

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, SEPTEMBER 16, 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, Carrie Noll, Ronald Massung and David Pasternak. Also attending were Mayor Ina Marton, Solicitor Representative Krisha Mackulin, Engineer Representative Donald Hultberg and Borough Clerk Michelle Gessner.

Council member Ken Robb was absent.

**MINUTES**

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

Workshop Meeting – August 14, 2013  
Workshop Meeting – August 19, 2013  
Regular Meeting – August 19, 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. Mackulin 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**

Joan Pawlak – 1804 Educational Drive

Ms. Pawlak expressed concern that since her neighbors removed vegetation and river rocks from the side yard between their homes that the water usually absorbed by the vegetation is

now going into her yard. She noted there is a pipe between the yards that was to divert the water to the street but it does not seem to be working property.

Ms. Mackulin stated the borough is not permitted to impose regulations between the two (2) property owners and that this would be a matter between the two.

Ms. Pawlak noted Mr. Washowich visited the site and suggested a new pipe be put in.

Ms. Mackulin again noted the Borough was unable to do anything thing. She suggested Ms. Pawlak contact an attorney and file a complaint with the local District Justice.

Ms. Pawlak asked if the ordinance could be changed.

Mr. Pasternak stated there was nothing the Borough could do to assist her. The issues is between the property owners.

Mr. Davis asked if the neighbor recently redirected the gutters.

Ms. Pawlak stated the neighbor took out the brushes on the hillside between her home and his home.

Mr. Hultberg suggested he and Mr. McCabe visit the site the next time they tour the borough.

**Marvin Berk – 2223 Monongahela Blvd.**

Mr. Berk noted the new business/professional association replaced the Chamber. He noted there were approximately 22,000 vehicles that traverse Lincoln Way. He suggested a meeting, inviting all the business owners to sit down and discuss way to have those drivers stop and shop in White Oak.

**PRESIDENT’S REPORT AND COG REPRESENTATIVE**

Mr. Pasternak, President of Council, was absent. There was not report given at this time.

**MAYOR’S REPORT**

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

Arrests: 17 (16 adult/1 juvenile)

Assault	4
Criminal Mischief	1
Drug Offenses	3
DUI	2
Fraud	2
Intimidation of Witness or Victim	1
Public Drunkenness	1
Theft	2

Summary Traffic Violations

77

**TOTAL INCIDENTS:**

652

Ms. Marton stated Excelsa Health System and the White Oak Rotary are sponsoring a wellness check. She noted various blood testing as well as other health testing would be conducted. This is set for September 28, 2013 at the Municipal Building between the hours of 6:30 and 9:30 am.

Ms. Marton read a proclamation declaring the week of September 15 – 22 as Thyroid Cancer Awareness Week.

### **FINANCE REPORT**

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

A motion was made by Mr. Dillinger, seconded by Mr. Babyak, to accept the Check Register and Accounts Payable as of August 31, 2013.

Paid Invoices:

<u>Fund</u>	<u>Check No.</u>	<u>Amount</u>
General Fund	106122-106230	\$ 74,150.86
Fire Protection	0-0	\$ 0.00
Post Retirement	0-0	\$ 0.00
Super Fund	0-0	\$ 0.00
Solid Waste	600347-600351	\$ 46,985.35
Pool/Park Fund	900888-900928	\$ 22,285.15
Capital Expenditures	0-0	\$ 0.00
Capital Debt Sinking	0-0	\$ 0.00
Liquid Fuels	350248-350250	\$ 8,4529.84
Total Bills Paid		\$ 151,951.20

Accounts Payable

<u>Fund</u>	<u>Amount</u>
General Fund	\$ 10,574.24
Fire Protection	\$ 0.00
Post Retirement Fund	\$ 0.00
Super Fund	\$ 0.00
Solid Waste	\$ 0.00
Pool Fund	\$ 1,148.49
Capital Projects	\$ 0.00
Capital Debt	\$ 0.00
Liquid Fuels	\$ 0.00
Total Accounts Payable	\$ 11,722.73

Motion carried unanimously.

