

Oakmont Borough Council
Minutes of the Regular Meeting

127 (Final)
June 9, 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 Ryan Jeroski; Solicitor Ott

Excused: None

Visitors: Jack Artman, Barbara Charlton, Erin Cope, Joanne Cope, Les Leasure, Tom Meising, Bertha Shearer, Willis Shook, Bob Springer and Richard Williams

AGENDA ADDITIONS

Ms. Jensen requested that a report on MEIT Insurance Dividends, the Police Collective Bargaining Agreement, a Cease and Desist Letter sent to Verizon, a report on Zoning Hearing Boards, and the progress of the Emergency Management Team be added to the Agenda under "Miscellaneous Items". Mr. Whalen offered a motion to add these items to the Agenda.

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

REGISTERED SPEAKERS

There were no registered comments to start the meeting.

COMMENTS FROM THE PUBLIC

Richard Williams – Mr. Williams asked several questions of Council regarding dogs in Dark Hollow Woods Park. Mr. Williams also expressed his opinion that unleashed dogs were not under the control of their owner, and that Dark Hollow Woods Park should not be divided into leash and off-leash areas.

Joanne Cope – Ms. Cope commended Chief DiSanti for his assistance in helping her resolve a dispute with her neighbor.

COUNCIL PRESIDENT'S MESSAGE

Announcements – President Ride noted that Council Members had received an updated appraisal of real estate and tangible property owned by the Borough, as well as some information from Manning & Napier regarding the Borough's Pension Fund investments. President Ride concluded that Council Members would be touring the Borough's parks in June.

SOLICITOR'S REPORT

Solicitor Ott had nothing to report that evening.

CORRESPONDENCE

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Proposed Zoning Ordinance and Map – Ms. Jensen read a letter, dated June 5, 2014, from Oakmont Borough Planning Commission recommending the Borough Council adopt a new *Zoning Ordinance* and Zoning Map. Both of these items were sent to Allegheny County Economic Development for their review on May 27, 2014.

BOROUGH MANAGER’S REPORT

Parking on College Avenue – Ms. Jensen reported that the owner of Allegheny Plaza requested that 2-hour parking be established on College Avenue between Cedar Way and Allegheny Avenue. Chief DiSanti recommended 3-hour parking, to ensure consistency with parking regulations in the Central Business District. Mr. Favio seconded this idea, and no other Council Members objected to the recommendation. Ms. Jensen said that the parking lines in the area had recently been repainted for parallel parking.

Revenue Collections – Ms. Jensen remarked that collection of Delinquent Real Estate Tax, Delinquent Earned Income Tax, Cable Franchise Fees, and Dividends were all either exceeding budgeted amounts or projected to exceed budget.

MAYOR’S REPORT

Mayor’s Correspondence – Mayor Fescemyer read a letter formally requesting a trial period for one-way traffic in the northbound direction on Cedar Way between College Avenue and Washington Avenue.

Mayor Fescemyer read a Memo to Council aloud and asked that it be included in the Minutes. [A copy of the Memo is affixed to these Minutes.]

May Police Report – Chief DiSanti reviewed portions of the May 2014 Police Report for those present, and noted that his department received 480 calls for service and issued 315 Borough parking tickets. Chief DiSanti reported on the recent court decision regarding a major heroin bust in Oakmont last year, and his department’s response to two major vehicular incidents in the Borough.

May 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 May 2014 OVFD Report, and noted that the OVFD received 17 emergency calls in May and had received 64 emergency calls for the year.

APPROVAL OF MINUTES

May 12, 2014 Minutes – Mr. Briney offered a motion to approve the Minutes from the Regular Meeting of April 14, 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 May 2014, dated May 30, 2014, and showing the following expenditures:

Fund	Amount
General Fund	\$139,679.10
Boulevard Project Fund	\$9,792.33
Kerr Museum Fund	\$3,099.89
Library Fund	\$35,231.63
Liquid Fuels Fund	\$ -0-
Sewer Fund	\$584,695.10
Capital Fund (Parks)	\$11,099.06
Capital Fund (Roads)	\$2,563.00

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Capital Reserve Fund	\$ -0-
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Ms. Colianni seconded the motion, which passed 7 to 0.

