

Oakmont Borough Council
Minutes of the Regular Meeting

172 Final
August 8, 2011

CALL TO ORDER

The Regular Meeting of Oakmont Borough Council was called to order at 7:00 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 (arr. 7:45 PM) and President Favio; Mayor Fescemyer; Borough Manager Jamison and Assistant Borough Secretary Jensen

Excused: Solicitor Shoop

Absent: Chief DiSanti

Visitors: Jack H. Artman, Tom Bland, Erin Hill, Paul Jenkins, Jeff Lezark, Rich Luciana, Tom Meising, Ron Moser, Dolly Provenza, Matt Provenza, A.J. Schwartz, Jim Siciliano, Summer Tissue and Rich Williams

BID AWARD

ARB & Maryland Avenue Reconstruction Project - President Favio read a letter, dated August 4, 2011, from the Borough Engineer, stating that the low bidder for this project was U&S Construction, as follows:

Contract A – Trench Drain	\$9,850.00
Contract B – Two Type M Inlets	<u>8,400.00</u>
Total	\$18,250.00

Originally, the apparent lowest bidder had been Carlucci Construction, Inc., until it was discovered that their figures were based on using existing brick, rather than new brick as was stated in the specifications.

Discussion followed as to the best time to begin the project and whether or not to purchase the bricks, in advance, and store until work begins.

BID OPENING

Rebid – Riverside Park Track Resurfacing & Drainage Project – Project consultant A. J. Schwartz gave some background on why this project had been rebid. Only one bid was received this time. Ten companies picked up the specifications. Mr. Schwartz recommended that Council accept the one bid received, from Northern Athletic Construction, Inc. for the Base Bid of \$170,941.00 and Bid Alternate #1 at \$115,560, for a total cost of \$286,501.00.

All members of Council were in favor of accepting this recommendation.

President Favio then asked for the recommendation of the Oakmont Recreation Board. Board Secretary Dolly Provenza said the Board would give Council its recommendation after their meeting the following week.

REGISTERED COMMENTS FROM THE PUBLIC

Reduction in Parking – Jim Siciliano, partner in the 221 Allegheny Avenue Partnership, said that parking along the south side of his property on College Avenue had been reduced from 21 spaces to five, as a result of the Edgewater development's

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changes to College Avenue. This, in spite of covenants he had with the Borough of Oakmont, said Mr. Siciliano. He asked that his existing parking spaces be "grandfathered in" so that he could keep the 21 parking spaces.

Mr. Siciliano was asked to submit his request, in writing, to Council and to survey his tenants as to their parking needs.

William Harvanek – Mr. Harvanek had asked to be a Registered Speaker that evening, but was not present to speak.

Leslie Pappa – Ms. Pappa had also asked to be a Registered Speaker that evening, but was not present to speak.

COMMENTS FROM THE PUBLIC

Thomas Meising – Mr. Meising said he spoke to Building Inspector Ed Crates, who said that he had never seen a Building Permit Application from Mr. Meising on 25 Potomac Street.

Mr. Meising was again advised that his submission was incomplete due to the fact that he had handed in a copy of an out-of-date, unsealed survey with the application. Until he hands in a current, sealed survey, the application will be considered as incomplete.

COUNCIL PRESIDENT'S MESSAGE

President Favio had no comments that evening.

SOLICITOR'S REPORT

Act 44 of 2009 Resolution – President Favio said Council had intended to discuss the proposed Act 44 Resolution, outlining requirements for using outside consultants on pension matters, but that Mr. Shoop's absence made that difficult.

It was agreed to put this item on the next Work Session agenda.

BOROUGH MANAGER'S REPORT

Riverside Park Renovation Update – Mr. Jamison said this project was on schedule. The pavilions have been removed and site grading for the new pavilions has begun. Resurfacing work for the tennis courts and playground is slated to begin Monday, as well as completion of water line installation by the Oakmont Water Authority. Playground equipment has also been removed and stored to allow for resurfacing.

President Favio asked Mr. Jamison to be diligent about keeping the area secured while work is going on.

Tenth Street Curbing – Mr. Jamison reported that the west curb of Tenth Street, from Virginia Avenue to Pennsylvania Avenue, was ready to be poured. He had called in the Borough Engineer to look at some drainage issues before starting the next section from Virginia to Hulton Road.

Plum/ARB Storm Drain Repair – The Borough Manager reported that this project was not on PennDOT's repairs list for this year.

