

Oakmont Borough Council
Minutes of the Regular Meeting

182 (Final)
February 9, 2015

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 and Chief DiSanti; Borough Manager Jensen; Assistant Secretary Jeroski; Solicitor Ott

Excused: None

Visitors: Karen Amodeo, Emily Balsler, Kim Butler, Fred Cappuccio, David Carroll, Barbara Charlton, George Coulter, Donna DeTurck, Bonnie Federici, Mike Federici, Frank Folino, Tony Folino, Phillip Fraley, Matt Gilley, David Ivanek, Elaine Luthor, Sue Martin, Jason McConnell, Michael McCracken, Timothy Milberger, Rose O'Connor, Leonard Richards, Ed Saxon, Bertha Shearer, Chris Stolish, Summer Tissue, James Trangle, Regina Vitti-Lyons and William Wengerd

MOTIONS FOR ADDITIONS TO AGENDA

There were no motions for additions to the agenda that evening.

COMMISSION/BOARD APPOINTMENTS AND REAPPOINTMENTS

Resolution No. R9-2015, M. Ehrlich to Oakmont Boulevard Project – Mrs. Friday offered Resolution No. R9-2015, and moved for its adoption, a resolution reappointing Michael Ehrlich a Member of the Oakmont Boulevard Project Board to fill the vacancy created by the expiration of his term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 73, as **Resolution No. R9-2015**.

Resolution No. R10-2015, J. McConnell to Oakmont Boulevard Project – Mrs. Friday offered Resolution No. R10-2015, and moved for its adoption, a resolution reappointing Jason McConnell a Member of the Oakmont Boulevard Project Board to fill the vacancy created by the expiration of his term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 74, as **Resolution No. R10-2015**.

Resolution No. R11-2015, C. Stolish to Oakmont Boulevard Project – Mrs. Friday offered Resolution No. R11-2015, and moved for its adoption, a resolution reappointing Christopher Stolish a Member of the Oakmont Boulevard Project Board to fill the vacancy created by the expiration of his term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 75, as **Resolution No. R11-2015**.

Resolution No. R12-2015, D. Thompson to Kerr Museum Board – Mrs. Facaros offered Resolution No. R12-2015, and moved for its adoption, a resolution reappointing Diana Thompson a Member of the Dr. Thomas R. Kerr Memorial Museum Board to fill the vacancy created by the expiration of her term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 76, as **Resolution No. R12-2015**.

Resolution No. R13-2015, L. Richards to Oakmont Library Board – Mrs. Facaros offered Resolution No. R13-2015, and moved for its adoption, a resolution reappointing Leonard Richards a Member of the Oakmont Carnegie Library Board to fill the vacancy created by the expiration of his term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 77, as **Resolution No. R13-2015**.

Resolution No. R14-2015, R. Vitti-Lyons to Recreation Board – Mrs. Facaros offered Resolution No. R14-2015, and moved for its adoption, a resolution reappointing Regina Vitti-Lyons a Member of the Recreation Board to fill the vacancy created by the expiration of her term.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 78, as **Resolution No. R14-2015**.

Resolution No. R15-2015, P. Fraley to Shade Tree Commission – Mr. Favio offered Resolution No. R15-2015, and moved for its adoption, a resolution appointing Phillip Fraley a Member of the Oakmont Shade Tree Commission to fill the vacancy created by the expiration of the term of Mark Harley.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 79, as **Resolution No. R15-2015**.

Resolution No. R16-2015, T. Milberger to Municipal Authority Board – Mr. Favio offered Resolution No. R16-2015, and moved for its adoption, a resolution appointing Timothy Milberger a Member of the Municipal Authority Board of Governors to fill the vacancy created by the resignation of Ken Anthony.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 80, as **Resolution No. R16-2015**.

Resolution No. R17-2015, F. Cappuccio to Property Maintenance Board – Mr. Briney offered Resolution No. R17-2015, and moved for its adoption, a resolution appointing Fred Cappuccio an Alternate Member of the Property Maintenance Board of Appeals to fill the vacancy created by the resignation of Owen Slagle, III.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 81, as **Resolution No. R17-2015**.

