

Oakmont Borough Council
Minutes of the Regular Meeting

120 (Final)
May 12, 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. President Ride made note of the passing of former Council Member Allan Kennedy. President Ride remarked on Mr. Kennedy's time on Council and on the Recreation Board, and asked for a moment of silence in his memory.

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 Ryan Jeroski; Solicitor Ott

Excused: None

Visitors: Joanne Anderson, Jack Artman, Paul Cammisa, Henry Corson, Donna DeTurck, Jack Eaton, Sharon Eaton, Todd Eaton, Tracy Hatok, Robert Jones, Nick Kokales, Les Leasure, Nat Mastro, Jason McConnell, Melony Mostel, Rose O'Connor, Anita Raible, Tom Raible, Shelly Shadle, Bertha Shearer, Willis Shook, Robert Springer, Summer Tissue, James Trangle and Richard Williams

SERGEANTS' CEREMONY

Chief DiSanti and Mayor Fescemyer presented recently-appointed Sergeants Jack Russell Eaton, III and Michael J. Ford before Council. Chief DiSanti gave biographies of both officers and their service history. Mayor Fescemyer expressed pride at having both officers in the Oakmont Police Department.

PUBLIC HEARING – COMCAST CABLE FRANCHISE AGREEMENT

A Public Hearing on the Borough's Cable Franchise Agreement with Comcast was convened at 7:15 PM.

[A copy of the transcript of the hearing is available at the Borough Building]

The Regular Meeting was re-convened at 7:39 PM.

REGISTERED SPEAKERS

Donna DeTurck – Ms. DeTurck presented a petition to Council from the residents of the Morris Street asking to have their road paved. Ms. DeTurck asked Council Members why Morris Street had been removed from the street paving list.

Mr. Favo responded that Morris Street had not been removed from the Master Paving List, which consisted of roughly \$1.1 million in street paving projects. Mr. Favo added that the Borough only had \$350,000.00, and had to balance the money available with the need to pave the streets in the worst shape. Ms. Jensen discussed the Borough's process for selecting streets that would be paved each year.

COMMENTS FROM THE PUBLIC

Bertha Shearer – Ms. Shearer reiterated Ms. DeTurck's comments on paving Morris Street. President Ride asked Ms. Jensen to look into the storm sewer situation on Morris Street. Mayor Fescemyer asked if a timeframe could be given for Morris Street being

paved. President Ride replied that providing a timeframe would be difficult, given the changing conditions in the quality of streets and how quickly roads can deteriorate.

Robert Jones – Mr. Jones remarked that the right-turn restriction from Hulton Road onto Wade Lane in the morning negatively impacted his ability to reach his home after working a night shift. Mr. Jones asked if an exception to the turn restriction could be made for local traffic along Wade Lane. Chief DiSanti said he would confer with Solicitor Ott, offer a solution to this issue at the June Work Session, and follow-up with Mr. Jones.

COUNCIL PRESIDENT'S MESSAGE

Tour of Borough Facilities – President Ride remarked that Council Members toured the Oakmont Carnegie Library two weeks ago, and would tour the Boulevard Project on May 17th.

Information Workshop – President Ride noted that Solicitor Ott would hold an information workshop with Council Members on May 27, 2014 at 6:00 PM on Right-to-Know Laws, Sunshine Act, and State Ethics Issues.

Recycling Grant – President Ride noted a recent 902 Recycling Grant that the Borough had received, and commended Mr. Jeroski and Ms. Jensen for their work on the grant.

SOLICITOR'S REPORT

Attorney-Client Privilege – Solicitor Ott noted that, at the April Regular Meeting, an issue involving attorney-client privilege had been discussed in Executive Session. Solicitor Ott also noted that her transition to Solicitor had been going smoothly.

CORRESPONDENCE

There was no correspondence to Council that evening.

BOROUGH MANAGER'S REPORT

Fifth Street Mudslide – Ms. Jensen reported that the Borough Engineer and Street Crew Superintendent were looking into ways to address the mudslides from Falling Springs Run onto Fifth Street.

