

**Minutes of Regular Meeting**  
**Oakmont Borough Council**

(Corrected) 505

**December 10, 2007**

**CALL TO ORDER**

The Regular Meeting of Oakmont Borough Council was called to order at 7:30 PM by President Benusa.

**ROLL CALL**

Present: Ms. Zentgraf, Messrs. Bland, Favo, Federici, Kennedy (arr. 7:35 PM), Taliaferro and President Benusa, members of Council; Mayor Fescemyer; Solicitor Shoop; Chief David R. DiSanti, Sr., and Lisa Cooper Jensen, Assistant to the Borough Manager and Assistant Borough Secretary

Visitors: Walt Brotherton, Don Brown, Paula Calabrese, Barbara Charlton, Larry Dunn, Tom Meising, Matt Provenza, Nancy Ride, Bertha Shearer, James Trangle, and Holly Usher

**PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT ON AGENDA ITEMS**

**Industrial Noise** – Bertha Shearer, 39 Morris Street, thanked Chief DiSanti for trying to subdue the noise at Brenntag, but said she was still having problems sleeping at night due to the noise coming from the loading dock there.

**Meising Litigation** – Tom Meising, 17 Potomac Street, said that no one showed up at his court hearing except the Borough’s attorney. “Where were all the Council members?” he asked. He said he wanted to sit down and resolve the issues.

Solicitor Shoop said that the Borough’s attorney had presented a comprehensive settlement offer to Mr. Meising at the hearing. Mr. Favo asked Mr. Meising if he had appeared with representation at the hearing. Mr. Meising said, “No.” Mr. Shoop said that the proposal offered to Mr. Meising would have settled all outstanding litigation, but that Mr. Meising had rejected the offer. Mr. Favo asked Mr. Shoop for a letter outlining all that had occurred with the case. Mr. Shoop agreed to prepare this.

**MINUTES APPROVED**

Mr. Benusa asked that, since there were so many sets of Minutes to approve, that Council approve them all in one motion. Council agreed.

Mr. Kennedy offered a motion to accept the minutes of the following meetings, as circulated to the members of Borough Council:

- ❖ The Work Session of March 26, 2007
- ❖ The Work Session of April 2, 2007
- ❖ The Regular Meeting of April 9, 2007
- ❖ The Work Session of April 23, 2007
- ❖ The Work Session of May 7, 2007
- ❖ The Regular Meeting of May 14, 2007
- ❖ The Work Session of June 4, 2007
- ❖ The Regular Meeting of June 11, 2007
- ❖ The Work Session of July 2, 2007
- ❖ The Regular Meeting of July 9, 2007
- ❖ The Work Session of July 9, 2007
- ❖ The Special Meeting of July 30, 2007
- ❖ The Work Session of July 30, 2007
- ❖ The Work Session of August 6, 2007
- ❖ The Special Meeting of August 8, 2007
- ❖ The Regular Meeting of August 13, 2007
- ❖ The Special Meeting of August 22, 2007
- ❖ The Special Meeting of September 5, 2007
- ❖ The Regular Meeting of September 10, 2007
- ❖ The Special Meeting of September 27, 2007
- ❖ The Regular Meeting of October 8, 2007
- ❖ The Special Meeting of October 29, 2007

Mr. Taliaferro seconded the motion.

Mr. Federici noted that on Page 414 of the April 9, 2007 Minutes, Ms. Zentgraf was referred to as "Mr." Zentgraf. And, that on Page 423 of the May 7, 2007 Work Session Minutes, President Benusa is shown as opening the Work Session, but is listed as excused further on. President Benusa said he would check to see if he were present at that meeting.

All those members of Council present voted to approve the Minutes, with corrections as noted.

### **MAYOR'S REPORT**

**Chief DiSanti Receives Award** - Mayor Fescemyer announced that former Allegheny County Commissioner Larry Dunn was present that evening to present the Senator John Heinz Law Enforcement Award for dedication and efforts in improving the safety and quality of life in Allegheny County, to Police Chief David R. DiSanti, Sr. for the Cops for Kids Program.

Mr. Dunn, chair of the Amen Corner Awards Program, said he was giving the award to Chief DiSanti to acknowledge these commendable law enforcement efforts in Allegheny County.

After receiving his award, Chief DiSanti reviewed the highlights of his November 2007 Police Report for those present. He thanked Mr. Dunn for the award, thanked his fellow police officers, and explained the Cops for Kids Program to the audience. Chief DiSanti also congratulated Officer Bruce Davidson on his retirement in November.

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**New Uniform Grant** - The Chief said he was also working on a \$15,000 grant application to get new “LAPD blue” uniforms for the police department. The current uniforms are three times more expensive than the new uniforms would be, he said.

**SOLICITOR’S REPORT**

Solicitor Shoop wished all those present a Merry Christmas and a Happy New Year.

**COMMITTEE REPORTS**

**Finance, Personnel & Legal**

**Warrants** - Mr. Favo moved to approve Warrant List #11-02-2007, dated December 6, 2007, for payments drawn from the following Borough funds:

<i>Fund</i>	<i>Amount</i>
General Fund	\$120,589.77
Library Fund	\$23,645.45
Sewer Fund	\$32,220.33
Capital Fund	\$13,731.00
Centennial Foundation Fund	\$1,199.58
Highway Aid Fund	\$6,930.04

Mr. Taliaferro seconded the motion, which passed unanimously.

Mr. Favo moved to approve Warrant List #12-01-2007, dated December 6, 2007, for payments drawn from the following Borough funds:

<i>Fund</i>	<i>Amount</i>
General Fund	\$36,140.06
Library Fund	\$2,642.43
Sewer Fund	\$11,371.78
Capital Fund	-0-
Centennial Foundation Fund	\$627.78
Highway Aid Fund	-0-

Mr. Kennedy seconded the motion, which passed unanimously.

