

CALL TO ORDER

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

Visitors: Ken Anthony, Jack Artman, Tom Bland, Joanne Brownlee, Dorothy Calfe, Victor Calfe, George Coulter, Theresa Creighan, Reverend R. A. Drylie, Nathan English, Janet George, Paul Jenkins, Teresita Kolenchak, Anthony Lapiana, Bonnie Lapiana, Karen Meising, Tom Meising, Beth Mellor, Tey Mellor, Craig Olson, Paul Pastierik, Matt Provenza, Len Richards, Bertha Shearer, Dru Taliaferro, Lois Vitti and Rich Williams

Legal, Zoning & Land Use Committee

Resolution No. R16-2010, K. Anthony to Municipal Authority – Mr. Donovan offered Resolution No. R16-2010, and moved for its adoption, a resolution appointing Ken Anthony a member of the Board of Governors of the Municipal Authority of the Borough of Oakmont, County of Allegheny, Commonwealth of Pennsylvania, effective April 1, 2010, to fill the vacancy on the Board created by the resignation of Timothy Milberger.

Mr. Milberger seconded the motion.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page109, as **Resolution No. R16-2010**.

Anthony Sworn In – Mayor Fescemyer then administered the Oath of Office to Mr. Anthony.

REGISTERED COMMENTS FROM THE PUBLIC

E/R Management Coordinator Theresa Creighan – Ms. Creighan discussed the likelihood of flooding over the next couple of weeks. She advised families to be responsible for securing their homes and obtaining supplies of bottled water, as necessary.

She said she would provide the Borough with designated shelter sites in the area and a checklist that could be put on the Borough's website.

CORRESPONDENCE

ARB Conditions – Borough Manager Bruce Jamison read a letter, received February 6, 2010, from Andy Fusia, about the condition of the bricks on Allegheny River Boulevard. President Favio instructed Mr. Jamison to respond to the letter, saying there was already money in the 2010 Budget to allow for some restoration of the Boulevard.

Brooks & Blair Request for Meeting – Mr. Jamison read a letter, dated March 2, 2010, from Edgewater developers Brooks & Blair, Inc., requesting a meeting with the Borough and the School District to discuss financing their development.

Mr. Favio said he would be meeting with the Riverview School District on the third Monday of March to discuss this request with them.

Beth Mellor, New Library Director – Mr. Jamison read a letter, dated March 2, 2010, from Carnegie Library Board Chairman George Coulter, asking Council to approve the Board's recommendation to hire Beth Mellor, to replace Shannon Dunn, as Oakmont Carnegie Library Director.

COUNCIL PRESIDENT'S MESSAGE

Riverside Park Master Plan Grant – Oakmont Recreation Board Member Tom Bland said he was there to answer any questions Council might have about the Riverside Park Master Plan, to gain Council's approval for the Master Plan and to move ahead on the grant, so that he could go before the School Board that night and say that he had Borough Council's support.

Mr. Bland said that the grant would be for 40% of the \$575,000.00 cost for Phase I, with the Borough committing to the other 60%. Phase I of the Master Plan grant will include: 1) resurfacing the track with an artificial surface; 2) resurfacing the tennis courts; 3) installing a trail system along the river bordering the Park; 4) lighting the Park and trails so it can be safely used at dusk; and, 5) installing a new playground.

Mr. Scott offered a motion to approve the Master Plan and the application of a grant with the PA Department of Conservation and Natural Resources (DCNR) for Phase I of the Plan.

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

5K & Cycle Race – Also as a member of the Recreation Board, Mr. Bland asked for approval to hold another 5K and cycle race in the Borough on May 30, 2010.

Mr. Scott offered a motion to approve the 5K and cycle race being held in the Borough under the aegis of the Recreation Board on May 30, 2010.

Mr. Milberger seconded the motion.

Ms. Vagley asked if the necessary funds were available to address the police coverage that would be needed to hold such an event. President Favo said the money was already in the Budget.

The motion passed, 7 to 0.

Shade Tree Funding Reallocation – Mr. Milberger offered a motion to reallocate \$10,000 from the Shade Tree planting budget line item to the Shade Tree pruning budget line item in the 2010 Borough Budget.

Ms. Saxon seconded the motion.