Resolution No. R18-2015, F. Cappuccio to UCC Board – Mr. Briney offered Resolution No. R18-2015, and moved for its adoption, a resolution appointing Fred Cappuccio an Alternate Member of the Uniform Construction Code Board of Appeals to fill the vacancy created by the resignation of Owen Slagle, III.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 82, as **Resolution No. R18-2015**.

Swearing In – Mayor Fescemyer swore-in all those appointed/reappointed who were present that evening.

CITIZEN COMMENDATION

Chief DiSanti recognized Matt Gilley for notifying the Police Department of a burglary in progress at properties in the Edgewater (Kacin) Plan on August 25, 2014, which led to the arrest of the perpetrators. Chief DiSanti presented Mr. Gilley with a citation from the Pennsylvania House of Representatives courtesy of Representative Frank Dermody, and thanked Mr. Gilley for his assistance.

CONDITIONAL USE HEARING – 105 DARK HOLLOW ROAD

The Conditional Use Hearing for A. Folino Construction's proposed development at 105 Dark Hollow Road was commenced at 7:16 PM. A transcript of the hearing is attached to these Minutes.

The Hearing concluded at 7:37 PM. Mr. Favo offered a motion to adjourn to Executive Session to discuss the Conditional Use Application of A. Folino Construction for 105 Dark Hollow Road.

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

President Ride reconvened Council at 7:54 PM.

Mr. Briney offered a motion to approve the Conditional Use Application of A. Folino Construction for a Bulk Materials/Machinery Storage development at 105 Dark Hollow Road subject to the following conditions:

1. A. Folino Construction, Inc. will satisfy all comments of the Borough Engineer, as outlined in his letter of January 15, 2015.
2. A. Folino Construction, Inc. will coordinate tree selection and buffer planting with the recommendations of the Oakmont Shade Tree Commission.
3. A. Folino Construction, Inc. will review emergency access to the development with the OVFD.
4. A. Folino Construction, Inc. is granted a modification from the parking requirements of the Borough's *Zoning Ordinance* for Bulk Materials or Machinery Storage, from the required 75 parking spaces to 7 parking spaces, based upon the reduced necessity for parking due to the lack of employees on site and no dedicated office space or customer access to the buildings. Further, the parking reduction will reduce the amount of impervious surface on the property, thereby reducing stormwater run-off.
5. A. Folino Construction, Inc. acknowledges that any future changes in use of the property will require resubmission of site and development plans to the Borough for the approval of Borough Council.
6. A. Folino Construction, Inc. will complete all Subdivision/Land Development requirements as outlined in the Borough Engineer's letter of January 15, 2015.
7. A. Folino Construction, Inc. agrees to future consideration of a designated area along the course of Plum Creek for potential environmental preservation and trail development. Recognizing the proximity of Creekside Park and other Borough initiatives along the Plum Creek Corridor, "consideration" shall mean discussion, review and negotiation with the Borough of Oakmont to work toward a mutually-acceptable agreement for shared use of this area.

Oakmont Borough Council
Minutes of the Regular Meeting

185 (Final)
February 9, 2015

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

REGISTERED COMMENTS FROM THE PUBLIC

There were no registered comments from the public that evening.

COMMENTS FROM THE PUBLIC

Barbara Charlton – Ms. Charlton thanked the Police Department, OVFD and ambulance services for their quick response when she fell in her basement on September 29, 2014.

Bertha Shearer – Ms. Shearer remarked on trouble she was having with garbage collectors placing her garbage can in the middle of the street after it was emptied. Ms. Jensen replied that the containers were supposed to be returned to their original location after collection. Ms. Shearer added that she felt the Street Crew deserved commendation for their work during recent ice and snow storms.

Tim Milberger – Mr. Milberger stated that he felt Council should not forget the good things that had been accomplished in Oakmont recently, such as a balanced budget, strong volunteer base, and two on-going developments. Mr. Milberger thanked President Ride, Mr. Briney, Ms. Jensen and Chief DiSanti for their service to the community.

