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MEMORANDUM OF LAW

TO: DORMONT BOROUGH COUNCIL, MAYOR AND MANAGER
FROM: DODARO, MATTA & CAMBEST
RE: SOLICITOR'S REPORT
DATE: OCTOBER 31, 2014

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1. **BLIGHTED PROPERTIES** –Petitions for Appointment of Conservator were granted by the Court of Common Pleas on two properties (1447 Dormont Avenue and 2708 Broadway). A final plan for rehabilitation/demolition of the properties has been granted by Court. No appeals were filed. We have engaged the services of an appraiser to review market values of the properties and file a report. On the 1447 Dormont Avenue upon an interior inspection by the Conservator it was discovered that the property need an additional renovations to make the property marketable. We were granted Court approval to add these additional renovations to the plan. A full report has been submitted by the Council President. We are waiting for Council's final decision on the 2708 Broadway property. Construction is finally underway on 1447 Dormont Avenue.
 2. **BARBARA JEAN FELDMAN ET. AL. V BOROUGH OF DORMONT.** This is a pro se complaint filed in Federal Court against the Borough, Berkheimer Tax Administrator, Jordan Tax Service, Inc., Keystone Oaks School District and Goehring, Rutter & Boehm. Ms. Feldman claims that her 401(K) was incorrectly taxed. We prepared a motion to dismiss for failure to make a claim. Specifically, 401(k) plans are in deed taxable. The Court after reviewing our motion to dismiss and brief dismissed the case. Ms. Feldman has filed an appeal of this decision to the Third Circuit Court of Appeals.
 3. **CODIFICATION** - We made technical changes to Code to bring it in compliance with State Law.
 4. **RETIREMENT AGE ORDINANCE.** Changes were made to the Code to reflect the change in the retirement age to non- uniform pension plan.

DORMONT VOLUNTEER FIRE DEPARTMENT

MONTHLY ALARM SUMMARY

MONTH YEAR	TOTAL ALARMS	TOTAL DRILLS	TOTAL DAMAGES
October 2014	27	2	\$22,000.00
10/01/14	1138 Illinois Ave.	False Alarm	None
10/03/14	1130 Illinois Ave.	Residential Lockout	None
10/04/14	1200BL Arkansas Ave	Vehicle Accident	None
10/05/14	Mervin and Dell	Odor Investigation	None
10/05/14	1329 Tennessee Ave	Assist Police	None
10/08/14	1204 Arkansas Ave.	Poss. Structure Fire	None
10/09/14	2600 bl W Liberty	MVA	None
10/09/14	2979 Glenmore Ave.	Cooking Accident	None
10/11/14	661 Washington Rd.	Smoke Showing (MA)	None
10/11/14	Beverly Rd/McFarland Rd	MVA (Debris Cleanup)	None
10/12/14	1508 LaSalle Ave.	False Alarm	None
10/13/14	2770 W.Liberty Ave.	Vehicle Fire	\$2,000.00
10/13/14	1455 Hillsdale Ave.	Dept. Drill	None
10/14/14	2740 Voelkel Ave.	Burnt Food	None
10/16/14	1501 Dormont Ave.	Lock Out	None
10/16/14	1600Kelton Ave.	Vehicle vs. Trolley	\$20,000.00
10/20/14	W. Liberty@Tennesse	Vehicle Accident	None
10/20/14	1500 block Park Blvd.	Odor of Smoke	None
10/21/14	172 Morrison Dr.	Oven Fire (MA)	None
10/22/14	2885 W. Liberty Ave.	False Alarm	None
10/24/14	2873 W. Liberty Ave.	Vehicle vs Pedestrian	None
10/24/14	2900 Blk Belrose Ave.	Accident Clean-up	None
10/26/14	1530 Potomac Ave.	Gas Pump Hit	None
10/27/14	1455 Hillsdale Ave.	Dept. Drill	None
10/28/14	2814 W.Liberty AQue.	Burnt Food	None
10/30/14	110 Penn Ave.	Structure Fire(MA)	None
10/31/14	1524 McFarland Road	Smoke Detector	None
10/31/14	Potomac@Broadway	Pedestrian vs Vehicle	None
10/31/14	2915 Belrose Ave.	Trash Fire	None

Parks Department

Monthly Report November 2014

Maintain Recreation Center

Empty trash throughout the Parks (as needed)

