

**Minutes of the Special Business Meeting December 28, 2009**

**CALL TO ORDER**

The Special Business Meeting of Oakmont Borough Council was called to order at 7:00 PM by President Federici in the 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 Facaros, Favo, Kennedy, Ride, Taliaferro, Williams and President Federici; Mayor Fescemyer; Borough Manager Jamison and Assistant Borough Secretary Jensen

Visitors: Joanne Anderson, Pat Forest, Paul Jenkins, Arlene Loeffler, Doug Myers, Paul Pastierik, Ron Scott, Owen Slagle, Kitty Vagley and Regina Vitti-Lyons

**REGISTERED COMMENTS FROM THE PUBLIC**

No one was registered to speak that evening.

**COMMENTS FROM THE PUBLIC**

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

**COMMITTEE REPORTS**

**Financial and Legal Committee**

**Ordinance No. O30-2009, 2010 Budget** – Vice President Ride offered Ordinance No. O30-2009, an ordinance adopting the Budget, levying and assessing taxes, and making appropriations in and for the Borough of Oakmont, for the fiscal year ending the 31<sup>st</sup> day of December 2010.

Ms. Ride read the ordinance in its entirety.

Mr. Taliaferro seconded the motion.

Mr. Favo said he could not agree with the decrease in monies set aside for paving projects in capital improvements, and therefore could not vote for this budget.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	No	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

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The motion passed 6 to 1.

President Federici declared the Ordinance enacted. Recorded in Ordinance Book Volume 30, Page 78, as **Ordinance No. O30-2009**.

**2010 Wage & Salary Increase** – Ms. Ride offered a motion to approve a wage and salary increase of 3% for all non-union Borough employees.

Mr. Kennedy seconded the motion.

Ms. Ride said that 3% amount was the same increase as negotiated for the Borough Non-Uniformed union employees, as has always been the practice.

The motion passed 7 to 0.

**Public Safety Committee**

**Resolution No. R31-2009, J. Anderson to Boulevard Project Board** – Mr. Taliaferro offered Resolution No. R31-2009, and moved for its adoption, a resolution reappointing Joanne Anderson a member of the Oakmont Boulevard Project Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Mr. Williams seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 79, as **Resolution No. R31-2009**.

**Resolution No. R32-2009, D. Myers to Boulevard Project Board** – Mr. Taliaferro offered Resolution No. R32-2009, and moved for its adoption, a resolution reappointing Douglas E. Myers a member of the Oakmont Boulevard Project Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of his term.

Ms. Ride seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 80, as **Resolution No. R32-2009**.

**Resolution No. R33-2009, Sharon F. Ehrlich to Boulevard Project Board** – Mr. Taliaferro offered Resolution No. R33-2009, and moved for its adoption, a

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resolution reappointing Sharon F. Ehrlich a member of the Oakmont Boulevard Project Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Ms. Facaros seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 81, as **Resolution No. R33-2009**.

**Planning and Economic Development Committee**

**Resolution No. R34-2009, J. Joyce to Planning Commission** – Mr. Favo offered Resolution No. R34-2009, and moved for its adoption, a resolution reappointing James M. Joyce a member of the Planning Commission of the Borough of Oakmont, to fill the vacancy on the Commission created by the expiration of his term.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 82, as **Resolution No. R34-2009**.

**Resolution No. R44-2009, J. Wojtyna to Planning Commission** – Mr. Favo offered Resolution No. R44-2009, and moved for its adoption, a resolution reappointing John P. Wojtyna a member of the Planning Commission of the Borough of Oakmont, to fill the vacancy on the Commission created by the expiration of his term.

Mr. Kennedy seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 92, as **Resolution No. R44-2009**.

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**Resolution No. R35-2009, O. Slagle to Zoning Hearing Board** – Mr. Favo offered Resolution No. R35-2009, and moved for its adoption, a resolution reappointing Owen F. Slagle, III a member of the Oakmont Zoning Hearing Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of his term.

Ms. Ride seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 83, as **Resolution No. R35-2009**.

**Engineering & Public Works Committee**

**Resolution No. R36-2009, K. Vagley to Boulevard Project Board** – Ms. Facaros offered Resolution No. R36-2009, and moved for its adoption, a resolution reappointing Kitty Vagley a member of the Oakmont Boulevard Project Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 84, as **Resolution No. R36-2009**.

**Resolution No. R37-2009, P. Pastierik to Library Board** – Ms. Facaros offered Resolution No. R37-2009, and moved for its adoption, a resolution appointing Paul Pastierik a member of the Oakmont Carnegie Library Board of the Borough of Oakmont, to fill the vacancy on the Board created by the resignation of Charles P. Erdeljac, Ph.D.

Mr. Kennedy seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

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The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 85, as **Resolution No. R37-2009**.

**Recreation, Cultural and Community Assets Committee**

**Resolution No. R38-2009, A. Brown to Kerr Museum Board** – Mr. Kennedy offered Resolution No. R38-2009, and moved for its adoption, a resolution reappointing Adeline Brown a member of the Dr. Thomas Robinson Kerr Memorial Museum Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Ms. Facaros seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 86, as **Resolution No. R38-2009**.

**Resolution No. R39-2009, D. Thompson to Kerr Museum Board** – Mr. Kennedy offered Resolution No. R39-2009, and moved for its adoption, a resolution reappointing Diana Thompson a member of the Dr. Thomas Robinson Kerr Memorial Museum Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 87, as **Resolution No. R39-2009**.

