

**MINUTES OF THE REGULAR MEETING  
OF WHITE OAK BOROUGH COUNCIL  
HELD MONDAY, SEPTEMBER 18, 2017 AT 8:00 P.M.**

**CALL TO ORDER**

Mr. Massung, President of Council, called the Regular Meeting to order at 8:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**ROLL CALL**

Attending were Council members: Edward Babyak, Richard Bryce, Charles Davis, Ronald Massung, Joseph Nagy, David Pasternak and Kenneth Robb. Also attending were, Mayor Ina Marton, Borough manager John Palyo, Solicitor Michael Hammond, Engineer Michael Glister, Borough Secretary Nancy Greenland.

**MINUTES**

**EXECUTIVE SESSION**

Mr. Hammond stated an Executive Session was held after prior to this meeting at which time personnel matters as well as potential litigation were discussed.

**PUBLIC COMMENTS**

**Josh Curry – 50 Lake Drive, Rilton, PA**

Mr. Curry noted he and his wife have taken over the wife's grandparents' house (2021 Fawcett Avenue) and they recently found out there were borough and school real estate taxes owing on the property. He noted he spoke with the borough's tax collector and was advised to contact the delinquent collector. Contact was made but, the delinquent collector was not receipt to his request to find out why they had not received any prior notices of delinquent taxes. He stated he was looking for relief on the penalty and interest charges. He noted that nothing was brought up at the closing and they did not secure title insurance.

Mr. Robb asked if there were any assets from the estate and that sometimes when a property transfers between family members a title search is not completed.

Mr. Curry noted the estate was left to 5 family members and there were no assets other than the house.

Mr. Davis asked what years were delinquent.

Mr. Curry stated it is for years 2014 and 2015.

Mr. Robb asked Mr. Curry when the closing was.

Mr. Curry stated the property was already sold.

Mr. Robb asked if the closing officer held the unpaid taxes.

Mr. Curry stated the unpaid taxes were withheld, 1,159.00 for the borough and 3,075.40 for the school.

Mr. Pasternak noted he was unaware of Council ever granting exemption from penalty and interest charges on delinquent real estate taxes.

Mr. Hammond noted this is something that is rarely done and that he did not feel it should be granted since the property has sold

Mr. Bryce stated he did not feel this could be done.

Mr. Curry thanked the officials for their time.

**George Matta – 1527 California Ave.**

Mr. Matta stated he was interested in knowing how much taxpayer money and grant money has been put into the new community center as well as why after a year it has not been opened. He further noted he felt the public had the right to know this information.

Mr. Massung noted there were many reasons it facility been opened as yet; there have been delays as well as construction issues. The borough continues to work on resolving these issues. He advised the Borough hopes to make arrangements to secure an Occupancy Certificate for the site within the next week or so.

Mr. Matta asked if the construction issues were public information.

Mr. Pasternak stated there is the possibility of potential litigation

Mr. Hammond stated due to the potential litigation, these matters are not public at this time.

Mr. Matta asked why there wasn't a fire suppression system installed during construction.

Mr. Massung noted based on the size of the facility such a system was not necessary. He indicated the facility is close to being ready for occupancy and should be so within another month or so.

Mr. Matta asked if the construction issues would be public after litigation was started.

Mr. Hammond stated at that point it would be public information. The Borough is currently in the process of looking at each issue and trying to resolve it. If litigation is filed the Borough would hope to have the other parties held responsible and recoup the additional costs of the project. He noted that within the next month or so the borough should know what direction it is going and at that point it could be discussed more publicly.

Mr. Matta noted the Agenda for the Regular meeting doesn't have much on it. He asked if residents were interested in knowing what was going on what meeting to attend. The Regular Meeting or the Workshop Meeting.

Mr. Massung noted discussions are held at both types of meetings and these are opened to the public. There are very few motions that are acted upon at the workshop meetings.

Mr. Matta indicated that Mr. Bryce goes out of town for multiple months in the winter and suggested that he not be in charge of the Public Works Department during these busy months with winter weather. He asked how Mr. Bryce could supervise the department when he is not in town.

Mr. Massung noted that Mr. Bryce stays in touch with various council members and the department by phone.

### **PRESIDENT'S REPORT**

Mr. Massung had nothing to report at this time.

