

**MINUTES OF THE REGULAR MEETING
OF WHITE OAK BOROUGH COUNCIL
HELD MONDAY, JUNE 18, 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:

Public Bid Opening, May 16, 2012
Workshop Meeting, May 16, 2012
Workshop Meeting, May 21, 2012
Regular Meeting, May 21, 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

Carolyn Leitzel – 2155 Lewis Street

Ms. Leitzel presented four questions to Mayor and staff.

To: Mayor

- When the police are working undercover and operating an unmarked car, what equipment is required by law on the unmarked car?
- Why wasn't the operator of the "drug store" at the top of Bryn Mawr Hill prosecuted for selling narcotics without a license?

To: Staff (Greenland)

- You presented the Newly Constructed Home Abatement ordinance to Council at the July 2010 workshop meeting. You backdated it to become effective January 1, 2010. Who told you to backdate this ordinance, as you do not have the authority to do this on your own, and there was no discussion on the backdating by members of council? Why was it backdated?

To: Staff (Petro)

- What was the last date that Wayne Washowich was certified as the building inspector?

Mr. Pasternak indicated the appropriate party would get back to her with the information.

Thomas Brindock – 1631 Kansas

Mr. Brindock asked what improvements had been made in the Borough over the last six (6) years.

Mr. Petro noted the Borough is now in the third year of a three (3) year road rehab project. There was major repairs/rehab work completed at Heritage Hill Pool. The Bishop Playground was revamped.

Mr. Brindock asked if the Borough knew who the land values on lots was assessed and when does the borough appeal assessments.

Mr. Pasternak noted the assessed value on property/real estate is set by the County. The Borough may want to appeal an assessment if the value of the property drops.

Mr. Leckman indicated that normally he participates in commercial appeals but on occasion has attended several residential appeals.

Mr. Brindock asked why the county increased the value of the land and how those increases were determined.

Mr. Dillinger stated that is probably the same question every property owner in the county is asking.

Mr. Robb stated he has attended several appeal hearing and has been advised by county representatives they do not know why the value of land increased.

Ms. Marton stated she also got the same answer.

PRESIDENT'S REPORT AND COG REPRESENTATIVE

Mr. Pasternak noted he wished to thank, the White Oak Recreation Board, on behalf of the Council and the Borough for the many events that they hold on an annual basis. These events such as the Halloween Parade, Evening with Santa, East Egg Hunt as well as other events are a great asset to the area.

Mr. Petro noted there were several members of the Recreation Board in the audience and he wished to acknowledge and thank the Board for its financial support by means of having a contractor replace the wooden planking on various benches and tables at Heritage Hill Park and Pool Complex.

Mr. Dillinger thanked the Board and hoped that this acknowledgement would make residents aware of what the Recreation Board does for the Borough.

Mr. Pambacas, Chairperson of the Recreation Board, thanked Council for its acknowledgment and advised that the retail cost of the project was approximately \$4,000.00.

MAYOR'S REPORT

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

Arrests: 13 (9 adult/4 juvenile)

Assault	2*
Drug Offenses	4
DUI	2
Harassment	2
Theft	3

* One defendant also charged with Terroristic threats, harassment, DUI and violation of the Controlled Substance/Drug/Cosmetic Device Act.)

Summary Traffic Violations	91
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TOTAL INCIDENTS: 823

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 May 31, 2012.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	104915-105014	\$ 88,625.36
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600273-600276	\$ 48,059.78
Pool/Park Fund	900615-900633	\$ 14,347.18
Capital Expenditures	0-0	\$ 0.00
Capital Debt Sinking	231031-231034	\$ 22,400.84
Liquid Fuels	350197-350199	<u>\$ 8,969.73</u>
Total Bills Paid		\$ 182,402.89

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 12,825.26
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 4,761.47
Capital Projects	\$ 0.00
Capital Debt	\$ 0.00
Liquid Fuels	<u>\$ 0.00</u>
Total Accounts Payable	\$ 17,586.73

Motion carried unanimously.

Mr. Dillinger announced the 2011 Year End Financial Statements and Required Supplementary Information Report has been received. The report can be viewed during normal business hours at the office or on the Borough's website (located under downloads – financial information)

HEALTH, ENVIRONMENT AND CABLE

Ms. Noll, Chairperson, announce the garbage collection for the Wednesday July 4th, Thursday the 4th and Friday the 6th would be delayed by one (1) day, due to the 4th of July Holiday.

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

1120 Center St. Ext.
190 Upper Heckman

553-E-215

GD10-23939

(aka 400 Will Court)	549-S-56	GD11-859
1816 California Ave	551-B-76	GD11-685
120 Marietta Dr	549-N-265	GD11-149
		GD11-22427
302 Circle Drive	650-M-321	GD11-22458

The accounts have been brought up to date.

Motion carried unanimously.

PARKS AND RECREATION

Mr. Robb, Chairperson, stated he had nothing to report at this time.

