

**CALL TO ORDER**

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

Excused: Mss. Ride and Saxon [N.B.: Ms. Ride participated in the meeting by phone from approximately 7:15 PM to 8:00 PM]

Visitors: Jack Artman, Dorothy Calfe, Victor Calfe, Bruce Cosentino, Mark Gleason, Paul Jenkins, Regina Vitti Lyons, Michael Mancosh, Craig Olson, A. J. Schwartz, Bertha Shearer, Rossilynne Skena and Rich Williams

**BID OPENING**

**2010-2011 Insurance Bids** – Mr. Jamison opening the two bids he had received on the 2010-2011 Insurance Package. The bids were as follows:

| <b>Vendor</b>  | <b>Workers' Compensation</b> | <b>General Liability</b> |
|----------------|------------------------------|--------------------------|
| Nova           | \$49,072.00                  | \$48,485.00              |
| Gleason Agency | Declined to bid              | \$36,548.00              |

Mr. Jamison said he would review the documents the following day with the Borough Treasurer, and expected ratification of the award at the August Regular Meeting. Ms. Vagley asked about the Borough's current insurance carrier, The HDH Group, Inc. Mr. Jamison said they had not submitted a bid.

**REGISTERED COMMENTS FROM THE PUBLIC**

**Comprehensive Plan** – EPD Consultant A.J. Schwartz updated Council on the progress of the Borough's Comprehensive Plan. It was agreed that Council would invite the Borough's Planning Commission to their August 2, 2010 Work Session to hear their comments on the Plan, then hold a vote at the August 9 Regular Meeting to forward the Plan to Allegheny County for review.

**COUNCIL PRESIDENT'S MESSAGE**

**Plaque to K. Vagley, Civil Service** - President Favio presented a plaque to former Civil Service Commission Chair Kitty Vagley for her years of service as a member and chairperson of the Commission.

**Kacin Dark Hollow Road Mitigation Plan/DEP** – President Favio requested permission of Council to write PA-DEP reiterating the Borough's desire to seek public participation before approving the Kacin mitigation plan for the proposed Dark Hollow Road recreation site. All agreed that a letter should be written to PA-DEP requesting this.

**Sidewalk Repairs** – President Favio thanked all Borough residents who had had their sidewalks repaired after receiving a request from the Borough to do so. He said that the safety of community sidewalks had definitely been improved as a result of these repairs.

**SOLICITOR'S REPORT**

Solicitor Shoop had nothing to report that evening.

**BOROUGH MANAGER'S REPORT**

**Commons' Culvert Clean-out** – Mr. Jamison said the silt that regularly collected in the culvert behind Oakmont Commons had been cleaned out last year at great expense to the Borough. Within the next 30 days, this culvert will be cleared out once again and a system put in place to conduct regular cleaning of the culvert.

**2010 Paving Program** – The Borough Manager noted that paving was scheduled to start today, but some hedges had to be cleared away from the road surface on Oak Way before the contractor could begin.

**MAYOR'S REPORT**

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

**Monthly OVFD Report** - Fire Department President Craig Olson reported on the Fire Department's activities for June 2010. He asked Council Member Ron Scott if he would arrange for a meeting between the Fire Department and Emergency Management Personnel. Mr. Scott agreed to do this.

**APPROVAL OF MINUTES**

Mr. Milberger offered a motion to approve the Minutes from the Regular Meeting of June 14, 2010, as written. Mr. Donovan seconded the motion.

The motion passed, 6 to 0.

**COMMITTEE REPORTS**

**Financial Committee**

**Warrants** – Since Vice President Ride was present only by phone, Council Member Scott offered the motion to approve the Warrant List for June 2010, dated July 12, 2010, showing the following expenditures:

| <b><i>Fund</i></b>     | <b><i>Amount</i></b> |
|------------------------|----------------------|
| General Fund           | \$705,684.77         |
| Boulevard Project Fund | \$10,948.69          |
| Kerr Museum Fund       | \$2,142.15           |
| Library Fund           | \$32,556.26          |
| Liquid Fuels Fund      | \$7,595.03           |
| Sewer Fund             | \$72,262.26          |
| Sewer Deposit Fund     | \$562.70             |
| Capital Fund (Parks)   | \$11,955.00          |
| Capital Fund (Roads)   | \$97,314.95          |
| Capital Reserve Fund   | \$ -0-               |
| Operating Reserve Fund | \$ -0-               |

Ms. Vagley seconded the motion, which passed 6 to 0.

