

Minutes of the Regular Business Meeting January 12, 2009

CALL TO ORDER

The Regular Business Meeting of Oakmont Borough Council was called to order at 7:04 PM by President Federici.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Council Members Calabrese, Favo, Kennedy, Ride, Taliaferro, Zentgraf and President Federici; Attorney Gallagher; Chief DiSanti; Interim Borough Manager Mator and, Assistant Borough Secretary Jensen

Excused: Mayor Fescemyer

Visitors: Jack Artman, Judie Beynon, Mark F. Harley, Paul Jenkins, Jeff Lezark, Dick Marino, Sue Martin, Richard Panza, Robetta Panza, Craig Olson, Bill Peoples, Matt Provenza, Bertha Shearer and Rich Williams

REGISTERED COMMENTS FROM THE PUBLIC

No one was registered to speak that evening.

COMMENTS FROM THE PUBLIC

Comcast Fees – Bertha Shearer, 39 Morris Street, said she had been told before by a member of Council that the Borough had nothing to do with the fees set by the Borough's cable utility, Comcast, and that the fees were set by the Public Utility Commission. Ms. Shearer said she found out that this was not correct, that Borough residents do pay franchise fees to the cable company and that the Borough gets money from Comcast.

Potholes – Ms. Shearer complained of the size of many of the potholes around her street and neighborhood.

Ninth Street, One-Way – Dick Marino, 731 Ninth Street, said he felt the one-way portion of Ninth Street was going the wrong way. President Federici referred Mr. Marino's suggestion to the Public Safety Committee for review.

PUBLIC HEARING

Panza Gas Well – Attorney Shawn Gallagher, as hearing officer, opened up the Public Hearing on the gas well installation of Richard Panza at 7:14 PM. Mr. Gallagher briefly gave the background on the case. He said, "We are of the opinion that any approvals already received from the Pennsylvania Department of Environmental Protection (PA-DEP) supersede the Borough's jurisdiction."

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Mr. Gallagher asked if anyone had questions for Mr. or Mrs. Panza. No one did. Attorney Gallagher the closed the record at 7:16 PM.

COUNCIL PRESIDENT'S MESSAGE

Executive Session - President Federici announced that there would be an Executive Session following the Business Meeting.

INTERIM BOROUGH MANAGER'S REPORT

Borough Website – Mr. Mator reported that the updating of the website was in the “tweaking” stage and that the front page should be complete by February 1st.

Online Filing – He has also enrolled the Borough in the Pennsylvania Department of Community and Economic Department’s (PA-DCED) on-line filing program so that grants, forms, reports, etc., can now be filed on-line.

Catch Basins – The Sixth and Delaware and Sixth and Isabella Streets catch basins have been repaired. By moving the new catch basins into the street rather than building them into the curb, the catch basins are now less “crushable.”

Street Crew – Mr. Mator commended the Street Department for their diligence in keeping the streets well salted over the last few weeks of snowy weather.

Board Appointments - Mr. Mator said he had updated the list of Board appointments. These will be discussed in more detail at the next Business Meeting.

Arboretum Trail – A Request for Proposal has been sent out to five landscaping firms for Arboretum Trail Maintenance.

Banking – The funds have been set up at PNC Bank and Mr. Mator would be transferring balances from Citizens to PNC.

Fee Resolution – Mr. Mator said he had updated the 2009 Fee Schedule Resolution. This was also to be discussed later in the meeting.

Tax Exemptions – He has applied to the IRS for exemptions from gas and oil taxes for the Borough for the past three years, and has set the Borough up with a waiver in the future.

Street Department Truck – The new truck for the Street Department will be here in 6-8 weeks, once it has been customized to Borough specifications.

MAYOR'S REPORT

December 2008 Monthly Report - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his December 2008 Police Report for those present. The Chief made note of several grant applications for funding police department needs.

Recent Break-Ins – The Chief said that all of the recent vehicle and home break-ins occurred because the vehicle or home was not properly secured.

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Dalzell Way – The Chief said he agreed with the proposed change in traffic patterns on Dalzell Way, between Fifth Street and Hulton Road.

