

Oakland Borough Council
380 State Street
Susquehanna, PA 18847
Special meeting minutes
January 23, 2020

The special meeting of the Oakland Borough Council was called to order at 7:01pm. Present were council members Debra White, Robert Muiiter, Ronald Beavan, Valerie Senese, Gary Boughton, Patrick Gall, Brad Kraveski; Secretary Rhonda Parfitt; and solicitor John Martin. Mayor Randy Glover was absent.

Also present were Doug and Susan Arthur, Tim Senese, Marty Lindsey, and Chief John Creamer.

The Pledge of Allegiance was recited and a moment of silence was observed.

ADOPTION OF AGENDA

Ms. Parfitt wished to add correspondence from the County office under new business. Mr. Kraveski requested to add a codes report after finance committee report. Ms. Senese wished to add a Park report after codes. A motion to adopt the amended agenda was made by Ms. Senese, seconded by Mr. Beavan, and approved unanimously by vote.

PUBLIC COMMENT

Doug Arthur noted that Adams Cable had been in the area working on some things and that there was a pole on High Street, before Brian Rhone's residence if a person was coming in from Westfall Ave, that was leaning over. He stated that the right size vehicle would hit the pole and suggested contacting Adams Cable. Mr. Boughton recorded the concern.

Marty Lindsey wished to be given details regarding the EIT, specifically, if he would now be paying the tax to both Oakland and Montrose, since he works in Montrose. He stated that he did not want to be double-charged. Mr. Martin requested to interject and explained to Mr. Lindsey that the tax will only be taken out of his paycheck once and that now that Oakland has enacted the tax, the money will go to Oakland instead of Montrose. Mr. Lindsey was satisfied. He then stated that he had heard rumor about the Occupation Tax and Per Capita Tax being repealed and inquired if this was anywhere close to being true. Mr. Boughton stated that it would be discussed in the Finance Committee Report.

Chief Creamer stated that the police contract was done and that Susquehanna would be reviewing it at their February 12th meeting. He stated that he would circulate copies to the Oakland Council before the next regular meeting on February 19th.

BILL LIST AND REVIEW OF TIME SHEETS

Ms. Parfitt gave explanation for several items on the bill list. She stated that she did not have the Penelec bills yet but requested permission for them to be paid to avoid shut-offs and late fees. The same with Adams Cable and Wex cards. Regarding Staples, Ms. Parfitt provided a print of the order that had been placed. The order included both office and maintenance supplies. Ms. Parfitt explained that the Water Authority had deleted the 3rd quarter 2019 bill that they had originally stated was past due, but that they were still billing for 4th quarter 2019. Ms. Parfitt stated that she and Mr. Boughton had paid the bill prior to scheduling the special meeting, due to it being a utility bill that could result in a shut-off and fees by the time of the February meeting. She noted that this was an expense that was outside of the budget, since the Borough had never been billed for water and the finance committee did not know they would need to budget for a water bill. Ms. Parfitt also pointed out the bill for bridge lighting to Susquehanna Borough. She stated that the last four lights on the Oakland side of the bridge are lights that Susquehanna pays for but bills Oakland for every year. She wanted to make clear that this was a one-time annual payment. Ms. Parfitt provided a copy of the solicitor's invoice in order for Council to see what he was billing for. Mr. Martin stated that he would be giving a half hour credit because Mr. Boughton had misinformed him that there was a codes committee meeting and requested that he attend. The codes meeting was not occurring until the February 19th meeting. Council was appreciative. Regarding Liquid Fuels expenditures, Ms. Parfitt stated that she had paid for the second two tri-axles of each road treatment material, but she had coordinated with Lanesboro for them to order the next round. This would keep each municipality's Liquid Fuels funds straight. Ms. Senese asked if the presented bills list would carry the Borough through to March when Ms. Parfitt would be returning from maternity leave. Ms. Parfitt responded that it would not, as the bills on the list were just the current ones that she knew about. Ms. Senese stated that she believed it would be a good idea for Council to approve future bills to be paid in order to avoid late fees. Mr. Beavan made a motion for Ms. Parfitt or Ms. Stewart to be able to pay all line-item bills due before the March meeting and to have them reported to Council at the March meeting. The motion was seconded by Ms. White and approved unanimously by vote.

Time sheets were reviewed and there were no noted objections.

VACANCY BOARD CHAIR APPOINTMENT

Ms. Parfitt noted that per the January 6th meeting, she had contacted Carol Trevarthan regarding the Vacancy Board and Ms. Trevarthan was agreeable to being appointed as Chair. Mr. Beavan made a motion to appoint Carol Trevarthan as the Vacancy Board Chair. Ms. White seconded the motion and it was approved unanimously by vote.

FINANCE COMMITTEE REPORT

Ms. Senese read the finance committee report. Regarding the recommendation to eliminate the Occupation and Per Capita taxes, Mr. Beavan questioned if it was too late in the year to make such a decision for the 2020 tax year. Ms. Arthur stated that the bills had not gone out yet and that there should still be time, but probably not much time. The Council would need to contact the assessment office.

