

July 7, 2008

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:15 PM by President Federici.

ROLL CALL

Present: Council Members Calabrese, Favo, Kennedy, Ride, Taliaferro, Zentgraf and President Federici; Attorney Shawn Gallagher for Solicitor Shoop; and, Assistant Borough Secretary Jensen

Excused: Messrs. DiSanti, Fescemyer and Shoop

Visitors: Jack Artman, Meg Burkardt, Gini Calabrese, Barbara Charlton, Keith Coll, Frederick R. Favo, Bill Kennedy, Diane Kennedy, Daniel Mator, Sadie Mator, Tom Meising, Bryant Mullen, Michelle Mullen, Matt Provenza, Stacy Provenza and Rossilynne Skena

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT ON AGENDA ITEMS

No one present in the audience wished to comment on Agenda items.

PUBLIC HEARINGS

Muth Inter-Municipal Liquor License Transfer – President Federici turned over the gavel to Attorney Shawn Gallagher, who acted as Hearing Officer on the Inter-Municipal Transfer of Restaurant Liquor License No. R-14375 of John L. Muth, Inc., for the property located at 215 Allegheny Avenue, Suites 105-107, formerly occupied by the Imperial Garden Chinese Restaurant.

A complete transcript of this hearing follows.

Resolution No. R30-2008, Approving Inter-Municipal Liquor License Transfer – At the end of the Hearing, Mr. Taliaferro offered Resolution No. R30-2008, and moved for its adoption, a resolution approving the transfer of Restaurant Liquor License No. R-14375 into Oakmont Borough from North Versailles Township, Pennsylvania.

Dr. Calabrese seconded the motion. Mr. Kennedy said he would be voting against the transfer because he did not approve of it.

On a called vote, the votes were as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Nay	Ms. Zentgraf	Yea
Mr. Kennedy	Nay		

Council Member Favo explained that his “No” vote was predicated upon his belief that there was not enough parking spaces for the restaurant, and that there was already a Liquor License for sale in the Borough of Oakmont.

The motion passed, 5-2.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 32, as **Resolution No. R30-2008**.

The Public Hearing concluded at 8:02 PM.

MINUTES APPROVED

Mr. Kennedy offered a motion to accept the Minutes of the Regular Meeting of April 14, 2008, the Regular Meeting of May 12, 2008 and the Regular Meeting of June 9, 2008, as circulated to the members of Borough Council.

Mr. Taliaferro seconded the motion.

Ms. Zentgraf noted that an individual’s last name was listed in the Minutes’ list of visitors as “unable to read.” Ms. Zentgraf said the gentleman’s name was Jack H. *Artman*. **Dr. Calabrese added** that the individual listed in the list of visitors as “Richard William” was actually *Richard Williams*.

The motion passed, 7-0, with the changes as noted.

REPORTS AND CORRESPONDENCE

PennDOT Hulton Bridge Design Work - President Federici read a letter from the Pennsylvania Department of Transportation (PennDOT), dated June 18, 2008, a *Notice of Intent to Enter* with regard to the preliminary environmental site assessment activities for the design studies on the Hulton Bridge. Mr. Federici characterized the letter as a follow-up letter to the earlier one received from PennDOT on the same subject.

President Federici also reported that digging was scheduled to begin on July 9 on the north side of the Hulton Bridge. A geomorphologist would be present in the event that any remains were found. Mr. Federici said they would not be digging near the Boulevard Project plantings, and would notify the Borough Office when starting.

Request for Signs – President Federici read a letter from Jenny R. Lynch, 352 College Avenue, dated June 30, 2008, requesting signage in Greer Way to protect children and pets from speeders. President Federici referred the matter to the Public Safety Committee for follow-up.

MAYOR’S REPORT

In the absence of the Mayor and the Police Chief, President Federici asked Mr. Taliaferro if he would review portions of the June 2008 Police Report for those present, which he did.

Council Member Taliaferro also reported that the Mayor was doing well after his recent surgery.

SOLICITOR’S REPORT - Mr. Gallagher said there was nothing to report that evening.

COMMITTEE REPORTS

Internal Governmental Relations

Warrants – Ms. Ride moved to approve Warrant List #06-02-2008, dated July 7, 2008, for payments drawn from the following Borough funds:

<i>Fund</i>	<i>Amount</i>
General Fund	\$72,493.41
Library Fund	\$13,761.02
Sewer Fund	\$30,225.91
Capital Fund	\$200,080.50
Centennial Foundation Fund	\$151,110.56
Boulevard Project Fund	\$7,048.69
Sewer Construction Fund	\$961,115.02

Mr. Taliaferro seconded the motion, which passed, 7-0.