Resolution No. R34-2014, Zoning Hearing Fee – Mr. Whalen offered Resolution No. R34-2014, and moved for its adoption, a resolution amending and revising R2-2009, “Schedule of Fees,” to increase the fee to conduct a Zoning Hearing in front of the Zoning Hearing Board to \$750.00.

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 50, as **Resolution No. R34-2014**.

Pension Investment Strategy – Mr. Whalen remarked on the previously mentioned material from Manning & Napier in the Council packets that discussed pension investment strategy. Mr. Whalen noted that the Borough’s actuary had reduced the return on investment for the Borough’s pensions under the current investment plan, which could increase the Minimum Municipal Obligation to the pensions in 2015. Mr. Whalen said this should be discussed in further detail at the July Work Session. Mr. Favo felt that the Borough’s Pension Funds were funded at an appropriate rate, and that the Borough should not move quickly to change pension investment strategies. Mayor Fescemyer asked if a more aggressive investment strategy would open the Borough to more risk. Mr. Whalen affirmed that this would be the case.

Ms. Jensen strongly advised Council Members to be cautious of changing the Borough’s pension investment strategy. Mayor Fescemyer noted that the Borough had been complimented previously on its investment strategy during the recent economic downturn.

Public Safety Committee

Hiring of Part-Time Officers – Ms. Colianni remarked on the recent hiring of two Part-Time Patrol Officers, Anthony Phillips and Christopher Abraham. Chief DiSanti noted the hiring process to fill the vacancies.

Planning and Land Use Committee

NVR Plat Adjustments – Mr. Briney offered a motion to accept the recommendation of Oakmont Planning Commission to approve the NVR Plat Adjustments for Lots #12-#17 of the Edgewater (Kacin) Plan, expanding one unit by one foot.

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

New Zoning Ordinance and Map – Before offering the motion, Mr. Briney discussed the factors that led to the revision of the Borough’s *Zoning Ordinance* and *Zoning Map*. Mr. Briney noted that these revisions were driven by experience, a need to update regulations to reflect more contemporary uses, and that the update were driven mainly by the Borough’s Comprehensive Plan. Mr. Jeroski warned of further changes to *Zoning Map*, as it will be reviewed for consistency with the Borough’s Comprehensive Plan, and there was previously some areas that were seemingly spot-zoned that needed to be cleaned up.

Mr. Briney offered a motion to accept the recommendation of Oakmont Planning Commission to advertise the proposed *Zoning Ordinance* and *Map* as a Pending

Ordinance, and hold a Public Hearing at the July 14, 2014 Regular Meeting of Oakmont Borough Council.

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

Plum Creek Committee – Mr. Briney reported that the Plum Creek Committee had reached out to Penn Hills, Plum and Verona requesting that they appoint a representative to meet with the Committee to discuss long-term solutions to the flooding in the area. Mr. Briney also remarked that he had contacted State Representative Frank Dermody's office.

Engineering and Public Works Committee

2014 Paving Project – Mr. Favio offered a motion to accept the Base Bid and Alternate Bids #1 and #2 of A. Folino Construction, lowest responsible bidder, for the 2014 Paving Project, at a cost of \$384,062.17. Mr. Favio discussed the funding sources and roads that would be paved, as well as the idea of tar sealing streets that were traveled the most to increase the useful life of the asphalt.

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

Solid Waste and Recycling Hauling – Mr. Favio offered a motion to advertise bids for the Municipal Solid Waste and Recycling Contract and the Municipal Sewage Sludge and Leaf Waste Collection Contract.

Ms. Colianni asked who prepared the specifications. Ms. Jensen responded that Nestor Resources prepared the specifications.

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

Cedar Way Trial Period – Mr. Favio offered a motion to authorize a 60-day trial period to restrict Cedar Way, from College Avenue to Washington Avenue, to one-way traffic in the northbound direction.

Ms. Jensen said that the trial period would expire in August, and Council will need to decide to make the one-way traffic permanent. Solicitor Ott said this would be an amendment to the Borough's Vehicle Code.