### **MAYOR'S REPORT**

Mayor Marton gave the August 2017 Stat Report for the Police Department.

Arrests: 20 (19 adult/1 juvenile)

Assault	1
Criminal Mischief (Defendant also charged with Disorderly Conduct)	1
Disorderly Conduct	3
Drug Offenses (Violation of Title 35)	7
DUI	1
False Identification to Law Enforcement	2
Hindering Apprehension or Prosecution (One defendant also charged with possession of drug paraphernalia)	2
Receiving Stolen Property (Defendant also charged with Title 35 drug offenses)	1
Theft (Both defendants also charged with Criminal conspiracy)	2
Summary Traffic Violations	74

**FINANCE REPORT**

Mr. Pasternak, Chairperson, stated he had several motions to present.

Mr. Pasternak read the August Treasurer's Report

## Treasurer's Report – AUGUST 2017

Fund Name	GL #	Beg Balance	Revenues	Expenditures	End Balance
General Fund-PNC	102000	3,090,549.50	309,653.94	429,786.87	2,970,416.57
-S&T	109000	352,495.60	3.19	0	352,498.79
-	116000	4,029.81	.86	0	4,030.67
PNC(escrow)					
Fire Fund – PNC (RVFC)	100010	12,500.00	0.00	989.19	11,510.81
PNC	101000	168,762.20	71.67	0	168,833.87
(RVFC)					
PNC		43,819.44	20.47	5.00	43,834.91
(WO#1)	102002				
PNC	102006	22,100.00	0.00	2.00	22,098.00
(WO#1)					
Post Retirement - PNC	100000	16,011.09	3.39	0	16,014.48
FCB	103001	661,294.97	84.25	0	661,379.22
Solid Waste – PNC	102003	593,635.83	14,483.80	47,825.35	560,294.28
Capital Projects – PNC	102004	397,830.90	84.27	3,195.44	394,719.73
Liquid Fuels – PNC	102005	335,675.37	70.77	8,150.43	327,595.71
Construction Fund – FCB	103000	92.27	0.00	0.00	92.27
Fund Balance Total All Funds		5,698,796.98	345,576.610	489,952.28	5,533,321.31

A motion was made by Mr. Pasternak, seconded by Mr. Davis, to accept the Treasurer's Report

Motion carried unanimously.

A motion was made by Mr. Pasternak, seconded by Mr. Robb, approving the Check Register for the month of August - Checks 202123-202284 totaling \$168,821.40.

Motion carried unanimously.

A motion was made by Mr. Pasternak, seconded by Mr. Davis, authorizing the following inter-fund transfers for the month of August:

From	To	Amount
Capital Projects	General Fund	7,260.75
Liquid Fuels	General Fund	9,489.25
Solid Waste	General Fund	47,098.30
Fire Fund (WO#1)	General Fund	0.00

Fire Fund (Rainbow	General Fund	0.00
Post Retirement	General Fund	0.00
Escrow	General Fund	0.00
Total Transfers		63,848.30

Mr. Pasternak noted the Borough is a participant in the Tri-COG Land Banking Program. This program was started to put abandoned real estate back on the tax rolls. The first group of parcels has been approved and title searches are currently being done. There are 2 parcels approved in White Oak. These are both vacant lots, which neighboring owners have expressed interest in. The Borough is required to submit a list for the second round by September 30.

### **Health & Environment**

Mr. Nagy, Chairperson, stated he had a motion to present.

A motion was made by Mr. Nagy, seconded by Mr. Robb, authorizing the proper officials to satisfy the following liens for delinquent garbage fees. These liens have been paid in full.

RICHARD J KANE AND DOROTHY KANE (FEDERAL NATIONAL MORTG. ASSOC.)	803 VERMONT	460-R-251	GD-11-675
			GD-11-21584
			GD-16-006398
PETER S GRAZIANO JENA A GRAZIANO	1401 SUMMITT ST	461-L-71	GD-16-4488

Motion carried unanimously.

### **PARKS AND RECREATION**

Mr. Robb, Chairperson, stated he had several motions to present.