Clean and inspect all playground equipment

Lawn Equipment Maintenance

Building Maintenance

Turn water off and winterize water lines throughout parks

Update marquis as needed

Remove & store radar devices for the winter

Set up Equipment for snow removal

Plant permanent Christmas tree at the Pool building

Decorate interior of Borough Building for Christmas

Decorate Pool building for light up night Dec 6th

Plant 6 trees for residents on the 2700 – 2800 block of Espy Ave

Remove fallen private telephone pole near the Lg Pavilion

Remove fallen wires near the Lg Pavilion

Prepare equipment for snow removal

DORMONT VOLUNTEER FIRE DEPARTMENT

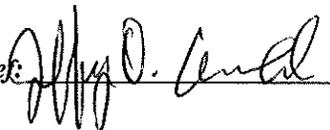
MONTHLY SUMMARY REPORT

October 2014

<i>Total Alarms</i>	<i>27</i>
<i>Drills.</i>	<i>2</i>
<i>False Alarms.</i>	<i>4</i>
<i>Alarms in</i>	<i>7</i>
<i>Alarms in Buildings.</i>	<i>7</i>
<i>Mutual Aid (Given to other Departments)</i>	<i>3</i>
<i>Alarms Involving Automobiles and Trucks.</i>	<i>10</i>
<i>Alarms Involving Brush, Rubbish, Misc.</i>	<i>1</i>
<i>Day Alarms 06:00 AM. To 1800 Hrs.</i>	<i>14</i>
<i>Night Alarms 1800 Hrs.. To 06:00 AM.</i>	<i>13</i>
<i>Total Number of Volunteers at Alarms.</i>	<i>136</i>
<i>Total Number of Volunteers at Drills</i>	<i>23</i>
<i>Total Number of Career Staff at Alarms</i>	<i>42</i>
<i>Total Number of Career Staff at Drills</i>	<i>7</i>
<i>Estimated Value of Property Involved in Fires</i>	<i>\$2,000.00</i>
<i>Estimated Property Lost Due to Fire</i>	<i>0</i>
<i>Single Largest Loss</i>	<i>\$20,000.00</i>
<i>Monthly Stipend</i>	<i>\$ 1,279</i>

**FIRE DEPARTMENT MEMBERS OR RESIDENTS INJURED OR TREATED AT ALARMS
MUTUAL AID GIVEN OR RECEIVED**

14-00000292 Dormont Fire Assist Mt. Lebanon Fire
14-00000301 Dormont Fire Assist Mt. Lebanon Fire
14-00000307 Dormont Fire Assist Mt Oliver Fire

Dormont Fire Chief: 

Date: October 2014

TAXING DISTRICT: BOROUGH OF DORMONT
TAX COLLECTOR'S REPORT TO TAXING DISTRICTS
PREPARED ON: 11/02/2014 FOR TAX YEAR 2014
FOR THE PERIOD: 10/01/2014 TO 10/31/2014

	<u>REAL ESTATE</u>	<u>INTERIM/OTHER</u>	<u>PER CAPITA</u>
A. <u>COLLECTIONS</u>			
Balance Collectable	256,487.45	.00	.00
Additions: During the Period	.00	.00	.00
Deductions: Credits during the Period	8,438.99	.00	.00
Total Collectable	248,048.46	.00	.00
LESS: Face Collected for the Period	15,065.34	.00	.00
LESS: Deletions from the List	1,935.72	.00	.00
LESS: Exonerations	.00	.00	.00
LESS: Liens/Non-Lienable Installments	.00	.00	.00
<u>BALANCE COLLECTABLE - END OF PERIOD</u>	231,047.40	.00	.00

B. RECONCILIATION OF CASH COLLECTED

Face Amount of Collections	15,065.34	.00	.00
Plus: Penalties	1,153.02	.00	.00
Less: Discounts	.00	.00	.00
Total Cash Collected per Column	16,218.36	.00	.00

TOTAL CASH COLLECTED

16,218.36

C. PAYMENT OF TAXES

Amount Remitted During the Period (SEE ATTACHED SCHEDULE)		16,218.36
Amount Paid with this Report Applicable to this Reporting Period		.00
<u>TOTAL REMITTED THIS PERIOD</u>		16,218.36

List Other Credit Adjustments (SEE ATTACHED SCHEDULE)		8,438.99
Interest Earnings (if applicable)		.00

TAXING DISTRICT USE (OPTIONAL)	
Carryover from Previous Period	\$ _____
Amount Collected this Period	\$ _____
Less Amount Paid this Period	\$ _____
Ending Balance	\$ _____

Tax Collector	Date
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I verify this is a complete and accurate reporting of the balance collectable, taxes collected and remitted for the period.

Received by (taxing district): _____

Title: _____ Date: _____

I acknowledge the receipt of this report.

