

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:04 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; Assistant Borough Secretary Jensen

Absent: Borough Manager Jamison

Visitors: Jack H. Artman, Dorothy Calfe, Victor Calfe, Barbara Charlton (arr. 7:39 PM), Elena Colianni, Nate English, Judy Fescemyer, Erin Hill, Paul Jenkins, Jeff Lezark, Tom Meising, Bill Peoples, Matt Provenza, Bertha Shearer and Summer Tissue

REGISTERED COMMENTS FROM THE PUBLIC

Thomas Meising – In regard to Mr. Meising's belief that he should be granted deemed approval on a building permit he submitted for 25 Potomac Street, Mr. Meising said he had turned in this building permit over 200 days ago. He said he has sent a series of seven letters to Borough officials on this and made several phone calls to the Borough Manager, all with no response.

Mr. Meising stated that he was representing himself on this issue and was not being represented by Attorney Robert Downey, Jr. President Favio advised Mr. Meising that it would be wise to have counsel on an issue like this, but that it was up to Mr. Meising. President Favio handed a letter to Mr. Meising from Martone Engineering, the firm that reviewed the survey Mr. Meising submitted to Council last month. President Favio advised Mr. Meising that the survey, dated 2007, was not current as was requested, and reminded Mr. Meising that he had not paid the fine he received from Judge James yet, either. President Favio urged Mr. Meising to meet with him and Borough Manager Jamison about these issues as soon as possible.

At Mr. Meising's request, President Favio read the Martone Engineering letter to those present.

President Favio told Mr. Meising that he could not claim deemed approval on this building permit since he had not submitted the required documents with the building permit to begin with. He added that he thought Mr. Meising was probably going to need a Variance for the construction anyway due to inadequate setbacks. Again, he urged Mr. Meising to meet with him and the Borough Manager before the end of the week.

Mr. Meising reminded Council that he had submitted Judge James' Court Order to Council at the previous meeting, and noted that there was nothing in the Court Order requiring that a survey be submitted. He said he was only trying to go by the Court Order.

Mr. Meising agreed to meet with President Favio and Mr. Jamison at the soonest time available for all.

COMMENTS FROM THE PUBLIC

Bertha Shearer – Mrs. Shearer said she wanted to remind Council that Morris Estates residents had submitted a petition approximately two years ago requesting that they be made aware of all hearings concerning the Morris Estates area. President Favio noted that it was standard practice to notify the surrounding area whenever a hearing is held.

Mrs. Shearer also reminded Council that she still wanted her street paved. “Thanks for listening,” she concluded.

COUNCIL PRESIDENT’S MESSAGE

Sidewalk Inspections - President Favio reminded Council Members to complete their sidewalk inspections as quickly as possible.

SOLICITOR’S REPORT

Political Sign Amendment – Solicitor Shoop said he had researched a recent federal courts ruling, putting a time limit on how long political signs may be erected. He said he believed a specified time limit probably violated citizens’ rights to free speech. He added that he thought the entire section of the Borough’s *Zoning Ordinance* pertaining to signs should be examined and updated by the Borough’s Planning Commission, and as such, he was willing to make his research available to them.

CORRESPONDENCE

Meising Building Permit – President Favio read a letter from Tom Meising, dated April 10, 2011, stating that his building permit for 25 Potomac Street should be granted deemed approval since it had been over 200 days since he had submitted it.

BOROUGH MANAGER’S REPORT

Riverside Park Renovation – In Mr. Jamison’s absence, President Favio reported that the Erosion and Sedimentation Plan for the Park renovation was currently ready to submit to PA-DEP. He also noted that some safety issues had recently come into play while several trees were being removed in the Park.

Cell Tower Rental - Mr. Favio announced that the Borough now had two cell tower renters providing income to the Borough.

MRM Dividends – President Favio reported that Mr. Jamison had collected a dividend check at the most recent Municipal Risk Management Loss Control Annual Meeting, and that it was far less substantial than those received in the past. Dividends are based upon the number of Workers’ Compensation claims filed by an insured over a five-year period. He also noted that Mr. Jamison intends to go out for bids for our insurance coverage this year, as a result.

MAYOR’S REPORT

President Favio told Mayor Fescemyer that it was good to have him back that evening, since the Mayor had been on leave for the last month due to health issues.

Monthly Police Report - At Mayor Fescemyer’s request, Police Chief DiSanti reviewed portions of his March 2011 Police Report for those present. He also announced that he and Officer Mike Ford would be working with the Drug

Enforcement Agency and Rite-Aid Pharmacy to remove dangerous substances from our nation’s medicine cabinets by allowing people to turn in medicines for proper disposal “with no questions asked.”

Monthly OVFD Report - Fire Chief Bill Peoples reported on the Fire Department’s activities for March 2011.

Smoke Detectors – Chief Peoples noted that smoke detectors should be changed every 10 years. He said he thought all landlords should be sent something about this.

