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 H. Artman, Keara Campbell, Barbara Charlton, Donna DeTurck, William DeTurck, Joan Franart (unreadable), Brent Fulton, Robin Lazor, Tim Lazor, Regina Lyons, Richard Lyons, Hannah Morrissey, Molly Morrissey, Rose O'Connor, Bill Peoples, Matt Provenza, Garrett Segelson, Shelly Shadle, Bertha Shearer, Robert Springer, Brian Steele, Lisa Steele, Andrew Swank, Summer Tissue, James Trangle, Deb Trumble, Tom Trumble, Carl Vitti, Lois Vitti, Beth Wilson and Peter Wilton

AGENDA ADDITIONS

Mr. Whalen offered a motion to add "Report on 25 Potomac Street" under Ms. Jensen's report.

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

Ms. Colianni questioned the legality of having the discussion on the Speedway Traffic Signal Agreement in Executive Session. Solicitor Ott remarked that the topic fell under the guise of Attorney-Client Privilege. Mr. Whalen asked who made the determination of what constitutes Attorney-Client Privilege. Solicitor Ott said she would advise Council if the questions in Executive Session regarding the agreement were not of a legal nature. President Ride asked if any Council Members had questions of a legal nature about the agreement. Mr. Briney replied that he had some legal questions. President Ride concluded that legal questions of the agreement would be discussed tonight, and the syntax of the agreement would be discussed at a later time.

REGISTERED SPEAKERS

There were no registered comments to start the meeting.

COMMENTS FROM THE PUBLIC

Lois Vitti – Ms. Vitti, who noted she was a member of the Riverview School Board and previously involved with the Oakmont Democratic Committee, expressed concern for her children's safety amid a threatening situation at a neighboring house in the 300 block of Sixth Street. Ms. Vitti stated that she has reported activity at the neighboring house to the police since May and taken photos. Ms. Vitti added that she had smelled marijuana at times emanating from the property, and heard reports of underage drinking and knives and swords in the home. She said that the neighborhood was close-knit, and drew attention to the attendance of several of her neighbors at the Council Meeting. Ms. Vitti thanked the police for paying attention to the situation, but asked that they continue to pursue the situation as she believed more could be done.

Matt Provenza – Mr. Provenza felt that there was a misunderstanding on what he said at the April 14, 2014 Regular Meeting, as it was recorded in the Minutes. Mr. Provenza asked if any Council Members had visited the property at 25 Potomac Street, and asked several questions about construction of a porch, window and skylights on the garage. Ms. Jensen replied that she had asked Ed Crates, the Borough's Code Enforcement Officer, to visit the site weekly, and that he said the matters in question were not worth pursuing. Ms. Jensen added that Code Enforcement Officer would stop the property owner from doing anything other than what was approved or which is in violation of Borough ordinances. Mr. Provenza took issue with the quality of work of the Code Enforcement Officer, as well as recent patching jobs on Potomac Street and West Woodland Avenue. Ms. Jensen said that the Municipal Authority of Oakmont had said they would deal with the patching on West Woodland.

Bertha Shearer – Ms. Shearer said that the garage at 25 Potomac Street only had one exit, and she was concerned about what might happen if there was a fire in the building. Ms. Shearer remarked on the condition of the grass on the property between Allegheny Avenue and Oakmont Avenue, north of Hulton Road. Ms. Jensen said she would report on this at a later time in the evening.

Lisa Steele – Ms. Steele echoed Ms. Vitti's prior concerns regarding the home in the 300 block of Sixth Street, and said she was there to provide a face to the voice of the concerns of the neighborhood. Ms. Steele talked about seeing cars and youths coming and going from the home, and the odor of marijuana in the air. Ms. Steele emotionally described feeling unsafe in her home, and fearing for her children's safety.

Robin Lazor – Mrs. Lazor remarked that she lived in the Sixth Street neighborhood mentioned previously. Ms. Lazor stated that she feared for her son's safety, in light of potential drug activities in the neighborhood.

Tim Lazor – Mr. Lazor said he felt a sense of urgency about the issues in the 300 block of Sixth Street. Mr. Lazor said that he was not threatening anyone, and that the group did not want to make this matter a political or media issue, but that they were organized, communicating with one another and would not go away until they felt the issue was resolved.

