

Oakmont Borough Council
Minutes of the Regular Meeting

28 (Final)
February 21, 2017

CALL TO ORDER

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

Excused: Council Member Facaros

Visitors: Aaron Boyer, Bob Capretto, Bruce Corna, Donna DeTurck, Anthony Lascola, Katie Lascola, Laura Lamouree, Melony Mostel, Deborah Ormay, Bill Peoples, Louis Rocchini, Karen Schriver, Bertha Shearer, Sarah Shellaby, Joan Stewart, and Bill Wengerd

COMMISSION/BOARD/COMMITTEE REAPPOINTMENTS

Resolution No. R4-2017 – Mr. Benusa offered Resolution No. R4-2017 and moved for its adoption, reappointing Katie Lascola as a member of the Oakmont Carnegie Library Board.

Mr. Whalen seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 53, as **Resolution No. R4-2017**.

Resolution No. R8-2017 - Mr. Benusa offered Resolution No. R8-2017 and moved for its adoption, reappointing Jeffrey W. Kline as a member of the Oakmont Planning Commission.

Mr. Coulter seconded the motion.

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The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 57, as **Resolution No. R8-2017**.

Resolution No. R1-2017 - Mr. Coulter offered Resolution No. R1-2017 and moved for its adoption, reappointing Patricia Friday as a member of the Oakmont Boulevard Project Board.

Mr. Benusa seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 50, as **Resolution No. R1-2017**.

Resolution No. R12-2017 – Mr. Coulter offered Resolution No. R12-2017 and moved for its adoption, reappointing Anthony Lascola as a member of the Oakmont Recreation Board.

Mrs. Friday seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 61, as **Resolution No. R12-2017**.

Resolution No. R5-2017 - Mr. Favo offered Resolution No. R5-2017 and moved for its adoption, reappointing Joan Stewart as a member of the Dr. Thomas Robinson Kerr Memorial Museum Board.

Mr. Coulter seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 54, as **Resolution No. R5-2017**.

Resolution No. R6-2017 - Mr. Favo offered Resolution No. R6-2017 and moved for its adoption, reappointing Timothy J. Milberger as a member of the Oakmont Municipal Authority Board of Governors

Mr Favo noted that Mr. Milberger’s correct middle initial is “N,” not “J,” as shown in the Resolution.

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Mr. Benusa seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 55, as **Resolution No. R6-2017**.

Resolution No. R3-2017 - Mrs. Friday offered Resolution No. R3-2017 and moved for its adoption, reappointing Amy J. Reiss as a member of the Oakmont Boulevard Project Board

Mr. Coulter seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 52, as **Resolution No. R3-2017**.

Resolution No. R2-2017 – Mrs. Friday offered Resolution No. R2-2017 and moved for its adoption, reappointing Andrew L. Lasser as a member of the Oakmont Boulevard Project Board

Mr. Coulter seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 51, as **Resolution No. R2-2017**.

Resolution No. R7-2017 - Mr. Whalen offered Resolution No. R7-2017 and moved for its adoption, reappointing Louis Rocchini as a member of the Oakmont Planning Commission.

Mrs. Friday seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 56, as **Resolution No. R7-2017**.

Swearing –In – Oaths of Office - Mayor Fescemyer sworn in all appointees excluding Andrew Lasser, Amy Reiss, and Jeffrey Kline who were not present.

Mr. Timothy Milberger was sworn in by the Mayor prior to the Meeting.

PUBLIC HEARING – CONDITIONAL USE APPLICATION OF KACIN COMPANIES, INC. FOR ANYTIME FITNESS

Solicitor Turnbull convened the Public Hearing to consider the Conditional Use application of Kacin Companies, Inc. and swore in all those who wished to speak.

[A complete transcript of this Hearing is attached as an Addendum to these Minutes.]

Mr. Benusa offered a motion to approve the Conditional Use application of Kacin Companies, Inc. for their tenant, Anytime Fitness, with the condition that blinds will be installed in the west-facing window of the facility for sun and light control.

