

CALL TO ORDER

The Regular Business Meeting of Oakmont Borough Council was called to order at 7:05 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; Attorney Gallagher; Interim Borough Manager Mator, Chief DiSanti; and, Assistant Borough Secretary Jensen

Visitors: Jack H. Artman (7:10 PM), Gini Calabrese (8:15 PM), Dorothy Calfe, Victor Calfe, Tom Meising, Bill Peoples, Matt Provenza (7:10 PM), Bertha Shearer, Dick Williams and Karen Zapf.

REGISTERED COMMENTS FROM THE PUBLIC

There were no registered comments from the public that evening.

COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

Cable Rates – Bertha Shearer, 39 Morris Street, was dismayed that cable-provider Comcast had raised their rates once again, and asked why Borough allowed this to happen. Mr. Favo said that Comcast received permission for rate hikes from the Pennsylvania Utility Commission and that the Borough had nothing to do with it.

COUNCIL PRESIDENT'S MESSAGE

Executive Session - President Federici said that Borough Council had met in Executive Session prior to the start of the Business Meeting to discuss personnel matters. He said the Executive Session would resume after the Business Meeting.

INTERIM BOROUGH MANAGER'S REPORT

Windstorm – Mr. Mator reported on the windstorm that had gone through Oakmont the previous night. He commended the Public Works Foreman, the Assistant Borough Secretary, and the Fire Department for their work during this time. He also reported on the current state of electrical service in the Borough.

2009 Budget – The Interim Borough Manager said that he and the Assistant Borough Secretary have been working on the Preliminary Budget, and that progress was being made.

Borough Contracts Examined – Mr. Mator reported that he had been examining Borough contracts to ensure the Borough is getting the most value that can be had. He compared the rates of various gas companies with the Borough's current expenditures and, as a result, had negotiated cost-saving contracts with both Centerpoint and Equitable gas companies. He said the new contract will take the current gas usage rates down from \$16.69 for "agency accounts" and \$17.09 for "tariff accounts" to \$9.09 and \$9.20, respectively.

He estimated that this could quite possibly result in yearly savings of \$30,000 to \$50,000. Council Member Favio questioned Mr. Mator on figures, saying he wanted to be sure "we weren't comparing apples and oranges."

Mr. Mator had also looked into the costs for the Borough's current Internet service provider, but found that the contract had been automatically renewed earlier. He mentioned he would be diligent in following up with all current agreements, including the internet agreement, however.

Code Enforcement/Building Inspection/Zoning – Mr. Mator reported that the new code enforcement/building inspection/zoning services of PCS, Inc. were going very well. He noted that they had cleared up a large backlog very quickly.

Security Cameras at Riverside Park – The Interim Borough Manager said he and Chief DiSanti have been working together on, and had met with District Attorney Steve Zappala to discuss, funding to install security cameras at Riverside Park. He explained the project and its benefits, and then deferred to Chief DiSanti to give further information on the project.

MAYOR'S REPORT

August Monthly Report - At Mayor Fescemyer's request, Police Chief DiSanti reviewed portions of his August 2008 Police Report for those present.

Automobile Chase - Mr. Kennedy asked the Chief about a car chase that ended on Eighth Street. After Mr. Kennedy had briefly described what he had heard about the incident, Chief DiSanti said, "Your information is not credible." He stressed that the Oakmont police officers involved had proceeded cautiously and that there had been no wrongdoing on their parts.

Abandoned Vehicles – Ms. Zentgraf asked Chief DiSanti to define the term "abandoned vehicle," since the Chief mentioned that the police department was diligently working to cite those with abandoned vehicles on their premises. He said that an abandoned vehicle was one with an expired registration and was usually an eyesore. Even if the vehicle is housed on private property, if the plates have expired, the owner can be cited.

Traffic Line Painting – Mr. Mator noted that the bids for traffic line painting had been opened last Friday, and that the contract would be awarded tomorrow.

APPROVAL OF MINUTES

Mr. Taliaferro offered a motion to approve the Business Meeting Minutes of August 11, 2008, as written. Dr. Calabrese seconded the motion.

The motion passed, 7-0.

