

Oakmont Borough Council
Minutes of the Regular Meeting

158 (Final)
June 13, 2011

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:00 PM by President Favo 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 Favo; Solicitor Shoop; Mayor Fescemyer; Chief DiSanti; Borough Manager Jamison and Assistant Borough Secretary Jensen

Visitors: Jack H. Artman, Dorothy Calfe, Victor Calfe, Elena Colianni, Nick Demicheli, Mark Harley, Erin Hill, Paul Jenkins, Bill Peoples, Matt Provenza and Summer Tissue

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

TIF Meeting - President Favo said he had attended the first Tax Incremental Financing (TIF) meeting with the County last Tuesday to discuss the Brooks & Blair development of the former Edgewater property. A very extensive market study is to be conducted on the site and ready by the end of July or early August. The next TIF meeting will be held on August 16, 2011.

Meeting Changes – President Favo noted that the July Work Session would be held on *Tuesday*, July 5 to accommodate the July 4th holiday.

He also announced that the Special Meeting, to be held on Monday, June 27, 2011, had been cancelled.

Park Bid Openings – President Favo announced that the bids for the Riverside Park Tennis Court, Playground and Track Resurfacing would be opened at the Work Session on Monday, July 5, and the contracts awarded on Monday, July 12, 2011 at the Regular Meeting of Council.

EPA Brownfields Grant – President Favo reported that, for the third year in-a-row, the Borough had been turned down for an EPA grant to help improve some of the land and flood controls between Plum Creek and Dark Hollow Road. The Borough intends to file another grant application next year, he said.

SOLICITOR'S REPORT

Solicitor Shoop had nothing to report that evening.

CORRESPONDENCE

There was no correspondence that evening.

Oakmont Borough Council
Minutes of the Regular Meeting

159 (Final)
June 13, 2011

BOROUGH MANAGER'S REPORT

Riverside Park Renovation Update – Mr. Jamison reported on his backhoe crew who are currently working at the Park, saying they were digging a trench for electrical conduit from the storage building to the service entrance. Electrical conduit will also be laid for future lighting around the tennis courts. The goal is to get all the infrastructure work done before the contracting work begins, said Mr. Jamison.

Two entirely new pavilions will be erected, and the new track and tennis courts must be completed before school starts this fall. Mr. Jamison added that the School District did have a contingency plan in the event they were unable to use the Park courts and track by the time school starts due to unfinished construction.

Financial Reports – Borough Manager Jamison said he would be reporting on the General Fund budget for the first and second quarters at the July Regular Meeting of Council.

MAYOR'S REPORT

Monthly Police Report - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his May 2011 Police Report for those present.

Police Cars/Personnel – Mayor Fescemyer said he had reviewed the two memos in the Weekend Packet concerning the request for another police vehicle, and the information on a new ticketing device. He said the ticketing device was too expensive and would be questionable when taken to the Magistrate's.

He also wanted to know why the discussion on getting another police vehicle was scheduled for Executive Session, rather than on the Agenda for the public Regular Meeting. The Mayor then alleged that the Borough Treasurer had refused to sign a check written to purchase another police vehicle. "What right does the Treasurer have to do this?" he asked. "That's Council's call."

He went on to say he was very upset that he had to put up with something like that, since he was only asking for something he needed.

President Favio thought Mayor Fescemyer was "putting the cart before the horse," since Council had yet to even discuss whether or not another police vehicle should be approved. He said a new police vehicle had already been purchased in 2011 when one of the police cars was totaled after hitting a deer on Allegheny Avenue.

Mayor Fescemyer said he understood that money for a new police car had already been budgeted for 2011. He said the Police Department did not have enough vehicles at the present time to adequately service the community. President Favio said Council would have to look at the financials first, but that he did not feel the Police Department was "short" any vehicles at the present time.

Mayor Fescemyer disagreed with this, saying the Department only had four vehicles. Chief DiSanti established that the Department currently had six vehicles - two SUVs, three sedans and a motorcycle, instead. Noting that you could only use a motorcycle in warm weather, Mayor Fescemyer said he still contended that the Department needed another vehicle, since the oldest car currently had over 100,000 miles on it.

Since the Mayor had objected to this matter being discussed in Executive Session, President Favio asked why the Mayor had not brought this up at last week's public Work Session. The Mayor said he had brought it up at last week's Executive Session, instead.

Council Member Donovan asked, "Are we down a vehicle then?" Manager Jamison explained that the original and budgeted plan for 2011 had always been to replace the vehicle with the most miles on it, but when a newer police car with less mileage on it was totaled, it had to be replaced, too. Insurance money covered this, and the Department was still left with an older car with over 100,000 miles on it.

Oakmont Borough Council
Minutes of the Regular Meeting

160 (Final)
June 13, 2011

Mr. Jamison added that there was enough money now in the budget to make a first payment on a new lease car, but that that decision was still up to Council.

President Favo expressed his desire to work this out, but Mayor Fescemyer said he felt like he “ran into a roadblock” with everything he asked for – e.g., another full-time police officer, a quick turnaround on replacing the car that was totaled, and the new car for 2011. He said he wanted Council to be a little more expeditious with the things he asked for.