**2008 Preliminary Budget Presentation** - Next, Council Member Tim Favo presented highlights from the 2008 Preliminary Budget. Mr. Favo gave credit to Borough Treasurer Frederick R. Favo for “bailing us out” and “correcting mistakes.” In response to a question, Mr. Favo stated that the millage will remain at 3.92 mills for 2008.

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President Benusa noted that a copy of the budget was available at the Borough Office should anyone wish to review it.

Mr. Bland asked when Council had to approve the final budget for 2008. Solicitor Shoop said that the 2008 Budget had to be passed by December 31, 2007, but that the incoming Council had the option to change the budget within 30 days of January 1, 2008, if they so chose.

Mr. Favio stated that 2007 revenues had exceeded expenses by \$35,000. He said, "All in all, I think we're OK."

**Public Safety**

**Emergency Management Appointments** - Council Member Taliaferro offered a motion to appoint Teresa Creighan to the position of Oakmont Emergency Management Coordinator.

Ms. Zentgraf seconded the motion.

Mr. Taliaferro said that a third person still had to be selected for the committee, in addition to Ms. Creighan and Jason Krut. Ms. Zentgraf asked about a term of office for the coordinator and was told by the Mayor that there was no term of office per the Borough's "Emergency Management" manual.

All those members of Council present voted in the affirmative.

Mr. Taliaferro offered a motion to appoint Jason Krut as second-in-command for Emergency Management.

Ms. Zentgraf seconded the motion, and all those members of Council present voted in the affirmative.

**Davidson Resignation Accepted** - Mr. Taliaferro offered a motion to accept the resignation of Patrol Officer Bruce Davidson, effective November 30, 2007.

Ms. Zentgraf seconded the motion, and all those members of Council present voted in the affirmative.

**Planning, Zoning & Community Development**

**Review of Projects** – After announcing the next Planning Commission meeting on December 19, Mr. Bland gave updates on various projects including the Hulton Road traffic lights, Giant Eagle and renting its parking lot for Library parking, the Edgewater developments and Plum Creek improvements.

**Briney Resignation Accepted** - Mr. Bland then moved to accept the resignation of Planning Commission Chairman Thomas J. Briney, effective September 30, 2007.

Mr. Kennedy seconded the motion, and all those members of Council present voted in the affirmative.

**Engineering & Public Works**

**Leaf Collection** – Mr. Federici reminded residents that leaf collection was still in progress, and that leaves should not be raked into the streets, but kept behind the curbs.

He gave a brief review on the status of various construction projects and then thanked outgoing Council Members Benusa and Bland for their leadership and years of service.

**Culture & Recreation**

**Riverside Park** – Mr. Kennedy said the Park was officially closed now except for the playground and tennis courts. Dark Hollow Woods remains open.

**Falling Springs Run Park** – Mr. Kennedy said that former Borough Council President and current Treasurer Frederick R. Favo had donated the land for Falling Springs Run Park to the Borough when he retired from Council, and that now some changes were necessary to the area “to protect the residents on Fifth Street.”

**Park Storm Water Sewer Piping Installation** - Mr. Kennedy offered a motion to approve the installation of storm water sewer piping to catch storm water from natural springs and run-off in Falling Springs Run Park, by Carlucci Construction, Inc., at a cost not to exceed \$9,850.00.

Mr. Taliaferro seconded the motion.

Mr. Bland questioned why the funds to pay for this were coming from Recreation funds and not the Capital Fund, and why was the project being done now. He said there were residents having problems with storm water run-off at Eleventh and Delaware, too, and that Recreation funds were not being used to alleviate the problem there.

Mr. Benusa said the installation of a gas well in the park had aggravated the water problems in the area, and that the Borough could be held liable in the future if this work were not done now. Mr. Bland noted that if the money being spent had to do with liability, then he again did not think the money should come from Recreation funds.

Mr. Federici asked if revenues from the gas well were to be used to fund the sled riding trail at the park. Mr. Favo said the benefactor had given over the mineral rights to the Borough exactly for this purpose.

Mr. Federici asked if the storm water sewer project had been reviewed by the Recreation Commission. Mr. Favo said that it had not.

Discussion continued for some time on the appropriate source of funding from which to take monies for the storm water sewer piping.

Finally, on a called vote, all those members of Council voted in the affirmative.

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**Park Catch Basin Installation** – Next, Mr. Kennedy moved to approve the installation of two catch basins and rip-rap stone in Falling Springs Run Park by Carlucci Construction, Inc. at a cost of \$7,013.00.

Mr. Taliaferro seconded the motion.

Mr. Federici said he felt the discussion on funding sources for Falling Springs Run Park needed to continue, and before the 2008 Budget was passed.

On a called vote, the votes were as follows:

President Benusa	Yea	Mr. Kennedy	Yea
Mr. Bland	Nay	Mr. Taliaferro	Yea
Mr. Favo	Yea	Ms. Zentgraf	Yea
Mr. Federici	Yea		

The motion passed.

**Community Affairs**

Ms. Zentgraf said she had nothing to report that evening. She thanked all those who serve on Borough committees, as well as those residents who regularly attend the Borough Council meetings.

**PRESIDENT'S REMARKS**

President Benusa wished everyone a Merry Christmas, and wished Borough Council good luck in the future.

**ADJOURNMENT**

There being no further business to conduct that evening, Mr. Kennedy offered a motion to adjourn the meeting. Mr. Taliaferro seconded the motion, which passed unanimously.

The meeting was adjourned at 9:10 PM.

Lisa Cooper Jensen  
Assistant Borough Secretary