

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, MAY 21, 2012 AT 7:30 P.M.**

**CALL TO ORDER**

Mr. Pasternak, 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, George Dillinger, Ronald Massung, Carrie Noll, David Pasternak, and Kenneth Robb. Also attending were Mayor Ina Marton, Solicitor Terry Leckman, Engineer Representative Donald Hultberg, Borough Manager John W. Petro, Jr. and Borough Secretary Nancy Greenland.

**MINUTES**

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

Workshop Meeting, April 11, 2012  
Workshop Meeting, April 16, 2012  
Regular Meeting, April 16, 2012

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 several Executive Sessions were during which time personnel matters and pending litigation issues were discussed.

**PUBLIC COMMENTS**

**Rich Bryce – Messinger Lane**

Mr. Bryce asked why the pool would not be opening up this year for Memorial Day, May 28th.

Mr. Pasternak indicated that additional work was needed to prepare the pool. In March the crew was already working on the pool structure, which was in need of some major concrete and caulking work.

Mr. Petro noted there were areas of concrete that needed to be cut out and replaced. As this is not an ordinary concrete it has to be applied in thin layers giving time to cure in between the layers. Also the pool structure needed to be painted. The painting has been completed, but it needs 3 to 5 days to cure, which depends on the weather, before it can be filled. With the paint costing over \$10,000 we did not want to rush the filling process and have the paint bubble. The work wasn't running slower, there was more extensive work needed this year than in prior years.

### **PRESIDENT'S REPORT AND COG REPRESENTATIVE**

Mr. Pasternak noted Borough offices will be closed on Monday, May 28<sup>th</sup> in observance of the Memorial Day Holiday.

### **MAYOR'S REPORT**

Mayor Marton gave the April 2012 Stat Report for the Police Department.

Arrests: 6 (5 adult/1 juvenile)

Drug Offenses	1
DUI	3
Liquor Law Violations	1
Public Drunkenness	1
Summary Traffic Violations	79

**TOTAL INCIDENTS:** 677

### **FINANCE REPORT**

Mr. Dillinger, Chairperson, stated he had one motion to present.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the Check Register and Accounts Payable as of April 30, 2012.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	104823-104913	\$ 104,556.53
Fire Protection	31017	\$ 17,740.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00

Solid Waste	600268-600272	\$	95,957.03
Pool/Park Fund	900602-900614	\$	6,685.31
Capital Expenditures	180014	\$	4,627.50
Capital Debt Sinking	231028-231030	\$	524,112.03
Liquid Fuels	350189-350196	\$	87,140.11
Total Bills Paid		\$	840,818.51

#### Accounts Payable

<u>Fund</u>		<u>Amount</u>
General Fund		\$ 8,758.11
Fire Protection		\$ 0.00
Post Retirement Fund	\$	0.00
Super Fund		\$ 0.00
Solid Waste		\$ 0.00
Pool Fund		\$ 651.67
Capital Projects		\$ 0.00
Capital Debt		\$ 0.00
Liquid Fuels		\$ 0.00
Total Accounts Payable		\$ 9,409.78

Motion carried unanimously.

#### **HEALTH, ENVIRONMENT AND CABLE**

Ms. Noll, Chairperson, announce the garbage collection for the week of May 28<sup>th</sup> would be delayed by one (1) day, due to the Memorial Day Holiday on Monday.

A motion was made by Ms. Noll, seconded by Mr. Babyak, authorizing the proper officials to satisfy municipal liens filed against:

3408 Eisenhower Drive	551-D-351	GD11-22431
3136 State Street	461-D-238	GD11-310 & GD11-22263

The account is up to date.

Motion carried unanimously.

#### **PARKS AND RECREATION**

Mr. Robb, Chairperson, noted season pool passes are now available. The fee is \$45.00 per person. He advised the pool is set to open on Wednesday, May 30<sup>th</sup>.

Mr. Robb indicated the American Legion is again sponsoring a Memorial Day Parade. This is set for Monday, May 28<sup>th</sup>. He asked what time the parade started.