Library Capital Campaign Bank Account – Per the Library Board chairman, this fund contains contributions from several families, made over time. It is an endowment, to be used as the Board sees fit, and is not tied in with the Library Bond Issue in any way.

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Catch Basins/Sink Holes – Mr. Jamison said he wanted to put off reporting on this until he had time to review a catch basin/sink hole status spreadsheet prepared by Ms. Jensen. He said there was enough funding currently to cover costs, but that funds may have to be readjusted in the future if we have more repairs towards the end of the year.

APPROVAL OF MINUTES

Vice President Ride offered a motion to approve the Minutes from the Regular Meeting of July 11, 2011, as written.

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

CORRESPONDENCE

Night Games at Riverside Park – President Favo read a letter, dated June 20, 2011, requesting permission to hold a night Homecoming Game on October 7, 2011 at the Park. He noted that this request had already been approved, but that he wanted to read the letter into the record.

PennDOT Repairs – President Favo said he did not have a copy of the letter from PennDOT's District Executive Dan Cessna, dated July 19, 2011, but that residents should know that PennDOT will be making repairs to the 600 block of Allegheny Avenue this week.

COMMITTEE REPORTS

Financial Committee

Warrants – Vice President Ride moved to approve the Warrant List for July 2011, dated August 8, 2011, showing the following expenditures:

<i>Fund</i>	<i>Amount</i>
General Fund	\$539,375.65
Boulevard Project Fund	\$6,160.20
Kerr Memorial Museum Fund	\$102,054.67
Library Fund	\$43,901.75
Liquid Fuels Fund	\$8,375.52
Sewer Fund	\$128,761.00
Sewer Deposit Fund	\$ -0-
Capital Projects Fund (Parks)	\$16,459.21
Capital Projects Fund (Roads)	\$86,531.30
Capital Reserve Fund	\$ -0-
Operating Reserve Fund	\$ -0-

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

MAYOR'S REPORT

Monthly Police Report – President Favo apologized for not realizing the Mayor's Report had been left out of the Agenda, and asked Mayor Fescemyer if he would mind giving his report now.

In the absence of Police Chief DiSanti, Mayor Fescemyer read Chief DiSanti's July 2011 Police Report for those present.

Monthly OVFD Report – Fire Fighter Jeff Lezark said there would be no report on Fire Department's activities for July 2011 that night.

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Public Safety Committee

Civil Service Examination for Sergeants – Mr. Scott offered a motion to authorize the Oakmont Civil Service Commission to conduct an examination for a Sergeant's Position, with sufficient leeway in timing to allow for 100% eligible participation in testing.

Mr. Milberger seconded the motion.

It was agreed that the Civil Service Commission would be asked to determine the proper time for conducting the Sergeant's Exam, in light of the examination currently in progress for the position of patrol officer.

The motion passed, 7 to 0.

2011 Police Car, #2 – Council Member Scott offered a motion to lease a 2011 Ford Crown Victoria sedan for the Police Department at \$8,012.40 a year for the next three years.

Vice President Ride seconded the motion.

The motion passed, 7 to 0.

Police Budget Shortfall – Regarding the last budget report showing the Police Department budget to be over by \$45,000, Mr. Jamison said he sat down with Police Chief DiSanti and they discovered that this was due primarily to overtime wages of part-time police officers. However, since this was discovered, Mr. Jamison said Police Department expenditures were now *under* budget, based on percentages spent to date.

Ms. Vagley remarked that part-timer overtime had also been an issue when there was a full complement of police officers.

Park Reconstruction – Mr. Scott pointed out the potentially dangerous situations at Riverside Park due to ongoing construction and not properly securing the area. President Favo asked the Borough Manager to make sure all was secure every Friday afternoon for weekend visitors to the Park.

Tenth Street Curbing – Mr. Scott said he thought Mr. Jamison's crew had done a nice job on the Tenth Street curbing, especially for the handicapped people who vote at the school. Mayor Fescemyer said they had done a real nice job, too.

Sheetz Store – Mr. Scott said parents had complained to him about how dangerous it was for their children to walk from Fifteenth Street to the end of the Turnpike Bridge on their way to the new Sheetz store at the intersection of Hulton Road and Route 909. Discussion followed regarding installing sidewalks along the areas of Hulton Road where there are not any at present.

Planning and Economic Development Committee

Park Rules and Regulations – Ms. Vagley apologized to the Recreation Board, but said she still had to meet with Regina Vitti-Lyons before presenting the new Rules and Regulations for Borough parks to Council.