President Favo explained there would be no change in the total amount allocated for Shade Trees, just a redistribution of the funds. He added that Shade Tree Commission Chairman John Wojtyna would be at the April Work Session to speak to Council.

The motion passed, 7 to 0.

Library Director Appointment – Ms. Saxon offered a motion to approve the appointment of Beth Mellor to the position of Oakmont Carnegie Library Director.

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

Mr. Coulter introduced Ms. Mellor to all the members of Council.

Snow Storm Commendations – President Favo again commended the Street Crew and the Police Department for their work during February's snow storms. He also commended Mr. Jamison for finding outside contractors to help with snow removal. And finally, he thanked the residents for their patience during the period.

SOLICITOR'S REPORT

HHI Concrete Batch Plant Appeal Decision – Solicitor Shoop explained that HHI had appealed the Conditional Use approval granted them by Borough Council for their concrete batch plant on Dark Hollow Road with the Court of Common Pleas. Common Pleas sided with HHI and rejected all 33 conditions placed on the concrete batch plant by Council. Council then decided to appeal this decision to the Pennsylvania Commonwealth Court. Again, the Commonwealth Court upheld HHI's position and threw out all 33 conditions imposed on the batch plant.

Mr. Shoop said he was disappointed but understood the Decision, noting that it "may be reasonable in some instances."

He said he would need some direction from Council, after members had had time to review the Decision, as to whether they wished to proceed further or not. Council has 30 days from March 8, 2010 to appeal the Decision.

BOROUGH MANAGER'S REPORT

Yard Waste Containers – Mr. Jamison said 3,000 yard waste containers would be delivered next Wednesday to a Municipal Authority warehouse for distribution by hauler Allied in early April. He said that some assembly would be required prior to distribution.

Kacin Edgewater Development – Mr. Jamison reported that Kacin had recently broken ground on the former Edgewater property for their development, that the Borough Engineer was currently reviewing their grading permit, and that a pre-construction meeting was to be held with Kacin within the week.

Salt Shed – Salt Shed contractors will be starting to build the roof structure as soon as weather permits, reported Mr. Jamison.

2009 Borough Audit – The Borough audit for 2009 is to begin on March 22, 2010. Mr. Jamison noted that the Borough had already completed its own internal audit and testing to ensure that all would be in compliance when the auditors arrived.

ALOM Meeting – Mr. Jamison encouraged Council members to consider attending the annual Allegheny League of Municipalities (ALOM) meeting coming up shortly. He said there were some very good speakers and topics this year.

Financials – The Borough Manager said he was watching the Budget closely after the unanticipated expenditures of the February snow storms. He said Liquid Fuels money had been released early this year to help municipalities defray the costs incurred by the snow.

Borough MMO – Mr. Jamison explained that the Borough's original pension plan investment strategy had relied on a 7.5% return. Due to the downward economic turn since 2007, the pension plans' rates of return have decreased, resulting in the need for more funding on the part of the Borough to its employees' pension plans. The Borough's actuarial has advised the Borough to stretch its increased Minimum Municipal Obligation (MMO) contributions to the pension plans over a four-year period, rather than all at once.

Street Department – Finally, Mr. Jamison said the Street Department wished to thank Council for the lunch they received as thanks for their hard work during the February snow storms.

MAYOR'S REPORT

Monthly Police Report - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his February 2010 Police Report for those present.

Eligibility List – Chief DiSanti also requested that the Civil Service Commission conduct eligibility testing to fill the full-time position left open by Officer Killmeyer's resignation from the force.

Drugs – Mayor Fescemyer tried to allay citizen fears about increased drug problems in Oakmont. He said that Oakmont was not overrun with drugs and that the police were being proactive in trying to keep drugs out of Oakmont. He said residents could help by reporting anything unusual they see to the police.

Monthly OVFD Report – Oakmont fire fighter Craig Olson reported on the Fire Department's activities for February 2010, in Chief Peoples' stead. He said that 14 of the 25 calls in February were during the snow storms.

APPROVAL OF MINUTES

Vice President Ride offered a motion to approve the Minutes from the Regular Meeting of February 8, 2010, as written.