Emergency Management Team Meeting – Ms. Jensen said she had met with the Emergency Management Team to discuss what they had been working on. Ms. Jensen stated that the Emergency Management Team is working on their standard operating procedures for various emergencies in the Borough, depending on likelihood. Ms. Jensen stated that she would like the Emergency Management Team to meet with Council at some point in the future.

Dark Hollow Woods Meeting – Ms. Jensen reported that she attended a coordination meeting between the Recreation Board and Garden Club of Oakmont regarding Dark Hollow Woods, to ensure everyone was on the same page with regards to maintenance and improvements of the park.

Emergency Generator – Ms. Jensen noted that the recent low-bid for the Borough Building emergency generator was roughly \$63,000.00, which was more than the \$35,000.00 budgeted for the project. Ms. Jensen said that Council could accept the low-bid, look at options to pare back the cost of the project in the specifications, or re-bid the project. There was discussion among Council as to the option to pursue, and the priority of the project. Ms. Jensen said she would re-evaluate the specifications with electrical engineering consultant.

MAYOR'S REPORT

April Police Report – Chief DiSanti reviewed portions of the April 2014 Police Report for those present, and noted that his department received 447 calls for service and issued

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536 Borough parking tickets. Chief DiSanti reported that he was encouraging residents to call the Police Department if they saw anything suspicious in their neighborhood due to recent burglaries, and noted his department's participation in the Drug Enforcement Agency's drug take-back program.

April OVFD Report – Ms. Jensen reported that Chief Segelson could not make the meeting that evening due to prior commitments. In his absence, President Ride read the April 2014 OVFD Report, and noted that the OVFD received 16 emergency calls in April and had received 47 emergency calls for the year.

APPROVAL OF MINUTES

April 14, 2014 Minutes – Mr. Whalen offered a motion to approve the Minutes from the Regular Meeting of April 14, 2014, as amended.

Mrs. Friday 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 April 2014, dated April 30, 2014, and showing the following expenditures:

Fund	Amount
General Fund	\$117,884.31
Boulevard Project Fund	\$14,254.18
Kerr Museum Fund	\$15,019.39
Library Fund	\$31,378.91
Liquid Fuels Fund	\$ -0-
Sewer Fund	\$105,690.83
Capital Fund (Parks)	\$1,635.52
Capital Fund (Roads)	\$176.00
Capital Reserve Fund	\$ -0-

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

Sale of Borough Property – Mr. Whalen continued the discussion from the May Work Session on potentially selling the former Benjamin Moore Paint Property located at Lot & Block #363-G-320. Mr. Whalen noted that an offer was made on the property by Karen Schriver and John Hays, though the property would have to be publicly bid if Council chose to sell the property. Mr. Whalen noted that the OVFD had no plans to use the property as previously was discussed. Mrs. Facaros said that the Recreation Board could potentially use the property, but not for several years. Mrs. Friday thought that riverfront property was highly valuable, and the Borough should be leery of parting one of the few riverfront properties it owns. There was continued discussion among Council about potentially selling the property. After the discussion, President Ride noted a consensus among Council to retain the property. Ms. Jensen said she would inform Ms. Schriver and Mr. Hays.

Resolution No. R33-2014, CDBG and HOME Opt-In – Mr. Whalen offered Resolution No. R24-2014, and moved for its adoption, a resolution authorizing participation the Allegheny County CDBG and HOME Programs for 2015, 2016, and 2014.

Mrs. Friday seconded the motion.

On a called vote, the votes were as follows:

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

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Mrs. Facaros	Yes		
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President Ride declared the resolution adopted. Recorded in Ordinance Book Volume 32, Page 49, as **Resolution No. R33-2014**.

April 2014 Financial Reports – Mr. Whalen reviewed the Borough’s financial position, with one-third of the year completed. Mr. Whalen provided Council with a handout showing the Borough’s position at the end of the past three years and a projected end for 2014.

