

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

**189 (Final)**  
**March 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, Robert Aughenbaugh, David Carroll, George Coulter, Donna DeTurck, Rich Lear, William Peoples, Bertha Shearer, Summer Tissue and James Trangle

**MOTIONS FOR ADDITIONS TO AGENDA**

Mayor Fescemyer noted that he had a piece of correspondence he would like to read under the Mayor's Report. Mrs. Facaros offered a motion to add the correspondence under the Mayor's Report.

Mr. Whalen 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**

**Robert Aughenbaugh** – Mr. Aughenbaugh, a resident of the Fairways for 19 years, asked if any of the streets in the Fairways would be paved in 2015, and also questioned whether Oakmont had a policy regarding removal of snow from sidewalks. Ms. Jensen replied that the Sidewalk Ordinance stated snow had to be removed within 12 hours of the end of the snowfall, and directed Mr. Aughenbaugh to contact the Borough Offices if he noticed this rule not being followed. Ms. Jensen added that the Street Department Superintendent was beginning to put together a list of roads for the 2015 Paving Program. Mr. Favo remarked that the entrance to the Fairways had been paved in 2013.

**Bertha Shearer** – Ms. Shearer expressed concern about the Police Department not being run by the Mayor. Mayor Fescemyer assured Ms. Shearer that he was still in charge of the Police Department. Ms. Shearer said she was disappointed in criticism of the Police Department, and felt that Mayor Fescemyer and Chief DiSanti were performing admirably.

**APPROVAL OF MINUTES**

**February 2, 2015 Minutes** – Mr. Whalen offered a motion to approve the Minutes from the Work Session of February 2, 2015 as amended. Ms. Colianni noted some typos in the previous Minutes, which Mr. Jeroski said were corrected.

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

**February 9, 2015 Minutes** – Mr. Briney offered a motion to approve the Minutes from the Regular Meeting of February 9, 2015 as written.

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

**CORRESPONDENCE**

**Annual Summer Street Sale** – Ms. Jensen read a letter, dated February 23, 2015, from the Oakmont Chamber of Commerce to Borough Council, asking for permission to close Allegheny River Boulevard between Washington Avenue and Pennsylvania Avenue on July 25, 2015 for the Annual Summer Street Sale.

**COUNCIL PRESIDENT'S REMARKS**

**Speedway** – President Ride noted the history of Speedway's Conditional Use and the limitations placed on their hours of operation. President Ride stated that Speedway recently requested a change in those hours of operation to 4:00 AM to midnight Sunday through Thursday and 4:00 AM to 2:00 AM on Friday and Saturday. This matter will be discussed at the Council Work Session on April 6, 2015.

**SOLICITOR'S REPORT**

Solicitor Ott had no items to report that evening.

**BOROUGH MANAGER'S REPORT**

**Proposed Act 20 Ordinance** – Ms. Jensen remarked that Council had previously discussed adopting an Act 20 Ordinance to assess legal fees onto delinquent taxpayers, and needed to establish a baseline number to begin these proceedings in the Ordinance. There was general discussion among Council as to whether to set a dollar limit or a time limit on when the legal process for delinquent tax collection would begin. Mr. Briney asked Rich Lear of Pennsylvania Municipal Service Company on his recommendation. Mr. Lear stated that he felt a dollar amount was more preferable, and recommended \$1,000.00. There was consensus among Council that this was an acceptable figure to include in the Ordinance.

**MRM Annual Meeting** – Ms. Jensen said that the Borough needed to appoint a Delegate and an Alternate for the Annual Meeting of MRM Property and Liability Trust on April 9, 2015. After some discussion among Council, Mr. Briney offered a motion to appoint Mr. Whalen as Delegate and Ms. Colianni as Alternate for the MRM Annual Meeting.

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

**Vehicle Code Amendment** – Ms. Jensen noted that the increase in vehicle ticket fines would need to be done as an amendment to the Borough's Vehicle Code. There was minor discussion about the various classifications of parking and accompanying fines. It was noted that the Overtime Parking fine would remain at \$7.00, as per request of the Oakmont Chamber of Commerce.

