



OAKLAND TOWNSHIP BOARD OF SUPERVISORS

Paul McEachin - Chairman

Regis Thoma - Vice Chairman

Shaun Krill Supervisor

Dave Meeder - Road Master

Naoma Neff - Secretary/Administrator

Meeting Minutes
Regular Monthly Meeting
Wednesday, February 4, 2015

AGENDA ITEM	ACTION
Call to Order	Supervisor Paul McEachin called the meeting to order at 7:03 p.m. and the Pledge of Allegiance was recited.
Approve Meeting Agenda	Hohn Deposition needed to be added to the Agenda. Supervisor Regis Thoma motioned to approve the meeting agenda; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.
Approve Meeting Minutes	Supervisor Regis Thoma motioned to approve the January 5, 2015 meeting minutes; Supervisor Shaun Krill seconded the motion. ROLL CALL: The motion was approved by all members of the Board
Approve Financial Report	Supervisor Paul McEachin motioned to approve the Financial Report; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.
Correspondence	Supervisor Paul McEachin read the email from Tom Swisher from Gateway Engineers, Inc. explaining he was leaving for another position. His replacement will be Mike Ogin. Supervisor Paul McEachin motioned to nominate Mr. Ogin as the replacement. Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board
Public Comment	<p>Larry Thompson - Republican candidate for Butler County Commissioner introduced himself and gave a brief talk on his campaign.</p> <p>Resident Naoma Neff submitted application to use Municipal Building July 25, 2015 from 11:00 am until 6:00 pm for a Bridal Shower. Supervisor McEachin motioned to approve the use Supervisors Thoma and Krill agreed. Written approval signed by Supervisor McEachin.</p> <p>Introduction - Supervisor Paul McEachin took a moment to introduce Tom Smith, the newly appointed Township Solicitor.</p>



<p>Staff Reports</p>	<p>Supervisor Shaun Krill</p> <ul style="list-style-type: none"> • Stated that the road crew was keeping up with the snow plowing. • Currently here is one full time and two part time guys on the road crew. • Suggested maybe needing one full time. <p>Roadmaster Dave Meeder</p> <ul style="list-style-type: none"> • He said he needs to order more salt. • Stated that one part time plow driver is in Florida so he is down to only himself and one part time employee to keep the roads plowed. <p>Supervisor Regis Thoma</p> <ul style="list-style-type: none"> • Still need to discuss Highway Occupancy Permit; further discussion in New Business. • Patrick Gauselmann was given approval to send a letter pertaining to the barn that needs torn down on the Miles property.
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<p>Staff Reports - Continued</p>	<p>Administrator Naoma Neff</p> <ul style="list-style-type: none"> • Stated that W-2's, W-3, 1099's, 1096's were completed • DCED Annual Reports were done and filed up to date • MS-965 Liquid Fuels Grant was completed and filed • New computer had been set up, software installed, data that was lost was restored
<p>Old Business</p>	<p>Hohn v. Oakland Township - will be discussed under New Business</p>



New Business

1. **Ordinance for PSAST Unemployment Group Participation** - Solicitor Tom Smith explained what group participation meant and why Oakland Township should join i.e. group unemployment program would ultimately cost less for compensation coverage than if Township would purchase the same coverage independently. He explained that all advertising had been done. Supervisor Paul McEachin moved to adopt Ordinance 2015-1 with authorization to participate in approve the PSAST Unemployment Group Trust; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.
2. **Beck/PennDOT Highway Occupancy Stormwater Permit** - Tom Smith stated that PennDOT came out inspected the storm water drainage and approved it. PennDOT gave Mr. Beck a permit saying that now Oakland Township is to sign it. It was not done correctly. Homeowner should have gotten plans to the Township's engineer prior then they should have been reviewed before it went to PennDOT. PennDOT changed rules a few years back so now homeowner's do not own the drainage system but the Township does. So now it falls back onto the Township to do repairs. However, the Township needs to enter into an agreement with the homeowner making the homeowner responsible for all repairs and file the agreement accordingly. Mr. Smith's recommendation is to not sign the permit until the agreement with the homeowner is finalized and the project can be bonded. Supervisor Thoma asked Mr. Smith to take care of this matter.
3. **2015 Treasurer Appointment** - Supervisor Paul McEachin explained that he went thru the process to become the Treasurer of Record; the bond is in place. Supervisor Regis Thoma motioned to make the appointment; Supervisor Shaun Krill seconded the motion. Signature cards at the bank may need updated and Solicitor Smith said Treasurer should sign all checks. ROLL CALL: The motion was approved by all members of the Board
4. **Union Contract** - Union has asked for negotiation meeting to be set on February 12, 2015 at 7:00 pm at the Municipal Building.
5. **Oneida Valley V.F.D. - Request for distribution of Local Services Tax.** Oneida Valley V.F.D. has asked, in writing, for the funds from the Local Services Tax for 2013 and 2014. In looking back at the Monthly Meeting Minutes for 2010, 2011 and 2012 funds from the Local Services Tax was distributed to the V.F.D. Supervisor Thoma stated that it was his understanding the funds weren't specifically designated to the fire department and that there is other things that that tax could be used for so when the fire department didn't request it they didn't send it to them, it got used on other things. Solicitor Tom Smith said that the Supervisors need to look at the 2015 Budget and see how distribution of those funds are set. He said has seen the Local Services Tax of about 25% go to the fire department but not 100% but the Supervisors could do that if they wanted to. Mr. Smith then strongly suggested that the Local Services Tax have it's own account, separate from the General Fund, so that distributions can be better tracked and cautioned about re-opening the books for 2013 and 2014 to pay out the tax. Jeff Stoner was also on hand representing the fire department, he stated that the request for the funds was made approximately eight months prior so 2014's books were still open and the audit for 2013