Public Safety Committee

Ms. Colianni had nothing to report that evening.

Planning and Land Use Committee

Mr. Briney had nothing to report that evening.

Engineering and Public Works Committee

Mr. Favo began his report by commenting on the passing of Allan Kennedy, whom he remarked he thought very highly of and would be sorely missed in the community.

Ordinance No. O29-2014, PAMS as Delinquent Garbage and Sewage Collector – Mr. Favo offered a motion to place on Second and Third Readings and enact Ordinance No. O29-2014, an ordinance designating Pennsylvania Municipal Service Company (PAMS) as Collector for Delinquent Garbage Fees and Sewage Fees, and imposing the obligation to pay reasonable costs on delinquent ratepayers.

Mr. Briney seconded the motion.

On a called vote, the votes were as follows:

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

President Ride declared Ordinance No. O29-2014 enacted. Recorded in Ordinance Book Volume 32, Page 45, as **Ordinance No. O29-2014**.

Resolution No. R34-2014, Edgewater Signal Sinking Fund – Mr. Favo offered Resolution No. R24-2014, and moved for its adoption, a resolution establishing a sinking fund for the installation of a traffic of a traffic control signal at the intersection of College Avenue, Allegheny River Boulevard and Allegheny Avenue.

Mr. Briney seconded the motion.

There was extensive discussion among Council Members about committing real estate tax funding from the Edgewater redevelopment towards the installation of a traffic signal. Mr. Whalen, Mrs. Facaros, and Ms. Colianni expressed concern about the ambiguity of the amount of revenue generated from the redevelopment in future years. Mr. Favo said he would be willing to wait each year until the budgeting process to discuss the amounts set aside for the traffic signal. There was continued discussion among Council about the need for the signal, and budgeting funds accordingly.

Mr. Briney withdrew his second. There was no other second for the motion. President Ride declared the resolution tabled, and said there would be further discussion at the June Work Session.

Tenth Street Curb Replacement – Mr. Favo offered a motion to accept the base bid and alternate bid of Satira Construction, lowest responsible bidder, to repair the curb along the

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east side of the 800 block of Tenth Street and to reset the bricks at the intersection of Tenth Street and Virginia Avenue for a total bid price of \$44,537.50.

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

ARB Restoration – Mr. Favo offered a motion to accept the bid of Kishmo Inc., lowest responsible bidder, for the 2014 Allegheny River Boulevard Brick Paving Project at a cost of \$119,496.00.

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

2014 Paving Program – Mr. Favo offered a motion to authorize the Borough Engineer to prepare specifications and advertise bids for the 2014 Paving Program.

Ms. Colianni seconded the motion, which passed 6 to 1, with Mr. Whalen voting “Nay”. In explaining his vote, Mr. Whalen stated he would like to see some metrics developed for roads on the paving program in the future.

Miscellaneous Items – Mr. Favo stated that he was happy that “Miscellaneous Items” was kept on the agenda, and offered his thoughts on the nature of the investigation into the cable cutting incident on top of the OVFD Building. Mrs. Facaros replied that she thought the “Miscellaneous Items” portion of the agenda was being abused and should be deleted from the agenda.

Personnel, Boulevard Project and Shade Tree Committee

Ordinance No. O28-2014, Increasing Size of Shade Tree Commission – Mrs. Friday offered a motion to place on Second and Third Readings and enact Ordinance No. O28-2014, an ordinance amending Chapter 160 of the *Code of the Borough of Oakmont*, “Shade Trees”, increasing membership on the Shade Tree Commission from three to five.

Mr. Whalen seconded the motion.

On a called vote, the votes were as follows:

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

President Ride declared Ordinance No. O28-2014 enacted. Recorded in Ordinance Book Volume 32, Page 44, as **Ordinance No. O28-2014**.

Resolution No. R30-2014, P. Cammisa to Shade Tree Commission – Mrs. Friday offered Resolution No. R30-2014, and moved for its adoption, a resolution appointing Paul Cammisa a new Member of the Oakmont Shade Tree Commission.