APPROVAL OF MINUTES

January 12, 2015 Minutes – Mr. Whalen offered a motion to approve the Minutes from the Regular Meeting of January 12, 2015 as amended.

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

CORRESPONDENCE

Molly Merlino Resignation – Ms. Jensen read an e-mail, dated February 3, 2015, from Milly Merlino to the Borough Manager, offering her resignation as a Member of the Oakmont Recreation Board. Ms. Jensen felt that acceptance of this resignation should be placed under Mrs. Facaros on the Agenda.

COUNCIL PRESIDENT'S REMARKS

Labor Contract Negotiations – President Ride stated that the Borough was moving into negotiations with its non-uniformed employees in Street Crew and Wastewater Treatment Plant. President Ride appointed Mrs. Friday and Mr. Favo, in addition to herself, to serve as part of the Borough's negotiating committee. Ms. Jensen reported that the union's Bargaining Unit was developing requests for the next contract.

SOLICITOR'S REPORT

Solicitor Ott had no items to report that evening.

BOROUGH MANAGER'S REPORT

2014 Audit – Ms. Jensen reported that the Borough had entered into a two-year agreement with Hosack, Specht, Muetzel & Wood, LLP to perform the Borough's annual audit. Ms. Jensen remarked that the audit was currently underway. Ms. Jensen noted that the auditor would meet with the OVFD to discuss their use of Borough funds, and thanked the OVFD for their cooperation in this matter.

Recycling Collection – Mr. Favo asked Ms. Jensen to expound upon recent issues with recycling collection in the Borough. Ms. Jensen stated that Republic Services had switched to an automated collection system for the new recycling carts, and would not collect carts that

Oakmont Borough Council
Minutes of the Regular Meeting

186 (Final)
February 9, 2015

were in front of parked vehicles, due to liability concerns. Ms. Jensen advised residents not to park in front of recycling carts during collection days. Ms. Jensen added that garbage and recycling collection, as well as parking restrictions, on Edgewood Avenue had been adjusted to compensate for treacherous conditions during snow and ice storms on the road.

MAYOR'S REPORT

January Police Report - Chief DiSanti reviewed portions of the January 2015 Police Report for those present, and noted that Police Department had received 429 calls for service and issued 393 Borough parking tickets. Chief DiSanti pointed out the importance of having residents in Oakmont serve as eyes and ears for the Police Department by notifying them in a timely manner of suspicious activity.

January OVFD Report – Fire Chief Carroll reported that the OVFD had received 21 emergency calls in January 2015, and was in the process of installing an active 911 system. Mayor Fescemyer asked Chief Carroll to talk about recreational burning regulations. Chief Carroll noted that Allegheny County had adopted new opening burning regulations, which were available for review on the Borough's website.

COMMITTEE REPORTS

Finance and Budget Committee

Warrants – Mr. Whalen offered a motion to approve the Warrant List for January 2015, dated January 30, 2015, including expenditures totaling \$329,183.16 for all funds.

<i>Fund</i>	<i>Amount</i>
General Fund	\$164,748.10
Boulevard Project Fund	\$1,333.92
Kerr Museum Fund	\$2,263.97
Library Fund	\$41,426.76
Liquid Fuels Fund	\$-0-
Sewer Fund	\$91,305.05
Capital Fund (Parks)	\$3,105.36
Capital Fund (Roads)	\$-0-
Capital Reserve Fund	\$25,000.00

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

Resolution No. R19-2015, Fixing Time and Place – Mr. Whalen offered Resolution No. R19-2015, and moved for its adoption, a resolution fixing the time and place for a complete settlement of all taxes collected by the Tax Collector of the Borough of Oakmont for the Year 2014 shall be made.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 83, as **Resolution No. R19-2015**.

Engineering & Public Works Committee

Mr. Favo had nothing to report that evening.