Further discussion followed on the subject. Mayor Fescemyer concluded his remarks by adding that the Borough Street Department also needed a new dump truck.

Folino Fire/Monthly OVFD Report – Once again, President Favo commended members of the Fire Department for their actions during the recent fire at the A. Folino Construction, Inc. site at 109 Dark Hollow Road. Fire Chief Bill Peoples said he told Mr. Folino it was fortunate that someone had not died in the fire, either one of his employees or a fire fighter.

He said it appeared that someone had already tried to put out the fire prior to calling 911. The roof had already blown and the heat was intense. The Chief said they were unsure what was in the building at the time of the fire, but that they were waiting for the County Fire Marshal’s report to determine this.

Chief Peoples went on to say he did not have the May OVFD Report that evening, but that the fire hydrant in front of a home in the Summit was covered up with bushes once again. He said he had discussed this before with the Borough Manager, and the vegetation was trimmed back for while, but that it is now overgrown once again.

Going back to the Folino fire, Chief Peoples said he agreed with Chief DiSanti that the fire was already out of control when they got there, and even with aggressive fire fighters, was still too hot to get inside. He felt the communications were great with the Police Department, especially about whether or not to evacuate the Oakmont Commons. He said he had called four other area fire departments to the site for assistance.

APPROVAL OF MINUTES

Vice President Ride offered a motion to approve the Minutes from the Regular Meeting of May 9, 2011, as written. Mr. Milberger seconded the motion.

The motion passed, 7 to 0.

COMMITTEE REPORTS

Financial Committee

Warrants – Vice President Ride moved to approve the Warrant List for May 2011, dated June 13, 2011, showing the following expenditures:

<i>Fund</i>	<i>Amount</i>
General Fund	\$147,633.66
Boulevard Project Fund	\$7,738.56
Kerr Museum Fund	\$1,944.34
Library Fund	\$44,165.07
Liquid Fuels Fund	\$15,810.86
Sewer Fund	\$582,163.38
Sewer Deposit Fund	\$ -0-
Capital Fund (Parks)	\$14,991.70
Capital Fund (Roads)	\$13,616.43
Capital Reserve Fund	\$ -0-
Operating Reserve Fund	\$ -0-

Oakmont Borough Council
Minutes of the Regular Meeting

161 (Final)
June 13, 2011

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

Pension MMOs – Mr. Milberger asked Ms. Ride when they could expect to see the Minimum Municipal Obligation (MMO) Reports on the Borough’s pension. Mr. Jamison said the MMOs were not in yet, but due next month. He added they are issued on a bi-annual basis.

Public Safety Committee

Klein to OVFD Eligibility List – Mr. Scott offered a motion to approve the addition of Jack Klein, 711 Riverside Drive, to the Oakmont Volunteer Fire Department Eligibility List.

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

OVFD Metz Grant – Next, Council Member Scott offered a motion to ratify the action of the Oakmont Volunteer Fire Department in accepting grant monies in the amount of \$10,210.00 from Metz, Inc., the Gleason Insurance Company and Fireman’s Fund Insurance Company.

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

Morris Estates Parking Trials – Finally, Mr. Scott offered a motion to approve the parking changes made on a trial basis in Morris Estates and to incorporate these changes as an amendment to Oakmont Borough Ordinance No. O18-78, the *Vehicle and Traffic Control Ordinance*.

Ms. Saxon seconded the motion.

Mr. Donovan asked, “Is this legal?” Solicitor Shoop said, “It is.”

The motion passed, 7 to 0.

Business District Parking Trials - Council discussed the following proposed changes to the Business District parking regulations:

- Increase the parking limit from 2-Hour to 3-Hour Parking;
- Define each parking space, rather than painting a single line inside of which cars may park within the Business District;
- Designate a portion of the 400 block of Isabella Street for merchant parking;
- Create a “tiered” penalty clause in the *Vehicle and Traffic Control Ordinance* to address chronic parking limit offenders; and,
- Specifically define Oakmont’s Business District or Commercial Zone.

Discussion followed on how exactly ticketers determine who is to be ticketed, or not, when parkers move their cars before the current 2-hour time limit is up. President Favio said there would be more discussion on the proposed changes at next month’s Work Session. He noted that the Traffic Line Painting crew had already put in parking space lines on a small section of the Boulevard, which had created probably another four or five parking spaces.

Planning and Economic Development Committee

Annual Regatta – Ms. Vagley motioned to grant permission to the Oakmont Yacht club to hold the 109th Annual Regatta on July 23 – 24, 2011, and to provide corresponding traffic and crowd control for the event.

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

Reschedule Bike Race - Council Member Vagley offered a motion to grant permission to the Oakmont Recreation Board to reschedule the Bike Race for Sunday, August 21, 2011, between the hours of 1:30 PM and 5:30 PM, and to provide corresponding traffic and crowd control for the event.

Oakmont Borough Council
Minutes of the Regular Meeting

162 (Final)
June 13, 2011

Vice President Ride seconded the motion.