Ms. Ride moved to approve Warrant List #07-01-2008, dated July 7, 2008, for payments drawn from the following Borough funds:

<i>Fund</i>	<i>Amount</i>
General Fund	\$429,534.33
Library Fund	\$7,480.90
Sewer Fund	\$39,269.44
Capital Fund	\$412.23
Centennial Foundation Fund	\$2,302.95
Boulevard Project Fund	\$2,836.60
Sewer Construction Fund	\$154.00

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Mr. Kennedy seconded the motion, which passed, 7-0.

Public Safety

Sale of Police Radios – Mr. Taliaferro offered a motion to sell six Motorola Model ht1000 VHF radios to Twilight Towing Service for \$750.00.

Dr. Calabrese seconded the motion.

Mr. Taliaferro said these radios were “just collecting dust.” The motion passed, 7-0.

Planning and Economic Development – Mr. Favo had nothing to report that evening.

Engineering & Public Works

Resolution No. R31-2008, CDBG Handicapped Ramp, Phase II – Ms. Zentgraf offered Resolution No. R31-2008, and moved for its adoption, a resolution authorizing the filing of Proposal No. MRB033, a CDBG Application for funds with the Allegheny County Department of Economic Development, for the Handicapped Ramp Phase II Project.

Ms. Ride seconded the motion.

Mr. Federici said this grant application was a continuation of last year’s ramp installation along Allegheny River Boulevard and elsewhere. Ms. Zentgraf said the Phase II Project would include ramps along Pennsylvania Avenue and two more on Allegheny River Boulevard.

All those members of Council present voted in the affirmative, 7-0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 33, as **Resolution No. R31-2008**.

7th & Delaware Catch Basin Repair – Council Member Zentgraf offered a motion to ratify the action of the Borough Council President to accept the Carlucci Construction Company, Inc. Proposal #P2-080204, dated May 12, 2008, to remove/replace the damaged catch basin located at the northeast corner of Seventh Street and Delaware Avenue, at a cost of \$8,456.00.

Mr. Kennedy seconded the motion, which passed, 7-0.

Strategic Energy/WWTP – Ms. Zentgraf offered a motion to accept the Wastewater Treatment Plant (WWTP) Superintendent’s recommendation to Oakmont Borough Council, dated April 22, 2008, to execute a letter of authorization and pursue alternative electrical energy purchasing for the WWTP through Strategic Energy’s PowerPortfolio Solution Program.

Mr. Taliaferro seconded the motion, which passed, 7-0.

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11th & Delaware Storm Drainage – Ms. Zentgraf offered a motion to ratify the action of the Borough Council President to accept the proposal of Gateway Engineers, Inc., dated May 27, 2008, for Design Services for the Eleventh Street and Delaware Avenue Storm Drainage Project, for a lump-sum amount of \$4,500.00.

Dr. Calabrese seconded the motion, which passed, 7-0.

2008 Paving Project, Specs & Bids – Ms. Zentgraf offered a motion to ratify the action of the Borough Council President to accept the proposal of Gateway Engineers, Inc., dated June 4, 2008, to draw up specifications and solicit bids for the 2008 Paving Program, for the lump-sum amount of \$7,000.00.

Ms. Ride seconded the motion.

Ms. Zentgraf said the bids were to be opened on Thursday, August 7, 2008, and the contract awarded at the August 11, 2008 Regular Meeting of Council.

Council Member Favo said he preferred that the bids would be opened at a Regular Meeting, rather than on August 7. He said it had been a good practice in the past that bids were always opened at a scheduled Regular Meeting of Council with the public present.

Ms. Zentgraf noted that the bid opening date was, indeed, advertised as required and therefore open to the public. She explained that a month would be lost in construction time if they were to wait until the August 11, 2008 Regular Meeting to open the bids, and then wait to award the contract at the September Regular Meeting. Dr. Calabrese noted that, based on Ms. Zentgraf's confirmation, the scheduled bid opening would still be a public meeting.

All those members of Council present voted in the affirmative. The motion passed, 7-0.

GIS Update – Ms. Zentgraf offered a motion to ratify the action of the Borough Council President to execute the Gateway Engineers, Inc. Work Authorization, dated March 5, 2008, and proceed with preparation/delivery of GIS Updates to the WWTP on a Time and Materials Basis, not to exceed \$750.00.

Dr. Calabrese seconded the motion, which passed, 7-0.

