

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, NOVEMBER 21, 2016 AT 8:00 P.M.**

**CALL TO ORDER**

Mr. Massung, President of Council, called the Regular Meeting to order at 8:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

Attending were Council members: Edward Babyak, Richard Bryce, Charles Davis, Ronald Massung, Joseph Nagy, David Pasternak and Ken Robb. Also attending were Mayor Ina Marton, Solicitor Krisha DiMascio, and Borough Secretary Nancy Greenland.

**MINUTES**

A motion was made by Mr. Davis seconded by Mr. Babyak, to approve the following minutes:

Workshop Meeting, October 17, 2016  
Regular Meeting, October 17, 2016

Motion carried unanimously.

**EXECUTIVE SESSION**

Ms. DiMascio stated an Executive Session was held at the Workshop Session and before this meeting at which time personnel matters as well as potential litigation. At the November 2<sup>nd</sup> Workshop an Executive Session was also held at which time personnel matters were discussed.

**PUBLIC COMMENTS**

Mr. David Bradley – Mohawk Drive

Mr. Bradley stated he the Season of Lights event held on Saturday was not as well attended as in the past. He also expressed interest in letting the several groups such as the American legion, Lions and Rotary work together to establish a memorial for fallen veterans at the parcel where the Henderson Road used to meet Lincoln Way. He noted he understood the property has not been turned over to the Borough as yet, but felt this was a good idea.

Ms. Cecelia Baran Chang – 2229 Lewis Street

Ms. Baran-Chang thanked Mr. Massung for coming up and looking at her issue, but she was still waiting for a final answer as to when her hearing would be held.

Ms. DiMascio asked Ms. Baran-Chang if she was referring to the issue with the neighbor's garage.

Ms. Baran-Chang stated she was.

Ms. DiMascio noted the time for appeal the issue with the garage being built is long gone and there would be no hearing scheduled. She noted the garage was built legally after the neighbor was granted a variance, approximately 25 years to construction it. She further advised Ms. Baran-Chang her mother received proper notice of the scheduled hearing and did not present herself before the Zoning Hearing Board to express any concerns over the matter.

Ms. Baran-Chang stated she would continue with filing a lawsuit as well as go on a hunger strike in front of the building during warmer weather. She stated she knows the garage was constructed against the law.

Chief Louis Bender – White Oak Police Department

Chief Bender stated he wanted to recognize two of the officer for the self-control they showed during an early morning incident which occurred on Saturday the 19<sup>th</sup>. He stated Sgt. Hetherington and Officer Estep were dispatched to the White Oak Mini Mart on Lincoln Way for an armed robbery in progress. While customers were fleeing the store the officers rushed toward the front door as the assailant who was dressed in all black, wearing a ski mask and sun glasses as well as carrying a pistol existed the store. The officers verbally ordered the robber to drop the weapon and surrender, but decided to flee which then lead to a foot chase. The robber finally dropped the weapon and was then arrest behind a nearby business.

Chief Bender stated the officers showed incredible restraint and professionalism as well as the value of human life. He stated the robber is a misguided 18 year old mother of a one year old baby. He further commented this type of story would never be told by the media but if the officers had used their weapons there would have been an onslaught of negative coverage.

Mr. Massung requested a copy of the letter be placed in the officers' personnel file.

### **PRESIDENT'S REPORT**

Mr. Massung had nothing to report at this time.

### **MAYOR'S REPORT**

Mayor Marton gave the October 2016 Stat Report for the Police Department.

Arrests: 19 (19 adult/0 juvenile)

Assault (One also charged with Endangering Welfare of Children & Resisting Arrest)	2
Bad Checks	1
Burglary	1
Disorderly Conduct	1
Drug Offenses (VCSDDCA)	5
DUI	1
Public Drunkenness (Also charged with possession of drug paraphernalia)	1
Receiving Stolen Property	1
Theft	6
Summary Traffic Violations	69
<b>TOTAL INCIDENTS:</b>	<b>744</b>

### **FINANCE REPORT**

#### Treasurer's Report – October 31, 2016

Fund Name	GL #	Beg Balance	Revenues	Expenditures	End Balance
General Fund-PNC	102000	2,003,425.07	120,228.52	627,477.39	1,496,477.39
-S&T	109000	352,466.53	2.70		352,469.23
-	116000	25,329.75	1.08		25,330.83
PNC(escrow)					
Fire Fund – PNC (RVFC)	100010	11,540.81		1,617.70	9,923.11
PNC (RVFC)	101000	142,578.47	36.23		142,614.70
PNC (WO#1)	102002	177,574.96	37.04	3.	177,609.56
Post Retirement - PNC	100000	19,146.02	0.81		19,146.83
1 <sup>st</sup> Comm	103001	660,469.37	84.14		660,553.51
Solid Waste – PNC	102003	472,473.75	11,933.94		484,407.69
Pool – PNC	100008	158,379.90		5,281.58	153,098.12
Capital Projects – PNC	102004	306,996.56	13.00		307,009.56
Liquid Fuels – PNC	102005	208,141.94	8.82		208,150.76
Construction Fund – 1 <sup>st</sup> Comm	103000	92.27			92.27

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to approve the Treasurer's Report as of October 31, 2016.

