

**CALL TO ORDER**

The Regular Business Meeting of Oakmont Borough Council was called to order at 7:05 PM by President Federici.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present: Council Members Favo, Kennedy, Ride, Taliaferro, Zentgraf (arr. 7:27 PM) and President Federici; Mayor Fescemyer; Solicitor Shoop; Chief DiSanti; and, Assistant Borough Secretary Jensen

Excused: Dr. Calabrese and Interim Borough Manager Mator

Visitors: Gene Alese, Jack H. Artman, Walt Brotherton, Dorothy Calfe, Victor Calfe, Fred Favo (arr. 7:20 PM), Mark Flynn, Alex Frisenda, Ed Grystar (arr. 7:20 PM), Michelle Helfman, Aaron Johnston, Angela Lascola, Rich Lear, Les Leasure, Sue Martin, Debbie Mehalik (arr. 7:23 PM), Matt Mehalik (arr. 7:23 PM), Tom Meising, Bill Peoples, Dolly Provenza, Matt Provenza, Garrett Segelson, Bertha Shearer, Cindy Slosar (arr. 7:10 PM), Kitty Vagley (arr. 7:16 PM) and Rich Williams

**REGISTERED COMMENTS FROM THE PUBLIC**

No one was registered to speak that evening.

**COMMENTS FROM THE PUBLIC**

**Bike Race** – Dolly Provenza, of the Oakmont Recreation Board, asked if Council had any questions regarding the bike race. Council had no questions.

**Potholes** – Bertha Shearer thanked Council for repairing the pothole at Morris Street and Allegheny Avenue, and asked that the potholes farther down on Morris Street be repaired also.

**Chambers Door** – Sue Martin asked that the door to Council Chambers be repaired so it no longer sticks and appears to be locked.

**Temporary Sign Violations** – Gene Alese, proprietor of the Candle Shop at 701 Allegheny Avenue, complained that he was being hindered from doing business due to being cited by the Code Enforcement Officer for a temporary sign violation.

After considerable discussion, Mr. Favo offered a motion to grant an extension of 30 days, or until May 1, whichever occurs first, to allow a temporary sign at the Candle Shop at 701 Allegheny Avenue, in accordance with the rules and regulations of the *Zoning Ordinance* of the Borough of Oakmont.

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

Solicitor Shoop said he would instruct that the motion before the Magistrate be withdrawn.

### **COUNCIL PRESIDENT'S MESSAGE**

**Kacin Development** - President Federici reported that Council had met in Executive Session on April 9, 2009 with Allegheny County officials to review the proposal from Kacin to develop ball fields along Dark Hollow Road.

Mr. Federici said there would be no Executive Session that evening.

### **MAYOR'S REPORT**

**March Monthly Police Report** - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his March 2009 Police Report for those present.

**Stanton Heights Shootings** – The Chief was also moved to share with those present some thoughts he had written down on the day that three Pittsburgh police officers were killed during a shoot-out in Stanton Heights.

**March Monthly OVFD Report** - At Council Member Taliaferro's request, Fire Chief Bill Peoples apprised Council of the number of emergency calls for the month of March, as well as from January 1 through March 31.

### **APPROVAL OF MINUTES**

Mr. Taliaferro offered a motion to approve the minutes from the Regular Business Meeting of March 9, 2009, as written.

Mr. Kennedy seconded the motion.

The motion passed 6 to 0.

### **COMMITTEE REPORTS**

#### **Financial and Legal Committee**

**Warrants** – Ms. Ride asked to table approval of the Warrant Lists from January and February 2009 until the May Meeting due to some figures that needed to be reviewed. All agreed.

Ms. Ride moved to approve the Warrant List for March 2009, dated April 13, 2009, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$227,981.23
Sewer Fund	\$331,082.48
Sewer Deposit Fund	\$313.89
Capital Projects Fund (Parks)	\$313.98
Capital Projects Fund (Roads)	\$23,877.00
Capital Reserve Fund	\$-0-
Library Fund	\$41,597.61
Liquid Fuels Fund	\$7,464.07
Boulevard Project Fund	\$3,715.58
Kerr Memorial Museum Fund	\$6,874.56
Operating Reserve Fund	\$-0-

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Dr. Calabrese	Absent	Ms. Ride	Yes
Mr. Favo	No	Mr. Taliaferro	Yes
President Federici	Yes	Ms. Zentgraf	Yes
Mr. Kennedy	No		

Mr. Favo said he voted “No” because there had been no discussion of the changes in the January Warrant List, that three accounts were not right in the February Warrant List, and that there had not been any balance and reconciliation reports presented for March.

The motion passed 4 to 2.

**Tax Collection Affidavits** – Next, President Federici administered both the Affidavit as to Giving Notice and the Affidavit as to Compliance with Tax Collection Law to Borough Tax Collection Agent Rich Lear of Pennsylvania Municipal Service Company, both of which he attested to and affirmed with his signature.

**Resolution No. R10-2009, Accepting the Return of the Agent for Tax Collection** – Ms. Ride offered Resolution No. R10-2009, and moved for its adoption, a resolution accepting and approving the Return of the Tax Collector of the Borough of Oakmont for all taxes collected for the year 2008, contingent upon confirmation by audit.

