

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:00 PM by President Benusa 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 Coulter, DelRosso, Favo, Friday, Lokay, Powers, and President Benusa; Mayor Whaley; Solicitor Turnbull; and Borough Manager Jensen

Excused: None

Visitors: Bill Arthur, Rob Bassett, Vince Benincasa, Sal Colella, Bruce Corna, Joe DiMario, Fred Favo, Joe Flanick, Katie Lascola, Craig Olson, Deb Ormay, Bryan Peffer, Nancy Ride, Laurie Sliben, Tom Solomitch, Tanya Koul Strausbaugh, Steve T. Strausbaugh, and Chuck Wooster

REGISTERED SPEAKERS

Treasurer's 4th Quarter 2017 Report - Treasurer Fred Favo presented his 4th Quarter Report to those present. He pointed out that the end balance of the General Fund was \$20,000 higher than the previous year. The Treasurer explained that the Liquid Fuels Fund balance had remained due to billing discrepancies with the contractor and the 2017 Paving Project.

President Benusa thanked Mr. Favo for his work on the Quarterly Report.

Financing ARB Restoration – Joe DiMario spoke to Council about ways to finance the brick restoration for the total length of Allegheny River Boulevard. He suggested a 30-year bond issue. President Benusa requested this presentation be submitted in writing for Council.

Traffic Study – Chuck Wooster of David E. Wooster and Associates gave a brief overview of the process involved in the proposed traffic study. He will be using counts from previous studies along with PennDOT's traffic studies. Mr. Wooster stated that to proceed with the study, the traffic direction for Cedar Way needed to stay constant. He did not have an opinion on what that direction should be for the study. The time frame for the data collection will be six to seven weeks.

COMMENTS FROM THE PUBLIC

2018 Library Budget – Oakmont Carnegie Library Board Chair Katie Lascola and Board member Laurie Sliben wanted to confirm with Council to see if there were any questions involving the Library materials budget for 2018. Mr. Favo stated that the 2018 Budget was set at 9.7% with the goal to set 12% for the future 2019 Library budget.

Grants Monies– Tonya Strausbaugh believed that there are funding opportunities untapped for the Oakmont Library and encouraged the Board to “get creative.”

Outstanding Bond – Sal Colella asked Council some questions about retiring the current bond issued.

Fire Siren – Joe Flanick with the Oakmont Volunteer Fire Department wanted to clarify about the fire sirens in the Borough and their importance. Recently on social media, there had been complaints from residents as to the necessity of the sirens. Mr. Flanick stated there are three sirens located at Tenth Street, Ann Street and the Fire Station. There are sirens within hearing distance from nearby municipalities too. He said the Fire Chief will publish the siren information for the public later.

Craig Olson also stated that the fire siren was very important and not a nuisance.

APPROVAL OF MINUTES

There were no Minutes to approve for that evening.

CORRESPONDENCE

Ms. Jensen read a letter, dated December 18, 2017 from Paul Cammisa regarding his resignation from the Oakmont Shade Tree Commission.

Ms. Jensen read a letter sent by Certified Mail, dated January 4, 2018 from CEC regarding the Huntley & Huntley permit to drill in Plum Borough.

Ms. Jensen read a letter, dated January 9, 2018, from Oakmont Planning Commission regarding the Preliminary/Final Land Development Plan of Brenntag Northeast, Inc.

Ms. Jensen read a memo, dated January 11, 2018 from the Oakmont Carnegie Library Board regarding book funding and RAD funding.

Ms. Jensen summarized a letter, dated January 12, 2018 from the Borough Engineer to Edgewater Properties, LLC. regarding remaining punch list items pertaining the request to have the Borough take over the streets.

COUNCIL PRESIDENT’S REMARKS

President Benusa welcomed the new members of Council.

SOLICITOR’S REPORT

Gas & Oil Ordinance Review – Solicitor Turnbull said she anticipated feedback from the Oakmont Planning Commission within the month. She would discuss this with Council at the February Regular Meeting.

