

Oakmont Borough Council
Minutes of the Regular Meeting

186 (Final)
October 10, 2011

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:02 PM by President Favio in Council Chambers of the Municipal Building, 767 Fifth Street, Oakmont, Pennsylvania 15139.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Council Members Donovan, Milberger, Ride, Saxon, Scott, Vagley and President Favio; Solicitor Shoop; Mayor Fescemyer; Chief DiSanti; Borough Manager Jamison and Assistant Borough Secretary Jensen

Visitors: Joanne Anderson (arr. 7:05 PM), Jack H. Artman, Tom Bland, Renee Cale, Craig Caterino, Elena Colianni, Tom Gerace, Anthony Giancola, Bethany Giancola, Erin Hill (arr. 7:25 PM), Paul Jenkins, Jeff Lezark, Rich Medved, Sue Martin, Molly Dinnin Merlino, Bertha Shearer, Summer Tissue, Regina Vitti-Lyons (arr. 7:30 PM), Danny Wagner and Rich Williams

BID OPENINGS

Arboretum Trail Landscape Maintenance 2012 – 2014 – Borough Manager Jamison opened the sealed bids for the 2012-2014 Arboretum Trail Landscape Maintenance contract and read them out to those present. The bids came in as follows:

Lawnsense	2012	\$41,120
	2013	\$41,120
	2014	\$41,120
Bipco	2012	\$35,750
	2013	\$38,000
	2014	\$40,300
JML	2012	\$25,922
	2013	\$25,922
	2014	\$25,922
Brickman	2012	\$29,898.83
	2013	\$29,898.83
	2014	\$29,898.83

North of Hulton Landscape Maintenance 2012 – 2014 – Next, Mr. Jamison opened the sealed bids for the 2012-2014 North of Hulton Landscape Maintenance contract and read these bids out. The bids were as follows:

Lawnsense	2012	\$2,460
	2013	\$2,460
	2014	\$2,460
Bipco	2012	\$3,850
	2013	\$3,975
	2014	\$4,100

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Brickman	2012	\$1,995
	2013	\$1,995
	2014	\$1,995

Mr. Jamison announced that the bids would be reviewed and the contract for both awarded at the next Regular Meeting of Council.

REGISTERED COMMENTS FROM THE PUBLIC

No one was registered to speak that evening.

COMMENTS FROM THE PUBLIC

No one present in the audience spoke at that time.

COUNCIL PRESIDENT'S MESSAGE

Riverside Park Ice Skating Rink – President Favo diverged from the published Agenda to go directly to the discussion of the proposed ice skating rink at Riverside Park so as not to unnecessarily detain Recreation Board members.

Recreation Board Member Tom Bland discussed the various details of operation for the rink that Council had asked the Recreation Board to determine. He said the rink was foldable and could be stored under the bleachers. A snow blower, 2 Jet Ski trailers and some other miscellaneous equipment would probably cost about \$2,000. Funding would come from donations and perhaps even a major sponsor like the Penguins, said Mr. Bland.

Mr. Bland gave the various dimensions of different sized rink size, noting that there was not much difference between the medium and large sizes, and that the same equipment would be needed no matter what the size.

Mr. Bland estimated the total cost for the large-sized rink to be \$9,146.00, plus another 15% in shipping charges. This would include a kick plate, a Zamboni and a repair kit, he added.

He said the Riverview Athletic Association (RAA) had received grant money to erect a chain link fence along the bleachers as a storage. Their equipment would take up 75% of this space; the ice rink approximately 25%. He said only temporary lighting was proposed at present, because permanent lighting would be installed later as part of the Park's Master Plan. Electrician and Oakmont resident Doug Myers has volunteered to provide the temporary lighting.

Another Recreation Board Member, Molly Dinnin Merlino, said they had collected \$3,215.00 in donations so far for the rink, along with pledges of \$6,015.00. She said the Board would not have any information on any Penguin contributions until the end of the week.

Preliminary scheduling ideas discussed include the rink being opened from Christmas through February. Saturday mornings, time would be allotted for smaller children to skate, with hockey clinics being scheduled later on in the day, by age. There would also be Free Skate sessions in the afternoons and evenings.

Supervision of the rink would be a collaborative effort in conjunction with the RAA and the Riverview School District PTA. Supervision would be provided at all times that the rink is open, said Ms. Merlino. Mayor Fescemyer asked if there would be rules for the skaters to follow, such as wearing helmets while on the rink, etc. Ms. Merlino said those specific details still had to be worked out.

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Mr. Scott asked if the concession stand would be open while the rink was open. Ms. Merlino said the Recreation Board was still getting feedback from the groups that currently supervise the concession stand, and added that it was certainly something they hoped for.

