

Oakland Borough Council  
380 State Street  
Susquehanna, PA 18847  
Regular meeting  
February 8, 2021

The regular meeting of the Oakland Borough Council was called to order at 7:00pm. Present were council members Gary Boughton, Valerie Senese, Debra White, Robert Muiteer, Brad Krayski, and Patrick Gall; Mayor Randy Glover; Solicitor John Martin; and Administrator Rhonda Parfitt.

Present as members of the public were guest Thomas Shepstone of Shepstone Management Company, Inc.; residents Doug and Susan Arthur. Chief John Creamer arrived at 7:32pm.

The pledge of allegiance was recited and a moment of silence was observed.

Added to the agenda was Thomas Shepstone, following the approval of minutes. A motion to adopt the amended agenda was made by Ms. Senese, seconded by Mr. Muiteer, and approved by unanimous vote.

A motion to approve the January 20<sup>th</sup> minutes as presented was made by Ms. Senese, seconded by Mr. Muiteer, and approved by unanimous vote. A motion to approve the January 25<sup>th</sup> minutes was made by Mr. Muiteer, seconded by Ms. Senese, and approved by unanimous vote.

Mr. Shepstone joined the Council at the table and gave his experience in codifying ordinances and creating useful ones. He spoke about how he had done work in New York, Pennsylvania, and New Jersey. Mr. Shepstone stated that typically what is done is everything is consolidated into a book and everything not in the book is discarded and no longer valid. The goal of the codification is to simplify and modernize. He stated that he is on the conservative end and that he doesn't encourage over-regulation by ordinance. If there is something that the Council isn't sure should be enforced, then it probably shouldn't be. Mr. Shepstone will do a brief analysis of the Borough ordinances and provide the Borough with a cost estimate for his services. Mr. Martin stated that Mr. Shepstone was being modest in his self-analysis and that he actually is the top expert in this area. He would choose nobody else for the job. It was agreed that Ms. Parfitt would scan all of the Borough's ordinances to Mr. Shepstone so that he could provide a cost proposal.

There was no public comment.

Ms. Parfitt explained that the bid for a new truck had gone unanswered except for one dealership. This dealership also happened to be a supplier through COSTARS, so Ms. Parfitt was wondering about accepting their bid. She stated that the dealership had emailed their bid when they weren't sure their mailed envelope would make it to the building, and after she did not receive any other bids, she opened the email and saw that the dealership had bid the truck, plow, and spreader package for \$42,000. Ms. Parfitt also stated that the Council had forgotten to

specify gas or diesel in the bid, and this bid was for a gas truck. There was a brief discussion about gas v. diesel, with Mr. Krayeski being of the opinion that a diesel would be able to handle the hills and the weight of the road materials better. Ms. Senese and Ms. Parfitt agreed that based on the cost for the gas truck, there was enough money if the Council wanted to choose a diesel instead, for such a purchase should be precisely what the Council wants. A motion to authorize an expenditure up to \$57,000 for a diesel truck fitting all of the other specifications laid out in the bid was made by Mr. Muiter, seconded by Ms. Senese, and approved by unanimous vote.

A motion to approve the treasurer's report as presented was made by Ms. Senese, seconded by Mr. Muiter, and approved by unanimous vote.

A motion to approve the bills list was made by Ms. Senese, Mr. Krayeski, and approved by unanimous vote. Ms. Parfitt asked if the Council still wanted to purchase an annual ZOOM membership and they agreed that it was worth it.

A motion to approve the employee time sheets was presented was made by Ms. Senese, seconded by Mr. Muiter, and approved by unanimous vote.

There was no correspondence, as Mr. Shepstone was present to speak to the Council regarding ordinance codification.

A motion to approve the codes report was made by Ms. Senese, seconded by Mr. Muiter, and approved by unanimous vote.

The police report was presented by Chief Creamer and Mayor Glover. A motion to approve the police report was made by Mr. Muiter, seconded by Mr. Krayeski, and approved by unanimous vote.

Ms. Senese stated that she had a conflict of interest regarding the hiring of the DPW worker and wished to note that she had not engaged in any discussion with the Council about the topic. Mayor Glover stated that there were currently a few pot holes but that nothing could be done with them because of the weather. He also stated that he wished to purchase a new set of chains for the truck that would last longer than the last set he bought. A motion to accept the DPW report was made by Mr. Muiter, seconded by Mr. Gall, and approved by unanimous vote. A motion to re-hire Tim Senese temporarily for the open DPW position at \$15 per hour for DPW and \$20 per hour for plowing and to continue seeking an individual to fill the position permanently was made by Mr. Muiter, seconded by Mr. Gall, and approved by unanimous vote. Ms. Senese abstained due to conflict of interest.

