

**BOROUGH OF WHITE OAK**  
**Minutes of a Council Meeting**  
**September 19, 2019, 8:00 PM**

**CALL TO ORDER:** Council President Dave Pasternak called the meeting to order at 8:03 PM.

**PLEDGE OF ALLEGIANCE:** Dave Pasternak

**ROLL CALL:** Dave Pasternak requested the roll call. In attendance was:

**Elected Officials:**

Mayor Ina Marton  
Edward Babyak  
Louis Bender  
Charles Davis  
David Pasternak  
Steve Pholar  
Ken Robb

**Borough Staff and Professional Services:**

Krishna DiMascio, Borough Solicitor  
Kenneth Hillman, Borough Engineer  
John Palyo, Borough Manager  
MaryAnn Winemiller, Admin. Asst.

**MINUTES:** Charles Davis made a motion to accept the minutes of the August 19, 2019 Council meeting. Ed Babyak seconded the motion. The motion was unanimously approved.

**EXECUTIVE SESSION:** Krisha DiMascio announced following the Workshop meeting of September 9, 2019 and prior to the Council meeting on September 19, 2019, Council had an Executive Session to discuss personnel and pending legal matters.

**PUBLIC COMMENTS:** None

**PRESIDENT'S REPORT:** Dave Pasternak

Dave Pasternak provided Literature from the Tri-COG Land Bank Board of Directors Meeting on September 12, 2019.

**MAYOR'S REPORT:** Mayor Ina Marton provided the Police Activity Report for August 2019.

Arrests: (15 adults / 0 juvenile)	15
Assault	1
Drug offenses (Violation of Title 35)	1
DUI	4
Indirect Criminal Contempt (PFA Violation)	1
Public Drunkenness	1
Terroristic Threats	1
Theft	6
Summary Traffic Violations	63
<b>Total incidents</b>	<b>805</b>

Mayor Marton reported on the DUI Check Point held in White Oak Borough on September 13, 2019.

**COUNCIL COMMITTEE REPORTS:**

**FINANCE:** Dave Pasternak presented the finance report.

Charles Davis made a motion to accept the Treasurer’s Report for August 2019. Ken Robb seconded the motion. The motion was unanimously approved.

A motion was made by Ken Robb approving the Check Register for the month of August, which includes Electronic Fund Transfers and General Fund Checks in the following ranges (204791 to 204883) totaling \$266,714.67. Charles Davis seconded the motion. The motion was unanimously approved.

A motion was made by Stephen Pholar authorizing the following Interfund Transfers for the month of August. Ed Babyak seconded the motion. The motion was unanimously approved.

From	To	Amount
Solid Waste	General Fund	5,609.71
Post Retirement	General Fund	1,500.14
Liquid Fuels	General Fund	20,172.92
Total Transfers		\$27,282.77

A motion was made by Charles Davis setting the annual MMOs (Minimum Municipal Obligation), for the year of 2020 for the pension plans. Ed Babyak seconded the motion. The motion was unanimously approved.

Plan	Amount of MMO
Uniformed Retirement Plan	\$343,970.00
Non-Uniformed Retirement Plan	\$175,622.00
TOTAL 2020 MMO	\$519,592.00

**HEALTH, ENVIRONMENT AND CABLE:** Steve Pholar presented the health, environment and cable report.

Steve Pholar made a motion to authorize payment to Dave Collura, for Wildlife Control Services, in the amount of \$600.00 for the month of August 2019. Ken Robb seconded the motion. The motion was unanimously approved

Steve Pholar made a motion to satisfy the following liens as paid in full, Ken Robb seconded the motion. The motion was unanimously approved

Lot & Block	Lien Number
551-C-268	GD-19-002265
461-G-204	GD-19-002306
461-K-60	GD-16-004473
461-K-282	GD-16-002691
461-K-291	GD-16-006334
461-S-301	GD-11-0489 GD-11-20558 GD-16-002747
550-A-123	GD-16-002242 GD-19-002151
550-B-78	GD-19-002194
461-F-247	GD-19-002272
462-S-3	GD-11-21866 GD-16-006290 GD-19-003645
552-A-201	GD-16-002722
650-M-192	GD-16-002696
755-J-8	GD-16-002245
650-R-03	GD--04-000860
550-N-276	GD-95-00849
461-C-203	GD-19-003755

**PARKS AND RECREATION:** Louis Bender presented the parks and recreation report

Lou Bender announced that we experienced a disappointing end to the pool season with a catastrophic failure of the motor that operates the pool pump. The main motor failed, then we replaced it with the back-up motor and that motor also failed.

Lou Bender made a motion to authorize the Engineer to look into options for a recommendation to repair/replace the pool pump system for next season. Chuck Davis seconded the motion. The motion was unanimously approved.

Lou Bender made the following announcements:

White Oak Borough Halloween Parade and Truck-and-Treat event will be held on Saturday, October 26<sup>th</sup> from Noon till 3:00 PM at the White Oak Community Center. Parade Line Up will begin at 11:30 AM.

White Oak Borough Trick or Treat will be on October 31<sup>st</sup> form 6:00 PM to 8:00 PM

**PLANNING AND ZONING:** Ed Babyak presented the planning and zoning report

The monthly permit/violation report for August is available for review during normal business hours.

**PUBLIC SAFETY REPORT:** No Report

**PUBLIC WORKS:** Chuck Davis presented the Public Works report

The monthly report for August is available for review during normal business hours.

**PERSONNEL:** No Report this month

**TAX COLLECTORS' REPORTS:** Dave Pasternak

Steve Pholar made a motion to accept the Tax Collectors' Reports and pay commissions and fees due. Lou Bender seconded the motion. The motion was unanimously approved.

