

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, MAY 20, 2013 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 Jessica Crown, Engineer Representative Donald Hultberg and Borough Secretary Nancy Greenland.

**MINUTES**

Mr. Pasternak asked if there were any additions or corrections to the following minutes submitted for approval.

Special Meeting – March 4, 2013  
Workshop Meeting – March 13, 2013  
Workshop Meeting – March 18, 2013  
Regular Meeting – March 18, 2013  
Workshop Meeting – April 10, 2013  
Workshop Meeting April 15, 2013  
Regular Meeting – April 15, 2013

There were none.

A motion was made by Mr. Babyak, seconded by Mr. Massung to accept the minutes as presented for approval.

Motion carried unanimously.

## **EXECUTIVE SESSION**

Ms. Crown stated an Executive Sessions were held last Wednesday and this evening at which time personnel matters as well as potential/pending litigation were discussed.

## **PUBLIC COMMENTS**

### **Tom Brindock – 1630 Kansas**

Mr. Brindock asked if an individual who has an above ground pool in their yard is required to remove the steps when the pool is not in use. He noted he was advised that the steps only need to be removed when the person is on vacation.

Ms. Crown asked Mr. Brindock if he would be staying until the meeting adjourned. If so she would research his question and provide an answer.

Mr. Brindock stated he would not be staying until the end of the meeting.

Ms. Crown asked Mr. Brindock for his phone number.

Mr. Brindock also asked for a list of employees with job description/duties.

Mr. Pasternak advised Mr. Brindock he had requested this information in the past and that there is no such document.

Ms. Greenland noted the same and added that the Borough is not required, under the Open Records Act, to create a document if it does not exist. This information has been conveyed to Mr. Brindock on several occasions.

### **Terri Kisan -2132 Duquesne Avenue, McKeesport**

Ms. Kisan stated the Bishop Playground is full of kids and there is a lot of activity. She wanted to thank the Borough for putting up the second basketball hoop, noting that last year there was only one hoop.

Mr. Robb stated the reason the second hoop was taken down last year is because there were complaints that older children/adults were forcing the younger children from the playground.

Ms. Noll stated there were also complaints about litter. She asked if the kids using the facility are keeping the grounds clean.

Ms. Kisan stated she takes her children over and has not seen or heard of any issues with regards to the children being chased from the facility and that the litter is cleaned up.

### **Rich Bryce – Messinger Lane**

Mr. Bryce stated he was encouraged to see the amount of recycling that is being done in the Borough. He suggested the Borough promote recycling more materials. He indicated he felt this would save money.

Mr. Bryce commented he heard that one of the school directors is no longer attending meetings as he has taken a job out of town. He noted he understood that particular director has missed four (4) meeting this and does not plan on attending any more this year. He asked if the Borough would be able to verify if this was true.

Ms. Kisan noted that director is not running for re-election.

**PRESIDENT’S REPORT AND COG REPRESENTATIVE**

Mr. Pasternak, President, had nothing to report at this time. He did not a Special Executive Session would be held at 7:00 p.m. on Monday, June 10<sup>th</sup>. Personnel matters will be discussed. NOTE: Tuesday, May 21 Executive Session date rescheduled to Wednesday, June 12 at 6:00 p.m.

**MAYOR’S REPORT**

Mayor Marton gave the April 2013 Stat Report for the Police Department.

Arrests: 18 (15 adult/3 juvenile)

Disorderly Conduct	5
(two offenders also cited for borough ordinance violations relating to Discharging a firearm)	
DUI	3
(one defendant also charged with Violation of Controlled Substance/Drug/Device Act)	
Drug Offenses	7
Criminal Mischief	3
Summary Traffic Violations	76
<b>TOTAL INCIDENTS:</b>	<b>556</b>

**FINANCE REPORT**

Mr. Dillinger, Chairperson, stated he had the standard monthly motion for approval of bills paid and accounts payable.

A motion was made by Mr. Dillinger, seconded by Mr. Davis, to accept the Check Register and Accounts Payable as of April 30, 2013.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	105788-105872	\$ 609,206.11
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600331-600333	\$ 39,401.13

Pool/Park Fund	900783-900792	\$ 1,647.40
Capital Expenditures	180022-180024	\$ 20,001.79
Capital Debt Sinking	0-0	\$ 0.00
Liquid Fuels	350235-350239	<u>\$ 46,282.04</u>
Total Bills Paid		\$ 716,539.38

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 23,449.25
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 6,751.77
Pool Fund	\$ 1,380.69
Capital Projects	\$ 0.00
Capital Debt	\$ 0.00
Liquid Fuels	<u>\$ 297.00</u>
Total Accounts Payable	\$ 31,778.71

Motion carried unanimously.

