

**Oakmont Borough Council**  
**Minutes of the Regular Meeting**

**158 (Final)**  
**November 10, 2014**

**CALL TO ORDER**

The Regular Meeting of Oakmont Borough Council was called to order at 7:00 PM by President Ride in Council Chambers of the Municipal Building, 767 Fifth Street, Oakmont, Pennsylvania 15139.

**PLEDGE OF ALLEGIANCE**

All those who were present and able stood and recited the Pledge of Allegiance.

**ROLL CALL**

Present: Council Members Briney, Colianni, Facaros, Favo, Friday, Whalen and President Ride; Mayor Fescemyer, Chief DiSanti; Borough Manager Jensen, Assistant Secretary Jeroski; Solicitor Ott

Excused: None

Visitors: Karen Amodeo, Nancy Atkinson, Al Caruso, Ed Cherok, Linda Cherok, Donna DeTurck, Bonnie Federici, Fred Federici, Mike Federici, Nancy Federici, George Guido, Mark Harley, Charles Kim, Tim Lazor, Elaine Luthor, Donna Mahen, Sue Martin, Rose O'Connor, Lisa Reilly, Ed Saxon, Caroline Seeley, Sam Seem, Garrett Segelson, Bertha Shearer, Chris Stolish, James Trangle, Chick Wagner, Cindy Wagner, Richard Williams, John Wilson and Jeff Young

**AGENDA ADDITIONS**

Ms. Colianni noted that a discussion on a Right-to-Know Request appeared under Mr. Favo on the agenda, after previously being removed from the agenda sent to Council Members. Mr. Favo remarked that he had previously been criticized for not informing Council of the status of his Right-to-Know Request, and offered a motion to add a discussion on his Right-to-Know Request to the agenda. The motion failed for lack of a second and was removed from the agenda.

Ms. Jensen said that she had received correspondence from Dr. Charles Erdeljac that she would like added to the agenda, as well as a discussion of an insurance issue relating to the recent fire at St. Paul Baptist Church that she would like added to Executive Session. Mrs. Facaros offered a motion to add these items to the agenda.

Mr. Whalen seconded the motion, which passed 7 to 0.

**REGISTERED SPEAKERS**

There were no registered speakers that evening.

**COMMENTS FROM THE PUBLIC**

**Elaine Luthor** – Ms. Luthor asked that the addresses in the Edgewater development be added to the 911 dispatch system. Chief DiSanti said he would see that this was taken care of. Ms. Luthor also asked to see percentage increases in the budget line-items from the previous year, and wanted to know how much money was being generated by the Edgewater development. Mr. Favo remarked that Edgewater had generated roughly \$27,000 in Real Estate Tax in 2013. Ms. Colianni noted that she would like to see percent variances in the budget as well.

**Linda Cherok** – Ms. Cherok expressed concern about what development might go into the former gas station at the intersection of Allegheny Avenue and Delaware Avenue. Ms. Jensen replied that the Borough had not received any development plans for the site,

but that Borough officials had been told a bakery may be placed on the property. Ms. Cherok expressed concern about parking availability for any new development.

**Caroline Seeley** – Ms. Seeley asked about enforcement and liability relating to the proposed changes to regulations for dogs in Dark Hollow Woods Park. President Ride responded that the proposed Ordinance regulating dogs in Dark Hollow Woods Park would be discussed later in the agenda that evening.

**COUNCIL PRESIDENT’S MESSAGE**

**Budget Meeting** – President Ride stated that there would be a meeting on the 2015 Budget on Tuesday, November 18, 2014 at 7:00 PM.

**SOLICITOR’S REPORT**

Solicitor Ott had nothing to report that evening.

**CORRESPONDENCE**

**Christmas Lighting** – Ms. Jensen read an e-mail, dated October 21, 2014, from the Oakmont Chamber of Commerce, asking for a \$1,000.00 contribution from the Borough toward the cost of electricity for lighting in the Central Business District during the holiday season.

**Hulton Road Traffic** – Ms. Jensen read a letter, dated November 4, 2014, from Susan Huffman expressing concern about pedestrian crossings along Hulton Road, given the speed and volume of vehicular traffic.

**Boulevard Project Funding** – Ms. Jensen read a letter, dated November 5, 2014, from the Boulevard Project Board, requesting a one-time budget increase of \$53,000.00 to cover additional expenses from the harsh winter of 2013-2014 and complete the Hulton Corridor Phase II Landscaping Project.

**Boulevard Project Landscaping Bid** – Ms. Jensen read an e-mail, dated November 5, 2014, from Joanne Anderson, Chair of the Boulevard Project Board, recommending that Council accept the low-bid of The Brickman Group for the Arboretum Trail Maintenance Contract.

**Erdeljac Resignation** – Ms. Jensen read an e-mail, dated November 10, 2014, from Dr. Charles Erdeljac, submitting his resignation from the Carnegie Library Board, effective November 30, 2014 to spend more time with his grandchildren. Dr. Erdeljac spoke of the privilege of serving on the Library Board, and thanked others for their service during the holiday season.