Ms. Zentgraf seconded the motion.

On a called vote, the votes were as follows:

Dr. Calabrese	Absent	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Ms. Zentgraf	Yes
Mr. Kennedy	Yes		

The motion passed 6 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 58, as **Resolution No. R10-2009**.

**Penneco Gas Well Settlement** – Ms. Ride offered a motion to accept the proposed Penneco gas well settlement and direct the Borough Solicitor to draw up documents related to the settlement and necessary amendments to the current lease.

Mr. Kennedy seconded the motion, which passed 4 to 2 on a voiced vote. Messrs. Favo and Taliaferro voted “No.”

**Public Safety Committee**

**Resolution No. R11-2009, Appointing Robert Alexander to Civil Service** – Mr. Taliaferro offered Resolution No. R11-2009, and moved for its adoption, a resolution appointing Robert D. Alexander a Member of the Civil Service Commission of the Borough of Oakmont, to fill the vacancy on the Commission created by the expiration of the term of John Kaus.

Mr. Kennedy seconded the motion.

On a called vote, the votes were as follows:

Dr. Calabrese	Absent	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Ms. Zentgraf	Yes
Mr. Kennedy	Yes		

The motion passed 6 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 59, as **Resolution No. R11-2009**.

**Planning and Economic Development Committee**

**“Private Garage” Amendment to the Zoning Ordinance** – Mr. Favo offered a motion to authorize the Interim Borough Manager to advertise an ordinance revising the definition of “Private Garage” in the *Code of the Borough of Oakmont*.

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

**Resolution No. R12-2009, Reappointing Jeffrey W. Kline to Planning Commission** – Mr. Favo offered Resolution No. R12-2009, and moved for its adoption, a resolution reappointing Jeffrey W. Kline, a member of the Planning Commission of the Borough of Oakmont to fill the vacancy on the Commission created by the expiration of his term.

Mr. Kennedy seconded the motion.

On a called vote, the votes were as follows:

Dr. Calabrese	Absent	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Ms. Zentgraf	Yes
Mr. Kennedy	Yes		

The motion passed 6 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 60, as **Resolution No. R12-2009**.

**School District Contribution to D.A.R.E. Program** – Council Member Favò said that the Borough could not accept a contribution from the School District for the D.A.R.E. Program without Council’s authorization, and with this in mind, he offered a motion to accept a \$700 contribution from the Riverview School District for the Borough’s D.A.R.E. Program.

Ms. Zentgraf seconded the motion, which passed 6 to 0.

**Engineering & Public Works Committee**

**Resolution No. R13-2009, Appointing Senate Engineering to Borough Engineers** – Ms. Zentgraf offered Resolution No. R13-2009, and moved for its adoption, a resolution appointing Senate Engineering Company as Borough Engineers, and fixing the term of office and compensation under the rates as set forth in their letter of February 20, 2009.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Dr. Calabrese	Absent	Ms. Ride	Yes
Mr. Favò	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Ms. Zentgraf	Yes
Mr. Kennedy	Yes		

The motion passed 6 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 61, as **Resolution No. R13-2009**.

**Advertise Ordinance No. O14-2009, Municipal Authority Charter** – Ms. Zentgraf offered a motion to authorize the Interim Borough Manager to advertise Ordinance No. O14-2009 adopting and approving a proposal by the Borough of Governors of the Municipal Authority of the Borough of Oakmont that the Articles of Incorporation of said Authority be amended so as to increase its term of existence fifty (50) years from the date of approval of the Articles of Amendment, and repealing any ordinance or part of any ordinance inconsistent herewith.

Ms. Ride seconded the motion.

After discussion, Ms. Zentgraf stated that she wished to withdraw her motion, pending further discussion of the Ordinance at the next Council Workshop. Ms. Ride withdrew her second.

Ms. Zentgraf said she wanted to see this motion on the agenda again for the May Regular Business Meeting.

**Shade Tree Expenditures** – Ms. Zentgraf offered a motion to acknowledge that the Interim Borough Manager and Shade Tree Commission Chairman, in an effort to increase cost-effectiveness, eliminated shade tree plantings for this year, applied the designated expenditure of \$10,000 to tree prunings and/or removals, and will request double the expenditure (\$20,000) for planting in the 2010 Budget.

Mr. Taliaferro seconded the motion.

Mr. Favo said he wanted the words, “. . . and will request double the expenditure (\$20,000) for planting in the 2010 Budget” removed from the motion.

Ms. Zentgraf said she agreed and withdrew the motion. Mr. Taliaferro withdrew his second.

Ms. Zentgraf then offered a motion to acknowledge that the Interim Borough Manager and Shade Tree Commission Chairman, in an effort to increase cost-effectiveness, eliminated shade tree plantings for this year and applied the designated expenditure of \$10,000 to tree prunings and/or removals.

Ms. Ride seconded the motion, which passed 6 to 0.

**Recreation, Cultural and Community Assets Committee**

**Erdeljac Library Resignation** – Mr. Kennedy offered a motion to accept the resignation of Dr. Charles Erdeljac from the Oakmont Carnegie Library Board.