Ms. Marton noted she was advised that the start time was 12:00 noon.

Ms. Greenland asked if that was correct as the line-up has always been set for 12:00 noon with a parade start time of 12:30 p.m.

Ms. Marton stated she would get in touch with her contact.

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

Mr. Babyak, Chairperson, noted there were 44 building permits were issued, for a total of \$1,493.00 in fees for the month of April and 36 violation notices were issued.

## **PUBLIC SAFETY**

Mr. Massung, Chairperson, announced that the week of May 20<sup>th</sup> was National EMS Week.

Mr. Massung noted the speed board is located on Oliver Drive. He asked that if anyone was having an issue with excessive speed to contact the office.

## **PUBLIC WORKS**

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

A motion was made by Mr. Davis, seconded by Ms. Noll, authorizing payment in the amount of \$2,015.20 to Allegheny County for line painting on several streets. The fee is \$0.15 per foot.

## **TAX COLLECTOR'S REPORT**

### **Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$502,956.37 on the 2012 Tax Duplicate, for the period of April 1, 2012 – April 30, 2012.

### **Commission due – \$3,858.75 (1029 accounts @ \$3.75)**

Assessed Value	\$337,188,268.00
Exonerations (Less)	\$ 103,700.00
Additions	\$ 200.00
Abatement Values	\$ 465,250.00
Adjusted Value	\$336,619,518.00
Value of statements (actual)	\$ 1,905,266.47
Act 77 Revoked @ Face	\$ 1,144.45
Act 77 Eligible @ Face	<u>\$ 55,541.07</u>
Corrected Value of Statements	\$ 1,850,869.85

Collected from – 4/01/12 –4/30/12 \$ 502,691.68

Discount (add)	\$ 10,259.06
Less Penalty (sub)	\$ <u>0.00</u>
Total Credited to Duplicate	\$ 512,950.74
Amount Previously Collected	\$ 0.00
Collections	\$ 512,950.74
Total Collected	\$ <u>512,950.74</u>
Balance to be collected	\$ 1,337,919.11

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

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$113,865.57 in taxes and costs collected for the collection period of March 26, 2012 – April 25, 2012.

<b>Commission due</b>	- \$ 359.20
<b>Costs</b>	- \$ <u>65.00</u> (Constable, Lien Satisfaction)
<b>Total Due</b>	- \$ 424.20

### **Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$69,141.86 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of April 1, 2012 – April 30, 2012.

<b>Commission due</b>	- \$ 1,043.10
<b>Costs</b>	- \$ <u>10.57</u> (Postage Refunds)
<b>Total Due</b>	- \$ 1,053.67

Berkheimer Tax Administrator, Current/Delinquent Earned Income Tax Collector, turned in \$11.56 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of March 1, 2012 – March 31, 2012.

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

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$1,231.00 in Local Service Tax for the collection period of April 1, 2012 – April 30, 2012.

<b>Commission due</b>	- \$ 20.62
<b>Costs</b>	- \$ <u>0.00</u>
<b>Total Due</b>	- \$ 20.62

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$11,622.04 in Business Privilege and \$4,767.66 in Mercantile Tax collections plus costs for the

collection period March 26, 2011 – April 25, 2012.

<b>Commission due</b>	- \$	<b>491.71</b>
<b>Costs</b>	- \$	<b>0.00</b>
<b>Total Due</b>	- \$	<b>491.71</b>

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$4,756.08 in delinquent Business Privilege Tax, \$2,888.41 in delinquent Mercantile Tax for the collection period of March 26, 2012 – April 25, 2012.

<b>Commission due</b>	- \$	<b>598.82</b>
<b>Costs</b>	- \$	<b>0.00</b>
<b>Total Due</b>	- \$	<b>598.82</b>

A motion was made by Mr. Robb, seconded by Mr. Dillinger, 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 bid opening, for the 2012 Road Rehab Project and the Oakveiw Bridge Rehab Project.

Mr. Hultberg the engineering estimate for the road project was \$1,222,490.80. The high bid came in at \$1,453,638.00 and the low bid from El Grande Industries, Inc. at \$1,249,784.80.