Edgewater Plan Request for Borough Dedication of Streets – Solicitor Turnbull explained to Council the procedural steps under the Developers Agreement for the Edgewater Plan.

Solicitor Turnbull said there was a new letter from the Borough Engineer dated January 11, 2018 with an updated punch list after inspection.

Bruce Corna of Kacin Developers said he had worked from a punch list dated September 2017 and not the new January letter.

Tom Solomitch, attorney for Kacin Developers, wanted the Performance Bond released since the original punch list was completed. He stated that Edgewater would complete the outstanding issues from the January letter using the Maintenance Bond.

Mr. Lokay had legal questions about this issue with Kacin. President Benusa inquired to Council if he should adjourn to Executive Session.

President Benusa adjourned Council at 9:06 PM to Executive Session to discuss litigation issues on the Edgewater street dedication.

President Benusa reconvened at 9:23 PM.

Solicitor Turnbull did find deficiencies in the Developer's Agreement under page 14 C. and the Borough Engineer report from January 11, 2018 defined those expectations. She stated there would be no vote until the Borough Engineer had signed off on their list.

MAYOR'S REPORT

Mayor Whaley read the monthly report. He wanted to initiate a maintenance schedule for Borough vehicles. He also suggested selling the Police motorcycle.

BOROUGH MANAGER'S REPORT

Borough Engineering Services – Manager Jensen discussed the selection of Borough Engineer. She said she has no concerns over Ms. Yon's capabilities but was concerned over the part-time schedule of Ms. Yon.

President Benusa and Mr. Favo both recommended remaining with Senate Engineering and instructed the Manager to address any non-performance issues later before making any changes.

Council members Favo, DelRosso, Coulter, Friday and Lokay were fine with keeping Senate Engineering as the Borough Engineer. Council member Powers did not feel comfortable making this decision due to being new to Council.

Manager Jensen would keep track of any performance issues.

ACBA Municipal Delegate and Alternate – Manager Jensen asked for volunteer for a Delegate and Alternate for the Allegheny County Boroughs Association. Mr. Lokay volunteered his services as Delegate and Mrs. DelRosso volunteered to be the Alternate.

Mr. Coulter offered a motion to accept Justin Lokay as the Delegate of the ACBA.

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

Mr. Coulter offered a motion to accept Carrie DelRosso as the Alternate of the ACBA.

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

Sale of 1990 Pierce Pumper Fire Truck – Manager Jensen told Council the sale price of the 1990 OVFD fire truck was \$20,200.00. Mr. Favo said he wanted this amount to be credited towards the purchase of a new fire truck, as budgeted, and credited to the Fire Department in the Capital Reserve Fund.

Mr. Lokay offered a motion to authorize the sale of the 1990 Pierce Pumper Fire Truck for the amount of \$20,200.00 to the highest bidder, consistent with the specifications and advertised terms of the sale.

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

NIMS Training for New Council – Manager Jensen reported that the NIMS training could be taken online, as well as in person at the Springdale Borough office. Council members were to work out an available time to perform NIMS training.

COUNCIL LIAISON REPORTS

Finance & Technology

December Warrants – Mr. Lokay offered a motion to approve the Warrant List for December 2017, dated December 31, 2017, including expenditures totaling **\$550,058.59** for the following funds:

Fund	Amount
General Fund	\$142,321.28
Boulevard Project Fund	\$1,594.91
Kerr Museum Fund	\$2,015.10
Library Fund	\$52,409.66
Liquid Fuels Fund	-0-
Sewer Fund	\$160,425.94
Capital Fund (Parks)	\$750.00
Capital Fund (Roads)	\$190,542.11
Capital Reserve Fund	-0-

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

Resolution No. R6-2018 – Mr. Lokay offered Resolution No. R6-2018, and moved for its adoption, a resolution fixing the time and place for settlement of 2017 real estate taxes.

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

President Benusa declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 86, as **Resolution No. R6-2018**.

2018 Budget Adjustments – Mr. Lokay offered a motion to take out the \$30,000 appropriation for a Stormwater Study in Line Item #446.310 “Professional Services” of the General Fund Budget and allocate \$20,000 in Line Item #408.316 “Engineering Services – Storm Sewer” for a Storm Water Study.