Deborah Trumble – Mrs. Trumble stated that her property is adjacent to the home in question on Sixth Street. Mrs. Trumble said that her home was once broken into at 4:00 AM while her husband and she were sleeping. Mrs. Trumble thanked the Police for getting her stolen items back, but added that she will never feel the same again in her home. She concluded that the whole issue regarding the house on Sixth Street was not resolved, and that she had observed late night bonfires and bad language on a recurring basis.

President Ride asked if Mayor Fescemyer or Chief DiSanti could speak on the matter brought before Council from the residents of the Sixth Street neighborhood. Chief DiSanti thanked the residents for coming out and said that the Police Department was exhausting all legal avenues to address the situation. Chief DiSanti asked Ms. Vitti to coordinate a meeting between the Police and her neighbors to discuss the situation further.

Mayor Fescemyer asked that the neighbors assist the Police Department by getting license plates and names of people gathering at the house on Sixth Street. Mayor Fescemyer thanked residents for attending the Council Meeting. Chief DiSanti asked that residents call 911 when a group of youths gather at the home and disturb the neighbors.

Mr. Lazor responded that the residents of the area would do the best work that they could. Ms. Vitti said more residents in the area were asking about increased activity at the home, and that she would feel more comfortable if police approached the youngsters. Mr. Favo said that he had spoken with Mrs. Trumble about the issues in the neighborhood, and thanked the residents for attending that evening.

Keara Campbell – Ms. Campbell said that she noticed the sidewalk in front of 303 Hulton Road was closed. As a Crossing Guard, she wanted to know if it would be re-

opened in time for opening day at Riverview Junior-Senior High School. Mr. Favo said he thought the agreement was to have kids walk on the south side of Hulton Road in the area, so they did not have to cross the intersection of Third Street and Hulton Road.

COUNCIL PRESIDENT'S MESSAGE

25 Potomac Street – President Ride noted that she was trying to get a grip on the full spectrum of issues regarding the property at 25 Potomac Street, as the Borough was in litigation on this matter for eight years.

SOLICITOR'S REPORT

Handicapped Parking – Solicitor Ott she had provided Ms. Colianni with some sample handicapped parking ordinances, and that they would have further discussions about the finer points of the ordinances. President Ride asked how handicapped parking is currently approved. Ms. Colianni replied that the situation is ad hoc, and that she felt it necessary to have some legislation that guides the assignment of parking spaces.

CORRESPONDENCE

Resignation from Borough Boards – Ms. Jensen read an e-mail, dated July 23, 2014, from Domenic Dozzi, submitting his formal resignation from the Property Maintenance Board of Appeals and Uniform Construction Code Board of Appeals.

Resignation from Borough Boards – Ms. Jensen read a letter, dated July 28, 2014, from Owen Slagle III, submitting his formal resignation from the Property Maintenance Board of Appeals and Uniform Construction Code Board of Appeals.

BOROUGH MANAGER'S REPORT

Cable Franchise Agreement – Ms. Jensen reported on responses to questions raised by Council Members on the draft Cable Franchise Agreement from Phil Fraga of the Cohen Law Group. Mr. Whalen was not happy with the answers, and felt that everything added to the draft agreement worked in favor of Comcast. President Ride asked if Council Members thought a representative from Cohen Law Group should attend a future Council Meeting to answer questions. Mr. Favo thought this was a good idea.

Salt Bids – Ms. Jensen said that the bids from SHACOG came in at $79.29 per ton, and that the Borough had researched switching to a COSTARS contract that would cost $65.25 per ton. Ms. Jensen noted that there should be enough salt in storage through the end of 2014.

Grass Cutting North of Hulton Road – Ms. Jensen reported that after the last Regular Meeting of Council she visited the property between Allegheny Avenue and Oakmont Avenue, and found Brickman, the contracted landscaper, cutting the lower portion of the property near Allegheny Valley Railroad's tracks. Ms. Jensen said she was told the upper portion of the property would be cut the next week. Ms. Jensen gave some history on the maintenance of this property, and concluded that in 2013, the Borough decided to cut the grass/weeds 8 times a year. There was discussion among Council about whether the Borough or AVR should maintain the property. Mr. Favo said the railroad had been more cooperative in recent years, and felt that a letter to AVR informing them of the situation and reminding them of Borough ordinances would be appropriate. Mrs. Friday noted the cooperativeness of AVR to the Boulevard Project after years of working to improve the relationship, and felt that this relationship should not be jeopardized over un-cut grass. President Ride felt that a letter was worthwhile, but said that in the interim the grass should be cut on a regular basis to community standards.