COMMITTEE REPORTS

Financial and Legal Committee

Warrants – Ms. Ride moved to approve the Warrant List for August 2008, dated September 15, 2008, which included expenditures from the following funds:

<i>Fund</i>	<i>Amount</i>
General Fund	\$151,334.36
Library Fund	\$19,642.03
Sewer Fund	\$72,167.41
Capital Fund	\$455.45
Centennial Foundation Fund	\$2,360.59
Boulevard Project Fund	\$8,701.69
Sewer Construction Fund	\$19,173.75

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

Public Safety Committee

Resol. No. R34-2008, Pension Investment Authorizations –Ms. Ride offered Resolution No. R34-2008 and moved for its adoption, a resolution naming Council President Michael Federici and Interim Borough Manager Daniel Mator to act on behalf of the Borough with the investment management firm, Manning & Napier Advisors, Inc., in regard to the Borough of Oakmont Police Pension Plan.

Mr. Taliaferro seconded the motion.

Mr. Favio said he wanted to see wording in the Resolution indicating that investments could not be carried out by Messrs. Federici or Mator without the prior approval of Oakmont Borough Council. After some discussion, it was agreed that Section 2. of the Resolution should be changed to read:

2. Individuals listed and hereinafter listed and hereinafter referred to as “Authorized Persons” are hereby authorized to give instruction or approval on behalf of the Borough of Oakmont (hereinafter “the Borough”) *after authorization by Borough Council* for transactions in securities of other assets and specifically to: . . .

On a called vote, those present voted to adopt Resolution No. R34-2008, with the added wording of “after authorization by Borough Council” in Section 2, as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favio	Yea	Ms. Zentgraf	Yea
Kennedy	Yea		

The motion passed 7-0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 36, as **Resolution No. R34-2008**.

Resol. No. R35-2008 - Ms. Ride offered Resolution No. R35-2008 and moved for its adoption, a resolution naming Council President Michael Federici and Interim Borough Manager Daniel Mator to act on behalf of the Borough with the investment management firm, Manning & Napier Advisors, Inc., in regard to the Borough of Oakmont General Employee Pension Plan, and amending Section 2 of said Resolution.

Dr. Calabrese seconded the motion.

Ms. Ride explained that Section 2 of Resolution R35-2008 would mirror the emendations already made to Resolution No. R34-2008, so as to read:

2. Individuals listed and hereinafter listed and hereinafter referred to as "Authorized Persons" are hereby authorized to give instruction or approval on behalf of the Borough of Oakmont (hereinafter "the Borough") *after authorization by Borough Council* for transactions in securities of other assets and specifically to: . . .

On a called vote, those present voted to adopt Resolution No. R35-2008, with the added wording of "after authorization by Borough Council" in Section 2, as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Yea	Ms. Zentgraf	Yea
Kennedy	Yea		

The motion passed 7-0.

President Federici declared the resolution adopted. Recorded in Ordinance Book Volume 30, Page 37, as **Resolution No. R35-2008**.

Municipal Authority Billing Agreement – Council Member Ride explained that the Borough's billing agreement for sewage and garbage with the Municipal Authority of the Borough of Oakmont required a 90-day termination notice on the part of the Borough. She said that since Council was still deciding whether to remain with the Authority or to go with another billing agency, they had decided to err on the side of caution and give notice of termination until a final decision could be made on the matter, probably next month. She said this in no way reflected upon Council's option to choose the Municipal Authority for billing if they so chose.

With this in mind, Ms. Ride then offered a motion to authorize the Interim Borough Manager to terminate the sewage and garbage billing agreement between the Borough of Oakmont and the Municipal Authority of the Borough of Oakmont.

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

Centerpoint Gas Service – Ms. Ride offered a motion to ratify the action of the Interim Borough Manager in entering the Borough into a two-year service agreement with Centerpoint Energy Services, Inc. at a rate of \$1.85 per decatherm plus NYMEX Last Day Settlement (currently \$7.44).

Mr. Taliaferro seconded the motion.

Mr. Favo asked how Equitable's offer in July of \$4.95 per Mcf had compared with Centerpoint's. Mr. Mator said that Equitable's \$4.95 rate was in addition to the \$7.44 NYMEX Last Day Settlement, making Equitable's rates higher than Centerpoint's. Mr. Favo asked for a breakdown of "what we're looking at," which Mr. Mator said he would give him after the meeting.

The motion passed 7-0.

Equitable Gas Service – Ms. Ride offered a motion to ratify the action of the Interim Borough Manager in entering the Borough into a one-year service agreement with Equitable Gas Company at a rate of \$1.65 per decatherm plus NYMEX Last Day Settlement (currently \$7.44).