**Human Resources, IT & Communications Committee**

**Resolution No. R40-2009, S. Facaros to Recreation Board** – Mr. Williams offered Resolution No. R40-2009, and moved for its adoption, a resolution reappointing Sophia Facaros a member of the Recreation Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of her term.

Mr. Taliaferro seconded the motion.

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On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 88, as **Resolution No. R40-2009**.

**Resolution No. R41-2009, B. Erdeljac to Recreation Board** – Mr. Williams offered Resolution No. R41-2009, and moved for its adoption, a resolution reappointing Benjamin M. Erdeljac a member of the Recreation Board of the Borough of Oakmont, to fill the vacancy on the Board created by the expiration of his term.

Ms. Facaros seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 89, as **Resolution No. R41-2009**.

**Resolution No. R42-2009, R. Vitti-Lyons to Recreation Board** – Mr. Williams offered Resolution No. R42-2009, and moved for its adoption, a resolution appointing Regina Vitti-Lyons a member of the Recreation Board of the Borough of Oakmont, to fill the vacancy on the Board created by the resignation of Allan R. Kennedy.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 90, as **Resolution No. R42-2009**.

**Resolution No. R43-2009, M. Harley, Sr. to Shade Tree Commission** – Mr. Williams offered Resolution No. R43-2009, and moved for its adoption, a resolution reappointing Mark Harley, Sr., a member of the Shade Tree Commission the Borough of Oakmont, to fill the vacancy on the Commission created by the expiration of his term.

Mr. Kennedy seconded the motion.

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On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 91, as **Resolution No. R43-2009**.

**Resolution No. R45-2009, J. Wojtyna to Shade Tree Commission** – Mr. Williams offered Resolution No. R45-2009, and moved for its adoption, a resolution reappointing John P. Wojtyna a member of the Shade Tree Commission the Borough of Oakmont, to fill the vacancy on the Commission created by the expiration of his term.

Mr. Taliaferro seconded the motion.

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	Yes	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	Yes		

The motion passed 7 to 0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 93, as **Resolution No. R45-2009**.

**Resolution No. R46-2009, D. Taliaferro to Civil Service Commission** – Diverging from the printed Agenda, Mr. Williams offered a motion appointing Dru Taliaferro a member of the Civil Service Commission of the Borough of Oakmont, to fill the vacancy on the Commission caused by the expiration of the term of Robert D. Alexander.

Ms. Facaros seconded the motion.

Mr. Kennedy said he intended no malice towards Mr. Taliaferro, but wanted to know why the recommendation of the Civil Service Commission to appoint Michele Harden to this position was not to be approved.

Mr. Favo said he thought Council members had been told at the last Executive Session that this appointment would not be voted on at this meeting. He added he thought that the Solicitor was in the process of reviewing the validity of the Harden appointment and that no response had been received to date.

Ms. Facaros and Ms. Ride both stated they believed the Solicitor had already informed Council that Ms. Harden was disqualified due to her employment by the County.

Mr. Kennedy asked Civil Service Commission Chairman Kitty Vagley, present in the audience, to speak to the issue. Ms. Vagley said she had spoken to Solicitor Shoop that morning, that he had apparently misread the Code, and that he said he would have a response for Council by next week on the matter.

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President Federici asked Mr. Williams if he wished to table the motion, and Ms. Facaros if she wished to withdraw her second, so that Council members would be able to review the Solicitor’s response the following week. Both individuals said they did not want to take the motion off the floor.

Vice President Ride observed that Councils had generally followed the recommendations of the Boards or Commissions in the past.

Mr. Williams said he would not state his reasons, but emphasized that he was *strongly* against the appointment of Michele Harden, recommended by the Civil Service Commission. Mr. Favo asked Mr. Williams to state his reasons for not accepting the recommendation, to which Mr. Williams responded, “It’s personal, Mr. Favo. You know about *personal*, don’t you?” Mr. Favo said he did not understand why Mr. Williams was refusing to state his reasons for being against the Commission’s recommendation, nor did he understand Mr. Williams’ implication about what was, or was not, “personal.”

On a called vote, the votes were as follows:

Ms. Facaros	Yes	Ms. Ride	Yes
Mr. Favo	No	Mr. Taliaferro	Yes
President Federici	Yes	Mr. Williams	Yes
Mr. Kennedy	No		

The motion passed 5 to 2.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 94, as **Resolution No. R46-2009**.

**Thanks** – Mr. Williams thanked Assistant Borough Secretary Lisa Cooper Jensen for her work for the Borough.

**Swearing In** – Mayor Fescemyer then administered the Oath of Office to the following individuals: Joanne Anderson, Sophia Facaros, Doug Myers, Paul Pastierik, Owen Slagle, Regina Vitti-Lyons and Kitty Vagley.

President Federici thanked all those present for their willingness to give their time and talents to the community.

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

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

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

**MISCELLANEOUS ITEMS**

**A. Folino Construction Monies Pending** – A brief discussion occurred concerning a letter from Anthony Folino requesting a withheld payment of \$10,000 from the Borough for his work on the 2009 Paving Projects. It was agreed that Council needed to discuss this request further before acting on it.

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**President Thanks** – President Federici thanked all out-going Council members and wished the new Council members well. He also thanked Assistant Borough Secretary Lisa Cooper Jensen for her work.

**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 7 to 0.

The meeting was adjourned at 8:06 PM.

Respectfully submitted,

L. C. Jensen  
Assistant Borough Secretary