MAYOR'S REPORT

July Police Report – Chief DiSanti reviewed the July 2014 Police Report, breaking down major arrests and parking tickets issued. Chief DiSanti reported on the potential of

receiving some drug forfeiture money from the Allegheny County DA, and a recent grant for a pet scanner that the Police Department received.

July OVFD Report – Fire Chief Segelson reviewed the July 2014 OVFD Report, noting that the OVFD received 10 emergency calls in the month and have received 89 emergency calls for the year. Chief Segelson said that the OVFD recently received a grant in excess of $100,000.00 to purchase 18 Self-Contained Breathing Apparatuses. These devices should last 20 years, and all OVFD members will have training on them within 45 days.

APPROVAL OF MINUTES

June 9, 2014 Minutes – Ms. Colianni offered a motion to approve the Minutes from the Regular Meeting of June 9, 2014, as amended.

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

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

Ms. Colianni 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 July 2014, dated August 1, 2014, and showing the following expenditures:

Fund	Amount
General Fund	$165,645.35
Boulevard Project Fund	$15,122.51
Kerr Museum Fund	$25,983.02
Library Fund	$27,066.51
Liquid Fuels Fund	$ -0-
Sewer Fund	$114,113.66
Capital Fund (Parks)	$96,714.78
Capital Fund (Roads)	$143,851.48
Capital Reserve Fund	$ -0-

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

Ordinance No. 035-2014, General Employees Pension Plan – Mr. Whalen offered Ordinance No. O35-2014, and moved for its enactment, an ordinance restating the Borough of Oakmont General Employees Pension Plan.

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

President Ride declared the Ordinance enacted. Recorded in Ordinance Book Volume 32, Page 51, as **Ordinance No. O35-2014**.

Ordinance No. 036-2014, Police Pension Plan – Mr. Whalen offered Ordinance No. O36-2014, and moved for its enactment, an ordinance restating the Borough of Oakmont Police Pension Plan.

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

President Ride declared the Ordinance enacted. Recorded in Ordinance Book Volume 32, Page 52, as **Ordinance No. O36-2014**.

Sewage Rebates – Mr. Whalen offered a motion to accept the recommendation of the Borough Manager to provide unrestricted sewage rebates to residents for pool refills only.

There was discussion among Council about the current policy of one-time rebates, and the necessity of an increase in the rebate program. Mr. Favo noted his disapproval of increasing rebates. President Ride felt that the one-time rebate program currently in place was fine.

Mrs. Friday seconded the motion, which failed on a 0 to 7 vote, with all Council Members voting "Nay".

2013 Audit Report – Mr. Whalen offered a motion to accept the 2013 Audit and Financial Reports, as prepared by auditors Hosack, Specht, Muetzel & Wood LLP. Mr. Whalen noted he and Ms. Jensen met with the auditors previously, and that Ms. Jensen was examining the recommendations in the Management Letter. Ms. Colianni asked about a comment regarding the Borough's accounting principles. Mr. Whalen replied that a Cash Basis accounting did not meet U.S. accounting guidelines, though it was not required to under Pennsylvania law. Mr. Whalen added that the auditors have assured him that the Borough does not have enough payables to merit a switch to Accrual Basis accounting.

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

Public Safety Committee

Part-Time Police Hires – Ms. Colianni offered a motion to ratify the hiring of Part-Time Police Officers Christopher Abraham and Anthony Phillips to the Oakmont Police Department.

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

Mayor Fescemyer swore-in both officers.

Lower Valley Ambulance Board – Ms. Colianni felt the issue of Chief DiSanti serving on the Lower Valley Ambulance Board had been resolved, and was uncertain why it had been on the agenda that evening. President Ride remarked that, in looking at the history of the matter, there was no previous motion that no Borough officials could serve on the Lower Valley Ambulance Board, hence no new motion is required. Solicitor Ott said that this was not a legal matter, but an employment matter. Mr. Favo noted he opposed Chief DiSanti serving on the board, felt that a vote was needed for the sake of transparency. There was general discussion on the need for a vote, and the procedure for voicing an objection to Chief DiSanti serving on the board.

Mr. Favo offered a motion to vote on the application of Chief DiSanti to the Lower Valley Ambulance Board of Directors. There being no second, the motion failed.

School Guard Hiring – Ms. Colianni offered a motion to appoint Barbara Lio and Rosemary O'Connor to the position of School Guard, with the stipulation that both must obtain Act 33 clearance within 30 days.

