

June 8, 2009

CALL TO ORDER

The Regular Business Meeting of Oakmont Borough Council was called to order at 7:00 PM in Council Chambers, 767 Fifth Street, Oakmont, Pennsylvania 15139, by Vice President Calabrese, sitting in for President Federici that evening.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Council Members Calabrese, Favo, Kennedy, Ride, Taliaferro and Zentgraf (arr. 7:06 PM); Solicitor Shoop; Mayor Fescemyer; Chief DiSanti; Interim Borough Manager Mator and Assistant Borough Secretary Jensen

Absent: President Federici

Visitors: Kaaren Amodeo, Jack H. Artman, Tom Bland (arr. 8:20 PM), Frank Bonaroti, Adeline Brown, Dorothy Calfe, Victor Calfe, Chip Fisher (arr. 8:26 PM), Paul Gigler, Mark Harley, Greg Ionadi, Jeff Luciana, Rich Luciana, Donna Maggio, Joe (Sonny) Maggio, Michael Maggio, Michelle Maggio, Sue Martin, Joseph R. McNally, Debbie Mehalik, Tom Meising, Rose O'Connor, Craig Olson, Tony Pallatto, Bill Peoples, James Poe, Len Richards, Pat Ritter, Rossilynne Skena, Kitty Vagley, Rich Williams and Karen Zapf.

REGISTERED COMMENTS FROM THE PUBLIC

Delinquent Tax Collector Resignation – Adeline Brown read her letter of resignation as the Borough's Delinquent Tax Collector to those present. She said she also wanted to respond to "unfounded innuendos about her responsibilities as a Borough employee."

Mrs. Brown said that she had never received any additional pay for her role as Planning Commission Secretary and Zoning Officer during her tenure as Borough Manager.

She said the Borough paid nothing for her role as Delinquent Tax Collector because all fees were taken out of the delinquent accounts, themselves. When she took over as Delinquent Tax Collector in 1981, it was with the agreement that she would receive assistance from the Borough staff, for which the Borough was reimbursed.

Mrs. Brown went on to say that her last paycheck as Borough Manager was higher than normal because the check included reimbursement for vacation days not taken. She stated that her severance contract was identical to all other Borough severance contracts in effect at the time.

Mrs. Brown said she was "hurt and saddened" by the accusations that had been made about her, and ended her statement by asking, "To what end?"

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Dr. Calabrese thanked Mrs. Brown for her many years of service to the Borough.

Italian Ice Vending – Joseph “Sonny” Maggio said he wanted permission to sell Italian Ice on Borough rights-of-way, “just like the guys who are selling vegetables at the Farmers’ Market.” He said he had an appointment that Thursday to get the necessary permits from the Allegheny County Health Department.

Dr. Calabrese said she felt this would be “an addition to the ambiance of the community.”

Riverside Park Ticket Booth – Registered speaker, Tom Bland, was not present at that time to speak.

Dedication of Summit Streets – Kaaren Amodeo asked Council to permit Borough street crews to sweep the undedicated streets of the Summit. She said the Summit homeowners’ association would probably sue the Borough if this were not done. Solicitor Shoop said the Borough was under no obligation to maintain Summit streets, and that the developer was responsible for street maintenance until the Borough formally accepted the streets of the Summit. He added that the Borough Engineer would have to inspect the street first before the Borough would consider accepting the street. The Borough does perform snow removal for the Summit already, however.

It was suggested that the homeowners’ association contact the developer, look into taking over the development from the developer, and check their by-laws concerning the maintenance of streets until the Borough accepts the streets.

Adeline Brown Avenue Sign – Ms. Amodeo asked why the “Adeline Brown Avenue” street name sign, knocked down by a car, had not been put back up since the Borough had already received insurance compensation for the sign.

Mr. Mator said the sign parts were in the Borough basement, and that he had been under the mistaken impression that there was only one sign, instead of two. When he inspected the area, he saw the second street name sign and assumed it was the new one already installed. He said that the issue was currently being addressed and should be remedied within a week or two.

COMMENTS FROM THE PUBLIC

Traffic Control, Bike Race – James Poe complained that he was unable to get to his home during the 5K/Bicycle Race held in the Borough of June 7. He is a diabetic and was unable to get to his medicine because of this.