A motion was made by Mr. Dillinger, seconded by Mr. Babyak, authorizing the proper officials to sign the proposal submitted by Maher Duessel CPA to conduct the annual audits for the calendar years of 2013 - \$14,700; 2014 - \$15,215 and 2015 \$15,750.

Motion carried unanimously.

Mr. Dillinger announced the 2014 Minimum Municipal Obligations (MMOs) for the Uniformed Pension Plan MMOS is \$167,242.00 and for the Non-Uniformed Pension Plan the MMO is \$103,985. These values will be included in the 2014 Budget.

A motion was made by Mr. Dillinger, seconded by Mr. Massung, authorizing a change in the anniversary date for employee medical coverage from January 1, 2014 to December 1, 2013.

Mr. Dillinger stated this is being done on the recommendation of the Borough's Agent of Record. The agent has indicated rate increases for 2014 may range from 20% to 60% due to the implementation of the new health care law. By doing so the Borough is guaranteed a rate increase for 2014 will not exceed 12.5%.

Motion carried unanimously.

Mr. Dillinger announced the 2012 Financial Statements & required Supplementary and Supplementary information Report has been received. The report is available for review at the office during normal business hours or on the Borough's website.

## **HEALTH, ENVIRONMENT AND CABLE**

Ms. Noll, Chairperson, announced the following:

The borough will be sponsoring a computer electronic collection day. This is set for Saturday, September 7 from 10 am until 2 pm. This program is being held in cooperation with Goodwill. Electronic equipment can be dropped off at the Municipal Building during those hours. **THERE WILL BE NO COLLETION OF TELEVISIONS.**

Allegheny County will be sponsoring a common household chemical collection day on Saturday, September 21 from 9 am until 1 pm. Items can be dropped off at South Park – Wave Pool parking lot. There is a fee of \$2.00 per gallon.

The County is also sponsoring is annual oral rabies baiting program during the months of August and September. Pelts will be distributed by air and throw from moving vehicles.

A motion was made by Ms. Noll, seconded by Mr. Robb, authorizing the solicitor to satisfy municipal lien filed for delinquent garbage fees against:

2920 Skelly Street

GD11-1507, GD11-22426 & FD10-001759

Motion carried unanimously.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, announced that Heritage Hill Pool and Concession passed the 2013 county health inspections with no issues report.

Mr. Robb announced Community Day was a success even with the rainy weather. The fireworks were great this year.

A motion was made by Mr. Robb, seconded by Mr. Dillinger, to conduct an existing conditions evaluation at the White Oak Athletic Association. The evaluation will enable the architect to put together an accurate proposal and the basis of proposed architectural costs. Cost of the evaluation is not to exceed \$2,900.00.

Motion carried unanimously.

Mr. Massung asked if there was a time line for the project.

Mr. Robb stated there is a tentative time line a final time line will be developed after this evaluation is completed and reviewed by the architect.

Mr. Robb announced that due to lifeguard staffing the pool will not be opened everyday through Labor Day. The pool will be opened the rest of this week. Starting Saturday, the 24<sup>th</sup> the hours are 12 to 4 p.m.; closed Sunday, August 24<sup>th</sup>; closed Monday- Friday, August 26 -30, will be opened Saturday, August 31 and Sunday, September 1, from 12 noon until 8 p.m. and Monday September 2 from 12 to 5 p.m.

Mr. Robb stated he was in receipt of a letter signed by a number of patrons saying how beautiful the facility was kept.

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

Mr. Babyak, Chairperson, noted there were 65 building/occupancy/road opening/transient retail/solicitation permits issued, for a total of \$4,246.00. There were also seven (7) violation notices sent and one hearing was held at the magistrate's office.

Mr. Babyak presented a motion to accept the proposal from Lutteman Excavating LLC, 1646 State Rt. 119, Greensburg to raze the structure at 1601 Summitt Street.