Mr. Milberger asked when the rink would be dismantled each year. Ms. Merlino answered that the rink would come down before the March 1 start date for track season to begin.

After asking if Council had any further questions or thoughts, which they did not, President Favo then asked if Council “were comfortable giving the green light” to this project. Messrs. Scott and Milberger and Vice President Ride stated they were comfortable with the recommendations. No one on Council expressed any reservations against going ahead with the skating rink, as proposed.

Commercial District Parking Regulations - Returning to the Agenda, President Favo asked Solicitor Shoop if he would prepare some language for inclusion in legislation stipulating what was to be defined as the “Commercial District.”

Vice President Ride said she would begin by leaving the 2-hour parking limit as is for the time being, hiring an individual specifically to handle ticketing within the Commercial District and purchasing one license reader to try out. President Favo noted the license reader could be leased.

Ms. Vagley asked what it would cost to change the current signage from a 2-hour parking limit to the proposed 3-hour parking limit. The Manager said the signs cost \$14.30 each, for a total of \$572.00.

President Favo said Council would continue to work on this project and that all should feel free to pass their thoughts along.

Tree Trimming - President Favo asked Mr. Jamison to contact Shade Tree Commission Chairman John Wojtyna for feedback on the quality of recent trimming of Borough trees.

Grove Property Update – President Favo said this issue would be discussed later on that evening in Executive Session.

SOLICITOR’S REPORT

Park Use Policy Review – Solicitor Shoop said he had reviewed the latest draft of the Park Use Policy drawn up by the Recreation Board, and found nothing in the policy that could not be enforced, including the sections on firearms.

Ms. Vagley commented that there was still the issue of park users providing their own insurance coverage to discuss. Mr. Shoop suggested this issue be left up to the discretion of the Borough Manager in terms of who does, or does not, need to provide insurance coverage when using Oakmont’s parks.

It was agreed that this issue, and perhaps others, would be discussed at subsequent meetings since there was no hurry to have this policy approved.

CORRESPONDENCE

There was no correspondence to be read that evening.

BOROUGH MANAGER’S REPORT

Park Renovation Project Update – The Borough Manager reported that crews were currently working on the pavilion roofs, that the under drains had been put into place, and that several more trees would have to be removed near the tennis courts. President Favo asked if a Change Order had been issued for these additional tree

removals. Mr. Jamison said he did not know, that this action was the recommendation of the contractor. President Favo asked Mr. Jamison to get something in writing on what the tree removals would cost.

MAYOR'S REPORT

Monthly Police Report - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his September 2011 Police Report for those present. At one point, Mayor Fescemyer interrupted Chief DiSanti's reading of his report to note that there had been an upswing lately in suicide calls, domestic abuse calls and protection from abuse calls. Other than the downturn in the economy, Mayor Fescemyer had no idea why these types of calls had increased.

When the Chief was done reading his report, Council Member Milberger asked if he could provide Council with a breakdown of how many parking tickets were issued along Allegheny River Boulevard, compared to the rest of the parking tickets issued. Chief DiSanti agreed to do this.

Monthly OVFD Report – There was no report on the Fire Department's activities for September 2011.

License Plate Reader Leasing - With regard to whether or not the Police Department was in favor of trying out the license plate readers, Mayor Fescemyer said, "We'll work with you anyway you want to do it." Chief DiSanti concurred, adding, "You have our 100% cooperation . . . I think we should try it." Mayor Fescemyer asked Council if they wanted him and the Chief to speak with the Magistrate to alert her to the anticipated changes. President Favo said he preferred to wait until the Solicitor had come back with some more definitive language on the procedure.

COMMITTEE REPORTS

Financial Committee

Warrants – Vice President Ride moved to approve the Warrant List for September 2011, dated October 10, 2011, showing the following expenditures:

<i>Fund</i>	<i>Amount</i>
General Fund	\$153,581.30
Boulevard Project Fund	\$5,212.54
Kerr Museum Fund	\$4,024.73
Library Fund	\$36,733.73
Liquid Fuels Fund	\$7,910.58
Sewer Fund	\$144,609.83
Sewer Deposit Fund	\$ -0-
Capital Fund (Parks)	\$47,093.16
Capital Fund (Roads)	\$1,712.00
Capital Reserve Fund	\$ -0-
Operating Reserve Fund	\$20,167.60

Mr. Milberger seconded the motion, which passed 7 to 0.

Resolution No. R16-2011 - Act 44 Compliance, Professional Pension Services – Vice President Ride offered a motion to adopt Resolution No. R16-2011, and moved for its adoption, a resolution relative to the procurement of professional services for the municipal pension systems sponsored by the Borough, based on the requirements of Act 44 of 2009.

Mr. Milberger seconded the motion.

