

January 9, 2006

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:30 PM by President Benusa.

ROLL CALL

Present: Messrs. Bland, Federici, Kennedy, Myers, Taliaferro and President Benusa, members of Council; Mayor Fescemyer; Solicitor Shoop; and, Roger A. Dunlap, Jr., Borough Manager and Ex-Officio Borough Secretary

Absent: Mr. Favo (arrived 7:38 PM)

Visitors: Michael Box, Kristina Kregiel, Jim Lampl, Tom Meising, Zachary Meising and Cassie Narkevic

PLEDGE OF ALLEGIANCE

All those who were present and able stood and recited the Pledge of Allegiance.

PUBLIC COMMENT ON AGENDA ITEMS

Jim Lampl, 1308 Summit Drive, congratulated Borough Council on the 2006 Budget and asked if they had managed to shave \$300,000 off this year's Budget, why had they not done this before? Borough Manager Dunlap said he was not sure that the figure had been accurately reported.

Mr. Lampl asked why a contractor in the Summit had not been ticketed last summer for repeated violating street parking regulations. Mayor Fescemyer said he had researched this and that Mr. Lampl was correct that no tickets had been issued. Mayor Fescemyer said if such a situation arises again, especially if it involves traffic safety, he would take measure to take care of it.

Mr. Lampl told Council he appreciated that Council had finally started to enforce the Recycling Ordinance. He asked about fire sirens in the community.

He then inquired about the repair of community sidewalks, which he felt to be in deplorable condition. Council Member Taliaferro said he had noticed this, too.

Mayor Fescemyer said he would take all of Mr. Lampl's comments under advisement, and would also be working on the siren issue with Fire Chief Peoples. He said he would get back to Mr. Lampl on this, too.

MINUTES AND FINANCIAL REPORT

President Benusa said there were no Minutes ready that evening, but they would be sent to Council Members for review in the near future.

President Benusa asked all Members of Council to examine and review the following reports prior to leaving that evening:

Borough Treasurer's Report for the month of December, 2005, dated December 31, 2005, shows a Book Balance in the General Fund, as of December 31, 2005, of **\$171,900.47.**

Police Department Report for the month of December 2005;

Wage Tax Report of Collections for the month of December 2005;

Hoffman Kennel Report for the month of December 2005;

Secretary's Report of Collections for the month of December 2005; and,

Volunteer Fire Department Report for the month of December 2005.

REPORTS AND CORRESPONDENCE

Borough Manager Dunlap reviewed recent correspondence from Manning & Napier, Inc., noting they would be returning to speak with Council in February, and updated Council on the latest Pennsylvania State Association of Boroughs (PSAB) Newsletter and the latest Oakmont Chamber of Commerce Newsletter.

MAYOR'S REPORT

Mayor Fescemyer thanked Council for their swift action in replacing the Police Chief's position with an Acting Chief. "There was no interruption in service," he said.

BOROUGH MANAGER'S REPORT

Mr. Dunlap announced that there would be a Special Meeting held Monday, January 30, 2006, at 7:30 PM in Council Chambers. The purpose of the meeting will be to hold a Conditional Use Hearing on the Capretto and Massaro gas well proposal, and to review the Application for Inter-Municipal Liquor License Transfer, for the property located at 235 Allegheny Avenue.

The Borough Manager also reported that there were still vacancies on some Borough Boards; specifically, there was one opening on the Library Board and two vacancies on the Boulevard Project Board.

He noted that he had received three applications last week for the Library Board, and that these applications could be considered either at the January 30 Special Meeting or the Regular Meeting in February.

COMMITTEE REPORTS

Council Committee Appointments

President Favio announced the following Council Committee appointments:

Committee	Areas of Responsibility	OBC Member
Finance, Personnel & Legal	Finance Personnel Legal	Mr. Favo
Public Safety	Police Fire Emergency Management	Mr. Taliaferro
Planning, Zoning & Community Development	Planning Zoning Economic Development	Mr. Bland
Engineering & Public Works	Streets & Properties Wastewater Treatment Refuse & Recycling	Mr. Federici
Culture & Recreation	Parks & Recreation Library	Mr. Kennedy
Community Affairs	Shade Trees Boulevard Project Building Inspection & Code Enforcement	Mr. Myers

Mr. Kennedy asked if he was to act as liaison between the Library and Council. President Benusa answered, "Yes."

Payment Of Claims

Mr. Federici offered Resolution No. R5-2006, and moved for its adoption, authorizing the Payment of Claims, dated January 9, 2006, in the aggregate amount of **\$319,966.58**.

Mr. Taliaferro seconded the motion, which passed unanimously.

President Winkler declared the resolution adopted. Recorded in Ordinance Book Volume 29, Page 72, as **Resolution No. R5-2006**.

New Schedule Of Fees

Mr. Favo moved to adopt No. R6-2006, establishing a Schedule of Fees per Borough Ordinances.

Mr. Taliaferro seconded the motion.

Mr. Dunlap gave a brief review of those fees that had changed. He noted that these changes had been incorporated into the 2006 Borough Budget.

Mr. Bland asked why discussion of legislation had to occur *after* a motion had been made and seconded, as opposed to *before* a motion was even offered. Solicitor Shoop said that Borough Meetings have always been conducted according to *Robert's Rules of Order*.

Mayor Fescemyer asked if the fee increases were in line with other communities. Mr. Dunlap said they were. Mayor Fescemyer asked if the \$15.00 Offense and Incident Report fee could be raised. Mr. Favo said the usual fee for such a report was \$10.00.

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Discussion ensued concerning the specific rates shown in the Resolution. Solicitor Shoop assured Council Members that fees can be revised anytime.

The motion to adopt Resolution No. R6-2006 passed unanimously.