Lock Boxes – Chief Peoples requested a meeting with Council to continue discussion on the installation of lock boxes on commercial and industrial buildings. He mentioned the new construction going on at 666 Allegheny River Boulevard where three separate commercial concerns were all listed at the same addresses. This makes it very difficult, should an alarm go off, to tell which store it is, he explained.

Fire Siren – Chief Peoples also said he wanted to discuss getting another siren in the southwest area of town to replace the one taken down at the former Edgewater property. There was also a brief discussion about different kinds of siren signals and what they mean. It was agreed that this information should be published in the Chamber Newsletter with input from the Fire Chief.

Brush Fires – Noting that Chief Peoples had mentioned brush fires in his report, Vice President Ride asked why they seemed to be occurring just now. Chief Peoples said that newly laid down mulch can often begin to smoke and catch fire at this time of year, plus more young people are playing with matches now, too.

She also asked Chief Peoples if the issues he wanted to meet with Council over could be discussed at the next Work Session of Council. Chief Peoples said he wanted “a sit-down session,” instead.

APPROVAL OF MINUTES

Mr. Milberger offered a motion to approve the Minutes from the Regular Meeting of March 14, 2011, as written. Ms. Saxon seconded the motion, which passed 7 to 0.

COMMITTEE REPORTS

Financial Committee

Warrants – Vice President Ride moved to approve the Warrant List for March 2011, dated April 11, 2011, showing the following expenditures:

<i>Fund</i>	<i>Amount</i>
General Fund	\$116,052.49
Boulevard Project Fund	\$2,676.54
Kerr Museum Fund	\$34,624.18
Library Fund	\$28,408.58
Liquid Fuels Fund	\$69,383.02
Sewer Fund	\$101,131.97
Sewer Deposit Fund	\$ -0-
Capital Fund (Parks)	\$23,598.10
Capital Fund (Roads)	\$771.82
Capital Reserve Fund	\$ -0-
Operating Reserve Fund	\$ -0-

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

Treasurer's Report – Ms. Ride noted that, because the Treasurer delivered his 2011 First Quarter Report to Council at the previous week's Work Session, there would be no record of what was presented. With this in mind, she offered a motion to enter the 2011 First Quarter Treasurer's Report into this evening's record.

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

[A copy of Treasurer Frederick R. Favo's 2011 First Quarter Report follows these Minutes.]

Public Safety Committee

Morris Estates Traffic Changes – Mr. Scott offered a motion to begin a 30-day trial period to improve parking and traffic patterns in Morris Estates.

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

Wade Lane Traffic Changes – Council Member Scott offered a motion to begin a 30-day trial period to improve traffic safety on Wade Lane during rush hours.

Council Member Saxon seconded the motion.

President Favo explained that the trial period would limit right-hand turns onto Wade Lane during rush hours so that Hulton Road travelers can no longer take a shortcut off Hulton, onto Wade, down Woodland, and come out at the light at Oakmont Avenue. There are more children than ever walking to school in the area during the same time, he noted.

A discussion followed concerning the fact that Hulton Road is a state-owned road and whether or not the Borough could restrict turning from a state-owned road. Ms. Ride said she also would like to look at discouraging this cut-through traffic at the Oakmont Avenue end of the shortcut.

The discussion ended with the Mayor and Police Chief agreeing to contact PennDOT officials to see what could be done from their end before proceeding to prohibit right-hand turns.

With this in mind, Mr. Scott rescinded his motion; Ms. Saxon withdrew her second. The motion was tabled.

Verona House Fire – Mr. Scott commended and thanked the Oakmont Fire Department for their assistance in putting out the house fire in Verona that past weekend.

Planning and Economic Development Committee

Riverside Park Demolition Bids – Ms. Vagley offered a motion to authorize the Borough Manager to solicit bids for the Riverside Park Renovation demolition project.

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

Public Works Committee

2011 Paving Projects – Mr. Milberger stated that he had received both the Borough Engineer's and the Street Crew Superintendent's recommendations on the streets that should be paved this year. He said there was \$250,000 in this year's budget for paving streets and that 32 Borough streets were currently in need of paving, which was more than the budgeted amount

He added that the Water Company and the Borough will try to coordinate paving and water line installations on streets this year. Mr. Jamison is to discuss the timing

of this with the Water Company. If the water line installation occurs while the Borough is paving, the Borough will contract for the installation; if after our paving program is over, the Water Company will handle the contracting.

2011 Paving Projects' Bids – Mr. Milberger then offered a motion to authorize the Borough Engineer to draw up specifications for the 2011 Paving Projects, using the Senate Engineers' cost estimate, dated April 9, 2011.

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

Ms. Vagley commended Mr. Milberger for preparing a spreadsheet that will show when each Borough street is paved.