Mayor Fescemyer asked Chief DiSanti to address Mr. Poe’s complaint. Chief DiSanti said that there had always been an emergency access route during this event. He said he had done all that he could to notify the surrounding community about the traffic restrictions in advance. Noting that the event “was only six hours, once a year,” Chief DiSanti characterized the event as a benefit to the community. Mr. Poe said he had never received notification of the event.

Speeding on ARB – Business owner Paul Gigler said he was having trouble getting across the street on Allegheny River Boulevard because so many drivers were speeding. He wanted the police department to enforce the speed limit as they do in Blawnox, where they have unmarked police cars

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catching speeders. Mayor Fescemyer assured Mr. Gigler that this was already being done.

Referring to the Borough as “Joke-mont,” Mr. Gigler commented that the town was getting very sloppy lately. Mayor Fescemyer noted that the Borough had hired a company to do code enforcement to get the town back in shape, but that there has been a “backlash from enforcement” as a result. He encouraged Mr. Gigler to call the Borough Office when he observes any violations.

Smoke’n Guns Store – Greg Ionadi, co-owner of the store “Smoke’n Guns” which sells tobacco and firearms, asked Council for permission to put two small tables outside his store on the sidewalk to give his establishment “a little competitive edge.” Mr. Ionadi was asked to put his request in writing and forward it to the Borough Manager for Council’s consideration.

COUNCIL PRESIDENT’S MESSAGE

President’s Absence – Vice President Calabrese said President Federici was not present that evening due to a family emergency.

Executive Session – Dr. Calabrese announced that there would be an Executive Session that evening to discuss personnel matters.

INTERIM BOROUGH MANAGER’S REPORT

March, April & May Activities – Mr. Mator apologized for his sporadic attendance over the last couple months, which he said was due to medical issues. Mr. Mator went on to review all current projects of the Street Department and the Park Crew, as well as financial, zoning, planning, and public safety issues for those present.

Tenth Street Sink Hole - Mr. Favo asked Mr. Mator if the base under the Tenth Street sinkhole was inspected to be sure it had been completed according to specifications.

Yacht Club Wall/Catch Basin Repair – Mr. Favo then asked former Borough Manager Adeline Brown to give the prior history on the repair of the wall and catch basins at the western end of Washington Avenue, next to the Oakmont Yacht Club. Mrs. Brown said that around 2001, two Borough catch basins had collapsed due to the deteriorated condition of the Yacht’s Club stone wall. At the time, the Borough had offered to share costs with the Yacht Club to effect repairs, but the Yacht Club said they did not have the money. Since there would be no sense in repairing the catch basins without the wall being repaired, too, the project was put on hold for the time being.

Dinnin Parkins/ARB Sinkhole – Mr. Favo also asked who was going to pay for the sinkhole repair in front of the Dinnin Parkins building at 300 Allegheny River Boulevard. Mr. Mator said no invoice had been received yet and suggested they discuss the issue in Executive Session, to which Council agreed.

Salt Shed - Mr. Favo asked how much had been budgeted for a salt shed. Mr. Mator said \$50,000, but that recent discussions with the Borough Engineer indicated that a pad would also be needed, in addition to the salt shed, itself. In order to stay in budget, the size of the salt shed would need to be reduced from the originally proposed 80’ x 65’ to 60’ x 65’.

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DEP Brownfield Report – Mr. Favo asked Mr. Mator for a copy of the EPA Brownfields Grant for Plum Creek letter requesting a debriefing. Mr. Mator agreed to get this to Mr. Favo.

MAYOR'S REPORT

Increase in Calls – Mayor Fescemyer directed the attention of those present to the increase in the number of service calls in last month's police report for May – an increase of 100 calls from the 400 for April.

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

District Attorney Grant – The Mayor thanked District Attorney Stephen Zappala for a \$10,000 grant to purchase Riverside Park surveillance equipment.

D.A.R.E. Program – Mayor Fescemyer said funding had been pulled from the D.A.R.E. Program. He encouraged residents to call Senator Jim Ferlo or State Representative Frank Dermody to ask that the program continue to be funded.

May Monthly OVFD Report - At Council Member Taliaferro's request, Fire Chief Bill Peoples reported on the Fire Department's activities for May.

Lock Box Ordinance – Mr. Favo asked for an update on the Lock Box Ordinance enactment. A lengthy discussion followed. It was agreed that further discussion would be held on lock boxes only *after* the public meeting on the ordinance had been held.