**BOROUGH MANAGER’S REPORT**

Ms. Jensen had nothing to report that evening.

**MAYOR’S REPORT**

**October Police Report** – Chief DiSanti reviewed the October 2014 Police Report, breaking down major arrests and parking tickets issued. Chief DiSanti reported on situations at Riverview School District, and an armed robbery at Kwik Fill. Chief DiSanti also remarked that PennDOT would begin a traffic safety study along Hulton Road. Mayor Fescemyer stated that PennDOT would forward the results of this safety study to the Borough once it was completed.

**October OVFD Report** – Chief Segelson reviewed the October 2014 OVFD Report, and noted that there were 10 emergency calls during the month. Chief Segelson also remarked that the OVFD had completed a basic vehicle training course, and had gained a new member while losing an existing member of the OVFD. Mayor Fescemyer asked who the

OVFD's first call was for back-up. Chief Segelson stated it was Rosedale Fire Department and that the secondary back-up was Allegheny Valley.

**APPROVAL OF MINUTES**

**October 13, 2014 Minutes** – Mr. Briney offered a motion to approve the Minutes from the Regular Meeting of October 13, 2014, as amended.

Mr. Whalen seconded the motion, which passed 7 to 0.

**COMMITTEE REPORTS**

**Finance and Budget Committee**

**Warrants** – Mr. Whalen offered a motion to approve the Warrant List for October 2014, dated October 31, 2014, and showing the following expenditures:

<b>Fund</b>	<b>Amount</b>
General Fund	\$338,557.28
Boulevard Project Fund	\$5,648.33
Kerr Museum Fund	\$1,185.82
Library Fund	\$130,782.32
Liquid Fuels Fund	\$ -0-
Sewer Fund	\$183,735.62
Capital Fund (Parks)	\$139.23
Capital Fund (Roads)	\$82,943.77
Capital Reserve Fund	\$ -0-

Ms. Colianni seconded the motion, which passed 7 to 0.

**2015 Budget** – Mr. Whalen said that there would be an extensive discussion on the 2015 Budget at the November 18<sup>th</sup> Special Meeting. Mr. Whalen said that the budget would be challenging, and noted the current \$800,000.00 deficit. Mr. Whalen concluded that Borough Council would have to determine expenditure priorities while also looking at taxes and fees.

President Ride stated that she would like to set up a tutorial on the Borough's budgeting process with some of the new Council Members. Mr. Whalen expressed support for this idea.

**Public Safety Committee**

**Patrol Officer Job Description** – Ms. Colianni offered a motion to approve the Patrol Officer Job Description, dated November 10, 2014. Ms. Colianni noted that the job description was necessary for a Civil Service test, and that it had been reviewed by the Civil Service Commission Solicitor and Solicitor Ott.

Mr. Briney seconded the motion, which passed 7 to 0.

**Planning and Land Use Committee**

**NVR Plat Adjustments** – Mr. Briney offered a motion to accept the recommendation of the Oakmont Planning Commission to approve the NVR Plat Adjustments for Lots 18-25 of the Edgewater (Kacin) Plan.

Mrs. Friday seconded the motion, which passed 7 to 0.

**Sustainable Pittsburgh Certification** – Mr. Briney remarked on the status and importance of the Borough's application for Sustainable Community Certification from Sustainable Pittsburgh. Mr. Briney added that presently the Borough qualified for Silver-level Certification.

**Contract Language** – Mr. Briney stated that a contract template, developed by Solicitor Ott, had been sent out in the last Council packet. Mr. Briney felt that this template could help to address issues related to cost, confidentiality, insurance, indemnification and termination that have come up in contractual discussions at Council. Solicitor Ott said that she hoped this would streamline the process and language for future Borough contracts.

**Engineering and Public Works Committee**

**Resolution No. R42-2014, ADA Ramps Grant** – Mr. Favo offered Resolution No. R42-2014, and moved for its adoption, a resolution authorizing the submission of a CDBG Grant application for ADA sidewalk ramp improvements along Pennsylvania Avenue.

Mrs. Friday seconded the motion, which passed 7 to 0.

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 58, as **Resolution No. R42-2014**.

**Resolution No. R43-2014, Maple Way Storm Sewer Grant** – Mr. Favo offered Resolution No. R43-2014, and moved for its adoption, a resolution authorizing the submission of a CDBG Grant application for storm sewer improvements along Maple Way.

Ms. Colianni seconded the motion, which passed 7 to 0.

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 59, as **Resolution No. R43-2014**.

**Personnel, Boulevard Project and Shade Tree Committee**

**Erdeljac Resignation** – Mrs. Friday offered a motion to accept the resignation of Dr. Charles Erdeljac from the Oakmont Carnegie Library Board, effective November 30, 2014. President Ride commended Dr. Erdeljac for his service to the Oakmont community.

