

Meeting Minutes for Rockwood Borough

April 28, 2020

The meeting came to order after a few minor issues with the Web-ex hosting site. We came to realize it was not the website that was the issue, it was our connection to the internet that was the problem. Roll call was taken so that we knew who was present to the meeting via phone, website or other means. Those in attendance were Council Members: Amy Jo Stout, Dennis Weimer, Larry Mazer, Nancy Sleasman, Sarah Sleasman, Caryoln Romesberg and Attorney Ben Carroll. Also present were Maintenance Supervisor Carl Jones, Engineer Kevin Yoder & Amanda Coleman from Beer, Ream & Hottle, CPA.

The meeting minutes from the March 31st meeting were presented to be accepted. There were no additions or corrections that needed to be made. Dennis Weimer made the motion and Sarah Sleasman seconded. All were in favor.

Amanda Coleman, from Beer, Ream & Hottle, gave the audit report pointing out different items to be looked at. She said there were no significant difficulties with the audit or with management during the audit. There were no uncorrected items to report. There were no disagreements between management and the auditors. There were no consultations requested. These 4 items, she is expected to report on during the audit period. She advised Caryoln Romesberg to place an ad in the newspaper because it must be done by law. Dennis Weimer made the motion to accept the audit as is and Nancy Sleasman seconded the motion. All were in favor. The Borough made corrections since the audit based on the advice of Amanda Coleman. The Borough also adopted a new credit card policy at their meeting on March 31st.

OLD BUSINESS:

Kevin Yoder gave the engineer report. He said that with the Covid-19 virus hitting the area or State, that everything has come to a standstill. He is to email the Street Surveying map he has finished to us tomorrow. He absentmindedly just forgot to do it. The liquid chlorine update is that there are still a few issues with DEP and the person he was working with, will be out until at least May 4,2020. With the Covid-19, it could be longer. The state offices are not all working right now because of the Covid-19. He did report that the meeting he wanted to set up with the local officials and the Borough Council looked promising. It was put on hold as well until things get back up and running. On the issue with the Community Bible Church, he said no one from Musser's has gotten back to him with a follow-up and the corrections that needed to be made to their plans concerning the water runoff. Amy Jo Stout, voiced that they were no longer going to build due to financial reasons and were going to remodel their current church building. This info was told to her by a member of the building committee from the church

The police provided a monthly report to be reviewed by Council. The Mayor was not present for an update from the department. The broken computer screen subject came up and Sarah had emailed John Loidici from the department. Sarah reported that the whole computer needed to be replaced, not just the screen.

Carl Jones gave the maintenance report and also provided council prior to the meeting with a completed work schedule for the past month. The water pump for the well has been replaced. He is going to have someone come in and look at the Autocon system. Nancy Sleasman inquired about the MAMCO

permanent meter being subcontracted out so it can be done. She also inquired into the mowing. Carl voiced that Chris Sipe did get some of the mowing done earlier in the week but, it is just too wet to do much mowing right now.

Carroll Law Offices' items were next on the agenda. The Quit Claim Deed for the Sanner family was approved. Denny made the motion to sign the Quit Claim Deed and Nancy seconded it. Motion passed. Ben will get the paperwork ready for it, also the Municipal Authority will have to be informed as the President of the Authority and the Secretary will have to sign paperwork for it as well. They will need to find a notary to have the work done and with the Covid-19 virus no one is notarizing documents at this time. Attorney Carroll approached the subject of the Veteran's Memorial and Community Park and there was quite a lengthy discussion about the park and work progressing, once again.

There were a few issues discussed on the park:

Attorney Carroll gave the advice that there are two major issues to consider: (1) protecting the Borough from liability in general; and (2) protecting the Borough Council members from liability under the bidding requirements for contract work.

Atty. Carroll advised that to protect the Borough from liability in general, the Borough could require every individual that does any work on the site at all to sign a waiver, holding the borough harmless from any liability at all. Another option would be if the "Parks Committee" would organize as a legal entity, such as a non-profit 501 (3)(c) limited liability company, then the "Parks Committee" could acquire some type of bond or additional insurance. In either case, the Borough should require any insurance which the "Parks Committee" says it has acquired, as well as any insurance for any contractor hired by the "Parks Committee" to provide proof that the Borough was added as an additional insured party.