APPROVAL OF MINUTES

April 13, 2009 Minutes - Mr. Taliaferro offered a motion to approve the minutes of the Regular Business Meeting of April 13, 2009, as written.

Ms. Ride seconded the motion.

Mr. Favo asked that it be clarified that, on Page 8 of the Minutes, the new Park Crew employee was receiving the same benefits package as the rest of the Park Crew.

The motion passed, 6 to 0, with the changes as noted.

April 28, 2009 Minutes - Mr. Kennedy offered a motion to approve the minutes from the Special Meeting and Public Hearing April 28, 2009, as written.

Mr. Taliaferro seconded the motion.

The motion passed, 6 to 0.

May 11, 2009 Minutes - Mr. Kennedy offered a motion to approve the minutes from the Regular Business Meeting of May 11, 2009, as written.

Ms. Zentgraf seconded the motion.

The motion passed, 6 to 0.

COMMITTEE REPORTS

Financial and Legal Committee

Warrants – Council Member Ride noted that the January and February 2009 Warrants had previously been put on hold for corrections. The corrections were primarily duplication errors, she said, but there was also a significant correction made to the Liquid Fuels Fund.

January Warrants - Ms. Ride moved to approve the corrected Warrant List for January 2009, dated June 8, 2009, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$416,603.37
Sewer Fund	\$257,842.46
Sewer Deposit Fund	\$ -0-
Capital Projects Fund (Parks)	\$393,297.48
Capital Projects Fund (Roads)	\$ -0-
Capital Reserve Fund	\$ -0-
Library Fund	\$187,719.76
Liquid Fuels Fund	\$17,592.68
Boulevard Project Fund	\$47,785.66
Kerr Memorial Museum Fund	\$392,473.76
Operating Reserve Fund	\$ -0-

Mr. Taliaferro seconded the motion.

On a voiced vote, the motion passed 5 to 1, with Mr. Favo voting “No.”

February Warrants – Ms. Ride moved to approve the corrected Warrant List for February 2009, dated June 8, 2009, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$133,454.29
Sewer Fund	\$53,351.80
Sewer Deposit Fund	\$294.51
Capital Projects Fund (Parks)	\$1,384.27
Capital Projects Fund (Roads)	\$ -0-
Capital Reserve Fund	\$ -0-
Library Fund	\$28,087.59
Liquid Fuels Fund	\$47,249.81
Boulevard Project Fund	\$3,073.68
Kerr Memorial Museum Fund	\$392,473.76
Operating Reserve Fund	\$ -0-

Mr. Taliaferro seconded the motion.

On a voiced vote, the motion passed 5 to 1, with Mr. Favo voting “No.”

May Warrants - Ms. Ride moved to approve the Warrant List for May 2009, dated June 8, 2009, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$142,535.49
Sewer Fund	\$244,485.52
Sewer Deposit Fund	\$ -0-
Capital Projects Fund (Parks)	\$ -0-
Capital Projects Fund (Roads)	\$ 5,030.00
Capital Reserve Fund	\$ -0-
Library Fund	\$54,405.47
Liquid Fuels Fund	\$6,829.12
Boulevard Project Fund	\$3,077.74
Kerr Memorial Museum Fund	\$1,785.87
Operating Reserve Fund	\$ -0-

Mr. Taliaferro seconded the motion.

On a voiced vote, the motion passed 5 to 1, with Mr. Favo voting “No.”

Public Safety Committee

5K/Bicycle Race – Council Member Taliaferro thanked the Auxiliary Police, Tom Bland, Dolly Provenza and the 54 volunteers who helped with the June 7 5K/Bicycle Race.

District Attorney Funding – Mr. Taliaferro thanked District Attorney Zappala, saying that Oakmont had received \$30,000 over the last two years from him.

Planning and Economic Development Committee

Dezzutti Subdivision Plan – Mr. Favo offered a motion to approve the Dezzutti Subdivision Plan, as submitted by Donald Dezzutti, and as recommended by the Oakmont Borough Planning Commission.

Ms. Ride seconded the motion.

On a voiced vote, the motion passed 6 to 0.

Private Garages – Mr. Favo asked if the Notice of Intent for passage of the “Private Garages” ordinance had been advertised yet. Mr. Mator said he was waiting for the Allegheny County Economic Development review by Kay Pierce first.