Mr. Whalen seconded the motion, which passed 7 to 0.

**Resolution No. R41-2014, Anti-Harassment Policy** – Mrs. Friday offered Resolution No. R41-2014, and moved for its adoption, a resolution adopting an Anti-Harassment Policy for the Borough of Oakmont.

Mr. Whalen said he liked the overall thrust of the policy, and asked if it applied to both harassment and discrimination. Solicitor Ott replied that the policy outlined reporting and investigation policies for both harassment and prohibited conduct. There was discussion among Council, Mayor Fescemyer, and Solicitor Ott as to who performed investigations into alleged harassment and what the due process for the investigation would be. President Ride stated that the policy could be amended when the Borough's Employee Handbook was adopted.

Mr. Briney seconded the motion, which passed 7 to 0.

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 57, as **Resolution No. R41-2014**.

**Arboretum Trail Maintenance** – Mrs. Friday offered a motion to accept the bid of The Brickman Group, lowest responsible bidder, for the 2015-2017 Arboretum Trail Maintenance Contract at a total cost of \$95,805.00.

Mr. Whalen seconded the motion, which passed 7 to 0.

**North Hulton Road Maintenance** – Mrs. Friday offered a motion to accept the bid of Penn Landscape and Cement Work, lowest responsible bidder, for the 2015-2017 North Hulton Maintenance Contract, at a total cost of \$9,999.00.

Mr. Briney seconded the motion, which passed 7 to 0.

**2014 Shade Tree Contract** – Mrs. Friday offered a motion to authorize the Borough Manager to advertise bids for the 2014 Shade Tree Pruning Contract.

Mr. Whalen seconded the motion, which passed 7 to 0.

**Culture, Library, & Recreation Committee**

**Ordinance No. O40-2014, Dogs in Dark Hollow Woods** – Mrs. Facaros offered Resolution No. R41-2014, and moved for its enactment, an ordinance amending Section 141-6 of the *Code of the Borough of Oakmont* to allow dogs in Dark Hollow Woods Park under certain circumstances.

Mrs. Facaros gave background on ordinance's development, and noted that current Borough rules prohibit dogs in any park owned by the Borough. Mrs. Facaros added that Dark Hollow Woods had become a de-facto dog park, and that the plan would be to delineate off-leash and on-leash areas in Dark Hollow Woods Park. There was extensive discussion among Council about liability, the definition of reasonable control of an animal, Borough authority over parks, and enforcement of the ordinance.

Mr. Favo seconded the motion.

On a called vote, the votes were as follows:

President Ride	Yes	Mr. Favo	Yes
Mr. Briney	Nay	Mrs. Friday	Yes
Ms. Colianni	Nay	Mr. Whalen	Nay
Mrs. Facaros	Nay		

President Ride declared the ordinance not enacted, by a vote of 3 to 4.

Mrs. Facaros offered a motion to allow leashed dogs in Dark Hollow Woods Park and amend appropriate ordinances.

Ms. Colianni seconded the motion, which passed 7 to 0.

**COMMENTS FROM THE PUBLIC**

**Bertha Shearer** – Ms. Shearer asked the number of units presently being built at the River's Edge development, and what the gun laws were for the Borough of Oakmont. Chief DiSanti replied that the Borough follows the 2<sup>nd</sup> Amendment of the U.S. Constitution. Ms. Shearer also reported on a resident dumping leaves on railroad property along Allegheny Avenue.

**Nancy Atkinson** – Ms. Atkinson thanked Council for allowing dogs in Dark Hollow Woods Park, even though they had to be leashed. Ms. Atkinson felt that dog walkers had done many good deeds in Dark Hollow Woods Park including reporting criminal activity and cleaning up trash.

**Cindy Wagner** – Ms. Wagner also thanked Council for allowing dogs in Dark Hollow Woods Park. Ms. Wanger asked that any traffic studies in Oakmont also examine at cut-thru traffic in neighborhoods during rush hour.

**UPCOMING PUBLIC MEETINGS** – President Ride referred those present to the list of public meetings itemized in the Agenda, noting that dates were correct as of publication of the Agenda.

**MISCELLANEOUS ITEMS**

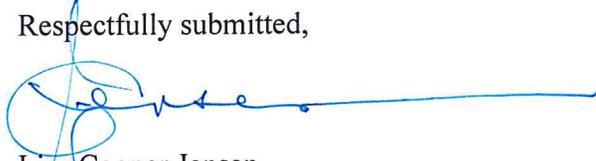
There were no Miscellaneous Items that evening.

**ADJOURNMENT TO EXECUTIVE SESSION**

There being no further business to conduct that evening, Mr. Whalen offered a motion to adjourn to Executive Session. Mr. Briney seconded the motion, which passed 7 to 0.

The meeting was adjourned at 8:41 PM.

Respectfully submitted,



Lisa Cooper Jensen  
Borough Manager

Transcribed by:  
Ryan Jeroski