Mr. Beavan asked what would prevent someone from self-reporting the EIT, referring to the letter issued by Berkheimer. Mr. Martin stated that failing to report would be tax fraud. Mr. Kraveski stated that he personally got his taxes done at H&R Block and this particular tax preparer knew which municipalities enforced the EIT and which did not, but the independent preparers and accountants may not have the same information. Ms. Senese noted that the EIT had been presented with the understanding that residents of the Borough who worked for New York state would have to pay the tax, and that with or without misinterpretation that had occurred, it is the responsibility of each taxpayer to report. Mr. Muiter stated that there were people in the community that were upset with the letter from Berkheimer because the Council had stated at a meeting that the tax would not apply to those working in New York state. He wanted to know why the confusion occurred and what could be done about it. Mr. Martin explained that every other state that surrounds Pennsylvania has their version of an EIT, and that he was under the impression that New York did as well. If New York had their own EIT, residents of Oakland would not have to pay the Pennsylvania EIT. He mistakenly believed that this was the case and that the residents working in New York were already paying an EIT to New York State. He stated for the record that if Oakland residents were not paying a New York version of the EIT, they would indeed have to follow the instructions laid out by Berkheimer and self-file. Ms. Senese stated that the Council could not be concerned with who self-filed and who did not as there was nothing they could do about it and it was between the taxpayer and the laws set in place. Mr. Lindsey wished to clarify who would be paying the tax, and it was answered that working people would pay the tax- not those on retirement income, welfare, disability, social security, etc. Mr. Lindsey stated his opinion that every person should have to pay it and not just the working man. Mr. Martin remarked that that is just the way this tax works and there was no way to change it.

After some more discussion, Mr. Beavan made a motion to rescind the Occupation Tax and the Per Capita tax. This motion was seconded by Mr. Gall and approved unanimously by vote. Ms. Parfitt asked if anyone knew what the process was and if someone else could be assigned to take care of it since she would soon be out of the office. Ms. Senese stated to Mr. Boughton that he as the Council President could call the assessment office and be informed of the process. Ms. Arthur provided the phone number and the name of the person with whom Mr. Boughton should speak. Ms. Senese asked how Council would go about getting rid of the most recent tax ordinance. Mr. Martin stated his belief that a new ordinance would have to be passed which rescinded the other ordinance. Ms. Parfitt was requested to send Mr. Martin the most recent tax ordinance. Ms. Parfitt said that she would, but asked him to be in contact with someone else regarding the ordinance as she would soon be out of the office and unable to handle the situation.

CODES REPORT

Mr. Krayeski stated that he had attended the COG meeting and that they had switched to NEIU for UCC enforcement. He also noted that they had stop signs for sale at a discounted rate, and requested that Chief Creamer inform him if he felt there were any that needed to be replaced. Mr. Krayeski also addressed correspondence from the Water Authority which requested Ms. Parfitt report a resident to codes enforcement for having no water connected to the residence. He noted that in the IPMC, it is required that water be connected to each residence. Mr. Krayeski stated that he did not feel it fair to enforce the water requirement for one resident if they weren't going to enforce it for all of the residents and asked how Council would like to proceed. Ms. Senese felt that perhaps if someone was without water for 10 days, the Borough should report the situation to codes. Mr. Krayeski was concerned about the codes budget, and Ms. Senese stated that there had been \$2,500 budgeted and that it would be cheaper to enforce if Mr. Krayeski collected a list of residences that were without water and the codes officer could come address them all at once. It was agreed among Council that Mr. Krayeski would reach out to the Water Authority for a list of residences that were without water. He also stated that the codes committee would be having a meeting before the February 19th meeting at 6:30 and that all were welcome to attend.

Ms. White questioned if a resident was frequently without water due to non-payment if there was somewhere they could go for help. Ms. Senese stated that they should be looking for social services. Mr. Beavan mentioned Trehab would help, but only to a certain extent. Ms. Senese added that if affordability was a repeated issue, the resident should be looking for elsewhere to live.

PARK REPORT

Ms. Senese stated that she had contacted Peter Quigg from the Endless Mountain Community Foundation about creating an account or endowment for the Oakland Borough Park. The reason behind this was that she and the Park Chairman (Mr. Arthur) felt that because of the financial darkness that had loomed over Oakland in 2019, people may feel uncomfortable donating to the Park through the governing board when it comes time to fundraise for the park and perhaps they would feel more comfortable giving to the Community Foundation. This would create a 501c(3) for the park and all donations would be tax deductible. She also stated that donations through the Community Foundation were considered investments. Ms. Senese requested that Council be thinking about this option, so that no matter the state of Oakland's Council or finances in the future, the park is always funded as an asset to the community. She suggested that the Council make a decision at the February or March meeting.