Planning and Land Use Committee

Folino Plan of Lots – Mr. Briney offered a motion to accept the recommendation of the Oakmont Planning Commission to grant Preliminary and Final Combined Plan Approval for the Folino Plan of Lots subdivision consolidation for 105 Dark Hollow Road.

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

Folino Land Development – Mr. Briney offered a motion to accept the recommendation of the Oakmont Planning Commission to grant Preliminary Plan Approval for the Land Development Application of A. Folino Construction, Inc. for a Bulk Materials or Machinery Storage development at 105 Dark Hollow Road, subject to compliance with all recommendations as stated in the review letter of Borough Engineer, dated January 15, 2015.

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

Cedar Way Recommendations – Mr. Briney offered a motion to accept the recommendations of the Oakmont Planning Commission relative to Cedar Way, as documented in their letter to Council dated January 23, 2015.

Mr. Briney noted the Planning Commission was in the process of doing a reassessment of the Borough's Comprehensive Plan. The Planning Commission had recommended to keep Cedar Way as an alley, and to address stormwater management and traffic issues along Cedar Way.

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

Demolition of Vacant Homes – Mr. Briney offered a motion to accept the proposal of Lutterman Excavating, LLC to demolish the structures located at 632 Maple Way and 703 Maple Way, at a cost not to exceed \$17,400.00.

President Ride explained the bidding thresholds for projects undertaken by the Borough. Mayor Fescemyer commended Solicitor Ott for her work on the condemnation of the properties.

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

Culture, Library, & Recreation Committee

Merlino Resignation – Mrs. Facaros offered a motion to accept the resignation of Molly Merlino from the Oakmont Recreation Board.

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

Personnel, Boulevard Project & Shade Tree Committee

Administration/Police Interaction – Mrs. Friday noted a memo that had previously been sent by Solicitor Ott regarding job descriptions and roles for the Manager, Mayor and Chief of Police. Mrs. Friday noted the overlapping spheres of influence and subsequent need for collaboration between these positions, particularly as it dealt with enforcement of Borough Ordinances. Mrs. Friday recommended that Borough Council be sure to assign enforcement responsibilities as Ordinances are enacted.

Key Fob Access to Police – Mrs. Friday reported that Ms. Jensen had requested 24/7 access to the Police Department. Ms. Jensen remarked that her electronic key no longer worked after 4:30 PM. Mrs. Friday acknowledged that Mayor Fescemyer and Chief DiSanti had expressed concern about civilian access to sensitive data stored in the Police Department, and Mayor Fescemyer noted a lawyer's letter on the legality of civilian access to the Police Department. Solicitor Ott disagreed with the breadth of the attorney's letter on the legality of the matter. Ms. Jensen stated that, as Borough Manager, she was responsible for the Borough Building, and that she had no interest in access to sensitive information. There was continued discussion on the matter. President Ride referred the matter to Mrs. Friday's committee to work towards a solution to the matter.

Public Safety Committee

OVFD Eligibility List – Ms. Colianni offered a motion to appoint Matthew Springer, 214 Seventh Street, to the OVFD Eligibility List.

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

COMMENTS FROM THE PUBLIC

Oakmont Borough Council
Minutes of the Regular Meeting

188 (Final)
February 9, 2015

Elaine Luthor – Ms. Luthor expressed concern about the time PAMS was providing from receipt of the sewage/garbage bills until payment was required. Ms. Luthor noted that some banks and credit card companies had gotten in trouble for not allowing enough time until delinquent penalties were assessed. Ms. Luthor also advised that the Borough be very cognizant of legal costs when deciding whether to seek the Solicitor's advice.

Sue Martin – Ms. Martin stated that most residents did not want to call 911 to reach the police department, as they felt that number should only be called in case of an emergency. Mayor Fescemyer agreed that residents are often cautious about calling 911, but said that residents could state the call was not an emergency when they reached dispatch.

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 to discuss 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 9:00 PM.

Respectfully submitted,



Lisa Cooper Jensen
Borough Manager

Transcribed by:
Ryan Jeroski