Park Track Resurfacing/Drainage Award – Ms. Vagley motioned to accept the bid of Northern Athletic Construction, Inc. for the Park Track Resurfacing/Drainage Project, contingent upon A. J. Schwartz's review of the Base Bid, plus Alternate Bid #1, and an evaluation of the feasibility of Bid Alternate #4.

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

Excused Absence – Ms. Vagley said she would be unable to attend the September 5, 2011 Work Session due to a work commitment.

Public Works Committee

2011-2012 Salt Bid – Mr. Milberger moved to accept the SHACOG-obtained bid of lowest bidder Cargill, Inc. at \$55.83 per ton for rock salt for the 2011-2012 Winter Season.

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

2012 Paving Projects – Council Member Milberger asked to table discussion on next year's Paving Projects until the following month. All agreed.

ARB & Maryland Avenue Reconstruction Project - Mr. Milberger offered a motion to accept the bid of U&S Construction, Inc. for the Allegheny River Boulevard and Maryland Avenue Reconstruction Project, for Contract A and Contract B, at a total cost of \$18,250.00.

Ms. Ride seconded the motion.

Mr. Milberger said he did not want to award this bid at the present time until issues of when to purchase, and where to store, the new brick were resolved. Council agreed to table the motion.

Communication & Code Committee

Chamber Newsletter – Ms. Saxon reminded those present that the newsletter deadline was this week, August 12, and to let her know if anyone had suggestions for an article.

2011 Sidewalk Repairs – Council Member Saxon said the second wave of sidewalk repairs letters had gone out to residents. She thanked residents who had already made the requested repairs.

Legal, Zoning & Land Use Committee

ARB Reconstruction – Mr. Donovan said he wanted to get an earlier jump on the Boulevard reconstruction work next year. He suggested this be put on the February 2012 Agenda.

In light of the current U.S. debt crisis and latest U.S. bond rating, Mr. Donovan felt it might be prudent to examine Borough funds and determine whether or not to continue doing capital projects at this point. He noted that the next Boulevard reconstruction project would probably cost around \$400,000.00, and wondered whether that should be used on something else, instead. President Favo said the funds were already restricted to capital projects.

COMMENTS FROM THE PUBLIC

Rich Williams – Mr. Williams first thanked each Council Member for their service and then said he had examined all 59 blogs of the blogger "Watchdog," on the *Tribune-Review* website to see who was, and who was not, mentioned in the Watchdog's blog. Mr. Williams pointed his finger at each member of Council and said if they were, or were not, mentioned in the Watchdog's blog, and stated that the blog had a Republican bias.

He said he appreciated Council Member Donovan bringing up this blog at last week's meeting, and again pointed his finger, this time at President Favo and audience member Paul Jenkins as the two people who *could* be the Watchdog. President Favo said he was not the Watchdog.

Ms. Vagley said what bloggers say or do not say should have nothing to do with the business of Oakmont Borough Council.

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Act 22, Earned Income Tax Collection – Oakmont Chamber of Commerce Executive Director Summer Tissue said she had sent information to all Chamber members concerning the change in how this tax is to be levied and collected. At President Favo's request, she agreed to send a summary of this information to the Borough.

MISCELLANEOUS ITEMS

Presbyterian Church Parking – Mr. Scott said he received a letter from Oakmont Presbyterian Church Pastor Steve Wilson, asking that individual parking spaces be painted around the church. Mr. Scott asked that this be put on next meeting's Agenda.

Watchdog Blogger – Mr. Milberger said it was against his better judgment to address the blogger issue at all in a public forum, but wanted to point out that Council has no control over what appears on the Internet.

Ms. Vagley said she did not think Council should have to listen to this each week, to which Mr. Donovan replied, "You can hear what you want to hear." Ms. Vagley asked that the issue be dropped by Council because, "It's not our role to listen to people who complain about what's on the Internet."

Mr. Williams stood up and said that only the editor of the *Trib* blog knows who the bloggers are. Mr. Donovan said he thought that President Favo personally controlled the blogger.

Riverside Park Soccer Games – Although a non-Agenda item, Mr. Milberger moved to approve holding two soccer games at Riverside Park on September 3, 2011 at 6:00 PM and 8:00 PM, and a football game on October 8, 2011.

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

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 9:35 PM.

Respectfully submitted,

L. C. Jensen
Assistant Borough Secretary