A motion was made by Mr. Robb, seconded by Mr. Pasternak, authorizing payment in the amount of \$15,992.97 to Massaro Restoration Services, LLC for the Community Center Punch List Items.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Davis, authorizing payment in the amount of \$4,933.00 to Frankl Electric Inc. for electrical work to replaces switches in the bathrooms with vacancy sensors, connecting circuit to exhaust fan, troubleshoot emergency lights issue and problem with outdoor site lighting, and eliminate "Night Light" circuit to all fixtures.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Davis, to ratify action taken by Council at the September 6, 2017 Public Workshop Meeting authorizing acceptance of Change Order #5

with Liokareas Construction Company, in the amount of \$3,327.52 for new counterflashing under the WOAA Renovation Project.

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Bryce, to approve a proposal prepared by LLI Engineering to assist with the HVAC punch list items at the Community Center for a cost not to exceed \$1,160.00

Motion carried unanimously.

A motion was made by Mr. Robb, seconded by Mr. Bryce, to award a bid for the Community Center ADA parking symbols to Comisak's Line Painting in the amount of \$200.00

Motion carried unanimously.

## **PLANNING, ZONING AND CODE ENFORCEMENT**

Mr. Davis, Chairperson, noted he had several items to report.

The monthly code/permit report was available for review during normal business hours.

The Planning Commission met on September 7, 2017 and started to review the current zoning ordinance for possible updates.

There will be no Zoning Hearing Board Meeting in September.

## **PUBLIC SAFETY**

Mr. Babyak, Chairperson, stated he had nothing to report at this time.

Mr. Davis noted White Oak #1 V.F.C. took possession of a new aerial fire truck last week. This vehicle was purchased with the assistance of funding from the Borough. Those accounts were reported under the Treasurer's Report given by Mr. Pasternak.

## **PUBLIC WORKS**

Mr. Bryce Chairperson, stated he had several items to report.

He noted that the monthly activity report was available for review during normal business hours.

The Borough's chipping program is scheduled to end September 28<sup>th</sup>. This program was extend an additional month.

Mr. Bryce further noted the crew has accomplished street sign marking changes as well as addressed complaints filed by residents.

**Current Real Estate**

Lisa Pitchford, Current Tax Collector, turned in \$94024.48 on the 2017 Tax Duplicate, for the period of August 1, 2017 – August 31, 2017.

Commission Due: \$543.75 (145 Accounts X \$3.75 per line)

Assessed Value	\$ 384,229,207.00
Exonerations (Less)	\$ 884,000.00
Additions	\$ 822,400.00
Adjusted Value	\$ 384,167,607.00
Value of Statements	\$ 2,558,556.27
Act 77 (Less)	\$ 60,112.08
Act 77 (Revoked/Add)	\$ 388.22
Corrected Value of Statements	\$ 2,498,832.41
Collected from –8/01/17 – 8/31/17	\$ 94,024.48
Discount (add)	\$ 2.85
Less Penalty (sub)	\$ 1,496.39
Other (over/under) + (overpayment)	\$ 1,454.28
Total Credited to Duplicate	\$ 91,077.69
Amount Previously Collected	\$ 1,717,345.77
Total Collections	\$ 1,808,423.46
Balance to be collected	\$ 690,408.95

**Delinquent/Liened Real Estate**

Keystone Collections Group, Delinquent/Liened Real Estate Tax Collector, turned in \$7,665.16 in taxes and costs for the collection period of July 26 2017 to August 25, 2017.

<b>Commission Due</b>	<b>\$ 175.31</b>
<b>Costs</b>	<b>\$ 25.00</b>
<b>Total Due</b>	<b>\$ 200.31</b>

**Earned Income Tax Collector**

Current/Delinquent Earned Income Tax Collector(s) turned in \$66,321.94 in current and delinquent Earned Income Tax for the collection period of August 1, 2017 – August 31, 2017.

<b>Commission Due</b>	<b>\$ 962.69</b>
<b>Costs (refunds/postage and/or costs)</b>	<b>\$ 122.79</b>
<b>TCC Annual Fee</b>	<b>\$ 0.00</b>
<b>Total Due</b>	<b>\$1,085.48</b>

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

Keystone Collections Group, Current Act 511 Tax Collector, turned in \$ 1,190.86 in Local Service Tax for the collection period of August 1, 2017 – August 31, 2017.