Mr. Whalen seconded the motion.

The motion passed 6 to 0.

COMMENTS FROM THE PUBLIC

Bertha Shearer – Mrs. Shearer wanted to know what chemicals were produced at the Brenntag site. President Briney answered that Brenntag could disclose the nature of the chemicals and the Borough would assist in getting that list.

Deborah Ormay – Mrs. Ormay read a letter from Library Director Beth Mellor to Council, re: sharing a “Mission Moment,” involving resident outreach.

APPROVAL OF MINUTES

December 19, 2016 Minutes – Mr. Whalen offered a motion to approve the Minutes of the Special Meeting of December 19, 2016.

Mr. Benusa seconded the motion.

Mr. Favio asked to amend Page 25, to say that he wanted to move \$100,000 to \$150,000 from the storm sewers’ line in Capital Fund (Roads) to paving in the same fund. Ms. Jensen asked if Mr. Favio remembers actually saying this during the December 19, 2016 Meeting, and suggested that a record of this be included in *these* Minutes, instead. Mr. Favio agreed.

The motion passed 6 to 0.

COUNCIL PRESIDENT'S REMARKS

Hours of Operation, Borough Parks – President Briney asked Council to begin discussions on Oakmont parks' hours of operation. Mr. Favo asked that the Recreation Board provide proposals for each park to include hours of operation, safety considerations, projected costs, etc. He also said he would like to see input from the police department for this discussion.

Mr. Benusa agreed and wanted to see this progress in a timely manner.

Mr. Benusa commented that the baseline should be dawn to dusk except for the Dek Hockey area, and to include the Recreation Board on this discussion. Mr. Whalen wanted to include any options with and without lighted areas. Ms. Jensen wanted to also include a proposal for a 12-month over a 9-month park schedule for Riverside to include the cost.

Paving of Dark Hollow Road – President Briney announced that A. Folino Construction, Inc. has made an offer to provide labor and equipment to pave the Dark Hollow Road, if the Borough is willing to purchase the asphalt.

Ms. Jensen noted this offer also helps Folino since his trucks travel the road. The asphalt would be tax exempt if purchased by the Borough, which would be a considerable savings. Ms. Jensen reminded Council that there was \$25,000 in the 2017 budget to do this.

President Briney asked Ms. Jensen to get the Borough Engineer and Folino together to discuss the project.

Mr. Benusa inquired about drainage preparation on this road, President Briney said this could be included in the meeting with Folino and the Borough Engineer. Mrs. Friday stated that this may be more complicated than it appears. President Briney said the road would be leveled before paving. Mr. Whalen wanted to include the entire Dark Hollow Road in this plan, Ms. Jensen said that it would be estimated to cost the Borough around \$44,000. Mr. Whalen thought that could come out of the emergency funds, if necessary.

Ms. Jensen said if the entire road was paved, then a formal bid may be necessary. Mr. Favo said this could be included in the 2017 Paving Projects bid specs as an alternate.

Kayak Park Update – President Briney wanted to confirm that there will be a workshop with Friends of the Riverfront conducting it. The Borough Office will coordinate the meeting, and the tentatively set for March 22, 2017. Environmental

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Planning and Design was hired by Friends of the Riverfront specifically, to design the kayak park.

Mr. Benusa reminded Council that funding was good through 2018. Mr. Whalen wanted to ensure that neighbors would be invited to attend. President Briney said that Friends of the Riverfront were including resident representatives.

Presentation Guidelines- President Briney announced a change to Council presentation guidelines. He recommended that interested presenters submit materials two weeks in advance of a Meeting, so that Council would have enough time to review and research the information. Mr. Coulter asked if the public was included in this recommendation, President Briney said yes, there are presentation guidelines but in applying formal guidelines, there could be exceptions.

There were no objections from Council.

Treasurer's Report – President Briney reminded Council that the 2016 Year-End Treasurer's Report mentioned review of the Library Endowment Fund and possible cash flow issues with the bar screen installation at the Wastewater Treatment Plant.

