

**CALL TO ORDER**

The Regular Business Meeting of Oakmont Borough Council was called to order at 7:10 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; Mayor Fescemyer; Solicitor Shoop; Chief DiSanti; Interim Borough Manager Mator and, Assistant Borough Secretary Jensen

Visitors: Lil Adams, Jack Artman, John Brady, Sheila Brotherton, Walt Brotherton, Cora Brown, Dorothy Calfe, Victor Calfe, Barbara Charlton, Suzanne Frank, Cary Mostel, Melony Mostel, Jim Parsons, Bill Peoples, Dolly Provenza, Matt Provenza, Tracy Provenza, Gary Rogers, Becky Sankey, Bertha Shearer, R. Williams

**REGISTERED COMMENTS FROM THE PUBLIC**

**Garbage Collection** – John Brady, 220 Allegheny River Boulevard, addressed Council about the noise from the garbage trucks collecting garbage in the alley behind his apartment building in the morning. Mr. Brady said he would also follow up his comments that night with a letter to Council.

**COMMENTS FROM THE PUBLIC ON AGENDA ITEMS**

**Cycling Club Donation** – Dolly Provenza, member of the Borough’s Recreation Board and the Ad Hoc Recreation Committee, delivered a letter to Council from Ed Grystar of the Three Rivers Bicycle Club thanking Council for permitting the bike race through Oakmont on June 21, 2008. Ms. Provenza then presented a donation check from the Three Rivers Bicycle Club to Mr. Kennedy who chairs the Recreation Board to be used for the “recreation fund”.

**COUNCIL PRESIDENT’S MESSAGE**

**New Manager** - President Federici welcomed new Interim Borough Manager Daniel Mator, noting that the Borough had been without a Borough Manager for 12-13 months.

**Appearance of the Agenda** – Mr. Federici commented on the different appearance of the evening’s agenda, saying that he and Mr. Mator had developed it and would continue to make changes to it, as necessary.

**Executive Session Meetings** – President Federici announced that Council had met in Executive Session that evening, prior to the Regular Business Meeting, to discuss a parking lease agreement for the former Giant Eagle parking lot.

He said that Council would also be meeting in Executive Session after the Business Meeting to discuss Police labor negotiations, as well as another Executive Session meeting on Thursday, August 14, 2008 at 7:00 PM to discuss legal issues surrounding the Edgewater development.

### **INTERIM BOROUGH MANAGER’S REPORT**

**Mail Review** – Noting that he had been attending many meetings over the last month, Mr. Mator said he had also finished going through and responding to all the emails and voice mail messages that had come in since the former Borough Manager left.

**2009 Budget Preparation** - Mr. Mator said he had begun preparation for the 2009 Budget, sending out a memorandum to all Borough department heads and Board chairs asking them for a “wish list” that week of items for 2009. The proposed budget timetable will be distributed to Council this week, and Mr. Mator said he would be working on a new Chart of Accounts with Ms. Jensen shortly.

**Review of Contracts** – Mr. Mator also said he was in the process of reviewing Borough contracts with an eye to making sure services are being provided at the most reasonable price possible.

**Code Enforcement** – The Interim Manager said that code enforcement had become a major issue of late, and that unfortunately, the current Code Enforcement provider was “not so good.” He said he would be meeting with other providers of code enforcement services that week.

### **MAYOR’S REPORT**

**July Monthly Report** - At Mayor Fescemyer’s request, Police Chief DiSanti reviewed portions of his July 2008 Police Report for those present. He commended Officers Brankley and Sedlak for their excellent police work in keeping a drug overdozer alive until the paramedics arrived.

### **APPROVAL OF MINUTES**

Mr. Taliaferro offered a motion to accept the minutes of the Regular Meeting of July 7, 2008, as circulated to the members of Borough Council.

Dr. Calabrese seconded the motion.

**Corrections** - Ms. Zentgraf pointed out that on Page 41 of the Minutes, she was shown as saying that a Mr. Richard “William” was listed as a visitor, whose

name was actually “Mr. Richard Williams. In fact, it was Dr. Calabrese who pointed out this correction, noted Ms. Zentgraf.