Motion carried unanimously. (Roll Call Vote)

A motion was made by Mr. Pasternak, seconded by Mr. Babyak, to authorize Keystone Collections Group, Delinquent Real Estate Tax Collector to file liens for unpaid 2014 and 2015 Real Estate Taxes.

He noted Allegheny County has raised the filing fee from \$20.00 per lien to \$50.00 per lien as of 1/1/2017. This will save the Borough over \$13,000. by filing the liens for unpaid taxes before next year.

Motion carried unanimously.

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to present a proposed budget for 2017 with a 1.5 mil increase. He stated the budget would be available for public inspection starting Monday.

Motion carried with Mr. Bryce voting Nay.

Mr. Pasternak noted the annual COG December Dinner meeting is scheduled for December 1<sup>st</sup>. A new President and Executive Board will be elected.

## **HEALTH, ENVIRONMENT AND CABLE**

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

A motion was made by Mr. Nagy, seconded by Mr. Robb to satisfy the following liens – these have been paid in full:

SALUATORE T & MARY LOU ORLANDO FAMILY TRUST	1209 MONGAHELA BLVD 461-K-112	GD16-006270
KEVIN E HENRY &	1317 SUMMITT ST	461-L-216 GD16-004512
MARY C HENRY SHAYNE K WAKINEKONA &	213 MONONGAHELA AVE	461-R-181 GD16-006277
CARRIE E WAKINEKONA		
JOHN B MONTALBANO & JUNE E MONTALBANO	2012 CALIFORNIA AVE	551-F-210 GD16-002317

Motion carried unanimously.

Mr. Nagy indicated there would be a one day delay in garbage collection this week starting with Thursday.

## **PARKS AND RECREATION**

Mr. Robb, Chairperson, reported the following:

The Recreation Board is sponsoring a Craft Show on Saturday, December 3<sup>rd</sup> from 10:00 am until 4:00 pm. at the White Oak Athletic Association.

The Recreation Board is sponsoring an Evening with Santa on Sunday, December 4<sup>th</sup>. The event starts at 6:00 p.m. at the White Oak Athletic Association.

A motion was made by Mr. Robb, seconded by Mr. Davis, to award the WOAA renovation contract to Loikareas in the amount of \$98,000.00 contingent upon acceptance of the contract by the Borough solicitor.

Motion carried unanimously.

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

In the absence of Mr. Davis, Mr. Massung noted the monthly code/permit report was available for review during normal business hours.

## **PUBLIC SAFETY**

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

A motion was made by Mr. Babyak, seconded by Mr. Robb, to continue to provide police services to South Versailles Twp. at a monthly fee of \$1,100.00 for the year of 2017.

Motion carried unanimously.

A motion was made by Mr. Babyak, seconded by Mr. Robb, to purchase a used police cruiser from Mossie Specialty Cars of Wall PA, at a cost not to exceed \$15,000.00. The vehicle is a 20143 Ford PI Sedan with approx. 31,000 miles on it. This vehicle will replaced the cruised totaled in an accident along Rt. 48 in September.

The Borough did received two other written proposals for similar vehicles for \$15,859 and \$16,975.00.

Motion carried unanimously.

## **PUBLIC WORKS**

Mr. Bryce, Chairperson, noted the monthly activity report was available for review during normal business hours.

A motion was made by Mr. Bryce, seconded by Mr. Pasternak, to provide snow/ice removal services to South Versailles Twp. at the current level of wage/benefit and equipment costs.

Mr. Bryce noted the services would be provided after the Borough streets were taken care of.

Motion carried unanimously.

## TAX COLLECTOR'S REPORT

### Current Real Estate

Lisa Pitchford, Current Tax Collector, turned in \$6,532.61 on the 2016 Tax Duplicate, for the period of October 1, 2016 – October 31, 2016.

Commission Due: \$60.00 (16 Accounts X \$3.75 per line)

Assessed Value	\$385,859,157.00
Exonerations (Less)	\$ 512,983.00
Additions	\$ 1,103,600.00
Adjusted Value	\$386,449,774.00
Value of Statements	\$ 1,994,080.84
Act 77 (Less)	\$ 49,260.87
Corrected Value of Statements	\$ 1,944,819.97
Collected from –10/01/16 – 10/31/16	\$ 6,532.61
Discount (add)	\$ 0.45
Less Penalty (sub)	\$ - 59.85
Other (over/under) + (overpayment)	\$ 0.00
Total Credited to Duplicate	\$ 5,941.21
Amount Previously Collected	\$ 1,802,279.53
Total Collections	<u>\$ 1,808,220.74</u>
Balance to be collected	\$ 136,599.23

### Delinquent/Liened Real Estate

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$1,302.40 in taxes and costs for the collection period of September 26, 2016 to October 25, 2016.

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

### Earned Income Tax Collector

Current/Delinquent Earned Income Tax Collector(s), turned in \$44,065.02 in current and delinquent Earned Income Tax for the collection period of October 1, 2016 – October 31, 2016.