However, the second issue—protecting the Borough Council members from liability under the bidding requirements for contract work—is a larger consideration. If the "Parks Committee" hires someone to perform the construction work rather than volunteers, and the project costs more than \$21,000.00, then it must be bid, because the Borough owns the property. Even if the "Parks Committee" was organized as a legal entity, it still cannot hire someone to perform work that improves the Borough's land without following the bidding requirements of the Borough Code. Atty. Carroll advised that if the "Parks Committee" organized a legal entity, the Borough could sell the land to the "Parks Committee" for up to \$12,000.00 (which is \$6000 each for two lots), and then over a period of years, donate the money back to that entity.

The reason for this is because the Borough Code does not allow a donation of land to a non-profit group trying to create a park, but could sell land that is worth \$6,000.00 or less per lot to a party without bidding; and is allowed to donate a reasonably small amount of money per year for the upkeep and maintenance of veteran's programs (for which a Veteran's Memorial Park could qualify).

That idea would require, among other steps, having a reasonable basis for believing that the two lots are worth \$6,000 or less each.

Nancy Sleasman made a motion to approve Carroll Law Offices seeking out a market analysis for up to \$200.00. Denny Weimer seconded; all were in favor.

Update on computer system and Website. Dan Younkin is helping with these issues. He said the storage price we pay to George and Bob's is an excellent price for the server and he would suggest we continue to use them. He is compiling a list of items we need to get the office to run more efficiently. He will email that list to us tomorrow. Larry made a motion to move on contacting Comcast and moving ahead with internet and phone service with them and Denny seconded the motion, all were in favor. Caryoln was directed to go ahead and contact Comcast to follow up. We are not doing the sewage plant yet. We need to look at that more closely.

NEW BUSINESS:

Street sweeping is on hold until the State gets done with the sweeper and everything is behind schedule because of the virus. We are on the list but, the State will be using it first.

Larry made the motion to accept the Hudson Energy Contract good for 5 years. Nancy seconded the motion and it passed.

Hooved animal ordinance still has not been found. Sarah is going to contact the Atchinson's to see if they can remember this ordinance. Sarah made a motion for **Attorney Carroll** to prepare an ordinance for the Borough concerning hooved animals and Nancy seconded all were in favor. If there is an existing ordinance it will need updated anyway.

The statements of Financial Interests need to be filled out and returned to Caryoln at the office before May 1, 2020.

Bank of America credit card account has been closed. Dennis Weimer made the motion for Caryoln Romesberg to handle this matter going forward so that we can claim the points that were earned by the Borough over the years of using this credit card for business purposes. Nancy Sleasman seconded the motion. All were in favor.

Larry Mazer made the motion to pay the monthly bills and Dennis Weimer seconded it, and all were in favor.

Dennis Weimer had a few personnel items to be discussed. First one was the hiring of David Cramer from Markleton to do mowing and odds and end jobs for the Borough. He does not want a full-time job. He is willing to help where he can. Larry made the motion to hire David Cramer as a part-time employee. Nancy seconded the motion all were in favor. The council will get Caryoln the payrate and have David fill out the necessary paperwork to get him started. Next, Denny wants some consideration to be given to a flat rate, or a minimum hour guarantee for people who are called in on emergency situations.

The electronics recycling date has been set for July 25, 2020. We are not going to advertise this yet because of the Covid-19 virus.

Larry mentioned a topic of discussion about the Fire Department. He said that we usually donate \$1000.00 to them and since they can't do any fund raising, he thought it would be a good idea to donate a little earlier than we usually do. **It was decided that we would send them a check now**

President Amy Jo Stout asked if there was any newer business to be brought up and everyone was silent. Dennis Weimer made the motion to adjourn the meeting and Larry Mazer seconded it. Meeting adjourned at 10:08 pm

*For this meeting the audio didn't work, and these minutes are from Caryoln Romesberg, Amy Jo Stout, and Attorney Ben Carroll's notes that had been taken during the meeting.