Also, in Paragraph 5 of Page 44, Ms. Zentgraf said she would like it to be made clear that the discussion that took place that evening concerning the Paving Projects bid openings had begun when she reported that the bids were scheduled to be opened on August 7, 2008, and awarded on August 11, 2008 at the Regular Meeting of Council. When Council Member Favio remarked that “it was a good practice in the past that bids were always opened at the monthly Regular Meeting of Council with the public present,” Ms. Zentgraf noted that the August 7 bid opening had been advertised and was, indeed, open to the public. She then said that, after she had noted that construction time would be lost if the bids could not be awarded until the September meeting, Dr. Calabrese confirmed the information by asking if the bid opening would be a public meeting, to which Ms. Zentgraf answered in the affirmative.

The motion passed, 7-0, with the noted clarifications.

**COMMITTEE REPORTS**

**Internal Governmental Relations Committee**

**Warrants** – Ms. Ride moved to approve the Warrant List for July 2008, dated August 11, 2008, including expenditures totaling:

<i>Fund</i>	<i>Amount</i>
General Fund	\$512,931.35
Library Fund	\$25,269.19
Sewer Fund	\$134,249.55
Capital Fund	\$33,403.25
Centennial Foundation Fund	\$52,832.06
Boulevard Project Fund	\$570.00
Sewer Construction Fund	\$1,037.96

Ms. Zentgraf seconded the motion. Ms. Ride pointed out that the General Fund figure included transfers between accounts.

The motion passed, 7-0.

**2008-2009 Insurance Proposals** – Ms. Ride offered a motion to ratify the action of the Interim Borough Manager in accepting the 2008-2009 General Liability Insurance agreement through the HDH Group, Inc. in the amount of \$32,068.54, and the 2008-2009 Fire Department policies in the amounts of \$8,496 and \$750.

Mr. Taliaferro seconded the motion.

At President Federici’s request, Mr. Mator explained that the \$8,496 Fire Department policy was for General Liability and the \$750 was for an umbrella policy.

The motion passed, 7-0.

**Public Safety Committee**

Council Member Taliaferro reported that the Allegheny County Health Department was conducting its annual rabies baiting. Describing the bait packets as “small and oily,” Mr. Taliaferro cautioned residents not to let people or pets handle the packets.

**Planning and Economic Development**

**Resolution No. R33-2008, Giant Eagle Parking Lot Lease Agreement** – Mr. Favo offered a motion to adopt Resolution No. R33-2008, a resolution authorizing the proper Borough Officials to enter into a Parking Lot Lease Agreement with the Allegheny River Oakmont Associates.

Ms. Ride seconded the motion.

Discussion ensued concerning various caveats that Council felt should be included in the Resolution, as well as the lease agreement. Solicitor Shoop advised that the appropriate wording could be added into the Resolution to cover this.

Mr. Favo then read the remainder of the Resolution, with the addition of a new Section No. 4, which read: “4. The Lease Agreement shall be subject to an inspection of the property by the Oakmont Street Department and a review of prior utility bills for the property.”

The motion passed on a called vote, 7-0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 35, as **Resolution No. R33-2008**.

**Engineering & Public Works**

**2008 Road Program** – Ms. Zentgraf offered a motion to award the contract for the 2008 Road Program to A. Folino Construction, Inc. in the amount of \$168,254.15 for the Base Bid, and \$12,777.40 for Alternate #3, Gum Way.

Ms. Ride seconded the motion.

Mr. Favo asked which roads were to be paved. Council Member Zentgraf said the streets to be paved this year were: Oak Street between 13<sup>th</sup> and 14<sup>th</sup> Streets, Pennsylvania Avenue between Allegheny Avenue and Third Street, Pennsylvania Avenue between 14<sup>th</sup> Street and its southern end, and Gum Way between Pennsylvania Avenue to its end. Mr. Favo then asked if the total contract would amount to \$181,031.55; Ms. Zentgraf responded, “Yes.”