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Vice President Ride noted that Sections k. and l. of the resolution refer to “the municipal pension system’s website,” and that she thought the wording should be amended to read, “the Borough’s website,” instead All agreed to amend the resolution to include this change.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 31, Page 40, as **Resolution No. R16-2011**.

Transfers to Cover Paving Projects – Vice President Ride next explained that additional funds were needed to cover expenses for 2011 paving projects, as well as for completion of infrastructure repairs such as sink holes and catch basins. The proposal on the floor is to address this shortfall by transferring monies from unspent line items in the General Fund, as well as bond monies in the Capital Reserve Fund, to the Capital Fund (Roads).

President Favo said that the proposed transfer amounts had changed again since last Friday and that he was still confused by the figures. Borough Manager Jamison attempted to clarify the figures for President Favo. President Favo asked if anyone else was uncomfortable with the figures, as presented.

Council members then began to discuss this between each other. Mr. Jamison said he felt that anything else that might be owing could be adjusted the following month, and that adjustments would have to be made “as we go along.”

Mr. Donovan said, “We’re sitting on \$400,000.00. Can we afford not to move on this? What’s the big deal? How far off are we on the numbers we have?” Mr. Jamison noted that Shields Asphalt Paving, Inc. needed to be paid this month for their work on the street paving, and that next month, U&S Construction would be due for their work at Maryland Avenue and the Boulevard, along with six sink holes and catch basins that should be repaired soon.

When discussion concluded, Ms. Ride offered a motion to transfer the following amounts from the Borough’s General Fund to the Capital Fund (Roads) for paving projects:

From G/F Line Items	Amount to Transfer
401.462 Manager’s Incentive	\$ 6,000.00
401.750 Minor Expenditures	\$ 8,500.00
402.317 Appraisal Services	\$ 9,000.00
430.310 Leaf Recycling Services	\$10,000.00
430.368 Contracted Dumpster Svcs.	\$12,000.00
430.373 Repairs & Maint. – Garage	\$10,000.00
454.241 General Supplies	-0-
454.373 Maint./Repairs – Buildings	\$ 2,500.00
471.163 Gen’l. Obligation Bond 2004	\$ 4,000.00
Total:	\$62,000.00

Mr. Donovan seconded the motion.

On a voiced vote, the motion passed 6 to 1, with President Favo voting “No,” because he was not sure if the total for the monies to be transferred were accurate.

2010 Borough Audit - Next, Vice President Ride offered a motion to accept the 2010 Audit of Maher Duessel, Inc., along with accompanying documentation.

Council Member Saxon seconded the motion. The motion passed 7 to 0.

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Treasurer's 3rd Quarter Report - Ms. Ride motioned to include a copy of the Treasurer's Third Quarter Report, presented at the October 3, 2011 Work Session of Council, as part of the Minutes of this meeting.

Mr. Scott seconded the motion. The motion passed 7 to 0. [See: Attachment A - Borough Treasurer's Third Quarter Report, at the end of these Minutes.]

2012 Preliminary Budget - Vice President Ride said that the Borough Manager was starting the budget process for 2012, and would be contacting people soon to meet with him to discuss the upcoming year's budget. Mr. Jamison is to have budget packages for everyone by next Friday, stated Ms. Ride. He is working on the fixed items, at present, and will move on to building a wish list, she added.

Public Safety Committee

Halloween Parade - Mr. Scott motioned to permit street closure for the October 29, 2011 Halloween Parade, sponsored by the Riverside Women's Association.

Ms. Ride seconded the motion, which passed 7 to 0.

Animal Control 2012 – Mr. Scott then offered a motion to enter into an agreement with Hoffman Kennels for animal control services, from January 1, 2012 through December 31, 2012, at a cost of \$175.00 per month.

Ms. Saxon seconded the motion. The motion passed 7 to 0.

Street Line Painting - Mr. Scott asked if the crosswalks along Allegheny Avenue, especially at Delaware Avenue and Archie Street, had been painted yet. Mr. Jamison explained these had been put on hold originally because PennDOT was due to perform some road work in that area this summer. He said he would speak to the Street Superintendent about getting this done since he had heard nothing from PennDOT as to a start date for the road repairs.

Homecoming Parade - Council Member Scott said he wished to commend the Police Department for their handling of the Homecoming Parade.

Planning and Economic Development Committee

Resolution No. R17-2011, CITF Grant, Riverside Park Trails – Ms. Vagley offered Resolution No. R17-2011, and moved for its adoption, a resolution authorizing the filing of an application for funds with the Redevelopment Authority of Allegheny County for improvements to the Riverside Park trails and other improvements.

Mr. Milberger seconded the motion.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 31, Page 41, as **Resolution No. R17-2011**.

Park Use Policy – As mentioned previously, this item has been tabled until insurance issues have been clarified further.