**Current Real Estate** – Real Estate Tax Collector (Lisa Pitchford) collected \$29,915.61 for current Real Estate Tax for the collection period of August, 2019.

Commission Due	\$146.25
Costs	\$0.00
Total Due	\$146.25

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector(s) collected \$3,308.22 plus costs in delinquent Real Estate Tax for the collection period of August 1, 2019 – August 31, 2019.

Commission Due	\$73.96
Costs	\$100.75
Total Due	\$174.71

**Earned Income Tax**

Keystone Collections Group, Current/Delinquent Earned Income Tax Collector(s) collected \$136,030.55 in current and delinquent Earned Income Tax for the collection period of August, 2019.

Commission Due	\$1,162.69
Costs(refunds/postage and/or costs)	\$.93
TCC Annual Fee	\$0.00
Total Due	\$1,163.62

Berkheimer Associates, Current/Delinquent Earned Income Tax Collector(s) collected \$62.21 in current and delinquent Earned Income Tax for the collection period of August, 2019.

Commission Due	\$0.00
Costs(refunds/postage and/or costs)	\$0.00
Total Due	\$0.00

**Mercantile/Business Privilege and Local Service Tax**

Keystone Collections Group, Current Act 511 Tax Collector, collected \$1,396.14 in current Local Service Tax for the collection period of August, 2019.

Commission Due	\$25.25
Refund	\$0.00
Costs(postage and/or costs)	\$0.00
Total Due	\$25.25

Keystone Collections Group, current Business Privilege and Mercantile Tax Collector, collected \$0.00 in Business Privilege and \$ 0.00 in Mercantile Tax collections for the August 2019 collection period.

Commission Due	\$0.00
Costs	\$0.00
Total Due	\$0.00

Keystone Collections Group, delinquent Business Privilege and Mercantile Tax Collector, collected \$ 27.23 in delinquent Business Privilege Tax and \$321.43 in delinquent Mercantile Tax for the collection period of August 1 - August 31, 2019.

Commission Due	\$20.92
Costs	\$.50
Total Due	\$21.42

**ENGINEER’S REPORT:** Mr. Ken Hillman

Chuck Davis made a motion to accept the Engineer’s Report and pay the fees due to Senate Engineering Company for Invoices #55895 through #55902, dated August 28, 2019, totaling \$11,273.25. Ed Babyak seconded the motion. The motion was unanimously approved.

Chuck Davis made a motion to approve a contract in an amount of \$ 24,000.00 with GeoMechanics, Inc. for geotechnical engineering services related to Center Street Extension project. Ed Babyak seconded the motion. Council President David Pasternak asked for a Roll Call Vote.

Roll Call Vote:

Yes Votes: Louis Bender, Dave Pasternak, Charles Davis, Steve Pholar

No Votes: Ed Babyak, Ken Robb

The motion passed with four (4) yes votes and two (2) no votes.

Ed Babyak made a motion to reject the received proposals for WOAA Lighting Project and authorize the Engineer to advertise for bids for the WOAA Lighting Project. Lou Bender seconded the motion. The motion was unanimously approved.

**SOLICITOR'S REPORT:** Krisha DiMascio presented the Report in Executive Session.

Chuck Davis made a motion to accept the Solicitor's Report that was given in Executive Session. Ken Robb seconded the motion. The motion was unanimously approved

**RESOLUTIONS AND ORDINANCES:** Ms. Krisha DiMascio

**Resolution #2019-14**

Chuck Davis made a motion to rescind Resolution #2019-13 passed at the August 19, 2019 Council meeting. Ed Babyak seconded the motion. The motion was unanimously approved

**Ordinance #2019-15**

Steve Pholar made a motion to adopt Ordinance #2019-15 authorizing formal action constituting a Debt Ordinance under the Local Government Unit Debt Act not to exceed \$7.5 million dollars. Ed Babyak seconded the motion. The Bond Ordinance was read by our Legal Advisor. Council President David Pasternak asked for a Roll Call Vote.

Roll Call Vote:

Yes Votes: Louis Bender, Dave Pasternak, Charles Davis, Steve Pholar. Ed Babyak

No Votes: Ken Robb

The motion passed with five (5) yes votes and one (1) no vote.

**NEW BUSINESS:** None

**OLD BUSINESS:**

Chuck Davis made a motion to ratify action at the October 9, 2019 Council Workshop meeting where Chuck Davis made a motion that was seconded by Stephen Pholar to authorize the Solicitor to start the legal process to sell Borough property located on Cypress Street (L/B #551-E-207) at an open public auction. President Dave Pasternak requested a roll call vote at the 10/9/2019 Workshop meeting and the results are as follows:

Roll Call Vote:

Yes Votes: Dave Pasternak, George Dillinger, Charles Davis, Stephen Pholar

No Votes: Edward Babyak

The motion passed with four (4) yes votes and one (1) no votes.

Ed Babyak seconded the motion to ratify the 10/9/2019 action as listed. The motion was unanimously approved

Chuck Davis made a motion to authorize Senate Engineering Company to survey Borough owned property located on Cypress Street (L/B #551-E-207) for the purpose of selling the property. Lou Bender seconded the motion. The motion was unanimously approved

**ANNOUNCEMENTS:**

October 14, 2019, 6:45 PM – Council Workshop Meeting (Open to the Public)  
October 21, 2019, 6:45 PM – Council Workshop Meeting (Open to the Public)  
8:00 PM – Council Meeting (Open to the Public)

**ADJOURNMENT:**

Chuck Davis made a motion to adjourn the meeting at 8:29 PM. Ed Babyak seconded the motion. The motion was unanimously approved.

Respectfully submitted,

---

John Palyo  
Borough Manager, Secretary & Treasurer

---

Date Approved by Council