

Patterson Heights Council Minutes

January 6, 2014

Judge Livingston presided over swearing in.

Phyllis Aluseo – sworn in as Mayor
Julie Muhlberger – sworn in as Councilwoman
Sue Phillips – sworn in as Tax Collector
Brian Landman – sworn in as Councilman
James Turnbull – sworn in as Councilman

Pledge of Allegiance recited.

Council members present: Bill Starn, Paul Bellan, Rick Evans, Julie Muhlberger, Jim Turnbull, Brian Landman, Dick Pegg

Nomination of President of Council

Rick Evans spoke asking that before they vote for nominating candidates for president that they assure “us” that they will conduct the meeting in accordance of the legal procedures and that they will assure that council members will not meet anywhere else but in the boro building to make vote on any issue. * The Mayor asked to take note of this statement.

Jim Turnbull – nominated Julie Muhlberger as President
Paul Bellan – nominated Bill Starn as President

Bill Starn – voted for himself
Paul Bellan – voted for Bill Starn
Rick Evans – voted for Bill Starn
Julie Muhlberger – voted for herself
Jim Turnbull – voted for Julie Muhlberger
Brian Landman – voted for Julie Muhlberger
Mayor Aluseo – Since it was a tie, the Mayor voted for Bill Starn

Mayor Aluseo swore in Bill Starn as President.

Nomination for Vice-President

Julie Muhlberger – nominated Jim Turnbull
Paul Bellan – nominated Dick Pegg

Paul Bellan – voted for Dick Pegg
Julie Muhlberger – voted for Jim Turnbull
Brian Landman – voted for Jim Turnbull
Jim Turnbull – voted for Jim Turnbull
Dick Pegg – voted for Jim Turnbull
Rick Evans – voted for Jim Turnbull

Mayor Aluseo – swore in Jim Turnbull as Vice President

Nomination of President ProTem

Paul Bellan – voted for Julie Muhlberger
Julie Muhlberger – voted to abstain
Brian Landman – voted for Julie Muhlberger
Jim Turnbull – voted for Julie Muhlberger
Dick Pegg – voted for Julie Muhlberger
Rick Evans – voted for Julie Muhlberger

Other Appointments

Board Chairman - Vacancy

- Julie Muhlberger moved that Caren Turnbull be elected for Vacancy Board Chairwoman.
 - o Rick Evans second the motion
 - o All in favored

Solicitor - Vacancy

- Paul Mannix resigned as Solicitor effective December 31, 2013 but would continue to serve until a replacement can be appointed.
 - o Dick Pegg asked that council waive the appointment of a solicitor at this time, to allow for council to find a suitable candidate for the position.
 - o Paul Bellan seconded the motion.
 - Paul Bellan – Yes
 - Julie Muhlberger – No
 - Brian Landman – No
 - Jim Turnbull – No
 - Dick Pegg – Yes
 - Rick Evans – No
 - o Motion was denied.
 - o Dick Pegg asked that the council sought out a candidate that is a lawyer and has experience in municipal law. He felt that being on council does not give you a background in municipal law.
 - o Julie Muhlberger made a motion that Dave Lozier be appointed to serve as the Boro solicitor at the rate of \$250 as a monthly retainer to cover his attendance at 1 meeting per month and the hourly rate that Paul Mannix paid. Mr. Lozier is an

attorney and was a former resident of the Boro for several years and served as Council President for many years.

- Jim Turnbull seconded the motion.
- Paul Bellan made a motion to table the discussion of who to elect as Boro solicitor.
 - The motion was seconded and it was unanimously voted approved to table until an executive council meeting where it will be discussed.
- Mr. Lozier was asked to provide a proposal.
 - Mr. Lozier commented that he would charge \$250/meeting plus an hourly rate that Mr. Mannix had agreed to.
 - Mr. Lozier was asked to provide that in writing to the council.
- Mr. Pegg read the Solicitor job description.
- Mr. President to get Paul Mannix's rates to Mr. Lozier