Engineering & Public Works Committee

Ordinance No. O14-2009, Municipal Authority Charter Extension – Council Member Zentgraf offered a motion to adopt Ordinance No. O14-2009, an ordinance adopting and approving a proposal by the Board of Governors of the Municipal Authority of the Borough of Oakmont that the Articles of Incorporation of the Authority be amended so as to increase its term of existence to a date fifty (50) years from the date of approval of the Articles of Amendment, and repeal any ordinance and part of any ordinance inconsistent herewith.

Ms. Ride seconded the motion.

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Ms. Zentgraf read the ordinance in its entirety.

On a called vote, the votes were as follows:

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

The motion passed 5 to 1.

Vice President Calabrese declared the Ordinance enacted. Recorded in Ordinance Book Volume 30, Page 62, as **Ordinance No. O14-2009**.

Shade Tree Pruning Contract – Ms. Zentgraf offered a motion to award the 2009 Shade Tree Pruning Contract to BJ Tree Service, LLC in the amount of \$39,300.00.

Mr. Taliaferro seconded the motion.

Mr. Kennedy asked how much the Shade Tree budget was over. Mr. Favo said it was not over budget.

On a voiced vote, the motion passed on a voiced vote of 6 to 0.

Shade Tree Removal Contract – Ms. Zentgraf offered a motion to award the 2009 Shade Tree Removal Contract to Arborel Tree Service, Inc. in the amount of \$4,057.00.

Mr. Taliaferro seconded the motion, which passed on a voiced vote of 6 to 0.

2009 Accessible Ramp Program – Ms. Zentgraf offered a motion to award the contract for the 2009 Accessible Ramp Program to Joseph Palmieri Construction, Inc. in the amount of \$25,655.00.

Ms. Ride seconded the motion, which passed on a voiced vote of 6 to 0.

3rd Street/W. Woodland Sewers – Ms. Zentgraf offered a motion to advertise for bids to correct problems with the Third Street at West Woodland Avenue sewers.

Mr. Taliaferro seconded the motion, which passed on a voiced vote of 6 to 0.

Recreation, Cultural and Community Assets Committee

Riverside Park Master Plan Coordinator – Mr. Kennedy offered a motion to appoint the Borough Manager as the Local Project Coordinator for the Riverside Park Master Plan.

Ms. Ride seconded the motion.

It was agreed that the ad hoc committee members for this project needed to be solidified as soon as possible. Mr. Mator agreed to work on this.

The motion passed on a voiced vote of 6 to 0.

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2009 Annual Regatta – Mr. Kennedy offered a motion to grant permission to the Oakmont Yacht Club to hold their 107th Annual Regatta from July 25 – 26, 2009.

Chief DiSanti agreed to contact Oakmont Yacht Club officials to coordinate coverage for this event.

Ms. Zentgraf seconded the motion, which passed on a voiced vote of 6 to 0.

Riverside Park Tennis Court Resurfacing – Mr. Kennedy offered a motion to instruct the Recreation Board to submit a recommendation to Council regarding the resurfacing of the Riverside Park tennis courts.

Mr. Taliaferro seconded the motion.

Mr. Kennedy mentioned that the first Tennis Team practice was scheduled for August 18.

Mr. Favo asked, and the rest of Council agreed, that the motion be reworded.

Mr. Kennedy withdrew his motion; Mr. Taliaferro withdrew his second.

Mr. Kennedy then offered a motion to authorize the Interim Borough Manager to solicit bids for the resurfacing of the Riverside Park tennis courts, based on the specifications as recommended by the Oakmont Recreation Board.

Mr. Taliaferro seconded the motion, which passed on a voiced vote of 6 to 0.

Riverside Park Fence Project – Mr. Kennedy offered a motion authorizing the Interim Borough Manager to advertise for bids for the Riverside Park Fence Project, as recommended by the Oakmont Recreation Board.

Mr. Taliaferro seconded the motion, which passed on a voiced vote of 6 to 0.

Human Resources, IT & Communications Committee

Riverside Park Entrance Project – Dr. Calabrese asked if, prior to making her reports, Recreation Board Member Tom Bland be allowed to speak since he was not present earlier.

Mr. Bland said he had been asked by Mr. Mator to advise Council on funding assistance from the Riverside School District for the new Park entrance. Mr. Bland said he intended to go to the School District to request funds for this project.

It was agreed that it would be more appropriate for the Interim Borough Manager to contact Dr. Erdeljac, School District Superintendent, immediately to begin these discussions. Mr. Bland is to be present during this discussion.