There was no codes committee report.

There was no community development committee report.

The finance committee report was as follows: The decision was made to wait until we receive 2021 tax money before paying our due to the fire department.

A budget for multiple projects was created and the finance committee proposes the following expenditures:

- Borough truck- up to \$40K from the money market and \$15K from liquid fuels
- East Boyden Street (tar and chip)- \$10K from liquid fuels
- Overlook next to Borough building- \$15K from 2020 Impact Fees
- Critter guards installed on horizontal pipes throughout Borough- Approximately \$10 per guard
- Park Renovation (basic improvements for 2021 season, see park report)- \$

We note that all projects are overestimated for budgeting purposes.

A motion to approve the finance committee report was made by Mr. Krayeski, seconded by Mr. Gall, and approved by unanimous vote.

The parks committee report was skipped due to having an executive session at the end of the meeting. Mr. Arthur stated that he had a person who would come pick the bleachers out of the slope and place them on top for free. This would preserve the bleachers if they needed to be used and save money on excavating.

There was no volunteer committee report.

#### OLD BUSINESS

Ms. Parfitt apologized for the error on the agenda regarding the ordinance update. She reiterated that Mr. Shepstone was the update on code codification. Since Mr. Shepstone had noted in his presentation that he knew Ms. Senese from working in Hancock, Ms. Senese stated that she felt it was important for the Council to know that she did not seek out Mr. Shepstone's services and that it was the solicitor who did so.

Ms. Parfitt noted that the Mirabito technicians were set to come the next day to install the new outdoor sensor and that she had also asked for them to look at the thermostat while they were at the building.

Mr. Muijer provided an update on education through PML. He stated that he didn't think that a membership with PML would be what the Council was looking for for a couple of different reasons and felt that they were better off with just the PSAB membership. Ms. Senese asked him to look specifically into the training offered as part of the StMP program, as she was sure that the Council had been told that it may be free in Phase Two. Mr. Muijer agreed.

Mr. Muijer also shared that he had success in dealing with Peoples Security Bank and Trust in his quest to refinance the Borough mortgage. The commercial loan officer had gotten it approved to reduce the rate of the adjustable-rate mortgage from 4-10% down to a 3% fixed rate for the next 5 years. Council was pleased with this offer and Mr. Martin advised them to accept it. Mr. Muijer stated that there was a small possibility that a rate of 2.75% could be obtained elsewhere but there would be a lot of red tape. Mr. Martin stated that there would also be closing costs and

other fees and that nobody else will fix the rate for that period of time. He congratulated Mr. Muiteer on a job well done. It was noted that the amendment did not have to be advertised or publicized because the Council was not creating or taking on any new debt. Mr. Muiteer also stated that the officers would need to be changed on the loan since they were currently the former Secretary and the former President. Mr. Krayeski asked what would happen to the interest rate after the 5 years was up, and Mr. Muiteer stated that the rate would have to be re-evaluated after the term was up. A motion to appoint Gary Boughton and Rhonda Parfitt as officers on the Borough loan (mortgage) ending in numbers 8015 was made by Ms. Senese, seconded by Mr. Gall, and approved by unanimous vote. A motion to accept the offer from PSBT to decrease the interest rate from the current adjustable rate of 4.0% to a 3.0% fixed interest rate for the next 5 years was made by Mr. Gall, seconded by Ms. Senese, and approved by unanimous vote. Ms. Parfitt asked if the Council would like to continue making the same payment toward the mortgage, or make the lesser payment. They agreed that the same payment should be made and directed toward the principal of the loan.