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

COMMITTEE REPORTS

Financial Committee

Warrants – Vice President Ride moved to approve the Warrant List for February 2010, dated March 8, 2010, including the following expenditures:

<i>Fund</i>	<i>Amount</i>
General Fund	\$161,228.02
Boulevard Project Fund	\$17,885.40
Kerr Memorial Museum Fund	\$13,573.48
Library Fund	\$22,520.21
Liquid Fuels Fund	\$48,021.60
Sewer Fund	\$183,082.52
Sewer Deposit Fund	\$307.33
Capital Projects Fund (Parks)	\$757.00
Capital Projects Fund (Roads)	\$ -0-
Capital Reserve Fund	\$ -0-
Operating Reserve Fund	\$ -0-

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

Resolution No. R17-2010, Settlement of 2009 Taxes – Ms. Ride offered Resolution No. R17-2010, and moved for its adoption, a resolution fixing the time and place where and when a complete settlement of all taxes collected by the Tax Collector of the Borough of Oakmont for the year 2009, and prior years, shall be made as provided by the Act of the General Assembly of the Commonwealth of Pennsylvania, approved May 25, 1945, as amended.

Mr. Donovan seconded the motion.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 110, as **Resolution No. R17-2010**.

MMO Contributions – Vice President Ride offered a motion to accept the recommendation of Borough actuarial Mockenhaupt Associates regarding the Borough's Minimum Municipal Obligation for the years 2011, 2012, 2013 and 2014.

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

MRM Delegates – Ms. Ride moved that Borough Manager Bruce D. Jamison be appointed as Delegate, and Council Member Ron Scott as Alternate Delegate, to the Municipal Risk Management (MRM) Workers' Compensation Pooled Trust Annual Meeting on April 9, 2010.

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

Public Safety Committee

Ordinance No. O12-2010, Dumpster Ordinance – With regard to the "Dumpster Ordinance" which was passed on First Reading at the February 8, 2010 Regular Meeting and on public display for the last 28 days, Mr. Scott moved that the rules be suspended, the ordinance placed on Second and Third Reading, read by its short title and finally passed.

Mr. Milberger seconded the motion, and all those members of Council present voted in the affirmative to place the ordinance on Second and Third Reading, read it by its short title and finally pass it.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President	Yes		
Ride			

The motion passed 7 to 0.

Mr. Scott read the ordinance by its short title.

President Favo declared the Ordinance enacted. Recorded in Ordinance Book Volume 30, Page 111, as **Ordinance No. O12- 2010**.

President Favo asked the Borough Manager to send letters to those in the Borough with dumpsters, advising them of this new ordinance.

OVFD Eligibility List

Scott Almendinger – Mr. Scott offered a motion to approve Scott Almendinger, 730 Woodland Avenue, for the Oakmont Volunteer Fire Department's Eligibility List.

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

J. Zangrille, III – Next, Council Member Scott moved to approve Julius Lee Zangrille, III, 1011 Wade Lane, for the Oakmont Volunteer Fire Department's Eligibility List.

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

Vice President Ride thanked both these men for their willingness to serve the Borough in this capacity.

Planning and Economic Development Committee

Ordinance No. O13-2010, Civil Service Revised Rules & Regulations – With regard to the Ordinance proposed to amend the current Civil Service Rules and Regulations, which was passed on First Reading at the February 8, 2010 Regular Meeting and on public display for the last 28 days, Ms. Vagley moved that the rules be suspended, the ordinance placed on Second and Third Reading, read by its short title and finally passed.

Ms. Ride seconded the motion, and all those members of Council present voted in the affirmative to place the ordinance on Second and Third Reading, read it by its short title and finally pass it.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

Ms. Vagley read the ordinance by its short title.

President Favo declared the Ordinance enacted. Recorded in Ordinance Book Volume 30, Page 112, as **Ordinance No. O13- 2010**.

Resolution No. R18-2010, DCNR Grant, Riverside Park Master Plan, Phase I – Ms. Vagley offered Resolution No. R18-2010, and moved for its adoption, a resolution authorizing the President of Oakmont Borough Council to sign specific documents for a grant application with the Pennsylvania Department of Conservation and Natural Resources (PA-DCNR) for the Oakmont Riverside Park Master Plan Implementation Project, Phase I.