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

Public Safety Committee

OVFD Report/Low Roster – Mr. Taliaferro asked Oakmont Volunteer Fire Department (OVFD) Chief Bill Peoples to report on recent fire calls.

Chief Peoples said that there was currently a roster of 18 fire fighters in Oakmont, when there should be 25. He reported that from January 31, 2008 through May 31, 2008 there had been 55 training meetings for the fire fighters and 137 calls, averaging two hours per call.

Chief Peoples went on to discuss the problem of not having enough fire fighters to answer the number of calls. He asked Borough Council if they would try to come up with an incentive to encourage citizens to join the Fire Department. He noted that a reduction in an individual's taxes for joining the fire department would be an example of such an "incentive."

President Federici said that Council appreciated the work of the OFVD very much, and that Council would continue to discuss this issue with the Public Safety Committee and the fire department to look for creative solutions.

Council Member Taliaferro reported that he and Chief Peoples had recently met with Congressman Jason Altmire to discuss what financial incentives might attract citizens to join fire departments. State Representative Frank Dermody has also been approached about this, he said.

Emergency Management Coordinator – Chief Peoples also mentioned that Oakmont Emergency Management Coordinator Theresa Creighan had been working with the Red Cross in Mississippi over the last month, and had recently had surgery there because of kidney stones. Ms. Creighan is due back in Oakmont this week.

September 14, 2008 Windstorm – Mr. Taliaferro commended the fire department for their handling of the severe windstorm that had hit Oakmont the previous night. Chief Peoples said he would like to see more cooperation from the Duquesne Light Company (DLC) when there are such extensive power outages as last evening.

Mr. Mator is to follow up with DLC on this issue. Ms. Zentgraf also suggested that Allegheny County be contacted.

Planning and Economic Development Committee

PCS, Inc. Code Services – Council Member Favo said he was uncomfortable offering the next motion on the agenda under his committee because he had “had nothing to do with it.” Ms. Zentgraf said that all members of Council had been invited to attend a session with PCS, Inc. prior to this appearing on the agenda.

President Federici asked if anyone else would care to offer the motion.

Dr. Calabrese offered the motion to ratify the action of the Interim Borough Manager in entering the Borough into a one-year service agreement with Professional Code Services, Inc. (PCS, Inc.) to administer building inspection, zoning and planning, and property maintenance/code enforcement duties within the Borough.

Ms. Zentgraf seconded the motion.

Mr. Kennedy asked about the Borough’s ability to cancel their services without penalty if PCS is found to be unsatisfactory. Mr. Mator said that a copy of the contract had previously been sent to all members of Council for review. He said that PCS would be considered in breach of their contract should they perform unsatisfactorily.

Mr. Kennedy referred to Item 17 in the agreement which stipulates a 60-day cancellation notice, saying he felt it was ambiguous, and Messrs. Favo and Taliaferro suggested that the notification time should be reduced from 60 days to 30 days. Mr. Mator said he would have the contract modified if that was the will of Council.

The motion passed 7-0.

Engineering & Public Works Committee

Third Street Parking Lot Repaving – Ms. Zentgraf offered a motion to award the bid for the Third Street Parking Lot Repaving Project to Casper Paving, Inc., in the amount of \$57,131.05, and \$2,340.00 for the add/alternate bid for bumper stops.

Mr. Taliaferro seconded the motion.

Council Member Zentgraf suggested that the parking lot policies should be reviewed - for example, the effect that school buses parking in this lot has on the life span of the parking lot surface. In response to Ms. Ride’s question, Ms. Zentgraf said the Riverview School District had agreed to contribute \$5,500.00 to the repaving costs. She asked Mr. Mator to approach the School District for additional funding, and also felt that long-term parkers should be looked at.

Mr. Favo said he had asked three questions concerning this project at the previous week’s Regular Council Workshop Meeting, which had not been answered. He said he was challenging the Borough Engineer’s specifications, reasoning and costs on this project. Ms. Zentgraf responded that the Borough did not want to be “penny-wise and dollar-foolish,” adding that Mr. Favo was free to take his questions to the engineer, but that she felt a vote should be taken on this now.

On a called vote, the votes were as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Nay	Ms. Zentgraf	Yea
Kennedy	Nay		

Mr. Favo explained his reason for voting “No,” saying that he felt this project could be done a lot cheaper, and that accepting this bid was “flushing money down the toilet.”

The motion passed 5-2.