Motion was made by Mr. Dillinger, seconded by Mr. Robb, to accept the proposal from Lutteman Excavating.

Motion carried unanimously.

Mr. Babyak presented a motion authorizing the solicitor to file the necessary paper work to lien all costs associated with the razing of 1601 Summitt Street.

Motion was made by Mr. Robb, seconded by Mr. Davis, to authorize the solicitor to file the necessary paper work to lien all costs associated with the demolition of 1601 Summitt Street.

Motion carried unanimously.

Mr. Babyak announced that residents with tree/brush overhanging into the streets/alley ways should cut them back so that vehicles do not have to go into the oncoming lane of traffic or get the vehicles scratched up.

## **PUBLIC SAFETY**

Mr. Massung, Chairperson, stated he had several motions to present.

A motion as made by Mr. Massung, seconded by Mr. Dillinger, authorizing the police department to purchase two (2) tasers at a cost not to exceed \$1,730.00.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Dillinger, authorizing the police department to purchase two (2) desk top computers at t cost not to exceed \$2,200. An un-used balance from the taser allocation of \$1,000 along with the reminder of \$1,200 from the grant received from the Frew Family Trust will cover the cost of the computers.

Motion carried unanimously.

A motion was made by Mr. Massung, seconded by Mr. Dillinger, to extend the police services contact with South Versailles Twp through December 31, 2014 at a rate of \$1,100.00 per month.

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. Robb, authorizing the purchase of Jersey barriers for the closing of Center St. ext. Cost is not to exceed \$2,500.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to extend the contract with James McCabe, Public Works Manager, through September 30, 2013.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Robb, to enter into an agreement with Garvin Boward Beitko to conduct a geotechnical exploration of the landslide area long Center St. Ext. Cost is not to exceed \$25,000.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Massung, to enter into an agreement with Garvin Boward Beitko to conduct a geotechnical exploration of the landslide area long Stepanik Road. Cost is not to exceed \$15,000.

Motion carried unanimously.

**TAX COLLECTOR’S REPORT**

**Current Real Estate**

Robert Hart, Current Tax Collector, turned in \$323,431.89 on the 2013 Tax Duplicate, for the period of July 1, 2013 – July 31, 2013.

**Commission due – \$ 330.00 (88 accounts @ \$3.75)**

Assessed Value	\$399,955,508.00
Exonerations (Less)	\$ 5,592,501.00
Additions	\$ 534,500.00
Abatement Values	\$ 232,100.00
Adjusted Value	\$394,665,407.00
Value of statements (actual)	\$ 1,839,140.80
Act 77 Revoked @ Face	\$ 595.97
Act 77 Eligible @ Face	<u>\$ 50,044.76</u>
Corrected Value of Statements	\$ 1,789,692.01
Collected from – 7/01/13 – 7/31/13	\$ 38,558.62
Discount (add)	\$ 17.52
Less Penalty (sub)	<u>\$ 0.00</u>
Total Credited to Duplicate	\$ 38,676.14
Amount Previously Collected	\$ 1,499,215.63
Collections	\$ 38,576.14
Total Collected	<u>\$ 1,537,791.77</u>
Balance to be collected	\$ 251,900.24

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$6,019.60 in taxes and costs collected for the collection period of July 1, 2013 to July 25, 2013.

<b>Commission due</b>	<b>- \$ 66.72</b>
<b>Costs</b>	<b>- \$ <u>451.15</u> (Civil Complaints/Satisfactions)</b>
<b>Total Due</b>	<b>- \$ 517.87</b>

**Earned Income Tax Collector**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector, turned in \$52,866.20 (current/delinquent year minus costs/refunds/non-resident distributions) in current and prior year Earned Income Tax for the collection period of July 1, 2013 – July 31, 2013.

