

Oakland Borough Council
380 State Street
Susquehanna, PA 18847
Regular business meeting
May 20, 2020

The regular meeting of the Oakland Borough Council was called to order at 7:08pm via ZOOM video communications. Present were council members Gary Boughton, Valerie Senese, Ron Beavan, Robert Muiteer, Debra White, and Brad Krayeski; Mayor Randy Glover; Solicitor John Martin; and Secretary Rhonda Parfitt. Councilman Patrick Gall was absent.

Doug Arthur was present as a member of the public.

Mr. Boughton announced the executive session that occurred on April 15, 2020 from 9:40pm-10:36pm for personnel, litigation, and contractual issues.

Ms. Senese wished to add CBDG CARES Act and water assessment to the agenda. She made a motion, seconded by Mr. Krayeski to adopt the amended agenda and the motion was approved by unanimous vote.

Mr. Beavan noted a word completion on page 1 of the April 15th minutes. Ms. Senese noted a change on page 2, paragraph 4. After some discussion, it was determined that it was Ms. Parfitt, not Ms. Senese, who had made the comment about a motion regarding time sheets. Ms. Senese made a motion, seconded by Mr. Beavan, to approve the April 15th minutes with the changes and it was approved by unanimous vote.

Mr. Tourje was absent and unable to discuss the NEP franchise agreement. Mr. Beavan stated his confusion about the existence or non-existence of a franchise agreement with Adams Cable. Ms. Senese stated that by law, there had to be a franchise agreement in existence, but one could not be located. There was much discussion about different sections of the agreement with NEP. Council members took issue with sections 1 and 10, specifically. Mr. Martin stated that NEP has the choice to match the offers of other providers or charge their own rate and that the Borough cannot stop them from doing that. Mr. Muiteer took issue with the 15-year lock-in requirement. Mr. Krayeski stated that he wanted to the Borough to give NEP permission to charge their service fees just as everyone else could be given permission to charge their service fees. Ms. Senese stated that because the franchise agreement with Adams could not be located, the Council could not be certain what the terms were, and Mr. Martin agreed that the Borough may be breaching contract with Adams by signing with NEP under the proposed conditions. The agreement needed to be located and examined before moving forward. Ms. Parfitt was asked to contact Adams and inquire about the franchise agreement and report back to Council.

Ms. Parfitt presented the treasurer's report and bill list, noting that the allocation for Liquid Fuels had been deposited in the amount of \$25,001.49. She reminded Council that there was not yet a budget for these funds. She also noted that the EIT revenue was \$7,023.63 to date and reminded Council that this would not be reflective of what the EIT would actually bring in due to the COVID-19 restrictions. Ms. Parfitt also noted that the 2020 budget had been adopted with a 2019 carryover of \$10,000 if this money was needed to carry the Borough through until taxes were paid. She explained that before the first tax deposit of the year, the Borough had about \$13,000 leftover and recommended moving \$10,000 of this to the capital reserve account to begin saving a quarter's worth of expenses. The only item that may affect this savings was the replacement of the furnace, which would be discussed later in the meeting. Council was agreeable. Regarding the bill list, Ms. Parfitt made a recommendation to cancel the WEX cards and simply be invoiced for fuel purchases from Hinds Oil. The reason for this was because of what she viewed to be an astronomical late fee for the monthly invoice being paid even a day late, and the terrible customer service. She asked Mayor Glover how he felt about cancelling the cards, as head of streets, and he was agreeable to the cancellation. Ms. Parfitt added that Mr. Martin's invoice had come to \$825.00 and did not make the bill list but needed to be approved. She also asked if the streets supplies from New Milford Hardware should be paid with Liquid Fuels or out of regular budget. Ms. Senese stated that they should come out of the streets budget for small tools. Ms. Senese made a motion, seconded by Mr. Muiter, to set up an account with Hinds Oil, delete the WEX cards, and approve the treasurer's report. The motion was approved by unanimous vote.

Ms. Senese asked Ms. Parfitt if she had gotten a chance to clarify the differences in the levels of audit being offered by Brian T. Kelley & Associates. Ms. Parfitt stated that all the Borough really needed was the \$5,500 audit that would include the Municipal Annual Audit and Financial Report (DCED-CLGS-30). The \$7,500 audit included financial statements that are needed by some lenders, but the Borough's only lender does not require such statements, so there was no point in paying for them. Ms. Senese made a motion, seconded by Mr. Muiter, to accept the \$5,500 audit proposal from Brian T. Kelley, CPA and Associates. The motion was approved by unanimous vote.

Regarding a codes report, Mr. Krayeski shared that he had one inquiry in to COG about someone doing work and that he was waiting to hear back.

There was no police report presented.

Mayor Glover gave the streets report, stating that the street signs had been put up and River Road, which had been in disastrous condition, had been repaired. He stated that the streets employees were doing a great job. He also stated that while working on River Road, the truck had blown a brake line, so it was back over to Cleveland's Garage for repair. The tractor had also had a hydraulic leak that Scott Arthur had repaired, and Doug Arthur had used his own tractor to mow the park. Mayor Glover stated that he would like the tractor and some other supplies to be moved over to the police garage for ease of access. There was discussion about a

broken pulley on the tractor that would need to be fixed. He also stated that he would like to get with the Secretary to inquire about where the streets budget stood because they were in need of some supplies. Mr. Boughton asked about the leaning pole on High Street. It was mentioned that there is no marking on the pole to know who the pole belongs to. Mayor Glover stated that Pete Miller didn't want to work a whole lot of hours but that he was willing to work some to contribute. There was discussion about fitting Pete's hours into the budget, as the budget was currently only set up for 15 hours a week between all streets workers. Ms. Senese noted that because it had been a good winter, the salaries were underbudget and that there would be room for more hours in the summer. Ms. Parfitt could determine exactly how much money the department had to spend.