Further discussion ensued concerning the School's financial responsibility for Park improvements and the role of the Recreation Board in determining what improvements are to be made and when. It was agreed that it was the role of Council to decide this, with recommendations from the Board.

Borough Manager Search Reopened – Vice President Calabrese offered a motion to authorize the Borough Manager Search Committee to reopen the search for a Borough Manager and to advertise for same.

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Mr. Kennedy seconded the motion, which passed on a voiced vote of 6 to 0.

Chamber Newsletter Postage – Dr. Calabrese offered a motion to partner with the Oakmont Chamber of Commerce by covering six months' bulk mail postage for distributing the free Chamber newsletter to all Oakmont residents, from July through December 2009, at a cost not to exceed \$5,000.00.

Mr. Taliaferro seconded the motion.

Dr. Calabrese went on to describe the details of this postage arrangement. She said this would be paid for with the monies already budgeted in 2009 Borough Budget for the Borough to produce a newsletter, since the Chamber was willing to allow two pages of their newsletter for Borough news.

On a voiced vote, the motion passed 5 to 1, with Mr. Kennedy voting "No."

Freelance Writer for Newsletter – Dr. Calabrese offered a motion to authorize the Interim Borough Manager to advertise for and contract with a freelance writer to interview key Borough officials and develop two pages of articles for the Chamber newspaper per month, from July through December 2009, at a rate of \$400.00 per month, and for a total cost not to exceed \$2,400.00.

Mr. Taliaferro seconded the motion.

Mr. Favo felt that Council had not had the opportunity to discuss this previously. Ms. Zentgraf said that they had.

On a voiced vote, the motion carried 4 to 2, with Messrs. Favo and Kennedy voting "No."

Memorial Day Parade Contribution – Dr. Calabrese moved to authorize a contribution of \$400.00 to the 2009 Memorial Day Parade Committee.

Mr. Taliaferro seconded the motion, which passed on a voiced vote of 6 to 0.

P/T Financial Assistant – Dr. Calabrese offered a motion to authorize the Interim Borough Manager to advertise for the part-time position of accounting/financial services assistant to provide financial assistance to the Borough, beginning July 14, 2009 and continuing thereafter for the remainder of 2009, at a total cost not to exceed \$7,000.00.

Ms. Ride seconded the motion, and noted that current accounting freelancer Lynn Beck did not want the position, and that Ms. Beck's charges were not to exceed \$6,000.00 until the financial assistant could be found.

After some discussion, it was agreed that the wording of the motion should be changed.

Dr. Calabrese withdrew her motion from the floor; Ms. Ride withdrew her second.

Dr. Calabrese offered a motion to authorize the Interim Borough Manager to advertise for the part-time position of accounting/financial services assistant to provide financial assistance to the Borough.

Ms. Ride seconded the motion.

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Mr. Kennedy objected, saying that this function was supposed to be done by the Borough Manager and not a “financial assistant.”

On a voiced vote, the motion passed 5 to 1, with Mr. Kennedy voting “No.”

New Board Application Form – Dr. Calabrese handed out a draft copy of a “Community Service Resource Reserve” form for those wishing to volunteer to be on a Borough board or commission. It was noted that there was a “Police Pension Board” listed on the form, which does not currently exist. It was agreed that this would be deleted, replaced with “Auxiliary Police,” and put on the website once revised.

Mr. Favo said he thought applicants should be required to provide more details on a second page. It was also suggested that the form could be sent out with the sewage bills or the Chamber newsletter. No decision was made in this regard.

UPCOMING PUBLIC MEETINGS – Vice President Calabrese 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

Board/Commission Application – Joe McNally suggested that the application for a volunteer position on a Borough board or commission should be put on the Borough’s website.

MISCELLANEOUS ITEMS

2009 Garbage/Recycling Contract Bid Specifications – Ms. Ride remarked that the garbage/recycling contract was up this year and that action needed to be taken by next meeting to get the preparation of specifications underway.

Emergency Management Coordinator – Ms. Zentgraf asked if a new Emergency Management Coordinator had been named yet. Dr. Calabrese felt that the position should be advertised and suggested this be discussed further in Executive Session.

Municipal Building Air Conditioning – Commenting on how hot it was in Council Chambers, Mayor Fescemyer suggested that the building’s air conditioning system should be looked at.

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 9:51 PM.

Daniel Mator
Interim Borough Manager

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

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