TAXING DISTRICT: BOROUGH OF DORMONT
TAX COLLECTOR'S REPORT TO TAXING DISTRICTS
PREPARED ON: 11/02/2014 FOR TAX YEAR 2014
FOR THE PERIOD: 10/01/2014 TO 10/31/2014

SUPPORTING SCHEDULE FOR PAYMENT OF TAXES

DEPOSIT DATE	REAL ESTATE COLLECTED	PER CAPITA COLLECTED	TOTAL COLLECTED
10/04/2014	5,341.36	.00	5,341.36
10/10/2014	2,725.26	.00	2,725.26
10/17/2014	2,379.19	.00	2,379.19
10/24/2014	1,784.94	.00	1,784.94
10/31/2014	3,987.61	.00	3,987.61
** TOTAL:	16,218.36	.00	16,218.36



BOROUGH OF DORMONT

EXECUTIVE SESSION 6:00 PM

**REGULAR MEETING OF THE DORMONT BOROUGH COUNCIL
HELD ON MONDAY, NOVEMBER 3, 2014 7:00PM
IN THE DORMONT MUNICIPAL CENTER COUNCIL CHAMBERS**

Council President Bill McCartney called the Meeting of the Dormont Borough Council to order at 7:00PM

PLEDGE OF ALLEGIANCE

ROLL CALL

The following members of Council responded to roll call:

Onnie Costanzo, Jeff Fabus, Joan Hodson, Drew Lehman, Val Martino, John Maggio, Bill McCartney

Also present: Jeffrey Naftal, Manager
John Rushford, Borough Solicitor
Mayor Phil Ross
Connor Tokarsky

REGISTERED COMMENTS FROM THE PUBLIC

State Representative Dan Miller RE: Declaration for Comprehensive Plan Award and Recognition of Bill McCartney for volunteering on a disability event.

COMMENTS FROM THE MAYOR

Mayor Ross informed that the Police Department responded to 260 calls for service for the month of October. Mayor Ross briefed on a letter commending Sgt. Briglia and Officer Barnes.

COUNCIL COMMITTEE REPORTS

Finance and Legal: Costanzo briefed on the budget meetings held in October and the Three Rivers Wet Weather Sewer Conference she attended with the Borough Engineer.

Community Affairs/Recreation: Fabus briefed on the Recreation events that were held throughout the month of October: Dormont Dash, Pet Parade, Halloween Party for Kids, Pitt Make a Difference Day and the Street Fair. Fabus briefed on the upcoming events in November, December and January. There are two vacancies on the Recreation Board.

Property, Supplies and Planning: Martino commented on the last Budget meeting and revitalizing Potomac Avenue.

Public Safety/Service: Hodson informed that MRTSA responded to 69 calls for service and the DVFD responded to 26 calls for service for the month of October.

COUNCIL PRESIDENT REPORT

McCartney briefed on the Historical Grant that the Borough is received.

BOROUGH MANAGER REPORT

Naftal briefed on the 2014 Daniel Burnham Award that was given to the Borough through the Pennsylvania Chapter of the American Planning Association for the Comprehensive Plan.

Naftal informed that there are 88 new LED street lights on West Liberty Avenue given to the Borough from Duquesne Light.

Naftal asked Council if they would like to do half price Business Parking Permits for the month of December and have two free weeks of parking from December 18th until January 1st. *Council agreed to have half price Business Parking Permits and to not enforce parking from December 18th until January 1st.*

Naftal informed that the Borough received a notice that it will not be awarded a grant for Athens Alley. The next step will be to apply for a CITF Grant that opens up in January. Naftal briefed on the CITF Grant.

Naftal briefed on the Christmas lights on West Liberty and Potomac Avenues. *Council authorized \$2,000.00 for the wreaths on West Liberty Avenue.*

CONSENT AGENDA

Motion by Hodson, second by Costanzo to accept Consent Agenda Items A, B, C, D, E, F, G, H, I, J, K, L, M (A. Motion to accept the written report of the Borough Solicitor, B. Motion to accept the written reports of Borough Officials, C. Motion to approve the Minutes of the October 6, 2014 Council Business Meeting, D. Motion to approve the Warrant List for October, 2014, E. Motion to authorize Payment #1 and Final to the City of Pittsburgh for \$37,771.00 for the paving

of McNeilly Avenue, F. Motion to authorize Payment #1 to R & R Masonry Restoration for \$4,200.00 for masonry work at the Thomas Lloyd Recreation Center, G. Motion to authorize Payment #2 and Final to R & R Masonry Restoration for \$7,800.00 for masonry work at the Thomas Lloyd Recreation Center, H. Motion to authorize Payment #1 and Final to Niando Construction, Inc. for \$9,751.20 for curb and sidewalk replacement on McNeilly Avenue, I. Motion to authorize Payment #2 to Insight Pipe Contracting, L.P. for \$4,025.22 for the 2014 Sanitary Sewer Preventative Maintenance Contract, J. Motion to authorize Payment #3 and Final to Insight Pipe Contracting, L.P. for \$2,240.22 for the 2014 Sanitary Sewer Preventative Maintenance Contract, K. Motion to authorize Payment #1 to Laurel Asphalt, L.L.C. for \$42,735.80 for the Imprinted Crosswalk Project, L. Motion to authorize Payment #1 and Final to Niando Construction, Inc. for \$16,404.74 for the 2014 Sanitary Sewer O&M Projects, M. Motion to accept the resignation of Grant Shiring from the Planning Commission).
Motion carried 7-0.