Ms. Colianni seconded the motion.

On a called vote, the votes were as follows:

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

President Ride declared the resolution adopted. Recorded in Ordinance Book Volume 32, Page 46, as **Resolution No. R30-2014**.

Resolution No. R31-2014, N. Kokales to Shade Tree Commission – Mrs. Friday offered Resolution No. R31-2014, and moved for its adoption, a resolution appointing Nicholas J. Kokales a new Member of the Oakmont Shade Tree Commission.

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Mrs. Facaros seconded the motion.

On a called vote, the votes were as follows:

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

President Ride declared the resolution adopted. Recorded in Ordinance Book Volume 32, Page 47, as **Resolution No. R31-2014**.

Resolution No. R32-2014, J. McConnell to Boulevard Project Board – Mrs. Friday offered Resolution No. R32-2014, and moved for its adoption, a resolution appointing Jason McConnell a Member of the Oakmont Boulevard Project Board, to fill the vacancy created by the resignation of Melissa Botta.

Mr. Briney seconded the motion.

On a called vote, the votes were as follows:

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

President Ride declared the resolution adopted. Recorded in Ordinance Book Volume 32, Page 48, as **Resolution No. R32-2014**.

Culture, Library, & Recreation Committee

Dogs in Dark Hollow Woods – Mrs. Facaros said that the discussion on dogs in Dark Hollow Woods Park could be deferred to June. President Ride asked Solicitor Ott to look into the Borough's ordinances for suggestions/solutions. Mrs. Facaros stated that an exclusive dog park may be needed down the road.

Dek Hockey Meeting – Mrs. Facaros noted that she, Mr. Jeroski, and several members of the Recreation Board had met with a representative of the Pittsburgh Penguins Foundation regarding how the dek hockey rink at Riverside Park would be used. Mrs. Facaros remarked that representative would like to see more involvement from children in the Oakmont and Verona communities, but was pleased with the initial turnout for the dek hockey league.

Taste of Two Towns – Mrs. Facaros reminded Council Members of the upcoming Taste of Two Towns on May 18, 2014 at the Oakmont Carnegie Library.

COMMENTS FROM THE PUBLIC

Richard Williams – Mr. Williams offered condolences on the passing of Allan Kennedy and spoke about his interactions with him as a teacher. Mr. Williams remarked that he thought metrics would bring fairness to the paving program. Mr. Williams concluded that he thought a traffic signal near the Edgewater development made sense, but that he was concerned that committing money to it could force the Borough to raise taxes to cover other costs, which he did not support.

Nat Mastro – Mr. Mastro, who said he was a lifetime Oakmont resident, asked for clarification on several matters related to the cable cutting incident, based upon an article he had read in the *Valley News Dispatch*. Mr. Mastro felt that the investigation was performed poorly by the County Police, and that there was the possibility of a cover-up. Mr. Mastro asked that the investigation be pursued at a higher level than the County Police.

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Les Leasure – Mr. Leasure cited his previous involvement with the Emergency Management Team in Oakmont, and asked Council to consider getting the Emergency Management Team involved with the OVFD and Port Authority.

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

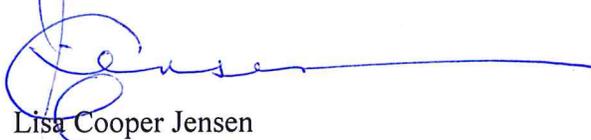
Ms. Colianni asked about a notice received from the Solicitor in the weekly packet regarding charitable donation by the Borough of Oakmont to RCAC and the Memorial Day Fund. Solicitor Ott replied that she received an e-mail from Ms. Jensen, based upon a notice from the Pennsylvania State Association of Boroughs, asking for an opinion on Oakmont's charitable donations. Solicitor Ott noted that in the future, she would provide background info on the requests for legal opinions.

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 9:52 PM.

Respectfully submitted,



Lisa Cooper Jensen
Borough Manager

Transcribed by:
Ryan Jeroski