President Briney also wanted Oakmont Borough Council to be aware that when Treasurer Favo's Report commented on the funds for the new fire engine, he did not have the most up to date numbers on the Fire Truck Purchase.

SOLICITOR'S REPORT

Solicitor Turnbull had nothing to report.

MAYOR'S REPORT

Mayor Fescemyer stated that all Oakmont police officers had attended the NARCAN Program training, and that already one life had been saved due to its use.

BOROUGH MANAGER'S REPORT

New Policies for Discussion – Fund Balance and IT Systems Usage - The Borough Manager requested permission to add these proposed policies to the next Work Session Agenda and asked Council to forward any questions about these policies to her by March 2.

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Mr. Favo addressed his concerns over the \$400,000 fund balance and wanted a working capital analysis. Mr. Whalen said the Borough should be able to estimate a correct balance for the last couple of years. Mr. Favo wanted the Borough to strive towards the state guidelines of a low fund balance. President Briney suggested having the Finance Committee review the Fund Balance Policy. Solicitor Turnbull was unaware of any absolute requirements by the state.

Rapid Fire Beacon System Installation Update – Manager Jensen said the installation was close to being complete. Chief Ford said he has asked them to install a timer to set to blink while school was in session. They are to get back to him about this.

President Briney asked the Mayor to talk with Riverview School District educating the students to the light, once installed. Chief Ford stated the school would be doing that.

2017 Pothole Repairs - Manager Jensen announced that when the temperature was consistently over 45 degrees and asphalt was available, the Street Department would start patching potholes. Until then, she asked for the public's patience.

Wastewater Treatment Plant, Bar Screen Delivery – Ms. Jensen said the Bar Screen would be delivered soon, and the Borough WWTP employees would be completing some of the installation themselves to save money.

Crystal/Commons Drive Issue Update – Manager Jensen asked Council if they had any questions from the Borough Engineer's and the WWTP Superintendent's report pertaining to the storm water issue. Both agreed that using the rip rap stones would be more economically feasible at this time.

Mr. Coulter asked if the Commons was aware of this, Ms. Jensen said she would be informing them soon. Mr. Benusa wanted to clarify that this was only a short-range goal and any discussions of easements would have to be included in long-range goals.

Ms. Jensen warned that getting heavy equipment up the hill would need a construction easement. Council instructed the Manager to apprise the Commons' Homeowner Association of these findings.

Ms. Jensen asked for confirmation that all agreed this issue was the responsibility of the Borough. All agreed.

COUNCIL LIAISON REPORTS

Finance & Technology

December Warrants – Mr. Whalen offered a motion to approve the Warrant List for January 2017, dated January 31, 2017, including expenditures totaling **\$690,866.59** for all funds:

Fund	Amount
General Fund	\$545,082.43
Boulevard Project Fund	\$3,646.38
Kerr Museum Fund	\$1,868.57
Library Fund	\$24,280.98
Liquid Fuels Fund	-0-
Sewer Fund	\$97,623.60
Capital Fund (Parks)	\$18,364.63
Capital Fund (Roads)	-0-
Capital Reserve Fund	-0-

Mr. Benusa seconded the motion, which passed 6-0.

Resolution No. R11-2017 - Mr. Whalen offered Resolution No. R11-2017 and moved for its adoption, setting the time and place for settlement of 2016 real estate taxes.

Mr. Coulter seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 62, as **Resolution No. R11-2017**.

Ms. Jensen reminded Council that Pennsylvania Municipal Service will be at the next Regular Meeting to hand over the tax deeds.

Environment

Oakmont Planning Commission Solicitor - Mr. Benusa offered a motion to reappoint Goehring, Rutter & Boehm as the Oakmont Planning Commission Solicitors for 2017, at rates per the letter dated December 6, 2016.

Mr. Whalen seconded the motion, which passed 6 to 0.