PLANNING, ZONING AND CODE ENFORCEMENT

Mr. Babyak, Chairperson, noted there were 24 building permits were issued, for a total of \$1,429.00 in fees, 48 violation notices and one (1) Road Opening Permit was issued for fees totaling \$200.00 for the month of May

PUBLIC SAFETY

Mr. Massung, Chairperson, noted the police have been monitoring traffic; the speed board is currently located on Henderson Road. 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 Mr. Dillinger, authorizing the proper officials to send letters of intent to purchase the following spring commodities from the listed vendors. The products were bid through the SHACOG Purchasing Alliance:

Advanced Drainage Systems, Inc.	Plastic Pipe
Chemung Supply Corp.	Plastic Pipe
Culverts, Inc.	Plastic Pipe, Precast Concrete Inlets & Cast Iron Frames, Rings and Grates
Walsh Equipment, Inc.	Plastic Pipe & Traffic Signs and Sign Posts
Federouch Landscape Supply	Wood Carpet Playground Material & Colored/Dyed Hardwood Bark Mulch
EJ, Inc.	Cast Iron Frames, Rings and Grates
Ibis Tek	Traffic Signs and Sign Posts
US Municipal Supply	Traffic Signs and Sign Posts
Hanson Aggregates	Bituminous Surfacing Materials & Road Aggregates

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Babyak, authorizing the proper officials to sign an amendment to the Rock Salt Agreement with Cargill. This will enable Cargill to extend the time limit for Borough's unused minimum purchase requirement from the 2011/2012 Snow Season until December.

TAX COLLECTOR'S REPORT

Current Real Estate

Robert Hart, Current Tax Collector, turned in \$928,966.29 on the 2012 Tax Duplicate, for the period of May 1, 2012 – May 31, 2012.

Commission due – \$7,023.75 (1873 accounts @ \$3.75)

Assessed Value	\$337,188,268.00
Exonerations (Less)	\$ 144,300.00
Additions	\$ 200.00
Abatement Values	\$ 465,250.00
Adjusted Value	\$336,758,918.00
Value of statements (actual)	\$ 1,905,036.68
Act 77 Revoked @ Face	\$ 1,144.45
Act 77 Eligible @ Face	<u>\$ 56,061.68</u>
Corrected Value of Statements	\$ 1,850,119.45
Collected from – 5/01/12 – 5/31/12	\$ 928,644.69
Discount (add)	\$ 18,951.93
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 947,596.62
Amount Previously Collected	\$ 512,950.74
Collections	\$ 947,596.62
Total Collected	<u>\$ 1,460,547.36</u>
Balance to be collected	\$ 389,572.09

Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$4,574.21 in taxes and costs collected for the collection period of April 26, 2012 – May 25, 2012.

Commission due	- \$ 34.26
Costs	- \$ 155.00 (Liens, Satisfaction, Estate Claim, Title Search)
Total Due	- \$ 189.26

Earned Income Tax Collector

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$123,795.28 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of May 1, 2012 – May 31, 2012.

Commission due	- \$	1,897.68
Costs	- \$	31.18 (Wage Cards Annual/Reprints Employer Letter, Final Return Reprint)
Total Due	- \$	1,928.86

Westmoreland County TCC Tax Administrator, Current/Delinquent Earned Income Tax Collector, turned in \$59.73 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of May 1, 2012 – May 31, 2012.

Commission due	- \$	0.90
Costs	- \$	0.00
Total Due	- \$	0.90

Mercantile/Business Privilege and Local Service Tax Collector

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$4,178.01 in Local Service Tax for the collection period of May 1, 2012 – May 31, 2012.

Commission due	- \$	83.96
Costs	- \$	0.00
Total Due	- \$	83.96

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$116,556.34 in Business Privilege and \$30,386.30 in Mercantile Tax collections plus costs for the collection period April 26, 2011 – May 25, 2012.

Commission due	- \$	4,408.26
Costs	- \$	0.00
Total Due	- \$	4,408.26

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

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

A motion was made by Mr. Dillinger, seconded by Ms. Noll, 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 evenings 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.

Motion carried unanimously.

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 one resolution for consideration later in the meeting.

A motion was made by Mr. Babyak, seconded by Mr. Dillinger, to accept the Solicitor’s Report and pay Invoices No. WOB 300, totaling \$2,842.50, dated June 18, 2012.

Motion carried unanimously.

ANIMAL CONTROL OFFICERS’ REPORTS

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

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

Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	0
Number of Dogs Returned to Owners	1
Number of Calls Answered from Residents & Municipal Offices	17
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 1	\$ 25.00
State Housing Reimbursement	\$ 0.00
Total Due	\$ 75.00

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

Motion carried unanimously.

Dave Collura – Wildlife Control
 Report for the month of May 2012

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	2	2
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	0	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	7	6	
Rabbits	0	4	
Raccoons	10	7	
Opossums	4	3	
Skunks	7	2	
Squirrels	0	3	
Snakes	0	0	
Turtles	0	0	
Total Due	\$350.00	\$140.00	\$ 40.00
Grand Total: \$530.00			

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

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

Mr. Leckman read Resolution 3675 by short title for adoption.

R-3675 REAL ESTATE TAX REFUND

A motion was made by Mr. Dillinger, seconded by Ms. Noll, to adopt Resolution No. 3675, as just read by Mr. Leckman.

Motion carried unanimously.

Mr. Pasternak declared Resolution No. 3675 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 7:51 p.m.

Date Approved

Borough Secretary