**2009 Audit** – Mr. Scott offered a motion to accept the 2009 Audit of Borough records performed by auditors Maher Duessel, Inc.

Mr. Donovan seconded the motion, which passed 6 to 0. Mr. Jamison said there had been no major findings during the audit.

**Public Safety Committee**

**13<sup>th</sup> Street Parking** – Mr. Scott offered a motion to permit parking only on the east side of the 800 Block of Thirteenth Street.

Mr. Milberger seconded the motion. Ms. Vagley asked if there had been a 30-day trial period for this action, and was told there had been.

The motion passed 6 to 0.

**Planning and Economic Development Committee**

**Recreation Board Funding** – Ms. Vagley offered a motion to approve the Memorandum of Understanding with the Oakmont Recreation Board regarding Borough funding of Recreation Board projects.

Mr. Scott seconded the motion, which passed 6 to 0.

**Community Pedestrian Loops** – Council Member Vagley offered a motion to permit the Oakmont Recreation Board, in conjunction with William E. Benusa, to create an ad hoc committee for the development and implementation of community pedestrian loops.

Mr. Milberger seconded the motion, which passed 6 to 0.

**Brooks & Blair TIF** – Ms. Vagley offered a motion to appoint Timothy J. Favo as the Borough’s representative to the Tax Incremental Financing (TIF) Committee, with regard to the Brooks & Blair development of the southern-most parcel of the former Edgewater property.

Mr. Scott seconded the motion.

Mr. Donovan spoke out vehemently against entering into this process, commenting that he had had to produce more financial documents to refinance his home than Brooks and Blair had presented to the Borough for their development thus far. He also noted that there has never been an exclusively residential TIF in Allegheny County to date. Council Member Donovan felt that the market should dictate whether the development is successful or not.

Ms. Vagley said she saw the TIF process as more than a public financing tool. She felt that Oakmont would not be able to benefit from the quality of design, green space and density levels inherent in the Brooks & Blair plan without assisting them with the TIF.

Vice President Ride said she agreed with Ms. Vagley. She added that the Borough had already spent a considerable amount of time and money working to get the Brooks & Blair project off the ground, and that Brooks & Blair had shown good faith throughout.

Mr. Milberger reminded those present that there was nothing binding in agreeing to participate in the TIF Committee, and said he was hopeful that many of Council’s questions would be answered by sending a representative to the Committee.

Solicitor Shoop suggested that the motion be reworded to stipulate that the Borough agreed to participate, only if the two other taxing bodies also agreed to participate. Mr. Favo suggested a specific time period for participation, after which the value of participation would be re-evaluated.

Ms. Vagley withdrew her original motion; Mr. Scott withdrew his second.

Ms. Vagley then offered a motion to appoint Timothy J. Favo as the Borough’s representative to the Tax Incremental Financing (TIF) Committee, with regard to the Brooks & Blair development of the southern-most parcel of the former Edgewater property, with the stipulation that the other two taxing bodies (i.e., the Riverview School District and Allegheny County) must also appoint representatives to the TIF Committee, with the appointment to be reviewed by Council on December 12, 2010.

Mr. Scott seconded the motion.

On a called vote, the votes were as follows:

|                |     |                     |     |
|----------------|-----|---------------------|-----|
| Mr. Donovan    | No  | Vice President Ride | Yes |
| President Favo | Yes | Mr. Scott           | Yes |
| Mr. Milberger  | Yes | Ms. Vagley          | Yes |

**Riverside Park Summer Program** – Ms. Vagley reported that there had been great participation in this year’s Summer Program at the Park.

**Public Works Committee**

**Resolution No. R29-2010, Handicapped Ramps III Grant** – Mr. Milberger offered Resolution No. R29-2010, and moved for its adoption, a resolution authorizing the filing of an application for funds with the Allegheny County Department of Economic Development for the Handicapped Ramps Project, Part III.

Mr. Donovan seconded the motion.

On a called vote, the votes were as follows:

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

The motion passed 6 to 0.

President Favo declared the resolution adopted. Recorded in Ordinance Book Volume 31, Page 1, as **Resolution No. R29-2010**.