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Subdivision/Lot Consolidation of Sweet Properties- Mr. Benusa offered a motion to approve the subdivision/lot consolidation of Sweet Properties, Inc., 308-316 Hulton Road, pending comments from the Borough Engineer and Allegheny County Planning Department.

Mr. Favo seconded the motion.

Mr. Favo then asked if PennDOT approved the HOP status and access to Hulton Road yet, President Briney replied that this was still in process.

The motion passed 6 to 0.

Subdivision/Lot Consolidation of Capretto Properties – Mr. Benusa offered a motion to approve the subdivision/lot consolidation of the Capretto property at 927 Hulton Road, pending comments from the Borough Engineer and Allegheny County Planning Department.

Mr. Favo seconded the motion, which passed 6 to 0.

Public Safety

Second Alternate to the Civil Service Commission – Mr. Coulter offered a motion to approve the creation of a second alternate to the Civil Service Commission.

Mrs. Friday seconded the motion, which passed 6 to 0.

Resolution No. R9-2017 - Mr. Coulter offered Resolution No. R9-2017 and moved for its adoption, appointing David Brankley as Second Alternate to the Civil Service Commission.

Mrs. Friday seconded the motion.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 58, as **Resolution No. R9-2017**.

Education/Recreation

There was nothing to report that evening.

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Public Works

Resolution No. R10-2017 - Mr. Favo offered Resolution No. R10-2017 and moved for its adoption, authorizing the Borough's share in the 2017 PennDOT paving project of Hulton Road (SR 2082) and Plum Street (SR 2080) of \$28,950.00

Mr. Coulter seconded the motion.

Mr. Benusa wanted to ask if PennDOT would look into drainage and adding a berm to Plum Street, Ms. Jensen said she would ask PennDOT about this.

The motion passed 6 to 0.

President Briney declared the Resolution adopted. Recorded in Ordinance Book Volume 33, Page 59, as **Resolution No. R10-2017**.

Mr. Favo remarked upon Allegheny County Tax Collector's reminder about paying the County Hotel Tax with Airbnb.

Administration/Culture

Library HVAC Repair Contract - Mrs. Friday offered a motion to award the Oakmont Carnegie Library HVAC repair contract to the lowest responsible bidder, R & B Mechanical, Inc. at a cost of \$46,665.00.

Mr. Whalen seconded the motion and asked if this was a responsible bid, Ms. Jensen confirmed it was.

The motion passed 6 to 0.

Resignations from the Library Board – Mrs. Friday offered a motion to accept the resignation of Len Richards from the Oakmont Library Board.

Mr. Coulter seconded the motion, which passed 6 to 0.

Mr. Coulter commended Mr. Richards for his service.

Mrs. Friday offered a motion to accept the resignation of Joanne Brownlee from the Oakmont Library Board.

Mr. Coulter seconded the motion, which passed 6 to 0.

Mr. Coulter commended Ms. Brownlee for her service.

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MISCELLANEOUS ITEMS

There were none that evening.

COMMENTS FROM THE PUBLIC

Melony Mostel – Ms. Mostel said she was concerned about the discussion on park hours and if it would affect the Relay for Life. President Briney said that there would always be exceptions to that rule. She was also concerned about keeping updated on the Kayak Park development, since she does live nearby. Ms. Jensen explained that Council Meeting Agendas were always posted online the Friday before meetings, so she can see if there would be any planned discussion. She wanted clarification that the public would still be allowed to speak at meetings without the two week notice. President Briney assured her that it was only for presentations by registered speakers and that the new guideline would not hinder any member of the public from speaking at a Council meeting.

Bruce Corna – Mr. Corna asked for confirmation that their Conditional Use application for Anytime Fitness was approved. Solicitor Turnbull said she would write up her findings on the Hearing.

ADJOURNMENT

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

Mr. Whalen seconded the motion, which passed 6 to 0.

The meeting was adjourned at 9:04PM.

Respectfully submitted,

Lisa Cooper Jensen
Borough Manager

Transcribed by:
Carol Moore