Commendations – The Chief commended Officers Okonak, Capobiano and Killmyer for exceptional police work.

APPROVAL OF MINUTES

Mr. Taliaferro offered a motion to approve the minutes from the Regular Business Meeting of November 10, 2008, as written. Dr. Calabrese seconded the motion.

Mr. Favio said he had not yet received a final copy of the revised October minutes containing a statement he requested be put into the record.

Mr. Kennedy asked if the arrests for the month could be made public. Chief DiSanti said only adult arrests can be made public and that they are all published on the County’s website if anyone wanted to look them up.

The motion passed, 7 to 0.

COMMITTEE REPORTS

Financial and Legal Committee

Warrants – Ms. Ride moved to approve the Warrant List for December 2008, dated January 12, 2009, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$186,875.84
Library Fund	\$90,966.45
Sewer Fund	\$88,733.13
Capital Fund	\$17,361.45
Kerr Memorial Museum Fund	\$4,664.46
Boulevard Project Fund	\$15,989.95
Sewer Construction Fund	\$11,641.42

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

2009 Fee Schedule, Resolution No. R2-2009 – Prior to offering a motion to adopt Resolution No. R2-2009, amending and revising the Schedule of Fees per Borough ordinances, Ms. Ride gave a review of the changes in the Fee Schedule for 2009.

Ms. Zentgraf seconded the motion.

After some discussion, it was agreed that the resolution first needed to be changed prior to passage. As a result, Ms. Ride offered a motion to reduce the increased Sewer Use/Tap-In fee rate in Resolution No. R2-2009 from \$4,500 back to the previous rate of \$3,000.

Dr. Calabrese seconded the motion, which passed 7 to 0.

Then, Ms. Ride again offered the motion to adopt Resolution No. R2-2009, amending and revising the Schedule of Fees per Borough ordinances.

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

Bank Transfers – Ms. Ride asked Mr. Mator to explain the upcoming motion to transfer Borough funds from Citizens Bank to PNC Bank. Mr. Mator said the motion had been recommended by the Local Government Academy. She asked Attorney Gallagher if he saw anything amiss in the motion, and Mr. Gallagher said, “No.”

Mr. Favio said the amounts to be transferred were not correct. Mr. Mator said the purpose of the motion was to permit the transfer of funds, and that the transfer amounts could be changed in short order, if necessary. He stressed that the transfers needed to be authorized as soon as possible so the Borough could pay its bills and receive the higher interest rate of 3% which PNC was offering.

Ms. Ride said she wanted to eliminate the words “as per the memo dated 9 January 2009” from the proposed motion. Mr. Mator said he had no problem with that.

Ms. Ride then offered a motion to authorize the Interim Borough Manager to transfer funds from the Borough of Oakmont’s Citizens Bank accounts to corresponding PNC Bank accounts.

Mr. Taliaferro seconded the motion.

Ms. Zentgraf said any questions regarding these transfers should be forwarded to Ms. Ride who would take them up with Mr. Mator. Mr. Favio said he still wanted to see a reconciliation of the transfers.

The motion passed, 7 to 0.

Public Safety Committee

OVFD Monthly Report - At Council Member Taliaferro’s request, Fire Chief Bill Peoples reported on the Fire Department’s activities for the month.

Emergency Management – Chief Peoples said he was very interested in starting up the monthly meetings with the Borough’s Emergency Management Coordinator again. He also asked that the Borough’s Emergency Protocols be updated as soon as possible, and that Council Members familiarize themselves with these protocols. It was suggested that the current Emergency Management Coordinator appointment be re-examined. It was agreed by all that this needed to be addressed as quickly as possible.

Edgewater Fire Alarm – Chief Peoples asked if the fire alarm, which was removed from the former Edgewater Steel property, be replaced with a new fire alarm in the same area.

OVFD Boiler – Chief Peoples said they would like to move ahead quickly on getting a new boiler, if the money had been approved in the budget. He was told that a Request for Proposal would need to be done.

Potholes – Chief Peoples complained about the present conditions of the streets, especially the potholes.