**Addition to 2010 Paving Program** – Mr. Milberger offered a motion to include the paving of Oak Way in the 2010 Paving Program, by Tresco Paving, Inc. at a cost of \$5,890.00.

Mr. Scott seconded the motion, which passed 6 to 0.

**Elm Way Catch Basins** – Mr. Milberger gave an update on the catch basins that have been done so far. He said that three catch basins had been repaired with three more left to complete.

He next offered a motion to have Satira Construction, Inc. perform repairs on two (2) catch basins in the 700 block of Elm Way for time and materials. Ms. Vagley seconded the motion, which passed 6 to 0.

**Street Name Signs Update** – Council Member Milberger also said Council was in the process of evaluating the condition of all the street name signs in town. He noted that there were still a few evaluations that had not been handed in.

**Communication & Code Committee**

In Ms. Saxon's absence, there was nothing to report on her committee.

**Legal, Zoning & Land Use Committee**

**Alzheimer's Fundraiser** – Mr. Donovan offered a motion to grant permission to temporarily close off the 300 block of Allegheny River Boulevard for an Alzheimer's Association fundraiser, hosted by The Oaks Theater on August 20, 2010.

Mr. Milberger seconded the motion, which passed 6 to 0.

**108<sup>th</sup> Annual Regatta** – Council Member Donovan offered a motion to grant permission to the Oakmont Yacht Club to hold its 108<sup>th</sup> Annual Regatta on July 24 - 25, 2010.

Ms. Vagley seconded the motion, which passed 6 to 0.

**Turnpike Bridge Implosion** – Mr. Donovan reminded people that the old PA Turnpike Bridge spanning the Allegheny River from Harmarville to Oakmont was to be imploded tomorrow at 10:00 AM.

At this point, Vice President Ride ended her telephone connection with the meeting.

**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**

**Bertha Shearer** – Mrs. Shearer wanted to know why a letter had not yet been sent to the Water Authority giving her a rebate for the filling of her pool. She also did not want Council to forget about paving her street.

Mrs. Shearer said that the new garbage company – Allied, Inc. – told her 90-year old mother that she had to start carrying her garbage to the end of her sidewalk instead of putting the garbage in the alley as she had always done. She said Allied was also not picking up their yard waste recycling.

Finally, she asked why Council was considering giving Brooks & Blair “a \$6 million tax break.” She found this “unconscionable.”

**Bruce Cosentino** – Mr. Cosentino handed out a letter to Council and the Borough Manager from The Fairways of Oakmont, and said he wanted the letter to be added into the record. A copy of this letter is attached as “Attachment A.”

**Fairways Street Lights** - In response to the request for a written explanation of the Borough’s position on Fairways’ street lights, Mr. Jamison said he had spoken about this issue with Mark Gleason when he first started working for the Borough. He contacted former Borough Manager Adeline Brown for the history on these street lights. At the request of the Fairways’ homeowners’ association, the street lights installed in the Fairways were non-standard lights with underground wiring.

When Mr. Jamison contacted Duquesne Light Company about these lights, he was told that they do not, and had never, worked on these kind of lights. Mr. Jamison added that these lights would cost a great deal to replace, but that if the lights had been built to Borough specifications to begin with, the Borough would have taken over responsibility for maintenance automatically.

President Favo noted that the Fairways’ lights also cost more to light. He asked Mr. Cosentino to contact Mr. Jamison to schedule a meeting with the Borough and Fairways’ representatives.

In response to the letter’s request that \$6,336.00 be credited to the Fairways’ garbage collection bill due to the fact that they were not using the yard waste recycling containers provided by the Borough, President Favo noted that the Fairways had been given the option to refuse the containers. He reminded everyone that yard waste recycling was mandated by state law, and that it was difficult to make the process perfectly fair to everyone.

**Michael Mancosh** – Mr. Mancosh said he was sitting in on the meeting for Brooks & Blair, and that it was clear that there were “some issues” surrounding the development. He said he would be happy to forward anyone’s comments or concerns to Brooks & Blair by contacting him at [mmancosh@gmail.com](mailto:mmancosh@gmail.com).

**MISCELLANEOUS ITEMS** – Mr. Milberger commended the Police Department for being run so professionally.

**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 5 to 0.

The meeting was adjourned at 8:34 PM.

Respectfully submitted,

L. C. Jensen  
Assistant Borough Secretary