<b>Commission due</b>	- \$	<b>831.81</b>
<b>Costs</b>	- \$	<b><u>25.87</u></b>
<b>Total Due</b>	- \$	<b>857.68</b>

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$282.50 in Local Service Tax for the collection period of July 1, 2013 – July 31, 2013.

<b>Commission due</b>	- \$	<b>5.64</b>
<b>Costs</b>	- \$	<b><u>0.00</u></b>
<b>Total Due</b>	- \$	<b>5.64</b>

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$0.00 in Business Privilege and \$0.00 in Mercantile Tax collections plus costs for the collection period July 1, 2013 – July 31, 2013.

<b>Commission due</b>	- \$	<b>496.93</b>
<b>Costs</b>	- \$	<b><u>97.52</u></b>
<b>Total Due</b>	- \$	<b>594.45</b>

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$0.00 in delinquent Local Service Tax, \$3,030.83 in delinquent Business Privilege Tax, \$108.35 in delinquent Mercantile Tax for the collection period of July 1, 2013 – July 31, 2013.

<b>Commission due</b>	- \$	<b>211.48</b>
<b>Costs</b>	- \$	<b><u>0.00</u></b>
<b>Total Due</b>	- \$	<b>211.48</b>

A motion was made by Mr. Dillinger, seconded by Mr. Massung, 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. Davis, seconded by Mr. Robb, to accept Engineer's Report as presented.

Motion carried unanimously.

Mr. Hultberg noted the firm just secured new invoicing software and he was reviewing the invoices before submitting for payment to make sure there were no issues with the new process.

## SOLICITOR'S REPORT

Ms. Mackulin, Solicitor Representative , stated she would present a resolution for consideration later in the meeting.

A motion was made by Mr. Davis, seconded by Mr. Dillinger, to accept the Solicitor's Report and pay invoices for services rendered in July, totaling \$650.50.

Motion carried unanimously.

## ANIMAL CONTROL OFFICERS' REPORTS

Ms. Noll read Animal Control and Wildlife Officer's Reports for the month of July.

<b>Ferree Kennels – Animal Control Officer</b>	July
Number of Animals Humanely Disposed Of	0
Number of Animals Turned Over to WOASH	0
Number of Dogs Returned to Owners	8
Number of Calls Answered from Residents & Municipal Offices	7
Number of Person Information Signed Against	1
Number of Citations Issued	3
Number of Claims to State for Housing	0
Monthly Fee	\$ 50.00
After Hours Calls (1)	\$ 25.00
State Housing Reimbursement	\$ 0.00
<b>Total Due</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 July and paying the fees due of \$75.00.

Motion carried unanimously.

### **Dave Collura – Wildlife Control** Report for the month of July 2013

	Live Trap	Road Kill	Disposal After Hours Calls
Deer	0	0	0
Bats	0	0	
Birds/Fowl/Turkey	0	0	
Cats	0	1	
Chipmunk	0	0	
Degas	0	0	
Groundhogs	18	5	

Opossums	7	6	
Rabbits	0	3	
Raccoons	26	2	
Skunks	10	1	
Squirrels	0	2	
Snakes	0	0	
Turtles	0	0	
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>	<b>\$ 0.00</b>
<b>Grand Total: \$490.00</b>			

A motion was made by Ms. Noll, seconded by Mr. Robb, to accept the Wildlife Control officer's report for the months of July and pay the fees due of \$490.00.

Motion carried unanimously.

**RESOLUTIONS AND ORDINANCES**

Ms. Mackulin read Resolution No. 4003 by short title for adoption.

**R- 4003                      Real Estate Tax Refund**

A motion was made by Mr. Robb, seconded by Ms. Noll, to adopt Resolution No. 4003 as just read by Ms. Mackulin.

Mr. Babyak declared Resolution Number 4003 adopted.

**NEW BUSINESS**

Mr. Davis indicated he was in receipt of correspondence from the Dawson family thanking the Public Works crew for the excellent job when responding to their chipping request.

**OLD BUSINESS**

NONE

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:37p.m.

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Date Approved

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