Ms. Senese stated that the DCNR grant application was due soon. Since permission for application was already approved, she would be submitting the grant as soon as she was contacted by Delta with the finalized park plans. Ms. Senese stated that she would be working with Northern Tier Regional Development, Christine Detorre (Regional Advisor), and Mr. Arthur. A walk-through would be scheduled to discuss completing the park in phases.

Chief Creamer, readdressing codes, stated that Thompson had had problems with people not paying water bills and so they passed an ordinance that allowed the Borough to confiscate their possessions and sell them to pay what was owed on water bills. Mr. Muiter mentioned that there was such a thing as a utility lien. Mr. Martin stated that it would be a municipal lien which would be a lien on the real estate.

OLD BUSINESS

Mr. Boughton stated that Kindred Spirits was wanting to come back for February 27th and March 24th. He stated that the clinic on the 16th had performed surgeries on 52 cats. Ms. Senese stated that she would be away for the February clinic and asked if someone else could set-up for the day of the event. She stated that setting up required conversing with Lauren Geiger, placing posters around town, arriving around 7:00am to turn on heat, move furniture, getting the cardboard and tarps out of the basement to cover the floors, and coming at the end of the clinic to lock up. Mr. Beavan stated that he would take care of the February 27th clinic and requested Ms. Senese to send him details in writing with what needed to be done.

Mr. Martin was not prepared to discuss the lease addendum on the agenda as he was not informed that the meeting was a general business meeting.

NEW BUSINESS

Ms. Senese presented a Letter of Intent to request assistance from the state in certain departments. She stated that Jim Rose from the DCED had mentioned the Borough being given a peer consultant manager, but she had not been able to get in contact with Mr. Rose. She had gone onto the DCED website and found that she or anyone else could file for Oakland to get the manager. A Letter of Intent needed to be filled out and a motion needed to be in the minutes for such an application to occur. Ms. Senese stated that she would like to apply for administrative assistance as Ms. Stewart was no longer working with Ms. Parfitt regularly and she didn't want to see Ms. Parfitt put at risk as she was still learning the regulations and workings of the Borough. She stated that she believed it would be good for Council to have the peer manager involved in the Borough. She requested that someone make a motion for the application to be completed. Mr. Beavan asked what the Borough would be looking at money-wise. Ms. Senese stated that she had not found anything which indicated that there was any match to be made for the grant at all. She stated that Mr. Rose has told her it was a no-match grant, so the financial obligations would be \$0 if this information was true. Mr. Beavan made a motion for Ms. Senese to apply for the DCED grant for the peer consultant manager. The motion was seconded by Mr. Gall and approved unanimously by vote.

Mr. Beavan mentioned an email that had come from the Water Authority regarding a municipal lien on 151 3rd Ave, which was the home of Eric Page. Ms. Parfitt stated that she had not had time to address the email due to other Borough obligations that week. Mr. Beavan stated that someone wanted the Borough to sign off that the water bill had been paid and that the Borough had no lien on the property. At the time the lien would have occurred, the Water Authority was not its own entity, so this would be the Borough's responsibility to take care of. Mr. Martin made some clarifications and determined that it must be a title company that was requesting the documentation. There was some discussion about there being a statute of limitations on liens, but Mr. Martin stated that he would have to research the matter. Ms. Parfitt was requested to send Mr. Martin the information that had been forwarded from the Water Authority.

Ms. Parfitt spoke of communication she had received from the County Treasurer and Tax Claim. The letter stated that there was a property in the Borough which was going up for repository sale. Jason Miller was requesting that the Borough be willing to accept any price the property could be sold for, but also requested a minimum purchase price if the Council wished to set one. Ms. Senese stated that from a community development standpoint, she could not stand to watch any more properties be purchased for the lowest dollar, made barely livable, and rented out. She stated her goal of combating blight in the area. There was a lengthy discussion about the property, including determination about which property it was, what the features of the

property were, etc. Ms. Senese stated that she would like to see the CBDG grant used every year to demo a blighted property in order to clean up Oakland. Several council members stated their agreement with Ms. Senese that a price minimum should be set. It was agreed that the property in question had water and sewer hook-up but that there was no existing residence. Ms. Senese stated that she would have no problem accepting bare minimum for a vacant lot; she just didn't want to see blight continue. Mr. Martin stated that he believed the Borough would not be able to sell the property for any more than what taxes were owed on the property. Ms. Parfitt was asked to reach out to the assessment office and find out what was owed on the property before Council could make any decision regarding the property.

Mr. Boughton informed Council of Emergency Management training that had been sent from the County's EMA. Several council members expressed interest in attending.

Mr. Beavan asked about the PSAB Bootcamp. Ms. Parfitt answered that all seven council members were officially registered. Bootcamp was scheduled for February 7-8th from 9am-4pm at the Montrose VFW.

Mr. Krayeski made a motion to adjourn the meeting at 8:17pm. Mr. Muiter seconded the motion and the meeting was unanimously adjourned by vote.