**MAYOR'S REPORT**

**Correspondence** – Mayor Fescemyer read a letter he had received from a store owner who had misplaced his keys, and asked the Police Department to watch his business overnight. The business owner felt that Oakmont residents should be thankful for these police patrols.

**February Police Report** - Chief DiSanti reviewed portions of the February 2015 Police Report for those present, and noted that Police Department had received 348 calls for service and issued 361 Borough parking tickets. Chief DiSanti discussed the importance of foot patrols in the community.

**February OVFD Report** – Fire Chief Carroll reported that the OVFD had received 15 emergency calls in February 2015, and 36 calls through the first two months of 2015. Chief Carroll thanked Ms. Jensen for notice on homes scheduled for demolition along Maple Way, and noted future training opportunities for homes prior to demolition.

**COMMITTEE REPORTS**

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**Finance and Budget Committee**

**Warrants** – Mr. Whalen offered a motion to approve the Warrant List for February 2015, dated February 25, 2015, including expenditures totaling \$258,412.48 for all funds.

<i>Fund</i>	<i>Amount</i>
General Fund	\$108,362.85
Boulevard Project Fund	\$7,611.93
Kerr Museum Fund	\$14,457.24
Library Fund	\$31,945.65
Liquid Fuels Fund	\$-0-
Sewer Fund	\$89,661.10
Capital Fund (Parks)	\$5,235.71
Capital Fund (Roads)	\$1,138.00
Capital Reserve Fund	\$-0-

Ms. Colianni expressed concern for the amount of legal fees the Borough was paying relative to the amount budgeted for that line-item. Ms. Colianni wanted to discuss cost controls for legal fees discussed at the next Council Work Session. Mr. Whalen asked about the line-item for the Civil Service Commission Solicitor in the General Fund. Ms. Jensen said that line-item was added to track the legal bills of the Civil Service Commission.

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

**Tax Affidavits** – President Ride requested that Rich Lear, President of Pennsylvania Municipal Service Company, come forward and appear before Council. President Ride read the Affidavit as to Giving Notice and the Affidavit as to Compliance with Tax Collection Law. Mr. Lear attested to both affidavits.

Mr. Lear presented Council Members with reconciliation information for the 2014 Real Estate Taxes collected by Pennsylvania Municipal Service Company.

**Resolution No. R20-2015, Accepting Tax Return** – Mr. Whalen offered Resolution No. R20-2015, and moved for its adoption, a resolution accepting and approving the tax return of Pennsylvania Municipal Service Company, Agent for Real Estate Tax Collection for the Borough of Oakmont, for all taxes collected in the Year 2014, contingent upon confirmation by audit.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 84, as **Resolution No. R20-2015**.

**Resolution No. R21-2015, Schedule of Fees** – Mr. Whalen offered Resolution No. R21-2015, and moved for its adoption, a resolution amending and revising the Borough of Oakmont Schedule of Fees per Borough Ordinances.

Ms. Jensen noted that the Fee Schedule was meant to be adopted every year with the budget, and the revised version had been streamlined for better structure.

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

President Ride declared the Resolution adopted. Recorded in Ordinance Book Volume 32, Page 85, as **Resolution No. R21-2015**.

**Engineering & Public Works Committee**

**Increase Sewage Shut-Offs** – Mr. Favo offered a motion to increase the frequency of water shut-offs for delinquent sewage fee accounts from two to four times a year. Mrs. Facaros noted her concern for the health and welfare of residents whose water gets shut off, and felt that increasing the shut-offs would be more burdensome on them. President Ride stated that

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the increased shut-offs would prevent delinquent bills and fees from piling up and being too exorbitant for residents to pay. There was some discussion about the shut-off frequency with the Municipal Authority of Oakmont and the involvement of the Allegheny County Health Department in the shut-off process.

Mrs. Friday seconded the motion, which passed 6 to 1, with Mrs. Facaros voting "Nay".