2007 Paving Project – Ms. Zentgraf offered a motion to increase the not-to-exceed funding level for the 2007 Paving Program, from the previously authorized level of \$165,000.00, to \$175,000.00.

Mr. Taliaferro seconded the motion. The vote was as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Nay	Ms. Zentgraf	Yea
Mr. Kennedy	Yea		

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Council Member Favio said he objected to a single individual deciding to bind the Borough to an increased payment beyond what was originally authorized, without prior consultation with Council.

The motion passed, 6-1.

Recreation, Cultural and Community Assets

Annual Alzheimer’s Fundraiser – Mr. Kennedy offered a motion to grant permission to close the 300 block of Allegheny River Boulevard on Friday, August 22, 2008, from 3:00 PM to 11:00 PM, to host the 4th annual charitable fundraiser to benefit the Alzheimer’s Association, and which will involve vehicular rerouting and public safety controls.

Mr. Taliaferro seconded the motion, which passed, 7-0.

Communications and Internal Relations

Resolution No. R32-2008, Mator Appointed Interim Borough Manager – Dr. Calabrese offered Resolution No. R32-2008, and moved for its adoption, a resolution appointing Daniel J. Mator, Jr. as Interim Borough Manager and Ex-Officio Borough Secretary for the Borough of Oakmont.

Ms. Zentgraf seconded the motion.

Mr. Kennedy said that he had reservations about the selection of Mr. Mator because of his limited experience, but that he would still vote for his appointment.

On a called vote, the votes were as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Nay	Ms. Zentgraf	Yea
Mr. Kennedy	Yea		

Mr. Favo read the following into the record to explain his “No” vote:

I cannot in good conscience entrust the Borough’s financial responsibility to a person of this little experience. In my opinion, this is one of the Council’s most important decisions, and it is reckless to choose somebody who is not qualified, just to ‘fill the seat.’ Our responsibilities to the taxpayer should always supersede our personal needs or perceived inconveniences. There has been almost no effort to find any other candidates for this position for the past 3 months.

Additionally, I feel a person lacking adequate experience will have difficulty in Oakmont Borough’s particular situation. We do not have the office infrastructure, or the relevant experience of the Council itself, to hire somebody who needs on-the-job training.

This individual does not even meet our advertised **minimum** qualifications. The proposed individual has less than 2 years relevant work experience and no Borough Manager experience. He only has interim manager and assistant manager experience. This individual also has a work history that demonstrates very little tenure at any one position.

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I have witnessed during the interview process both character and veracity issues that have given me great personal pause. I cannot reach any comfort level with these issues, despite significant efforts to do so.

Because of these very serious concerns, I cannot support the hiring as proposed, even on an interim or temporary basis.

The motion passed, 6-1.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 34, as **Resolution No. R32-2008**.

Intergovernmental Relations

State & Federal Liaison – Mr. Taliaferro reported that State Representative Frank Dermody had received a check from U.S. Representative Jason Altmire to study a commuter rail system from the Allegheny Valley to downtown Pittsburgh.

Local and County Liaison – Ms. Zentgraf reported on the Storm Water Management Conference, hosted by the Allegheny Valley North Council of Governments.

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

Meising – Jack Artman, 3 West Woodland Avenue, told Council he had been having problems with his neighbor, Tom Meising. He alleged that Mr. Meising has been taking garbage from his other rental properties and dumping it in his yard near Mr. Artman. Mr. Artman handed over photographs he had taken of this, noting that Mr. Meising was using a truck with Antique Car license plates on it to haul things around, which was illegal.

President Federici said the matter, along with photographs, would be referred to the Code Enforcement Officer. [N.B., Mr. Meising was not present in the audience at this time.]

PRESIDENT'S REMARKS

President Federici thanked the Search Committee for their work on filling the Borough Manager's position. He also thanked the Borough staff and Borough boards. He thanked his fellow Council Members for their diligence during the absence of a Borough Manager.

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President Federici extended a welcome to newly appointed Interim Borough Manager Daniel J. Mator, Jr. and his family, noting that it was now time for Council to “take a step back” from the day-to-day running of the Borough.

Dr. Calabrese thanked her fellow Search Committee members and asked Mr. Mator to stand and identify himself. Dr. Calabrese gave a brief summary of Mr. Mator’s history and qualifications.

ADJOURNMENT

There being no further business to conduct that evening, Mr. Kennedy offered a motion to adjourn the meeting. Ms. Zentgraf seconded the motion, which passed, 7-0.

The meeting was adjourned at 9:00 PM.

Daniel J. Mator, Jr.
Borough Manager and Ex-Officio Borough Secretary

Transcribed by: L. C. Jensen