Mr. Milberger seconded the motion.

On a called vote, the votes were as follows:

Mr. Donovan	Yes	Ms. Saxon	Yes
President Favo	Yes	Mr. Scott	Yes
Mr. Milberger	Yes	Ms. Vagley	Yes
Vice President Ride	Yes		

The motion passed 7 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 113, as **Resolution No. R18-2010**.

Proposed Master Plan – Ms. Vagley made note that the proposed Master Plan would be put up on the Borough's website for resident to review and comment on. Mr. Bland agreed that his email could be used to collect these comments.

Public Works Committee

2010 Paving Projects – Mr. Milberger said that Street Superintendent Greg Macaluso was in the process of assessing Borough streets for paving.

Third Street Park Sidewalk Repairs – Council Member Milberger added that the sidewalk bordering the Third Street side of Riverside Park and continuing up to the high school, was also going to be repaired shortly.

Communication & Code Committee

New Code Enforcers, Martone Engineering – Ms. Saxon offered a motion to accept the February 8, 2010 proposal of Martone Engineering to provide Building Inspection, Zoning and Code Enforcement services to the Borough of Oakmont at a monthly retainer cost of \$750.00 per month.

Mr. Scott seconded the motion.

Mr. Donovan asked about the Borough's liability to former Code Enforcer PCS, Inc. Mr. Jamison said their agreement included a 60-day notice of cancellation clause.

Ms. Ride asked that code enforcement continue to be regarded as a priority by Council, and asked residents to notify the Borough of any code enforcement issues they see.

The motion passed 7 to 0.

April Newsletter Topics – Topics to include in the Chamber of Commerce's April newsletter were discussed. It was agreed there would be an insert, prepared by Allied Waste, outlining the requirements for yard and leaf waste recycling on one side of the insert, and with a recycling calendar on the reverse side.

Council Member Saxon also volunteered to write the Borough's section of the newsletter, probably highlighting the Park Master Plan and sidewalks. The deadline for the newsletter is March 12.

Sidewalks – Ms. Saxon asked that all Council members have their inspections completed and their evaluations done by mid-April. It was suggested that photographs be taken of any sidewalks that will need to be replaced entirely.

The letter to residents will be friendly and give residents adequate time to effect repairs. Any resident experiencing financial hardship should contact the Borough.

Legal, Zoning & Land Use Committee

PA-DEP – Along with Mr. Favo and Mr. Jamison, Mr. Donovan said he would be meeting with Department of Environmental Protection (DEP) representatives on March 17, 2010 over some alleged dumping into Plum Creek.

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.

COMMENTS FROM THE PUBLIC

Pods & Pruning – Dru Taliaferro asked if the new Dumpster Ordinance addressed storage pods. President Favio said that it did.

Mr. Taliaferro then cautioned Council that trees, if not pruned at the proper time, would die.

Morris Street Resurfacing – Bertha Shearer said she was told her street would be resurfaced four years ago, and that it still had not been done to date. She wanted a meeting with the Borough Manager or the Mayor about this because “this is no longer acceptable.” She vowed not to give up on this issue.

President Favio said they were currently reevaluating the list of streets to be paved and the list would be reviewed at the April 5 Work Session.

Tom Meising – Tom Meising said he had sent a letter to Mr. Jamison two weeks ago and wanted to know why the letter was not on the Agenda under “Correspondence.” Mr. Favio reminded Mr. Meising that the Borough was currently in litigation with him.

Mr. Meising then asked if he could pass out information to the new Borough Council. Mr. Favio told Mr. Meising to go through either his own attorney or Borough’s counsel in order to do this. He suggested that Mr. Meising’s attorney contact the Borough Manager about this.

MISCELLANEOUS ITEMS

Council Weekend Packets – Mayor Fescemyer canvassed Council as to whether or not they preferred getting their packets of information in electronic form or in hard copy. No one voiced any objections to the electronic format. Mr. Favio noted that a lot of paper was being saved with the electronic format.

Borough Manager Jamison suggested Council members could use flash drives for the weekly information packets, too.

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.

The meeting was adjourned at 8:38 PM.

Respectfully submitted,

L. C. Jensen
Assistant Borough Secretary