<b>Commission due</b>	- \$	<b>604.82</b>
<b>Costs</b>	- \$	<b>1.52</b> (postage and/or costs)
<b>TCC Annual Fee</b>	- \$	<b>0.00</b>
<b>Total Due</b>	- \$	<b>606.34</b>

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$0.00 in Local Service Tax for the collection period of October 1, 2016 – October 31, 2016.

<b>Commission due</b>	- \$	<b>0.00</b>
<b>Costs</b>	- \$	<b>0.00</b> (postage and/or costs)
<b>Total Due</b>	- \$	<b>0.00</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 September 1, 2016 – September 30, 2016.

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

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$21,379.07 in delinquent Business Privilege Tax and \$585.06 in delinquent Mercantile Tax for the collection period of September 26, 2016 – October 25, 2016.

<b>Commission due</b>	- \$	<b>3,228.38</b>
<b>Costs</b>	- \$	<b>0.00</b>
<b>Total Due</b>	- \$	<b>3,228.38</b>

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

Motion carried unanimously.

**ENGINEER'S REPORT**

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to pay the fees due as submitted on Invoices 316705 and 316706, dated October 18, 2016, totaling \$2,926.11

Motion carried unanimously.

A motion was made by Mr. Pasternak, seconded by Mr. Robb, to appoint Gateway Engineering as the Borough Engineer, with a no retainer clause with the requirement of attending two meetings per month. Hourly rate is not to exceed \$105.00.

Motion carried unanimously.

**SOLICITOR'S REPORT**

Ms. DiMascio noted she gave her report in Executive Session.

A motion was made by Mr. Babyak, seconded by Mr. Pasternak, to accept the Solicitor's Report and pay the fees due to Dodaro, Matta & Cambest for services in October, Invoice #15099, dated November 14, 2016, in the amount of \$6,666.25.

Motion carried unanimously.

**ANIMAL CONTROL OFFICERS' REPORTS**

Mr. Nagy read Animal Control and Wildlife Officer's Reports for the month of October September.

**Dave Collura – Wildlife Control, October 2016**

Hours Calls		Live Trap	Road Kill	Disposal After
Deer	0	4	4	
Bats	0	0		
Birds/Fowl/Turkey	0	0		
Cats	0	0		
Chipmunk	0	0		
Groundhogs	9	4		
Opossums	7	6		
Rabbits	0	1		
Raccoons	18	27		
Skunks	4	1		
Squirrels	1	2		
Snakes	0	0		
Turtles	0	0		
<b>Total Due</b>	<b>\$350.00</b>	<b>\$140.00</b>		<b>\$ 60.00</b>
<b>Grand Total: \$550.00</b>				

A motion was made by Mr. Nagy, seconded by Mr. Babyak, to accept the Wildlife Control officer's report for the months of October and pay the fees due of \$550.00.

Motion carried unanimously.

**Gaydos-Behanna Kennel - Animal Control, October 2016**

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	0	
Number of Calls Answered from Municipal Officers	2	
Dead Animal Pickup	1	\$ 45.00
Number of Persons Information Signed Against	0	
Number of Citations Issued	0	
Number of Claims to State for Housing	0	

After Hour Call(s)	\$ 25.00
Monthly Fee	\$ <u>75.00</u>
<b>Total Due</b>	<b>\$145.00</b>

A motion was made by Mr. Nagy, seconded by Mr. Babyak, to accept the Animal Control officer's reports for the month of October and paying the fees due of \$145.00.

Motion carried unanimously.

### **RESOLUTIONS AND ORDINANCES**

Ms. DiMascio read Resolution No. 4090 by short title for adoption.

#### **R-4090 REAL ESTATE TAX REFUNDS**

A motion was made by Mr. Nagy, seconded by Mr. Babyak, to adopt Resolution No. 4090 as just read by Ms. DiMascio.

Motion carried unanimously.

Mr. Massung declared Resolution No. 4090 adopted.

### **COMMUNICATIONS**

NONE

### **NEW BUSINESS**

A motion was made by Mr. Robb, seconded by Mr. Pasternak, authorizing payment to Tedesco Excavating, Contract B, Application for Payment #6 (final), in the amount of \$7,669.50. This is contingent upon all necessary paperwork being submitted.

Motion carried unanimously.

A motion was made by Mr. Davis, seconded by Mr. Babyak, authorizing payment to Wheels Mechanical, Contract C, Application for Payment #4 (final), in the amount of \$2,601.00. This is contingent upon all necessary paperwork being submitted.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Babyak, authorizing payment to Allegheny City Electric, Contract D, Application for Payment #7 (final), in the amount of \$5,060.00. This is contingent upon all necessary paperwork being submitted.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Davis, to appoint David Pasternak as the Delegate and Ronald Massung as the Alternate Delegate to the Tri-COG Land Bank Membership.

Motion carried unanimously.

**OLD BUSINESS**

NONE

**ADJOURNMENT**

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

Motion carried unanimously.

Meeting adjourned at 8:25 p.m.

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Date Approved

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Borough Secretary