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New Business - continued	<p>5. had not been completed. At this time Mr. Smith stated that prior to distribution of funds for 2015 the fire department needs to provide documentation as to how the previous funds were spent in 2014. Mr. Stoner believed that the previous fire department secretary had sent something to the township. Mr. Stoner said that the tax had previously been called Emergency Services Tax and that it had been asked of the Supervisors to raise the Fire Tax millage, because the fire department was needing money, but was told by a Supervisor and others that raising taxes doesn't get votes; so that was how the Local Services Tax came about, it was a way to get funds to the fire department without raising the taxes (millage). Mr. Stoner said that the fire department was unaware of any additional request for the funds required and to his knowledge there was no request given so they believed it was to be a ongoing income. Solicitor Smith stated that it would be the same as the Fire Tax expenditure documentation for prior years. Supervisor McEachin said to make a request for 2015 distribution for Local Service Tax and the Supervisors could look at a larger distribution in 2015 than in prior years however he said if it was budgeted in 2015 as something else it will have to be pulled out of other areas. The discussion continued. Supervisor McEachin said funds had already been allocated and procedures need remedied going forward. Mr. Stoner stated that he felt that the fire department is being shut out for 2015 and 2014. Supervisor McEachin said if they wanted to file a request for Impact Fund Fees, file the request and they will take it under consideration. Resident Scott Neff questioned as to whether or not the Supervisors had to justify where, in fact, the they spent the Local Services Tax monies or can they just spend it anywhere they want to; likewise proving how they spent the funds as they are requiring the fire department to do. Mr. Neff said it seems that the fire department has the right to see how the Township spent the money as they are being requested to do. Supervisor McEachin said they cannot provide something that is not available. Mr. Neff stated it should be available. Mr. Neff said that if the Township can't show where it was spent in 2013 and 2014 then perhaps it wasn't spent at all and maybe the funds are just sitting there; he asked if this was a question for the attorney. Solicitor Smith said the municipality needs to look back to when the Local Services Tax was implemented as to how it was intended to be distributed if fire was to get 100% then they should give it to them; if not then 25% is required by statute to be given to emergency services. The Township does need to prove where those funds went to; if zero percent went to emergency services then it is owed to the fire department. Mr. Smith said this will need to be researched. Secretary Neff provided a breakdown of what had been paid out to fire department from 2008 thru 2012 to the Supervisors as well as a General Ledgers Reports for 2013 and 2014 of Local Services Tax showing the amount of funds received during that time; General Ledger should be verified by a report from Berkheimer as to the total amount received. Reports verify that payments to fire department have always been paid out of the General Fund. Further discussion ensued between the all of Supervisors and others Supervisor McEachin suggested there be more digging into this subject.</p> <p>6. M&M Lime Bid Bond Check– M&M Lime requested the return of the Bid Bond check, dated April 2013 in the amount of \$3,488.00, that was given to the Township. Supervisor Regis Thoma expressed concern since the Bid Bond check covered the stone that is involved in the Stein Road legal suit and questioned the checks return. Supervisor Krill said that is was determined that the stone was Penndot approved ad had no bearing on the law suit. Solicitor Smith said the Township Treasurer should be the one to return the check Supervisor Regis Thoma motioned to return the Bid</p> <p>7.</p>



Bond check; Supervisor Shaun Krill seconded the motion. ROLL CALL: The motion was approved by all members of the Board.

2015 - 2016 Road Salt Contract due in March - Supervisor Paul McEachin motioned to approve the enrollment for the road salt contract and increase the amount of the contract to 300 tons of road salt; Supervisor Shaun Krill seconded the motion. ROLL CALL: The motion was approved by all members of the Board.

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ACTION



New Business - continued	<p>8. Signature for return of Ethan Neff's Keys - Supervisor Krill and Roadmaster Meeder signed that keys and remote was returned</p> <p>9. Hohn Deposition - Supervisor Thoma explained. It was decided that Engineer Ron Olsen should be the one who is deposed since he was the Engineer at the time. Supervisor Thoma motioned that Solicitor Smith contact Attorney Christian Markee as to the deposition. Supervisor McEachin seconded the motion. Supervisor Krill questioned as to why Nadine Neff, former Secretary/Treasurer, was not being deposed. Discussion ensued and it was agreed that since Ron Olsen was the Engineer and he has all of the paperwork that he would be best able to answer the questions Supervisor Regis Thoma motioned to approve the meeting agenda; Supervisor Regis Thoma seconded the motion.</p> <p>ROLL CALL: The motion was approved by all members of the Board.</p>
Signing of the Time Sheets	<p>The Board of Supervisors reviewed and signed the employee time sheets for the previous month. Supervisor Paul McEachin motioned to approve the payroll; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.</p>
Approval to Pay Bills and Payroll	<p>Supervisor Paul McEachin motioned to pay the bills on hand and to pay payroll for the next month; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.</p>
Meeting Adjournment	<p>Supervisor Paul McEachin motioned to adjourn the meeting at 8:35 p.m.; Supervisor Regis Thoma seconded the motion. ROLL CALL: The motion was approved by all members of the Board.</p>