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

Planning and Land Use Committee

Ordinance No. 037-2014, Floodplain Ordinance – Mr. Briney offered Ordinance No. O37-2014, and moved for its enactment, an ordinance restating the Borough of Oakmont Floodplain Ordinance.

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

President Ride declared the Ordinance enacted. Recorded in Ordinance Book Volume 32, Page 53, as **Ordinance No. O37-2014**.

Engineering and Public Works Committee

2015-2019 Residential Waste and Recycling Contract – Mr. Favo asked if, since he had the floor, he could speak on any matter he wished. Solicitor Ott said this was relative to his committee and at the discretion of President Ride. President Ride said issues had to be put on the agenda at the beginning of a meeting. Mrs. Facaros felt that the process for speaking at a Council Meeting should be respected. Mr. Favo contended this was an issue of free speech. President Ride asked if Mr. Favo would be amendable to having his opposition to Chief DiSanti on the next meeting agenda, to which Mr. Favo agreed.

Mr. Favo offered a motion to accept the bid of Republic Services, Inc. of Scottdale, lowest responsible bidder, for the 2015-2019 Municipal Solid Waste, Recycling and Yard Waste Contract at a cost of $3,049,026.00 for five years. Mr. Favo noted that this was an increase of roughly $100,000.00 per year of the contract.

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

2015-2019 Municipal Waste, Sludge and Leaf Hauling Contract – Mr. Favo offered a motion to accept the bid of Republic Services, Inc. of Scottdale, lowest responsible bidder, for the 2015-2019 Municipal Waste, Sewage Sludge, Grits and Screenings and Leaf Waste Contract, at a cost of $275,738.00 for five years.

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

Cedar Way Traffic Flow – Mr. Favo offered a motion to approve permanently making Cedar Way one-way between College Avenue and Washington Avenue heading north. Mrs. Facaros expressed concern about traffic along Third Street. President Ride asked Mayor Fescemyer if there was a need to continue the 60-day trial period. Mayor Fescemyer said he was comfortable making the one-way traffic permanent.

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

East Howard Company Clock Tower – Mr. Favo offered a motion to support the grant request of St. Thomas Episcopal Church to the Pittsburgh History and Landmarks Foundation to restore and preserve the East Howard Company Clock Tower. Mr. Favo noted he was approached about the request by the Revered of St. Thomas Episcopal Church, as they were hoping to fix the mechanics of the clock, which had been in Oakmont for 140 years. Mr. Briney said that the clock had wooden operating mechanisms that made it one-of-a-kind.

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

Approaching Civic Groups to Volunteer – Mr. Favo stated that his next idea was something that came from former Council Member Tim Milberger. Mr. Favo asked about approaching some civic-minded organizations to wash vehicles for the Police Department, in light of the closing of their car wash in Harmar Township. Solicitor Ott noted the Borough has a volunteer release waiver. Mrs. Facaros was concerned about involving anyone under 18 years-old, even with the volunteer release waiver. Ms. Colianni expressed worry about an expectation of work being done for the Police Department, and felt that the matter was better discussed at the September Work Session. Mr. Favo agreed to discuss the matter in September.

Project Updates – Mr. Favo noted that the Tenth Street curb project was underway, and that a faulty gas line discovered by the contractor had been found and reported. Mr. Favo added that the Washington Avenue catch basin project was on hold, given the number of faulty existing catch basins in the Borough. Ms. Colianni asked the cost of the curb repair on Allegheny River Boulevard near California Avenue. Ms. Jensen replied that Carlucci Construction was doing the repair at a cost of roughly $2,200.00.

Personnel, Boulevard Project and Shade Tree Committee

Board Resignations – Mrs. Friday offered a motion to accept the resignations of Domenic Dozzi and Owen Slagle III from Property Maintenance Board of Appeals and Uniform Construction Code Board of Appeals.

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

Culture, Library, & Recreation Committee

Mrs. Facaros had nothing to report that evening.

COMMENTS FROM THE PUBLIC

Shelly Shadle – Ms. Shadle asked about putting a "No Right Turn" sign at the intersection of Oakmont Avenue and Hulton Road. President Ride and Mayor Fescemyer felt that this would put local residents in the area at a disadvantage should they want to turn onto Hulton Road.

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

Mr. Favo requested that, in light of the recently passed Floodplain Ordinance, someone come out to present on the new FEMA Floodplain Maps to Council.

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 9:20 PM.

Respectfully submitted,

Lisa Cooper Jensen
Borough Manager

Transcribed by:
Ryan Jeroski