President Federici commented that the bids were somewhat higher than expected.

The motion passed on a called vote, 7-0.

**August 11, 2008**

**Third Street Parking Lot Paving** – Ms. Zentgraf recommended holding off on awarding this contract until further review.

**Delaware & 11<sup>th</sup> Trench Drain** – Ms. Zentgraf offered a motion to award the contract for the Delaware Avenue Trench Drain Project to Moret Construction Company, Inc., in the amount of \$22,584.00.

The motion passed, 7-0.

**Recreation, Cultural and Community Assets**

**Wayne Delchambre Resignation** – Mr. Kennedy offered a motion to accept the resignation of Wayne Delchambre from the Recreation Board. He went on to say that the Board would like to take Mr. Delchambre and his wife to dinner, at their own expense, to show their appreciation for his years of service to the Borough.

**Recreation Board Vacancy** – Mr. Kennedy said there was now a vacancy on the Board due to Mr. Delchambre's resignation. He directed anyone wishing to apply for the spot to get in touch with Ms. Jensen or the Library.

**Falling Springs Run Park** – Council Member Kennedy announced that there would be a Recreation Board meeting on Thursday, August 14, 2008 at 6:30 PM. Board members will be inspecting Falling Springs Run Park.

Mr. Kennedy then read a letter from the benefactor who donated the land for Falling Springs Run Park to the Borough. The letter outlined the history of the property's acquisition, the donor's reasons for wanting a park created there and the donor's intentions in giving the land to the Borough. Finally, the letter requested that the benefactor's name remain anonymous.

Mr. Kennedy also gave an update on the milling of the tennis courts at Riverside Park, and noted that the Ad Hoc Recreation Committee is to meet with the Recreation Board so they can report on the Master Plan for Riverside Park.

Returning to the motion to accept the resignation of Wayne Delchambre from the Recreation Board, Mr. Taliaferro seconded the motion.

The motion passed, 7-0.

**Communications and Internal Relations**

**Amendment to Resolution No. R4-2008, Official Newspapers** – Dr. Calabrese offered a motion to amend Resolution No. R4-2008, a resolution designating the official organs for the publication of official notices, by discontinuing the use of the *Advance Leader*, and adding both *The Pittsburgh Tribune-Review* and *The Pittsburgh Post-Gazette* in its place.

Ms. Ride seconded the motion.

Solicitor Shoop noted that only two official organs of publication needed to be designated, and that the *Valley News Dispatch* was already stipulated in the original Resolution. Dr. Calabrese said that three were named – *The Valley*

*News Dispatch, the Pittsburgh Tribune-Review and The Pittsburgh Post-Gazette* – “just as a back-up,” and remarked that the only forum currently in place for local news were blogs.

On a called vote, the motion passed, 7-0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 4, as **Amended Resolution No. R4-2008**.

**Intergovernmental Relations**

**State & Federal Liaison** – Mr. Taliaferro said that he was trying to arrange a meeting with U.S. Senator Jason Altmire, State Senator Jim Ferlo, State Representative Frank Dermody and Mayor Fescemyer to discuss “general issues around the Borough.”

He said he had also talked with Ferlo aide Scott Frankowski about available grant money for an art studio for younger children and local artists, so as to provide an artistic outlet “instead of spray paint.”

**Local and County Liaison** – Ms. Zentgraf reported briefly on her latest attendance at the Allegheny Valley North Council of Governments. There was information obtained from a PennDOT representative at the meeting that Ms. Zentgraf said she would be passing on to Mr. Mator.

**UPCOMING PUBLIC MEETINGS AND ANNOUNCEMENTS**

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**

**Catch Basin Problems** - Lil Adams, 230 Washington Avenue, presented Council with “only half” of a bag of trash that she had collected from her yard after a recent rain. She complained that the sewers are either closed off or blocked with debris, resulting in the deposit of debris in her yard when it rains.

Ms. Zentgraf thanked Mrs. Adams for bringing this problem to the attention of Council, and asked her if she had made the Borough Office aware of this problem. Mrs. Adams said she had mentioned the problem to a police officer. Ms. Zentgraf said she wanted to make sure that everyone understood that this was the *first time* Borough Council had heard about this problem.