Chief DiSanti asked Borough Manager Jamison if he had checked with various churches along the route to see if there were any weddings or big events scheduled for that day. Mr. Jamison said he would contact the Recreation Board about this. Mayor Fescemyer said he thought the onus should be on the organization holding the bike race to notify residents when the race was occurring.

Chief Peoples said the Yacht Club, Greek Church and other organizations along the route should also be notified, to which all agreed. Mr. Milberger asked if the motion might not be amended to add "contingent upon Chief DiSanti's approval of the plan, to which all agreed.

The motion passed, 7 to 0.

Public Works Committee

2011 Paving Project Change Order – Mr. Milberger explained that the Borough and the Water Company were able to coordinate their summer repairs so that the costs of doing streets in common could be shared. Essentially, he said the cost to the Borough would be about the same as they had intended to spend on paving this year, with an added \$37,000 in paving thrown in.

With this in mind, Council Member Milberger offered a motion to approve the issuance of a Change Order to Shields Asphalt Paving, Inc. for the 2011 Paving Project to include:

- Elimination of Bid Alternate #4, Potomac Street from Allegheny Avenue to the end;
- Addition of Cedar Way from Archie Street to Pennsylvania Avenue;
- Addition of Beech Street from California to Washington Avenues; and
- Addition of Elm Way from Maryland to Pennsylvania Avenue,

contingent upon a written agreement with the Oakmont Water Authority to share in the costs for the aforementioned added streets.

Vice President Ride seconded the motion.

In response to President Favo's query about a start date, Mr. Milberger said the start would be delayed approximately two weeks to enable the paperwork to be processed for the Change Order. President Favo asked that a start date be pinned down, nonetheless.

The motion passed, 7 to 0.

Allegheny Avenue Repairs – Mayor Fescemyer asked that the state be contacted to repair the 500 and 600 blocks of Allegheny Avenue, which are getting really bad. Mr. Jamison said he had already contacted PennDOT about this.

Communication & Code Committee

Chamber Newsletter – Ms. Saxon said she would be gone the month of July and asked for a volunteer to write the Borough article for the Chamber Newsletter. She said Dolly Provenza and Tom Bland from the Recreation Board were contributing an article about the Park renovation.

Mr. Milberger volunteered to put something in the newsletter pertaining to the 2011 Paving Project. Ms. Saxon said all articles had to be filed by July 12.

Legal, Zoning & Land Use Committee

Tax Collector on Ballot – Mr. Donovan reminded Council that he had asked about the Borough's obligation to put the elected position of Tax Collector on the ballot last month. He said he had contacted the County about this and they say that we have to have this position on the ballot, whether there is a candidate for the position or not.

Oakmont Borough Council
Minutes of the Regular Meeting

163 (Final)
June 13, 2011

The Board of Elections will be contacting Solicitor Shoop about this in August, he said.

President Favo said he thought the County Board of Elections made these determinations.

Solicitor Shoop said the Board of Elections sent us a form each year for the Borough to list the candidates running in the upcoming election. Mr. Shoop has signed this form every year for many years. He said he had just assumed the County would have added Tax Collector to the ballot, if proper to do so, even though they were told each year that no one was running for the position.

COMMENTS FROM THE PUBLIC

Morris Estates Parking Changes - Matt Provenza said he was confused about the new parking changes Council had just approved in Morris Estates. Chief DiSanti explained that, essentially, all on-street parking had been changed to one-side only throughout the plan. Mr. Provenza said he had spoken with Officer Dave Brankley, who had drawn up the plan, and Officer Brankley had drawn a sketch of the plan for Mr. Provenza that he remembered as being a lot more extensive.

He said that, as far as he could tell, only the parking around the Mighty Oak Barrel seemed to have gotten any attention. Mr. Provenza added that he has brought these parking problems up with Council for years. He produced four recently-taken photographs showing cars parked on both sides of Morris Street.

Solicitor Shoop asked how there could have been a 60-day trial period if the signs had not yet been posted. He added that he thought there was really no need for a trial period to begin with to change parking signs.

President Favo told Mr. Jamison to meet with the Police Chief and get the proper signs up for one-sided parking as planned in Morris Estates as soon as possible. Chief DiSanti said he had had nothing to do with this, and that a work order should have been issued to put up the new parking signs.

Sanitary Sewer Problem – Mark Harley said he wanted to discuss a health issue in the 600 block of Delaware Avenue. He said there was raw sewage running down the middle of the street, which needed to be addressed immediately. Mr. Jamison explained that the problem was caused by a lateral shared between two units of one building. He had given them 60 days to have the line repaired. The Borough has already notified the County Health Department, too, about this.

President Favo said this needed to be repaired as quickly as possible, and that a letter should go to the owners, stressing that this needed to be fixed immediately.

Mr. Harley also asked that he be put on the list for curb repairs. He said there was about a 10-foot stretch of curb in front of his property that should be repaired.

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 - President Favo reiterated that those members of Council who had not yet completed their sidewalk inspections should do so quickly and return them to Mr. Jamison.

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.

Oakmont Borough Council
Minutes of the Regular Meeting

164 (Final)
June 13, 2011

The meeting was adjourned at 8:08 PM.

Respectfully submitted,

L. C. Jensen
Assistant Borough Secretary