Mr. Coulter seconded the motion.

Mr. Favo stated that he did not think this motion was necessary as it was passed in the 2018 Budget. Ms. Jensen said the money would be allocated twice, then, in two different line items.

Mr. Lokay motioned to table the previous motion.

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

Mr. Lokay offered a motion to return the Library RAD percentage from a total of 12% (\$72,500) to 9.7% (\$57,500) in Line Item Nos. 456.216 through 456.247 in the Library Fund Budget.

Mr. Coulter seconded the motion.

Council again agreed that this motion was not necessary per the 2018 Budget.

Mr. Lokay offered a motion to table the previous motion.

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

Council did not move forward with the motion to add \$30,000 for the Creekside Park parking Lot Surfacing in Line Item #454.732 of the Capital Fund (Parks) Budget on the Agenda.

President Benusa requested that the Borough Manager send out a final copy of the 2018 Budget to Council.

Environment/Recreation

Garbage and Sewage Fees Collection – Mrs. Powers offered a motion to enter into a contract with Pennsylvania Municipal Service Company to collect current and delinquent garbage and sewage fees for the Borough.

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

Stormwater Study Parameters -Mrs. Powers asked the other members of Council to provide their goals from this study. She said this issue would be on the next Work Session Agenda for further discussion.

Manager Jensen stated that Bankson Engineering proposal on this study had been held up while obtaining GIS information yet to proceed with the study.

Mrs. Powers discussed with Council about the CEC letter read by the Borough Manager. She wanted to know what issues that concern other Council members about gas drilling in neighboring Plum Borough. Mrs. Powers said she will contact the Borough Manager later in the week with a short response to mail.

Public Safety

Officer Retirement – Mr. Coulter offered a motion to accept the retirement of Officer Erich Geppert, III, effective December 31, 2017, pending the finalization and execution of a Worker's Compensation Settlement Agreement acceptable to the Borough Solicitor.

Solicitor Turnbull stated that the Borough did not have a formal letter but that she was in contact with Officer Geppert's attorney.

Current Eligibility List – Mr. Coulter offered a motion to request the Civil Service Commission to discard the current Eligibility List and begin a new examination process as soon as possible.

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

Education/Cultural

Shade Tree Commission – Mrs. DelRosso offered a motion to accept the resignation of Paul Cammisa from the Oakmont Shade Tree Commission, effective December 18, 2017.

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

Oakmont Boulevard Project – Mrs. DelRosso offered a motion to accept the resignation of Nikki Vallas Senchek from the Oakmont Boulevard Project, effective November 7, 2017.

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

Public Works

Cedar Way Trial Period - Mr. Favo said he wanted to clarify and rescind the whole trial period before moving on to any new motions about the traffic patterns.

Mr. Favo offered a motion to end the Cedar Way Trial Period and revert it back to the previous traffic pattern of two-ways between Pennsylvania Avenue and Washington Avenue.

Mr. Lokay seconded the motion. Mrs. Friday stated that she did not want to stay the original pattern. Mr. Favo clarified that once Council motioned it back to the original pattern then they could decide what the new pattern should be.

President Benusa announced that the public could provide comment at that time.

Sal Colella told Council that safety was still a major issue no matter what pattern was decided upon.

Diane Colella wanted Council to be aware that residents live on Cedar Way and are concerned for pedestrian safety.

On a called vote, the votes were as follows:

Council Member	Vote
Mr. Coulter	Aye
Mrs. DelRosso	Aye
Mr. Favo	Aye
Mrs. Friday	Aye
Mr. Lokay	Aye
Mrs. Powers	Aye
President Benusa	Aye

The motion passed 7 to 0.

New Cedar Way Traffic Pattern– Mr. Favo offered a motion for a trial period until the traffic study is completed that Cedar Way will be one-way, northbound from Washington Avenue to Delaware Avenue.

Mrs. Friday seconded the motion.