<b>Commission Due</b>	<b>\$ 23.78</b>
<b>Refund</b>	<b>\$ 0.00</b>
<b>Costs(postage and/or costs)</b>	<b>\$ 0.00</b>
<b>Total Due</b>	<b>\$ 23.78</b>

Keystone Collections Group, Current Business Privilege and Mercantile Tax Collector, turned in \$0.00 in Business Privilege and \$ 0.00 in Mercantile Tax collections plus costs for the collection period August 1, 2017 – August 25, 2017.

<b>Commission Due</b>	<b>\$ 0.00</b>
<b>Costs</b>	<b>\$ 0.00</b>
<b>Total Due</b>	<b>\$ 0.00</b>

Keystone Collections Group, Delinquent Act 511 Tax Collector, turned in \$1,683.68 in delinquent Business Privilege Tax and \$437.89 in delinquent Mercantile Tax for the collection period of July 26, 2017 – August 25, 2017.

<b>Commission Due</b>	<b>\$126.84</b>
<b>Costs</b>	<b>\$ 0.00</b>
<b>Total Due</b>	<b>\$126.84</b>

A motion was made by Mr. Robb, seconded by Mr. Bryce, to accept the Tax Collectors' reports and pay the fees due.

Motion carried unanimously.

### **ENGINEER'S REPORT**

Mr. Glister indicated that he had presented his report to Council during the Workshop Meeting and those items outlined are being worked on.

A motion was made by Mr. Davis, seconded by Mr. Robb, to accept the Engineer's report and pay the fees due for services rendered through August 29, 2017, Invoices 246324-246329, dated September 9, 2017, totaling \$8,447.26.

Motion carried unanimously.

### **SOLICITOR'S REPORT**

Mr. Hammond noted he gave his report in workshop and would be addressing the matter of the sale of 806 Maple Street later in the meeting.

A motion was made by Mr. Davis, seconded by Mr. Robb to accept the Solicitor's Report and pay the fees due to Dodaro, Matta & Cambest for services Rendered in August, Invoice #15480, dated September 15, 2017, in the amount of \$2,772.00.

Motion carried unanimously.



**ANIMAL CONTROL OFFICERS' REPORT**

Mr. Nagy read the Wildlife Officer's Report for the month of August.

**Dave Collura – Wildlife Control, August 2017**

	Live Trap	Road Kill
<b>Bats</b>	<b>0</b>	<b>0</b>
<b>Birds/Fowl/Turkey</b>	<b>0</b>	<b>0</b>
<b>Chipmunk</b>	<b>0</b>	<b>0</b>
<b>Groundhogs</b>	<b>17</b>	<b>6</b>
<b>Opossums</b>	<b>48</b>	<b>2</b>
<b>Rabbits</b>	<b>0</b>	<b>0</b>
<b>Raccoons</b>	<b>18</b>	<b>5</b>
<b>Skunks</b>	<b>18</b>	<b>0</b>
<b>Squirrels</b>	<b>3</b>	<b>1</b>
<b>Snakes</b>	<b>0</b>	<b>0</b>
<b>Turtles</b>	<b>0</b>	<b>0</b>
<b>Total Due</b>	<b>\$ 350.00</b>	<b>\$ 140.00</b>

**Grand Total: \$490.00**

A motion was made by Mr. Nagy, seconded by Mr. Davis, to accept the Wildlife Control officer's report for the month of August and pay the fees due of \$490.00.

Motion carried unanimously.

Mr. Nagy noted the Borough did not receive a report/invoice from Gaydos Brehanna for Animal Control Services for the month of August.

**RESOLUTIONS AND ORDINANCES**

Mr. Hammond noted there were no resolutions or ordinances to consider at this time.

He indicated the Borough had received bids for the sale of 806 Maple Street and he was looking for a motion to enter into a sales agreement.

A motion was made by Mr. Bryce, seconded by Mr. Nagy, to enter into the Sales Agreement with Jonathan Stark for the sale of the property.

Roll Call Vote:

Ayes  
 Mr. Bryce  
 Mr. Massung  
 Mr. Babyak  
 Mr. Nagy

Nayes  
 Mr. Pasternak  
 Mr. Davis  
 Mr. Robb

Motion carried.

**COMMUNICATIONS**

NONE

**NEW BUSINESS**

NONE

**OLD BUSINESS**

NONE

**ADJOURNMENT**

A motion was made by Mr. Pasternak, seconded by Mr. Nagy to adjourn.

Meeting adjourned at 8:35 p.m.

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Date Approved

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Borough Secretary