Mr. Hultberg advised the engineering estimate for the Oakview Bridge project was \$65,490. The high bid was \$68,900 and the low bid from Rhino Construction at \$54,977.

A motion was made by Mr. Babyak, seconded by Mr. Robb, to accept the Engineer's Report and pay Invoices 45744, 45745, 45746 and 45758 dated April 16, 2012 totaling \$9,614.43.

Motion carried unanimously.

A motion was made by Mr. Babyak, seconded by Mr. Dillinger, authorizing the Borough to enter into an agreement with El Grande Industries, Inc. located in Monessen, for the 2012 Road Paving Project, at a total bid price of \$1,249,784.80.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to enter into an agreement with Rhino Construction, Inc., located in Lower Burrell, for the Oakview Bridge Rehab Project at a total bid price of \$54,977.00.

Motion carried unanimously.

Mr. Massung asked if these projected would be started this year.

Mr. Pasternak stated they would.

Mr. Hultberg noted the projects would be started and completed this year.

**SOLICITOR’S REPORT**

Mr. Leckman stated he presented his report to Council in the various work sessions and executive session and that he would present several ordinances and resolutions for consideration later in the meeting.

A motion was made by Mr. Robb, seconded by Ms. Noll, to accept the Solicitor’s Report and pay Invoices No. WOB 298, totaling \$2,617.50, dated May 21, 2012.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS’ REPORTS**

Ms. Noll read the Animal Control and Wildlife Officer’s Reports for the month of April 2012.

**Ferree Kennels – Animal Control Officer**  
Report for the month of April 2012

Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	1
Number of Dogs Returned to Owners	1
Number of Calls Answered from Residents & Municipal Offices	6
Number of Person Information Signed Against	0
Number of Citations Issued	
Number of Claims to State for Housing	0
Monthly Fee	\$ 50.00
After Hours Calls 2	\$ 50.00
State Housing Reimbursement	\$ 0.00
<b>Total Due</b>	<b>\$ 100.00</b>

A motion was made by Ms. Noll, seconded by Mr. Robb, to accept the report and pay the fee due Ferree Kennels for services rendered in April.

Motion carried unanimously.

**Dave Collura – Wildlife Control**  
Report for the month of April 2012

			Disposal
	Live Trap	Road Kill	After Hours Calls

Deer	0	2	5
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	1	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	7	5	
Rabbits	0	2	
Raccoons	9	8	
Opossums	5	6	
Skunks	1	0	
Squirrels	0	3	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 40.00</b>
<b>Grand Total: \$530.00</b>			

A motion was made by Ms. Noll, seconded by Mr. Davis, to accept the Animal Control Officer's Report for the month of April.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Mr. Leckman read Ordinance 3671 by short title for adoption.

#### **O-3671 RESTATEMENT OF UNIFORMED PENSION PLAN**

A motion was made by Mr. Robb, seconded by Mr. Babyak, to adopt Resolution No. 3671, as just read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Ordinance No. 3671 adopted.

Mr. Leckman read Ordinance 3672 by short title for adoption.

#### **O-3672 ANNUAL CODIFICATION**

A motion was made by Ms. Noll, seconded by Mr. Massung, to adopt Ordinance No. 3672, as just read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Ordinance No. 3672 adopted.

Mr. Leckman read Resolution 3673 by short title for adoption.

**R-3673 AMENDING FEE SCHEDULE – INCREASE IN BUILDING PERMIT FEES**

A motion was made by Mr. Babyak, seconded by Mr. Robb, to adopt Resolution No. 3673, as just read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution 3673 adopted.

Mr. Leckman read Resolution 3674 by short title for adoption.

**R-3674 REAL ESTATE TAX REFUND**

A motion was made by Mr. Massung, seconded by Mr. Dillinger, to adopt Resolution No. 3674, as just read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3674 adopted.

**NEW BUSINESS**

NONE

**OLD BUSINESS**

NONE

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 7:46 p.m.

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Date Approved

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Borough Secretary