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

Personnel, Boulevard Project and Shade Tree Committee

Changes to Hiring Matrix – Mrs. Friday offered a motion to adopt the proposed changes to the Borough of Oakmont Hiring Matrix, dated June 9, 2014.

Ms. Colianni asked if the changes discussed in the June Work Session were incorporated. Ms. Jensen asserted that they were added.

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

Culture, Library, & Recreation Committee

Dogs in Dark Hollow Woods Park – Mrs. Facaros noted previous discussion among Council on the Recreation Board's recommendation to allow off-leash areas in Dark Hollow Woods Park. There was considerable discussion among Council regarding the merits of making a decision that evening, the legal definition of "control" as it relates to pets, the Borough's existing rules in other parks and the liability of the Borough should an incident occur in Dark Hollow Woods Park.

Mrs. Facaros offered a motion to accept the proposal of the Oakmont Recreation Board for designated leash and off-leash trails in Dark Hollow Woods Park, and to amend existing ordinances, relative to this, as necessary.

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Mrs. Friday 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	Yes		

The motion passed on a 4-3 vote. In explaining their “Nay” votes, Mr. Briney felt that, in light of enforcement issues with the Recreation Board’s proposal, other options should be explored. Ms. Colianni noted that she wanted more information on usage of Dark Hollow Woods Park before making a decision. Mr. Whalen expressed concern about unleashed dogs in Dark Hollow Woods Park, given his own experiences.

Solicitor Ott remarked that she would prepare an amendment to the Borough’s existing rules for Dark Hollow Woods Park.

Newsletter – Mrs. Facaros asked Mr. Briney to send her an article for the Borough’s newsletter on the proposed *Zoning Ordinance*.

COMMENTS FROM THE PUBLIC

Bertha Shearer – Ms. Shearer asked about a recent asphalt patch on Morris Street. Ms. Jensen responded that it was done by the Oakmont Water Authority. Ms. Shearer said the recent Relay for Life filled her with great pride in her community.

Les Leasure – Mr. Leasure said he wanted to offer an explanation on the error that occurred with the Sergeant’s test, and respond to the Mayor’s comments. Mr. Leasure said that the error occurred when he was converting the test scores to a form letter that he has developed for candidates of Civil Service Exams. Mr. Leasure added that he noticed the mistake the day after the letters went out to the candidates, and that he mailed a second letter, informing these candidates of the error and providing their correct test scores, immediately. Mr. Leasure noted that he spoke with both candidates affected by the incorrect scores, explaining the reason for the error, that he was personally responsible for the mistake and upset that it was made. Mr. Leasure said that the error had no effect on the final outcome of the Sergeants’ Exam, and spoke of the internal checks and balances of the Civil Service Commission. Mr. Leasure concluded by noting the personal nature of attacks made against him, and the presence of the Civil Service Commission Solicitor in all future meetings of the Commission.

Richard Williams – Mr. Williams thanked Ms. Jensen for the recent street line painting, and noted that he may have to begin carrying pepper spray to walk around in Dark Hollow Woods Park.

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. Jensen reported that the Borough had received roughly \$30,000.00 in MEIT Insurance Dividends for 2014, and noted the number of Zoning Hearing Board Meetings held in the past four years. Ms. Jensen noted that a Cease and Desist Letter had been sent to Verizon regarding claims that the Borough is impeding the availability of FIOS to its residents. Ms. Jensen remarked on the status of the Police Collective Bargaining Agreement, and the Emergency Management Team’s recent completion of a Standard Operating Procedure for an incident at a school in the Borough.

ADJOURNMENT TO EXECUTIVE SESSION

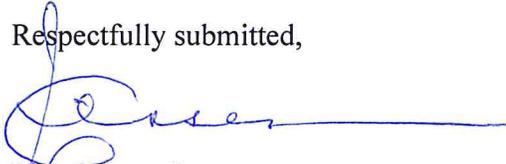
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There being no further business to conduct that evening, Mr. Whalen offered a motion to adjourn to Executive Session. Mr. Briney seconded the motion, which passed 7 to 0.

The meeting was adjourned at 8:58 PM.

Respectfully submitted,



Lisa Cooper Jensen
Borough Manager

Transcribed by:
Ryan Jeroski