

March 20, 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, Favo, Federici, Kennedy (arrives 7:34 PM), Myers, Taliaferro and President Benusa, members of Council; Mayor Fescemyer; Solicitor Shoop; and, Roger A. Dunlap, Jr., Borough Manager and Ex-Officio Borough Secretary

Visitors: Nan Lasser, J. Bryant Mullen, Larry Seben, Elizabeth Sullivan, Jim Sullivan, Sr., Holly Usher, Richard Verrico and John Whiteford

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT ON AGENDA ITEMS

Richard Verrico, owner of Oakmont Massage & Heath at 838 Allegheny River Boulevard, addressed Council concerning his unhappiness over the parking situation around his business.

Mayor Fescemyer noted that many cars parked there were from out-of-town, using the area as a "park-n-ride facility." He said he would speak to the Police Department about monitoring the situation.

James Sullivan, Sr., owner of the J. Sullivan Company, also at 838 Allegheny River Boulevard, stated that all the merchants in the block were upset. Mayor Fescemyer said the Borough was not permitted to designate parking spaces on commercial street.

Solicitor Shoop remarked that parking along Allegheny River Boulevard has been a problem for many years, and that it was the Oakmont Chamber of Commerce who had requested a two-hour parking restriction along the Boulevard to increase turnover.

Mr. Myers suggested that Mr. Sullivan and Mr. Verrico join the Oakmont Borough of Chamber and get some input from them.

Mayor Fescemyer said they would continue to look into these problems.

REPORTS AND CORRESPONDENCE

Borough Manager Dunlap briefly reviewed proposed changes to the state law regarding bidding procedures for boroughs in Pennsylvania.

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PUBLIC HEARINGS

In connection with the Inter-Municipal Liquor License Transfer Hearing, President Benusa turned the hearing over the Solicitor Shoop, who acted as Hearing Officer.

The purpose of the Public Hearing was to consider the Inter-Municipal Liquor License Transfer of Mark Milantoni and Nan Lasser, Application #L 06-03-01, for approval to transfer a retail dispenser liquor license to 109 Rear Allegheny River Boulevard, to be known as the "Oakmont Bottle Shoppe."

Ms. Lasser and Mr. Milantoni presented information to Council about the kind of commercial establishment they were proposing.

Neither Council nor the audience had any questions for the paid.

Mr. Kennedy offered a motion to accept the transfer of the Liquor License, the resolution for which is to be attached to the Pennsylvania Liquor Control Board application.

Mr. Taliaferro seconded the motion, which passed.

MAYOR'S REPORT

Mayor Fescemyer reviewed Acting Chief Brankley's Police Report for the month of February.

BOROUGH MANAGER'S REPORT

Mr. Dunlap announced that there would be a full review of the Year-to-Date Budget Report, dated March 17, 2006 at Council's Work Session on April 30.

COMMITTEE REPORTS

Finance, Personnel & Legal

Mr. Favo offered a motion to appoint the Borough Manager, Roger A. Dunlap, Jr., as the Official Voting Delegate for the MRM Property and Liability Trust Annual Meeting on Thursday, April 6, 2006, and the MRM Workers' Comp Pooled Trust Annual Meeting on Friday, April 7, 2006.

Mr. Taliaferro seconded the motion.

Mr. Bland noted that Mr. Kennedy will go in place of Mr. Dunlap in the event that Mr. Dunlap's baby arrives early.

The motion passed.

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Mr. Favo offered Resolution No. R12-2006, and moved for its adoption, a resolution fixing the time and place for the complete settlement of taxes collected for fiscal year 2005.

Mr. Kennedy seconded the motion.

Mr. Dunlap explained the purpose of the resolution. Mr. Shoop remarked that properties may be liened, *only after* taxes have been properly settled.

All those present voted in the affirmative.

President Benusa declared the resolution adopted. Recorded in Ordinance Book Volume 29, Page 79, as **Resolution No. R12-2006**.

Public Safety

Mr. Taliaferro offered Ordinance No. O13-2006, and moved that it be placed on First Reading, an ordinance amending Chapter 195, "Vehicles and Traffic," of the *Code of the Borough of Oakmont*, relative to parking regulations and penalties.

The proposed Ordinance increases parking penalties as follows:

- a. No Parking for Sweeping/Plowing, \$4 to \$5
- b. All other specified violations, \$6 to \$7

Mr. Kennedy seconded the motion.

Mr. Dunlap remarked that the Ordinance had been advertised and was available for inspection at the Borough Office, by all residents.

All those present voted in the affirmative.

President Benusa declared the Ordinance enacted. Recorded in Ordinance Book Volume 29, Page 80, as **Ordinance No. O13-2006**.

Planning, Zoning & Community Development

Mr. Bland offered a motion to approve the Conditional Use Application of the Duquesne Light Company, #CUA 05-08-04, to construct an electric substation along California Avenue on 0.46 acres in the Mixed Use Development Zoning District.

Mr. Federici seconded the motion, which passed.

Mr. Bland reviewed the upcoming Zoning Hearing schedule, all of which will convene on April 11, 2006, beginning at 7:00 PM. They are: 1) #ZHB 06-03-01, Sibro Enterprises, Inc.; 2) #ZHB 06-03-02, Nova-Tec Development Corporation; and 3) #ZHB 06-03-03, Teresa and Sam Anderson.

Engineering & Public Works

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Council member Federici said he was currently in the process of being brought up to date on the issues surrounding the Oak Street extension out of The Fairways.

He also announced that the Water Company will be combining water and sewage bills into one bill issued quarterly. Mr. Dunlap noted that this was an administrative decision on the part of the Water Company, to which the Borough was “dragged along forcibly.” He added that cost efficiency was the main reason for the Water Company’s move.

Culture & Recreation

Mr. Kennedy reported that the Park Crew had started work on March 6. They are in the process of cleaning up the fields and getting the track ready for spring sports.

WARRANT LISTS

Mr. Favo offered a motion to approve Warrant List #02-02-2006, dated February 28, 2006, for payment on funds.

Mr. Taliaferro seconded the motion, which passed.

Mr. Favo offered a motion to approve Warrant List #03-01-2006, dated March 17, 2006, for payment on funds.

Mr. Bland seconded the motion.

President Benusa asked why the Sewer Fund was higher this month. Mr. Dunlap explained that the amount reflected interbank account transfers from local to operating checking accounts. This is the same protocol performed with the General Fund.

PRESIDENT’S REMARKS

President Benusa announced there would be a Plum Creek Watershed meeting on March 30 at 7:00 PM. He said the group was trying to assess potential problems with the watershed. As an adjunct to obtaining funding, an inspector has identified certain areas of concern within the watershed.

Mr. Benusa congratulated the Kerr Museum Committee for its successful fundraising efforts and for generating such positive publicity about the Museum.

Gas Wells

John Whiteford, who identified himself as a Verona resident and an oil and gas engineer, said he wanted Council to realize that the Pennsylvania Oil and Gas Act would preclude any attempts on the part of Council to allow the installation of gas wells on the Capretto and Massaro properties.

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Solicitor Shoop asked what royalties Mr. Whiteford offered on his wells. Mr. Whiteford said 23%.

Mr. Kennedy asked him if he were connected to Huntley & Huntley, Inc. Mr. Whiteford he was not.

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 9:03 PM.

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

Transcribed by: L. C. Jensen