Lock Box Ordinance – Dr. Calabrese told Chief Peoples that the Lock Box Ordinance had been advertized for passage at the February 9 meeting. Chief

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Peoples said he would like to see the ordinance prior to enactment. Mr. Mator stated he would get Chief Peoples a copy.

Fire Hydrants – There was a brief discussion on the number of fire hydrants in the proposed developments at the Edgewater property. Chief Peoples said no developers had contacted him to discuss this. Mr. Gallagher said he would look into it with the developers. President Federici suggested that Chief Peoples might want to attend the two Planning Commission meetings to be held with the Edgewater developers this month.

Planning and Economic Development Committee

OPC Meetings – Mr. Favo announced that there would be two Planning Commission meetings held this month, on January 14 and January 20.

Engineering & Public Works Committee

Christmas Tree Recycling – Ms. Zentgraf reported that the Borough would be collecting Christmas trees to chip for mulch on a limited basis in the upcoming weeks.

Recreation, Cultural and Community Assets Committee

Friends of the Riverfront/Kayak Access – Referring to an agenda item proposing a motion to allow the Friends of the Riverfront access to the river by kayak in Oakmont, Mr. Kennedy said he did not recall any discussion of this item and that Mr. Mator had excluded him from the meeting with Friends of the Riverfront. Mr. Mator said there was never a meeting with the Friends of the Riverfront since he had been hired, so Mr. Kennedy had not been excluded as he had mentioned. Other members of Council said this issue had been discussed at Council Meetings where Mr. Kennedy was present both last week and in 2008.

It was agreed that the Solicitor would review the agreement and request some form of indemnification for the Borough.

Mr. Kennedy said he had given Mr. Mator the resignation letter of Sam Anderson, so there was now a vacancy on the Recreation Board.

Mr. Kennedy then offered a motion to authorize the Interim Borough Manager to formalize an agreement between the Borough and the Friends of the Riverfront to create riverfront kayak access at the terminus of California Avenue, with said agreement to be reviewed by the Borough Solicitor and voted on at the 9 February 2009 Regular Business Meeting.

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

Human Resources, IT & Communications Committee

Performance Evaluations - Dr. Calabrese reported that Council was in the process of evaluating the Police Chief and the Interim Borough Manager. The process will hopefully be done by the end of January.

Borough Organs of Communication – ISM, Inc. is currently in the process of updating the Borough's website. The update is expected to be done by January 31. Council has also decided to publish a newsletter, perhaps on a quarterly basis. Dr. Calabrese said she appreciated the on-line "Oakmont Grapevine," administered by Sue Martin since the *Oakmont Advance Leader* ceased publication.

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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

Panza Pig and Post Office – Bertha Shearer, 39 Morris Street, asked if Mr. Panza was the gentlemen who used to drive around Oakmont with a wooden pig on the back of his truck, saying “Sweet Adeline.” Mr. Kennedy said that he was.

She also asked if the Post Office were still a fall-out shelter. Mr. Taliaferro said fall-out shelters were no longer a part of the Civil Defense program.

Borough Newsletter – Dr. Calabrese explained the difference between a newsletter and a website to Dick Marino, 731 Ninth Street, at his request. He said he thought the newsletter was a good idea. Ms. Ride noted that the Chamber of Commerce was also working on a newsletter.

Kayak Access – Mr. Marino asked if the U.S. Army Corps of Engineers needed to approve the request for kayak access to the river. Mr. Mator said only if the access altered the waterway in some way.

Miscellaneous Comments – Mark Harley, 610 Delaware Avenue, said that the Edgewater developments scared him, and that we needed more green space. He also said the stop sign at the Subway was being “abused” and that more crosswalk enforcement needed to be done. He asked if any stolen items had been retrieved from the break-ins. Chief DiSanti said that crosswalks were carefully monitored, and that some stolen objects had been retrieved.

Ninth Street, One-Way – Craig Olson, 723 Fifth Street, suggested restricting turns from Hulton Road onto Ninth Street during school hours.

MISCELLANEOUS ITEMS - There were no miscellaneous items to report that evening.

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 7-0.

The meeting was adjourned at 9:06 PM.

Daniel Mator
Interim Borough Manager

Transcribed by: L. C. Jensen, Assistant Borough Secretary