On a called vote, the votes were as follows:

Council Member	Vote
Mr. Coulter	Aye
Mrs. DelRosso	Aye
Mr. Favo	Aye
Mrs. Friday	Aye
Mr. Lokay	Aye
Mrs. Powers	Aye
President Benusa	Aye

The motion passed 7 to 0.

Tenth Street Curb Project – Mr. Favo wanted to make a motion to clarify the amount being spent on the Tenth Street Curb replacement.

Mr. Favo offered a motion to approve the amount spent in excess of \$18,500 to Lombardo construction not to exceed \$32,000 for curb construction.

Mr. Lokay seconded the motion.

President Benusa announced that the public could provide comment at that time. No one commented from the public.

On a called vote, the votes were as follows:

Council Member	Vote
Mr. Coulter	Aye
Mrs. DelRosso	Aye
Mr. Favo	Aye
Mrs. Friday	Aye
Mr. Lokay	Aye
Mrs. Powers	Aye
President Benusa	Aye

The motion passed 7 to 0.

Mr. Favo requested from the Borough Manager, an accounting record for the Dark Hollow Road paving completed in 2017.

Administration/Planning

Preliminary/Final Land Development, Brenntag Northeast, Inc. - Mrs. Friday offered a motion to approve the Preliminary/Final land Development Application of Brenntag Northeast, Inc. 1085 Allegheny Avenue, subject to the Planning Commission's conditions and pending review by Allegheny County Department of Economic Development.

Mr. Lokay seconded the motion.

Mrs. Friday commented that the Planning Commission took on the responsibility of safety as well as land use issues. She believed their recommendation should be approved by Council.

Mr. Favo was concerned that there were no separate public hearings on this issue. Mrs. Friday replied that there were residents at the Planning Commission meetings which are public meetings.

Jeff Kline, a member of the Planning Commission, also addressed Council. He said the residents did state their concerns and they were addressed at two Planning Commission meetings.

President Benusa had a procedural issue with this motion. He questioned the joint Preliminary and Final Land Development Application as one. Solicitor Turnbull said this could be done.

President Benusa questioned Mr. Kline as to the reasoning behind the land use classification as a "warehouse" since the expansion is to install thirteen 30,000-gallon high hazardous material tanks which did not correlate to the land use application designation of "warehouse." Mr. Kline said this was discussed at length and the Planning Commission decided upon "warehouse."

Solicitor Turnbull said the Code Official was tasked with identification of use and CEA identified it as the continuation of a warehouse facility. She said the Borough had 45 days from the date of recommendation to vote.

President Benusa was also concerned about the installation height of the tanks that may exceed the Borough *Zoning Ordinance* for an alteration to an existing and/or new industrial structure on a lot fronting the Allegheny River which would be limited to three stories in height.

Mrs. DelRosso asked Mr. Kline about the fencing between Brenntag and the proposed Kayak Park land. Engineer Rob Bassett, representing Brenntag said the plans have an existing fence along with plans for mature tree plantings.

On a called vote, the votes were as follows:

Council Member	Vote
Mr. Coulter	Aye
Mrs. DelRosso	Nay
Mr. Favo	Nay
Mrs. Friday	Aye
Mr. Lokay	Aye
Mrs. Powers	Aye
President Benusa	Nay

The motion passed 4 to 3.

Council Member DelRosso voted "Nay," due to her opinion that there was no specific public hearing. Council Member Favo voted "Nay," due to his opinion that there was no specific public hearing. President Benusa voted "Nay", due to his opinion that the land use classification was incorrect and there was no specific public hearing on the matter.

MISCELLANEOUS ITEMS

Mr. Lokay wanted to add a Quit Claim Deed discussion to the Executive Session.

COMMENTS FROM THE PUBLIC

Brenntag – Sal Colella was concerned about the volume of chemicals stored at Brenntag.

ADJOURNMENT

There being no further business to conduct that evening, Mr. Coulter offered a motion to adjourn.

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

The meeting was adjourned to Executive Session at 11:24 PM.

Respectfully submitted,

Carol Moore
Assistant Borough Manager/Secretary