**HEALTH, ENVIRONMENT AND CABLE**

Ms. Noll, Chairperson, announced there would be a one (1) day delay in the collection of solid waste for the week of May 27<sup>th</sup>. This is due to the Memorial Day holiday on Monday.

Ms. Noll thanked the volunteers from Rainbow V.F.C, White Oak #1 V.F.C. and WO EMS for their assistance with Clean-up Day. She also thanked the volunteers who picked up litter along the roadways and the vendors for supplying food, door prizes and funding.

A motion was made by Ms. Noll, seconded by Mr. Robb, authorizing the advertisement of an ordinance amending Section 705 of the Borough's codified ordinances. This ordinance places restrictions on exotic pets and limits the housing of farm animals to tracts with 5 acres of land.

Motion carried unanimously.

A motion was made by Ms. Noll, seconded by Mr. Robb, authorizing the advertisement of an ordinance amending Section 705 of the Borough's codified ordinances. This ordinance would limit the time for a before a barking dog could be considered a nuisance to one-half hour instead of one and a half hours.

Motion carried unanimously.

Mr. Pasternak thanked Ms. Noll and Ms. Marton for organizing the Rabies Clinic held last week.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, stated he would like to table the motion to appoint a new member to the Recreation Board. He noted he would like to discuss the appointment with the Chairperson before making that appointment.

Mr. Robb indicated the Recreation Board has scheduled two family night swims. You must be a White Oak resident to participate. There is no charge.

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

Mr. Babyak, Chairperson, noted there were 64 building/occupancy/road opening/transient retail/solicitation permits issued, for a total of \$5,931.00. There were also five (5) violation notices sent out.

A motion was made by Mr. Babyak, seconded by Mr. Massung, authorizing the proper officials to file the necessary paperwork with the courts in order to secure authorization to raze the dilapidated garage on parcel 461-G-31, 1208 Ohio Avenue, if the owner fails to sign a release authorizing the contractor to access the property and to demolish the structure.

Motion carried unanimously.

## **PUBLIC SAFETY**

Mr. Massung, Chairperson, stated he had a motion to present.

A motion was made by Mr. Massung, seconded by Mr. Babyak, to enter into an agreement and authorizing the proper officials to sign said agreement with the East Hills DUI Task Force Municipal Police Cooperative Agreement.

Motion carried unanimously.

## **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 Mr. Babyak, to extend the employment agreement for the Manager of the Public Works Department through June 30, 2013.

Motion carried unanimously.

## **TAX COLLECTOR'S REPORT**

### **Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$0.00 on the 2012 Tax Duplicate, for the period of April 1, 2013 – April 30, 2013.

**Commission due – \$4,372.65 (1,107 accounts @ \$3.75)**

Assessed Value	\$399,955,508.00
Exonerations (Less)	\$ 5,216,650.00
Additions	\$ 287,000.00
Abatement Values	\$ 232,100.00
Adjusted Value	\$394,793,758.00
Value of statements (actual)	\$ 1,839,738.91
Act 77 Revoked @ Face	\$ 583.23
Act 77 Eligible @ Face	<u>\$ 49,052.88</u>
Corrected Value of Statements	\$ 1,791,224.26
Collected from – 4/01/13 – 4/30/13	\$ 455,232.38
Discount (add)	\$ 9,284.82
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 464,517.20
Amount Previously Collected	\$ 0.00
Collections	\$ 0.00
Total Collected	<u>\$ 464,517.20</u>
Balance to be collected	\$ 1,326,707.06

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$27,031.76 in taxes and costs collected for the collection period of February 26, 2013 – March 25, 2013 and \$6,803.16 in taxes and costs collected for the collection period of March 26, 2013 – April 25, 2012.

**February/March Period**

**March/April Period**

<b>Commission due</b>	<b>- \$ 1,297.06</b>	<b>Commission due</b>	<b>- \$ 275.43</b>
<b>Costs</b>	<b>- <u>\$ 130.91</u></b>	<b>Costs</b>	<b>- <u>\$ 5.00</u></b>
<b>Total Due</b>	<b>- \$ 1,427.97</b>	<b>Total Due</b>	<b>- \$ 280.43</b>

**Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$73,512.42 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of March 1, 2013 – March 31, 2013 and \$42,638.19 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of April 1, 2013 – April 30, 2013.

**March**

**April**

<b>Commission due</b>	<b>- \$ 1,142.52</b>	<b>Commission due</b>	<b>- \$ 666.56</b>
<b>Costs</b>	<b>- <u>\$ 40.61*</u></b>	<b>Costs</b>	<b>- <u>\$ 13.59*</u></b>
<b>Total Due</b>	<b>- \$ 1,183.13</b>	<b>Total Due</b>	<b>- \$ 680.15</b>

**Costs\* - Postage/Reprint of Returns**

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$495.21 in Local Service Tax for the collection period of March 1, 2013 – March 31, 2013 and 838.00 for the collection period of April 1, 2013 – April 30, 2013.

