4050                    AMENDING ORDINANCE NO 992 – ABANDONED MOTOR VEHICLE  
ORDINANCE ENACTED NOVEMBER 22, 1967 AND REPEALING ANY  
ORDINANCE IN PART IN CONSISTENT THEREOF**

A motion was made by Mr. Pasternak, seconded by Mr. Massung, to adopt Ordinance No. 4050 as just read by Ms. Mackulin.

Ms. Noll declared Ordinance No. 4050 adopted.

**NEW BUSINESS**

A motion was made by Mr. Robb, seconded by Mr. Pasternak, to appoint Cynthia L. Andrekanic as deputy Real Estate Tax Collector, in accordance with the requirements of Act 164 of 2014.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Pasternak, authorizing the Engineer to complete NFIP compliance/Capabilities Worksheet for submission to Allegheny County to update the Hazard mitigation Plan.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Pasternak, authoring the acceptance of a proposal from Lutterman Excavating to demolish the structure at 945 Coulter Road. Cost will not exceed \$6,900.00.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Babyak, to reinstall the basketball rim at Bishop Playground.

Motion carried unanimously.

**OLD BUSINESS**

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:20 p.m.

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Date Approved

\_\_\_\_\_  
Borough Secretary