2007 Road Paving Project – Ms. Zentgraf offered a motion to authorize payment of Current & Final Estimate No. 3 of, and to accept the Maintenance Bond associated with, the 2007 Road Program to A. Folino Construction, Inc., in the amount of \$17,208.73.

Mr. Kennedy seconded the motion.

Mr. Favo noted that: 1) this additional \$17,208.73 exceeded the “not to exceed” limit already set by Council, once again; 2) that this money is the retainage; and, 3) that he wanted it to be designated where the money was coming from. Mr. Mator said that Council had never voted on Current & Final Estimate No. 3, which was why the motion was on the agenda that night.

Cost Exceedence Motion – President Federici asked Attorney Shawn Gallagher if it were possible to table the current motion until another “not to exceed” motion could be voted on. Mr. Gallagher said that was permissible.

Ms. Zentgraf offered a motion to increase the “not to exceed” limit on this project of \$175,000, to a “not to exceed” limit of \$177,000, a \$2000 increase.

Ms. Ride seconded the motion.

On a called vote, the votes were as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Nay	Ms. Zentgraf	Yea
Kennedy	Yea		

The motion passed 6-1.

Ms. Zentgraf then went back and offered the motion that had been tabled to authorize payment of Current & Final Estimate No. 3 of, and to accept the Maintenance Bond associated with, the 2007 Road Program to A. Folino Construction, Inc. in the amount of \$17,208.73.

Mr. Kennedy seconded the motion, which passed 7-0.

WWTP Pump Station Improvements – Ms. Zentgraf offered a motion to authorize payment of Periodic Estimate No. 6 associated with the Plum Creek and Washington Avenue Pump Stations Improvements to Greensburg Environmental Contracting Systems in the amount of \$51,254.40.

Dr. Calabrese seconded the motion.

Ms. Zentgraf reviewed the details of this project for those present. Mr. Taliaferro asked how much was left to do. Mr. Favo responded, "We're near the end. About 80%."

The motion passed 7-0.

Recreation, Cultural and Community Assets Committee

Resol. No. R37-2008, Ben Erdeljac to Recreation Board – Mr. Kennedy offered Resolution No. R37-2008 and moved for its adoption, a resolution appointing Benjamin M. Erdeljac a member of the Recreation Board of the Borough of Oakmont to fill the vacancy on the Board created by the resignation of Wayne E. Delchambre.

Mr. Taliaferro seconded the motion.

Mr. Kennedy said that Mr. Delchambre had served for a number of years, and that he had not accepted the Board's offer to take him and his wife out to dinner in appreciation. Mr. Kennedy said, "He was a gentleman to the end."

Ms. Zentgraf asked about Mr. Erdeljac's abilities. Mr. Kennedy said he was a good football player, went to Duke University, was currently employed by the Mt. Lebanon School District and lived in the Commons.

On a called vote, the votes were as follows:

President Federici	Yea	Ms. Ride	Yea
Dr. Calabrese	Yea	Mr. Taliaferro	Yea
Mr. Favo	Yea	Ms. Zentgraf	Yea
Kennedy	Yea		

The motion passed 7-0.

Human Resources, IT & Communications Committee

Agenda Title Changes – Dr. Calabrese noted some changes in Council Committee titles and elsewhere. She clarified why the "Internal Governmental Relations Committee" has now been changed to the "Financial and Legal Committee", and why her committee title had been changed from "Communications and Internal Relations Committee" to the "Human Resources, IT & Communications Committee".

She also noted that all titles referring to the "Centennial" would be changed to the "Kerr Committee" now.

The External Governmental Relations Committee, which included the State & Federal Liaison and the Local & County Liaison, has been eliminated.

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

Street Name Signs – OVFD Chief Bill Peoples, 1000 Pennsylvania Avenue, said that street name signs should have *both* street names in either direction on them, especially for emergency purposes. He also said the Borough should make sure that the signage directing oversized vehicles onto Allegheny Avenue should clearly indicate that they should continue the *entire* length of Allegheny Avenue. He suggested there might be some cost savings on signage through the state.

MISCELLANEOUS ITEMS

Executive Session – President Federici again announced that Council would be meeting in Executive Session just after the current meeting.

Handicapped Parking Fees – Mr. Kennedy said he did not find the yearly \$25 handicapped parking fee to be excessive, and did not see the fee as a hardship on those with fixed incomes.

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 8:42 PM.

Daniel Mator
Interim Borough Manager

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