President Benusa declared the resolution adopted. Recorded in Ordinance Book Volume 29, Page 73, as **Resolution No. R6-2006**.

Elimination Pension Plan Contributions

Mr. Bland offered Resolution No. R7-2006, and moved for its adoption, eliminating employee contributions to the Police Pension Plan for fiscal year 2006.

Mr. Favo seconded the motion.

Mr. Dunlap said that both the Police Pension and Non-Uniformed Employees' Pension Plans were over funded at present.

Mr. Federici pointed out that Paragraph Four in the Resolution should read: "the **2006** Plan Year" not "the 2005 Plan Year."

The motion to adopt Resolution No. R7-2006 passed unanimously.

President Benusa declared the resolution adopted. Recorded in Ordinance Book Volume 29, Page 74 as **Resolution No. R7-2006**.

Mr. Federici offered Resolution No. R8-2006, and moved for its adoption, eliminating employee contributions to the Non-Uniformed Employees' Pension Plan for fiscal year 2006.

Mr. Taliaferro seconded the motion.

Mr. Favo asked if the Resolution should be tabled until the Labor Contract with the Wastewater Treatment Plant and Street Department employees had been signed. Mr. Dunlap said the impact of the Labor Contract would not be felt until 2007 in relation to funding the Pension.

Mr. Kennedy said he thought the motion should be tabled for further discussion.

Mr. Federici moved to withdraw his motion to adopt Resolution No. R8-2006.

Mr. Taliaferro seconded the motion to withdraw, which passed unanimously.

Acting Police Chief Job Description

Mr. Taliaferro offered Resolution No. R8-2006, approving and adopting a job description for the position of Acting Police Chief.

Mr. Kennedy seconded the motion.

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Mr. Dunlap briefly review job description highlights. Mr. Bland said this was necessary due to Robert Moyer's resignation. Mr. Bland also asked if he could correct an incorrect fact mentioned in the papers. He said Mr. Moyer had not employed by the Borough for **10** years, but rather, for two-and-a-half years, instead.

Resident Jim Lampl interrupted the proceedings to ask if Council were considering merging police forces with Verona. Mr. Benusa referred the question to the Mayor who said it was not being considered at this time. Mr. Lampl said he felt now was the time to look into this.

On a called yea and nay vote to adopt Resolution No. R8-2006, the vote was as follows:

President Benusa	Yea	Mr. Kennedy	Abstained
Mr. Bland	Yea	Mr. Myers	Yea
Mr. Favo	Yea	Mr. Taliaferro	Yea
Mr. Federici	Yea		

The motion carried to adopt Resolution No. R8-2006 by a 6-to-0 vote, with one abstention.

President Benusa declared the resolution adopted. Recorded in Ordinance Book Volume 29, Page 75 as **Resolution No. R8-2006**.

Brankley Appointed Acting Chief

Council Member Myers offered a motion to appoint David H. Brankley to the position of Acting Police Chief, effective January 9, 2006, in accordance with the terms and conditions as outlined in a Offer of Employment, dated January 9, 2006, prepared by the Borough Manager.

Mr. Favo seconded the motion.

Mr. Taliaferro said he was concerned how Officer Brankley's accepting this position might affect his return to regular status. Mayor Fescemyer said, "That's all been taken care of."

The motion passed unanimously.

Ems/Opt Increase

Mr. Taliaferro moved to authorize the preparation and advertisement of a "Notice of Intent to Adopt" for a proposed Ordinance enacting a tax for general revenue purposes in the amount of Fifty-two Dollars (\$52.00) per year for the privilege of engaging in an occupation within the limits of Oakmont Borough, Allegheny County, Pennsylvania; said tax to be paid by any individual exercising such privilege; exempting therefrom individuals deriving less than Twelve Thousand Dollars (\$12,000) per year, or if said individuals are under 18 years of age; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax collection; conferring and imposing powers and duties of administration on the tax collector; and, imposing penalties for violation thereof.

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Mr. Bland seconded the motion.

Mr. Dunlap explained that this increase from \$20.00 to \$52.00 had already been incorporated into the 2006 Budget.

He also went on to explain a new procedure for the passage of Ordinances. In the future, a motion to advertise a "Notice of Intent" to enact an Ordinance will be placed on the agenda. This is the time for Council Members to review and discuss the proposed version of the Ordinance to be passed. A final Ordinance will be prepared for enactment in conjunction with the Borough Solicitor.

Discussion followed concerning the under \$12,000 income limit and the under 18-years-of-age exemptions, both of which were mandated by state legislature.

The motion passed unanimously.

Borough Engineer Appointment

Mr. Federici moved to appoint The Gateway Engineers, Inc. as the Borough Engineer, in accordance with their 2006 Schedule of Fees.

Mr. Bland seconded the motion.

On a called yea and nay vote to appoint Gateway Engineers, Inc. as Borough Engineer, the vote was as follows:

President Benusa	Yea	Mr. Kennedy	No
Mr. Bland	Yea	Mr. Myers	Yea
Mr. Favo	Yea	Mr. Taliaferro	Yea
Mr. Federici	Yea		

The motion carried to appoint Gateway Engineers, Inc. as Borough Engineer by a 6-to-1 vote.

Jim Lampl told Council he was glad to see that there was more open discussion at Council Meetings, and that Council was "more open to the public."

ADJOURNMENT

There being no further business to conduct that evening, Mr. Kennedy offered a motion to adjourn the meeting. Mr. Taliaferro seconded the motion, which passed.

The meeting was adjourned at 8:35 PM.

Roger A. Dunlap, Jr., Borough Manager
and Ex-Officio Borough Secretary

Transcribed by: L. C. Jensen