**Planning and Land Use Committee**

**McMeekin Subdivision** – Mr. Briney offered a motion to accept the recommendation of the Oakmont Planning Commission to approve the McMeekin Subdivision for 409 Virginia Avenue. Ms. Colianni noted she had read the transcript of the Zoning Hearing and felt that the new subdivision would be out of compliance with the requirements of the *Zoning Ordinance*. Mr. Briney replied that, in the context of the broader neighborhood that the subdivision is located, the relative degree of nonconformance is not out of character.

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

**Frerotte-Capretto Plan of Lots** – Mr. Briney offered a motion to accept the recommendation of the Oakmont Planning Commission to approve the Frerotte-Capretto Plan of Lots for 927 and 1007 Hulton Road.

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

**Cedar Way Parameters** – Mr. Briney offered a motion to accept the parameters for study and engineering of the Oakmont Planning Commission relative to Cedar Way, as documented in their letter to Council dated February 25, 2015.

Mr. Briney noted the analysis of Cedar Way relative to the Borough's Comprehensive Plan, and the complexities of right-of-way, traffic, parking and access along the roadway.

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

**Agreement for Professional Services** – Mr. Briney offered a motion to adopt the Agreement for Services, as prepared by the Borough Solicitor, to serve as a template for future professional services contracts of the Borough.

Mr. Briney felt this template would serve as a good step in ensuring procedural controls for contracts.

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

**Culture, Library, & Recreation Committee**

**2015 Oakmont 5K Race** – Mrs. Facaros offered a motion grant permission to hold the 2015 Oakmont 5K Race on June 27, 2015. Mrs. Facaros noted that the funds generated from the race would be used to benefit Oakmont residents.

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

**Riverview School District Night Games** – Mrs. Facaros offered a motion to grant permission to Riverview School District to host night games at Riverside Park on September 24 and September 25.

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

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

**Ticket Processor Pay Range** – Mrs. Friday offered a motion to accept the pay range for the Ticket Processor position of from \$12.00 to \$13.50 per hour. Ms. Jensen remarked that the position would be advertised as open tomorrow.

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

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**Public Safety Committee**

**Ordinance No. O22-2015, Handicapped Parking** – Ms. Colianni offered Ordinance No. O22-2015, and moved for its enactment, an ordinance providing for restricted residential parking on Borough Streets and procedures for application.

Ms. Colianni gave an overview of the Ordinance, and noted that specific provisions for application, review and appeal were included in the Ordinance. Mr. Favo stated he was happy with the revisions that had been incorporated, but disagreed with judging whether someone was deserving of a handicap space if they had a handicap placard. There was some discussion among Council on the procedures for commercial properties to designate handicap parking spots under the Americans with Disabilities Act.

Mr. Whalen seconded the motion, which passed 6 to 1, with Mr. Favo voting “Nay”.

President Ride declared the Ordinance enacted. Recorded in Ordinance Book Volume 32, Page 86, as **Ordinance No. O22-2015**.

**Light Duty Policy** – Ms. Colianni asked that the Light Duty discussion be put off until the April Work Session to allow time for more research on the matter.

**COMMENTS FROM THE PUBLIC**

**David Carroll** – Chief Carroll asked that consideration be given to tabling the discussion on increasing the hours of operation at Speedway until the new Hulton Bridge was completed. Chief Carroll felt that there was too much going on with construction and traffic restrictions at the present time as a result of the Hulton Bridge project to properly consider increasing activity at Speedway.

**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**

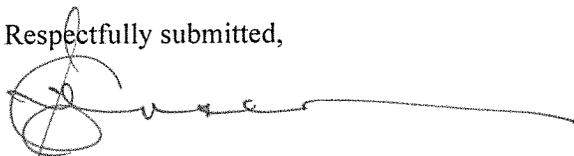
There were no miscellaneous items to discuss that evening.

**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 8:37 PM.

Respectfully submitted,



Lisa Cooper Jensen  
Borough Manager

Transcribed by:  
Ryan Jeroski