After making sure there were no questions, Ms. Senese made a motion, seconded by Mr. Muiteer, to approve and sign the proposed Police Services Agreement with Susquehanna Borough, effective March 1<sup>st</sup>, 2021, as long as it included the change discussed in executive session. The motion was approved by unanimous vote. Ms. Parfitt stated that the Council also needed to approve the signing of the resolution declaring entrance into the agreement. A motion for the president to sign the resolution entering into police contract with Susquehanna Borough was made by Ms. Senese, seconded by Mr. Gall, and approved by unanimous vote. Ms. Parfitt clarified that the resolution would only be signed after they knew that the one paragraph had been changed. Mr. Martin stated that the Council was to be commended on their hard work and holding their ground to get the best arrangement. Chief Creamer stated that after the contract was signed, he needed a letter on letterhead with the signatures of all of the Council members and a copy of the approved contract so that he could give it to dispatch center and the state police. He asked what should be done with the computer and Council agreed to keep it. There was also a discussion about the gun which Oakland still owns, the MP5. Chief Creamer stated that the gun would have to be sold through a Class 3 dealer. Ms. Parfitt also asked permission to get rid of the phone line in the basement.

#### NEW BUSINESS

Ms. Senese stated that she had realized during her time living in Oakland that power outages are a regular occurrence and that she was frustrated specifically by the number of times this winter that the Borough has been without power. By request of Ms. Senese, Ms. Parfitt had contacted Penelec and obtained outage reports for Oakland Borough and Susquehanna Borough. Since November, the power has been out in Oakland a total of six times, and not at all in Susquehanna. Ms. Senese stated that she found this to be problematic. Oakland pays the same rates as everyone else and it is a safety hazard particularly during the winter for the power to be out. She had heard frustrations from some residents about the outages and wished to do something about it. She stated that she would like Council to give Ms. Parfitt permission to pursue Penelec for better service to the Borough. She wanted the Council to be ready to involve the state representative and the PUC to apply some pressure if Penelec was not willing to budge. Mr.

Krayeski asked if the outages were perhaps a result of the station being down by the river. Ms. Parfitt stated that the reasons for the outages were listed as “unknown,” which led the Council to wonder how Penelec fixes the outages. Mayor Glover stated that a tree service had serviced the area this summer so trees should not be the problem any more. Ms. Senese stated that she felt Penelec would need to be pushed if anything was going to be done about it and she wanted the Council to be the force behind it. Mr. Muiter agreed that power outages were frustrating, but was not a fan of presenting a problem without presenting a solution. Ms. Senese stated that there was nothing wrong with asking them if they had an explanation for the outages and asking for their plan on how they planned to address them. Mr. Gall stated that Penelec was supposed to have fixed the issue this summer by updating their grid, and obviously they never did that or that’s not what the problem was. Chief Creamer stated that they had the same problem in Ararat and Penelec finally came to check all the poles after many resident complaints. Ms. Senese stated that she felt the squeaky wheel would get the grease on this issue. A motion to contact Penelec as discussed was made by Mr. Krayeski, seconded by Mr. Gall, and approved by unanimous vote.

The Council retired into executive session for litigation purposes at 8:05pm. Mr. Boughton stated that there may be a motion afterward.

Council returned from executive session at 8:58pm. Mr. Muiter made a motion that in accordance with existing park plans, the Council allot up to \$20,000 for the purpose of new bleachers, excavating the required area, the removal of trees in the bank, and the rest of the trees deemed necessary throughout the park and that we appoint the park committee to oversee execution. Ms. Parfitt stated that the bleachers alone were \$5,000 and didn’t feel this budget was going to be big enough. Ms. Senese stated that she felt only one set of bleachers should be purchased, which would cut the price in half. If the tree company that quoted \$9,000 was hired, there should still be enough money to pay for excavating since the old bleachers would be removed for free. Additionally, the cost of the tree removal may be lower since it seemed that fewer trees would be removed than the number that was quoted for. Mr. Krayeski stated that any trees removed that would cut down on the number of leaves at the field would be helpful. Ms. Senese seconded the motion made by Mr. Muiter. The motion was approved by unanimous vote.

Mr. Martin stated that a complaint had been received by an individual based on discrimination due to age and discrimination due to alleged disability. The claim was made to the Pennsylvania Human Relations Commission. Ms. Parfitt responded to the complaint and Mr. Martin had received notice by a letter dated January 28<sup>th</sup> that the case had been closed by the HRC. The alleged claims were found to be without merit and the case was ruled in favor of the Borough. Mr. Martin commended Ms. Parfitt for the excellent work on putting together the exhibits and documents necessary to sustain defense of the Borough against the claim.

A motion to adjourn the meeting at 9:02pm was made by Mr. Krayeski, seconded by Mr. Gall, and approved by unanimous vote. Meeting was adjourned.