Ice Skating Rink - Ms. Vagley offered a motion to approve the purchase of the largest sized ice skating rink, and accessories, at a cost of \$11,200.00, plus shipping.

Mr. Scott seconded the motion, which passed 7 to 0.

501(c)(3) Status, Recreation Board - Ms. Vagley offered a motion authorizing the Oakmont Recreation Board to apply for 501(c)(3) status.

Vice President Ride seconded the motion, which passed 7 to 0.

Kacin Recreation Property - Ms. Vagley reported she had contacted the Kacin Company to meet on the proposed development of property along Dark Hollow Road for recreation space. She was told that Richard Kacin wished to handle these discussions personally, and that he was currently out of town.

Delmonaco Subdivision Plan – Ms. Vagley moved to approve the proposed Delmonaco Subdivision Plan, located at 121 Washington Avenue, pending receipt of a recommendation for approval from the Borough's Planning Commission.

Mr. Donovan seconded the motion.

The Manager, who is also the Planning Commission Secretary, said the Planning Commission voted to recommend approval of the Plan to Council last Wednesday, and that he would obtain the written recommendation from them.

The motion passed 7 to 0.

Ms. Vagley thanked the Planning Commission for addressing this subdivision plan so quickly for the young man who submitted it.

Public Works Committee

Catch Basins/Sink Holes – Mr. Milberger reported that the Borough had repaired eight sink holes and completed repairs on seven catch basins this year. There are still seven catch basins left to repair, he noted, characterizing this as “a tough situation.”

Reviewing projects over the last year, Mr. Milberger commented that a lot had gotten done – 16 different street segments were paved, in addition to the catch basin and sink hole work, as well as the Maryland Avenue/Boulevard work. He added that the Borough had also managed to cost share some of the expenses for street paving with the Water Authority.

ARB Future Work – Noting the water problems present at the intersection of Allegheny River Boulevard and Maryland Avenue, Mr. Milberger said that work was finishing up and that he hoped the newly-installed trench drains on either side of Maryland Avenue would successfully channel the water away from the Boulevard now.

Commenting that Shields Asphalt had done a good job tarring after they had paved the streets, President Favio next asked if the Water Company had been invoiced for their share of the paving costs, as agreed. When Mr. Jamison said this had not been done yet, President Favio asked that this get done.

Handicapped Ramps Grant – Reporting that we had gotten \$21,620.00 this year from the Allegheny Valley Council of Governments (AVN-COG) to install handicapped ramps along Washington Avenue, Mr. Milberger pointed out that the lowest bid received for the work was \$28,000. Mr. Milberger said the Borough Engineer needed to know if Council wanted to fund the additional monies to cover the bid, or reduce the number of ramps installed to stay within the \$21,620.00 received.

After some discussion, Council agreed that they preferred to “vote for fiscal responsibility” and stay within the dollar amount already received. With this in mind, Mr. Milberger moved to accept the monies allocated from the AVN-COG of \$21,620.00, to accept the lowest responsible bidder for the project – Green Thumb - at a cost of \$28,280.00, but to reduce the scope of the project by \$6,620.00 to stay within the scope of the money allotted.

Ms. Vagley seconded the motion, which passed 7 to 0.

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Communication & Code Committee

Leaf Collection – Ms. Saxon announced that Borough leaf collection would begin on Monday, October 17, 2011. She asked residents not to rake their leaves into the streets, which caused costly sewer clogs, but to pile them between the sidewalk and the curb, or directly behind the curb.

Newsletter – The deadline for copy for the Chamber Newsletter is this Wednesday, noted Ms. Saxon. She asked that any submissions be in to her by Tuesday.

Legal, Zoning & Land Use Committee

Delchambre Flag – Mr. Donovan said he had been contacted by the widow of former Borough Council Member Wayne Delchambre, who requested that Mr. Delchambre's Veteran Flag be flown for one day over the Borough.

All members of Council agreed to this request. President Favo asked Mr. Jamison to coordinate this and to apprise Mrs. Delchambre of the details.

COMMENTS FROM THE PUBLIC

Bertha Shearer – Mrs. Shearer said she felt the Police Department and the Mayor had been undermined last week over their budget. She said both had done a great job during bad economic times, and she would like to commend them for this.

Sue Martin – Ms. Martin wanted to know when Trick-or-Treat was being held in the Borough this year. She was told that Trick-or-Treat would be held on Monday, October 31, from 6:00 PM to 8:00 PM, and that the Halloween Parade would be on Saturday, October 29.

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

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

ADJOURNMENT

There being no further business to conduct that evening, Mr. Milberger offered a motion to adjourn to Executive Session. Mr. Scott seconded the motion, which passed 7 to 0.

The meeting was adjourned at 8:45 PM.

Respectfully submitted,

L. C. Jensen
Assistant Borough Secretary