ACTION ITEMS

A. Motion by Hodson, second by Fabus to approve a Reserved Accessible Parking Space for Ms. Dolores Galenec of 2943 Glenmore Avenue as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

B. Motion by Hodson, second by Costanzo to approve a Reserved Accessible Parking space for Ms. Ruth Tepke of 2907 Voelkel Avenue, Apt. #2, as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 6-0-1; McCartney recused himself because Ms. Tepke is his Mother-in-law.

C. Motion by Hodson, second by Costanzo to adopt Ordinance No. 1602 which amends the Non-Police Pension Plan to change the normal retirement age to 60 with 20 years of service as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

D. Motion by Costanzo, second by Hodson to approve Resolution No. 18-2014 extending the lease negotiation period with Fore Properties for the Transit Oriented Development at the Dormont Junction T-Stop for one year as outlined in the staff report.

Public Comment: None.

Council Discussion: Council discussed the positives and negatives with this motion.

Motion carried 6-1; Maggio, No.

E. Motion by Costanzo, second by Hodson to approve Resolution No. 19-2014 authorizing the Borough Manager to apply for CDBG funding from Allegheny County in the amount of \$32,477.00 as outlined in the staff report (for 18 ADA ramps).

Public Comment: Bob McClellan, 2705 Philadelphia Avenue RE: Commented that the Borough is far behind on installing the ADA Ramps.

Council Discussion: Discussed the ADA Ramps and the location.

Motion carried 7-0.

F. Motion by Hodson, second by Costanzo to authorize expenditures for the conservatorship property located at 2708 Broadway Avenue as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

G. Motion by Hodson, second by Fabus to authorize the Borough Manager to pay Ron's Garage, Inc. \$13,824.64 for repairs to the Fire Department's ladder truck as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

H. Motion by Martino, second by Hodson to award the lining of a stormwater line parallel to West Liberty Avenue to ease flooding on LaSalle Avenue to Insight Pipe Contracting, LP at a cost of \$20,178.00 as outlined in the staff report.

Public Comment: None.

Council Discussion: Discussed the flooding issues.

Motion carried 7-0.

I. Motion by Hodson, second by Costanzo to authorize the purchase of a prefabricated stairway to replace the existing stairway at the end of Ordinance Avenue where it meets Connecticut Avenue from Hampton Concrete for \$2,227.00 as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

J. Motion by Martino, second by Hodson to authorize the purchase of a 52 inch rotary broom for the Parks Department to attach to their tractor to use for sidewalk snow removal and other uses from West Central Equipment for \$2,188.62 as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 7-0.

K. Motion by Hodson, second by Costanzo to authorize the purchase of a plasma cutting tool for the Streets Department from Jackson Welding Supply Co. for \$1,850.00 as outlined in the staff report.

Public Comment: None.

Council Discussion: Naftal briefed on the plasma cutting tool.

Motion carried 7-0.

L. Motion by Martino, second by Hodson to authorize the purchase of LED light fixtures for the street lights on Potomac Avenue from The Hite Company for \$11,100.00 as outlined in the staff report.

Public Comment: Mr. Hutchison, Illinois Avenue, questioned the installation.

Council Discussion: Naftal briefed on the cost and the LED lights.

Motion carried 7-0.

M. Motion by Fabus, second by Hodson to authorize entering into an agreement with Skelly and Loy, Inc. to identify historic homes and businesses within the Borough using grant funds from the Commonwealth as outlined in the staff report.

Public Comment: None.

Council Discussion: None.

Motion carried 6-0-1; McCartney recused himself because he works for Baker.

DISCUSSION ITEMS

Naftal informed that the Revenues Budget Meeting will be held on Monday, November 10th at 6:00PM. Naftal stated that Council will finalize the Budget at the meeting so he can put it on the December Council Meeting Agenda.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Colleen Cale, works at Dewalts Health Store in Dormont RE: Crime.

Bob McClelland, 2705 Philadelphia Avenue RE: Dwight and Potomac Avenue stop sign; truck parking.

ANNOUNCEMENTS

ADJOURNMENT