She recommended that the Public Works Department review the problem, under the direction of Mr. Mator, and report back to Mrs. Adams.

Mr. Favio remarked that some of the sewers had been closed off as the result of an EPA mandate.

Mayor Fescemyer said he wished Mrs. Adams would have come to Council sooner. “We don’t want you to have to clean this up,” he said.

President Federici commented that sometimes sewer openings are inadvertently made smaller when streets are paved, but told Mrs. Adams that Council was going to look into the problem.

**Dark Hollow Road Noise/Concrete Batch Plant** – Jim Parsons, 1120 Washington Avenue, reiterated his complaints about the loud industrial noises coming from the Folino property on Dark Hollow Road. He urged Council to enact a noise ordinance that would address this problem. He also encouraged the Planning Commission to consider rezoning Dark Hollow Road to a Light Industrial or Commercial District.

Finally, he thanked Council for the “common sense conditions” they placed on the Folino Concrete Batch Plant, even though Mr. Folino has decided to appeal 16 of the conditions stipulated in Council’s decision. Mr. Parsons noted that the Borough had still not filed a response to Mr. Folino’s appeal, and urged them to do so in a timely manner. He said that “we expect you to fight the appeal,” and that Council must see that all 32 conditions were “vigorously enforced.”

**Morris Estates Petition** – Bertha Shearer, 39 Morris Street, presented a petition to Council, signed by 14 Morris Estates residents, which she requested be read into the record. The petition read as follows:

We, the undersigned, are appalled that we have someone in our neighborhood, (sic) who sees fit to harass, intimidate, cause turmoil and rents indiscriminately to undesirable tenants who, in turn, cause multiple problems for long-time residents.

Is it possible to have this entered into the Borough record (sic); we feel we need to go on record in order to protect ourselves.

Also, please have more police patrols in the area of West Woodland Avenue, Potomac and Morris Streets. Thank you.

President Federici accepted the petition and said it would be given to the Police Department. Mayor Fescemyer said that the police were aware of the problems noted in the petition and were taking steps to address them.

Melony Mostel, 43 Morris Street, said she had not signed the petition but wanted Council to be aware that Morris Estates neighbors were putting up “No Trespassing” signs on their properties because they were afraid of being sued by this neighbor, who is currently suing two residents in the neighborhood for injuries that allegedly occurred on their properties.

**Riverside Park Tennis Courts** – Suzanne Frank, 15 Oak Glen Drive, drew Council’s attention to the “abominable” conditions of the tennis courts at Riverside Park. President Federici said this matter would be referred to the Recreation Board and prioritized, based on the funds available.

Mr. Kennedy said the Board was currently getting estimates to repair and maintain the courts. He estimated a cost of \$30,000 to repair, remarking that the School District should share in the costs.

**August 11, 2008**

Ms. Frank said she had fallen on a tennis court on August 2, 2008 because of a crack in the court's surface. She said she would also be attending the Recreation Board meeting on August 14, 2008.

**Camp Wright Historic Designation** – Gary Rogers of the Oakmont Historical Society requested support for the Society's efforts to establish an historic designation for a Civil War camp – Camp Wright – that was set up in Oakmont. The camp extended north of Hulton Road to where the Water Company is located today, he said. He asked that Council appoint a liaison with the Historical Society on this historic designation project.

President Federici directed Mr. Rogers to communicate with Mr. Mator on this project. At some point, he noted, the Boulevard Project Board may also need to get involved.

Ms. Ride, as chair of the Boulevard Project Board, asked that she be copied on any communication with Mr. Mator regarding this project.

Solicitor Shoop remarked that there were currently 385 residents in Oakmont who were older than 85. "That's a lot of history," he said.

#### **MISCELLANEOUS ITEMS**

There were no miscellaneous items to discuss 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 8:33 PM.

Daniel Mator  
Interim Borough Manager

Transcribed by: L. C. Jensen