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

**Multiple Sclerosis Pub Crawl** – Mr. Kennedy offered a motion to grant permission to the National Multiple Sclerosis Foundation to hold their annual Oakmont Pub Crawl on May 16, 2009.

Ms. Zentgraf seconded the motion, which passed 5 to 1 on a voiced vote. Mr. Favo voted “No,” saying he did not feel that an event like this should be sanctioned by the Borough.

**R. DiChiera Hired to Park Crew** – Mr. Kennedy offered a motion to authorize the hiring of Richard DiChiera as a Parks Laborer, at the rate of \$13.00 per hour with single-person coverage under the Borough’s health care plan.

Ms. Ride seconded the motion.

Mr. Favo said he wanted to amend the motion because he had reservations about the health care provisions.

Mr. Kennedy withdrew his motion. Ms. Ride withdrew her second.

Mr. Kennedy then offered a motion to authorize the hiring of Richard DiChiera as a Parks Laborer at the rate of \$13.00 per hour, and with applicable employee health care coverage based on the Borough’s health care policies and plan.

The motion passed, 6 to 0.

**Farmers’ Market** – Mr. Kennedy offered a motion to grant permission to the Oakmont Chamber of Commerce to use two parking spaces on either side of the Clock Tower for a Farmers’ Market, beginning April 23 and continuing through the end of September, to be held Thursday afternoons from 3:00 PM to 7:00 PM and on Saturday mornings from 8:00 AM to 1:00 PM.

Mr. Taliaferro seconded the motion.

After much discussion regarding safety issues, Mr. Kennedy said he wanted to withdraw his motion. Solicitor Shoop suggested that the motion be made contingent upon the Police Chief’s approval.

The motion passed 6 to 0.

**UPCOMING PUBLIC MEETINGS** – President Federici referred those present to the list of public meetings itemized in the Agenda, noting that dates were correct as of publication of the Agenda.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

**Bike Race** – Ed Grystar handed over the insurance forms and PennDOT indemnification documents for the Bike Race to Ms. Jensen.

**Oakmont Commons** - Walt Brotherton asked Council to find out if Work Orders had been completed for several items that needed to be repaired in Oakmont Commons in the Interim Borough Manager's absence.

**Treasurer's First Quarter Report** – Borough Treasurer Fred Favo advised Council of the following items for the first quarter of 2009:

**General Fund**

- Administrative legal expenses are over budget by 50%
- Code Enforcement costs are now over budget by 100%
- Grant cost of the leaf collection equipment and chipper were not in the budget, causing a shortfall of \$13,722
- Police legal expenses are over budget by \$4,000 due to being kept in the budget when line items were revised
- Radio equipment maintenance will be over budget by \$3,500
- Line item including COG and conference attendance is over by almost \$4,000
- Dumpster contract, not accounted for in the budget, will go over by \$6,000
- 2009 Assessed Valuation is \$2 million higher than the valuation figure used in the Borough's Budget – a plus for the Borough.

**Sewer Fund**

- Since the first quarter, income collected (\$232,211.54) was at the old sewer rates; new rates totals for income may not catch up to the figures budgeted for by end of the year
- Phases II Project expenses not paid for in 2008, as budgeted, and will result in a drain on the 2009 capital improvements for the Sewer Plant; this line item was for the centrifuge replacement
- \$41,064.53 of the \$100,000.00 has already been expended
- Electric may also go over budget by about \$20,000
- Consider a hold on capital budget items for 2009
- 2008 insurance and pension costs have not been reimbursed to the General Fund, resulting in a \$30,000 shortfall
- When garbage collection fees were taken from the Sewer Fund and put into the General Fund, 2008 year end *expenses* came out of the Sewer Fund, but 2008 year end *income* went into the 2009 General Fund; the General Fund now owes the Sewer Fund two months worth of collections, which may explain the need for borrowing from the General Fund.

Library Fund

- 2008 insurance and pension costs still need to be reimbursed to the General Fund

In addition, Treasurer Favo made the following recommendations:

- Review the procedures for collecting developers' fees. Currently, Brooks & Blair, Kacin and HHI, Inc. owe over \$25,000 in engineering fees; an additional \$50,000 has been spent on these developers to date; collect developers' fees before construction starts
- Secure credit cards for the Borough Office, the Library, Kerr House and Wastewater Treatment Plant; tax exemptions would be secure and a paper trail would be created on expenditures
- Break out the insurance bid package into separate figures for Borough sites – the Borough Building, the Kerr House, the Library, Fire Department and Sewer Treatment Plant – reducing transfers between funds and increasing budgeting accuracy
- Complete the insurance appraisal update project
- Conduct a first quarter 2009 audit, once 2008 audit is complete, to confirm balances after transfers made from Citizens Bank and PLGIT to PNC Bank.

**MISCELLANEOUS ITEMS** - There were no miscellaneous items to report that evening.

**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 6 to 0.

The meeting was adjourned at 9:50 PM.

Daniel Mator  
Interim Borough Manager

Transcribed by: L. C. Jensen, Assistant Borough Secretary