Communication & Code Committee

Ordinance No. O11-2011, Fires/Escrow/Delinquencies – In regard to this ordinance, Ms. Saxon noted that it was passed on First Reading at the Regular Meeting of Council on March 14, 2011, and then moved that the rules be suspended, the ordinance placed on Second and Third Readings, read by its short title and finally passed.

Mr. Scott seconded the motion.

President Favo asked if there were any comments from the public or correspondence received on the subject. There were none.

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.

Ms. Saxon read the ordinance by its short title:

Ordinance No. O11-2011, and Ordinance pursuant to Section 508 of the Act of May 17, 1921 (P.L. 682, No. 284), known as the *Insurance Company Law of 1921*, as amended, providing that in certain fire losses the insurance company, association or exchange shall transfer insurance proceeds to a designated officer of the municipality to pay delinquent taxes, assessments, penalties, user charges, the costs for removal, repair or securing a building or other structure on the property, providing for fees, providing for penalties for violation and setting forth the procedures and requirements pertaining to such insurance proceeds and to the implementation of the Act in the Borough of Oakmont.

President Favo declared the Ordinance enacted. Recorded in Ordinance Book Volume 31, Page 35, as **Ordinance No. O11- 2011**.

Annual Street Sale – Ms. Saxon motioned to permit the Oakmont Chamber of Commerce to hold its Annual Summer Street Sale on July 30, 2011, to include closing off Allegheny River Boulevard between Pennsylvania and Washington Avenues, from 10:00 AM to 4:00 PM, and to provide accompanying Street and Police Departments' assistance.

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

Community Information Pamphlet – Next, Council Member Saxon offered a motion to authorize 7,000 copies of a community information pamphlet to be published by the company, "Print," at no cost to the Borough of Oakmont.

Mr. Scott seconded the motion.

Mr. Milberger asked how the pamphlet would be distributed. Ms. Saxon explained that the company sells ads to cover the cost of the pamphlets, which covers distribution costs, too. She said a new one is typically done for a community every 3 to 5 years.

Business District Parking – Ms. Saxon said she was looking forward to meeting with Police Chief DiSanti and President Favo to review the results of the Boulevard Parking survey and to develop a plan of action for addressing the issues mentioned in the survey. After meeting with the Chamber, she received added comments about safety and the Riverside Park Renovation.

Legal, Zoning & Land Use Committee

Ordinance No. O12-2011, Fires/Escrow/Damages – Council Member Donovan said that Ordinance No. O12-201 had been passed on First Reading at the Regular Meeting of Council on March 14, 2011; he then moved that the rules be suspended, the ordinance placed on Second and Third Readings, read by its short title and finally passed.

Ms. Vagley seconded the motion.

President Favo asked if there were any comments from the public or correspondence received on the subject. There were none.

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.

Mr. Donovan then read the ordinance by its short title:

Ordinance No. O12-2011, and Ordinance pursuant to Section 508 of the Act of May 17, 1921 (P.L. 682, No. 284), known as the *Insurance Company Law of 1921*, as amended, providing that in certain fire losses the insurance company, association or exchange shall transfer insurance proceeds to a designated officer of the municipality for security against the total cost of removing, repairing, or securing the damaged building, providing for fees, providing for penalties for violation and setting forth the procedures and requirements pertaining to such insurance proceeds and to the implementation of the Act in the Borough of Oakmont.

President Favo declared the Ordinance enacted. Recorded in Ordinance Book Volume 31, Page 36, as **Ordinance No. O12- 2011**.

6th Annual Alzheimer Benefit – Mr. Donovan offered a motion to permit Carabella's 6th Annual Alzheimer Benefit to be held on August 19, 2011, to include closing off Allegheny River Boulevard between Washington and California Avenues, from 3:00 PM to 11:00 PM, and to provide accompanying Street and Police Departments' assistance.

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

TIF – Mr. Donovan asked if there were any recent developments with the Tax Incremental Financing (TIF) Committee to explore financing for the Brooks & Blair development. President Favo said he had heard nothing of late.

COMMENTS FROM THE PUBLIC

No one present in the audience came forward to speak at that time.

UPCOMING PUBLIC MEETINGS – President Favio 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

Park Security during Construction – Mr. Milberger asked about safety for park-goers while construction is going on in the lower section of Riverside Park. He commented that the existing signs were not very effective. President Favio said four new signs had already been ordered, saying that the lower portion of the Park were off-limits to patrons during construction.

Ms. Vagley asked who would be enforcing this. Solicitor Shoop suggested that the Police be sent down. Mayor Fescemyer agreed to this.

Sidewalk Inspections - Ms. Vagley said she felt that Council should be applauded for being willing to spend even more time contributing to the community by performing sidewalk inspections, which could become quite involved.

ADJOURNMENT

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

The meeting was adjourned at 8:00 PM.

Respectfully submitted,

L. C. Jensen
Assistant Borough Secretary