<u>March</u>		<u>April</u>	
Commission due	- \$ 10.10	Commission due	- \$ 16.69
Costs	- \$ 0.00	Costs	- \$ 0.00
<b>Total Due</b>	<b>- \$ 10.10</b>	<b>Total Due</b>	<b>- \$ 16.69</b>

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$1,207.50 in Business Privilege and \$2,694.17 in Mercantile Tax collections plus costs for the collection period February 26, 2013 – March 25, 2013 and \$10,514.20 in Business Privilege and \$177.30 in Mercantile Tax collections plus costs for the collection period March 26, 2013 – April 25, 2013

<u>February/March Period</u>		<u>March/April Period</u>	
Commission due	- \$ 117.06	Commission due	- \$ 320.75
Costs	- \$ 217.89*	Costs	- \$ 0.00
<b>Total Due</b>	<b>- \$ 334.95</b>	<b>Total Due</b>	<b>- \$ 320.75</b>

**\*Business Packets Mailed**

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$286.15 in delinquent Business Privilege Tax, \$0.00 in delinquent Mercantile Tax for the collection period of February 26, 2013 – March 25, 2013 and \$1,239.12 in Business Privilege and \$74.46 in Mercantile Tax collections plus costs for the collection period March 26, 2013 – April 25, 2013.

<u>February/March Period</u>		<u>March/April Period</u>	
Commission due	- \$ 48.06	Commission due	- \$ 155.57
Costs	- \$ 0.00	Costs	- \$ 0.00
<b>Total Due</b>	<b>- \$ 48.06</b>	<b>Total Due</b>	<b>- \$ 155.57</b>

A motion was made by Mr. Dillinger, 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 last Wednesday's and this evening's Work Sessions and the firm is working on those items outlined at those sessions.

A motion was made by Mr. Robb, seconded by Mr. Babyak, to accept Engineer's Report as presented and pay the fee due for Invoice Number 47547, dated April 16, 2013  
Professional Services - Review Aiello's Automotive

**Total Engineering Services - \$350.00**

Motion carried unanimously.

**SOLICITOR'S REPORT**

Ms. Crown, Solicitor, indicated several Executive Sessions were held at which time personnel matters and potential/pending litigation were discussed.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Solicitor's Report and pay invoices for services rendered in April, totaling \$1,115.00.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS' REPORTS**

Ms. Noll read Animal Control and Wildlife Officer's Reports for the months of March and April.

<b>Ferree Kennels – Animal Control Officer</b>	March	April
Number of Animals Humanely Disposed Of	0	0
Number of Animals Turned Over to WOASH	0	0
Number of Dogs Returned to Owners	0	1
Number of Calls Answered from Residents & Municipal Offices	9	5
Number of Person Information Signed Against	2	1
Number of Citations Issued	5	2
Number of Claims to State for Housing	0	0
 Monthly Fee	 \$ 50.00	 \$50.00
After Hours Calls (March 4/April 1)	\$ 100.00	\$25.00
State Housing Reimbursement	<u>\$ 50.00</u> (4th Qtr Housing)	<u>\$ 0.00</u>
<b>Total Due</b>	<b>\$ 200.00</b>	<b>\$75.00</b>

A motion was made by Ms. Noll, seconded by Mr. Robb, to accept the Animal Control officer's reports for the month of March and April and paying the fees of \$200.00 and \$75.00 respectively for those months.

Motion carried unanimously.

**Dave Collura – Wildlife Control**  
Report for the month of March and April 2013

March	Live Trap	Road Kill	Disposal After Hours Calls
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Deer	0	4	4
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	2	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	5	2	
Opossums	1	3	
Rabbits	0	1	
Raccoons	6	3	
Skunks	3	2	
Squirrels	0	2	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 80.00</b>
<b>Grand Total: \$570.00</b>			

April	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	4	6
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	0	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	0	0	
Opossums	5	3	
Rabbits	0	2	
Raccoons	12	7	
Skunks	0	0	
Squirrels	4	3	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 120.00</b>
<b>Grand Total: \$610.00</b>			

A motion was made by Ms. Noll, seconded by Mr. Massung, to accept the Wildlife Control officer's report for the months of March and April and pay the fees due of \$570.00 and \$610.00 respectively.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Ms. Crown read Resolution No. 3693 by short title for consideration.

#### **R-3693 REAL ESTATE TAX REFUND**

A motion was made by Mr. Dillinger, seconded by Ms. Noll, to adopt Resolution No. 3693 as just read by Ms. Crown.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3693 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 7:56 p.m.

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Date Approved

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Borough Secretary