Ms. Parfitt jumped back to the treasurer's report, stating that Mr. Martin's bill had included a \$100 courtesy write-off that she had forgotten to mention. Council was thankful to Mr. Martin. He stated that the write-off was because he felt he had not gotten information to Mr. Krayeski in a timely manner because he had staffing difficulties with the shut-down.

Regarding the codes committee, Mr. Krayeski stated that the only thing they were working on was the burn ordinance, and the draft would need some work before it could be accepted by Council. He stated that he knew solicitor fees were overbudget and wondered if they should keep moving forward with the ordinance. Ms. Senese stated that she had spoken with Jim Rose from the DCED and that the codification of ordinances could be included in phase 2 of the grant. The Borough could use solicitor fees as a match toward the grant. Mr. Beavan inquired how far away phase 2 was, and Ms. Senese stated that she believed if it had not been for the virus, they could have entered phase 2 already. DCED funds were frozen, but she guessed phase 2 would be within a few months.

The Community Development Committee had no report, but Ms. White stated that she would like to start planting flowers, even if it was just at the Borough building. Ms. Senese asked who was going to put up the flags for Memorial Day, as it was quickly approaching. Mr. Muiter, Ms. White, Mr. Beavan, and Mr. Arthur all stated that they would help. After some discussion, Ms. Senese asked Mayor Glover if it would be okay to hire the streets department to do it. Mayor Glover agreed.

Ms. Senese presented the finance committee report, stating that each member of Council could read it for themselves. She did want to point out the discussion the finance committee had had regarding the proposed Bill #841 which gave counties the option to waive penalties for late tax payments. The municipalities were to make recommendations to the county and the county would decide whether to waive the penalties or not. The finance committee made the recommendation to waive the penalty for 2020 and Council was agreeable. Ms. Parfitt noted a typo on the committee report, saying that the money left in the Impact Fees was \$25,000 rather than the \$35,000 given in the report.

Ms. Senese stated that the park committee had had no meetings but that there was some clean-up that had happened to get the park ready for use.

Mr. Krayeski stated that the volunteer committee remained on-hold due to the restrictions in place.

Regarding the burn ordinance, Council was in agreement that it needed work. Ms. Senese stated that she had missed the meeting where the changes were discussed, but was confused because she thought the only thing that was going to change were the fees being assessed. It was reiterated that burn ordinance was not intended to prevent people from having backyard campfires at any hour of the night or day and that some definitions needed to be put in place. There was lengthy discussion and disagreement about the ordinance. Mr. Martin suggested that he and Mr. Krayeski continue work on the ordinance and report back to Council when they had some things worked out.

Regarding the flood plain ordinance, Mr. Beavan was concerned that making Ms. Parfitt the flood plain administrator was a lot of responsibility. Ms. Senese agreed that it was a lot of responsibility if permits were frequently issued for flood plains, but stated that she did not believe the Borough would need to even use the ordinance- it was being revised merely for compliance purposes. After a little more discussion, Ms. Senese made a motion, seconded by Mr. Muiter, to approve the flood plain ordinance and to place a notice in the paper for review. The motion was approved by unanimous vote.

The pet ordinance was tabled.

Ms. Senese made a motion, seconded by Mr. Beavan, to place the entire ordinance repealing the nuisance taxes in the paper. The motion was approved by unanimous vote.

The sidewalk ordinance was tabled, but Ms. Senese requested that the State Street sidewalks be maintained so that people could safely walk on them. Mr. Muiter noted that there were many streets that had varying sizes of rocks and wondered if there was any plan to sweep the streets. Mr. Krayeski stated that he was working on getting quotes for different equipment and that he was contacting the person who does sweeping for Susquehanna Borough. Someone inquired if there was an attachment that could be used on the tractor, and Mr. Krayeski stated that he was concerned this would just push the rocks into ditches and waterways.

Due to time constraints, Ms. Senese suggested that the Council move to talking about CBDG. She explained that the Borough had been approved for this grant last year and that this year's application would be due soon and she asked for permission to apply on behalf of the Borough. Mr. Muiter made a motion, seconded by Mr. Krayeski, for Ms. Senese to apply for the Community Block Development Grant on behalf of the Borough. The motion was approved by unanimous vote. Ms. Senese also shared that there were more options for CBDG under the CARES Act and requested permission to apply. It was noted that the pantry/resource room would qualify for the grant and asked how Council felt about it. Mr. Muiter asked if the monies

could pay to restock the pantry and Ms. Senese answered that it could provide household supplies. Mr. Muter made a motion, seconded by Ms. Senese, for Ms. Senese to apply for CBDG CARES on behalf of the Borough. The motion was approved by unanimous vote.

Mr. Boughton stated that he had completed the transaction with Gary's-U-Pull-It for the police car. He believed the Borough had received \$130.00 for the vehicle.

Before adjournment, Mr. Krayeski made a motion, seconded by Mr. Beavan, to move the tractor to the police garage. The motion was approved by unanimous vote.

Mr. Beavan made a motion, seconded by Ms. White, to adjourn the meeting at 8:30pm. The meeting was adjourned by unanimous vote.

Council entered executive session at 8:30pm for litigation, personnel, and contractual issues and exited at 9:08pm.