Engineers – Widmer Engineering

- Mr. Bellan moved that the Boro stay with Widmer Engineering as the current Engineers for the Boro.
 - Dick Pegg seconded the motion
- Mr. Turnbull made the motion that Council should table this discussion to allow council to go out for bid for other engineering firms.
 - Council seconded the motion – all was in favor

Borough Treasurer/Secretary – Vacancy

- Paul Bellan made the motion for temporary authority be given to President Starn, Vice President Turnbull and Julie Mulhberger to be able to sign checks during the vacancy.
 - The motion was seconded.
 - All council was unanimous

Depository Bank – PNC, City of Beaver Falls

- President Starn, Vice President Turnbull and Julie Muhlberger are to go to PNC Bank in Beaver Falls to sign the necessary paperwork so that they can sign Boro checks in the interim.

Borough Treasurer/Secretary – Vacancy (continued)

- Mr. Turnbull suggested that they advertise for the position.
 - Mr. President agreed.
- A motion was made to table the appointment of the Treasurer position until the next council meeting.
 - Julie Muhlberger seconded the motion.
 - All council was in favor.
- A job description was asked for and “Valarie” will provide one to Julie Muhlberger.
- Paul Bellan made a motion to retain Norm Ely as Treasurer/Secretary at half his salary (\$1,100) for the month of January & February and to “train” the new Borough Treasurer/Secretary.

- Dick Pegg seconded the motion
 - Discussion – Jim Turnbull asked that the council received in writing what they could expect from Mr. Ely as to what he will do specifically.
 - Paul Bellan asked Vice President Jim Turnbull to write up the specification of what is required and that Paul Bellan would forward to Mr. Ely.
- Paul Bellan revised his previous motion – “to offer Norm Ely \$1,100/month based on a fair job description written by Mr. Turnbull and offer to him. Should he accept it, we will continue to keep him on for 2 months at \$1,100 a month. If no one on council approves of the job description Mr. Turnbull writes up, then we can null and void said offer.”
 - Job description will be sent to council members via email by Mr. Turnbull and will be voted on by council via email.
- Mr. President suggested that the job description/offer to Mr. Ely be open ended. That council will continue to pay Mr. Ely \$1,100 until he is no longer needed as determined by council.
 - All was in favor.

Auditor, Jake Barsottini spoke:

- The Boro is supposed to have 3 auditors. Currently there is only 1. Himself. He won a 6 year term and a 4 year term. He chose the 6 year term. The current auditor resigned. The DECD requires that when an audit is done, that it is signed by 2 auditors. He is trying to get that part waived. The auditors get paid \$10.00 per hour not to exceed \$1,000 a year. If the DECD doesn't grant the waiver the problems the council is facing are as follows: 1) The private company that agreed to do the 2012 audit has backed out. Norm Ely said that the December meeting that they were currently doing it. They backed out over a money issue. Jake Barsottini said that if he gets the waiver from the DECD then he would do the 2012 and the 2013 audit. 2) The hard drives that contained all the data have been stolen. A police report has been filed. The entire system has to be rebuilt from the paper records. It will take a QuickBooks expert to do this. 3) Council has the option to hire (by 2/3 vote) an outside audit firm. Boro code says that it must be a licensed registered CPC firm in PA or a licensed registered accounting firm in PA. They are expensive. If the DECD does not grant the waiver, then the Vacancy Board Chairwoman needs to find at least 1 person to fill the open auditor position to serve as an auditor to serve for 4 years.
- Julie Muhlberger stated that she did not know how appropriate it would be with Mr. Barsottini just coming off of council, to audit the books.
- Mr. Barsottini said that he checked with Shelly Hawk and the DECD and there is no conflict.
- Mr. Barsottini stated that if the council decided to hire an outside firm that the book says the council must abolish the auditor(s) position in the boro but that the elected auditor has the right to review the books, write reports, etc for 6 years.
- Audit is to be complete by March 31, 2014.
- Mr. Barsottini stated that he was leaving for Florida on Jan. 18, 2014.

- Mr. President asked the Mayor's daughter who was present to speak on how much she thought it would cost to hire an auditor.
- Katherine Bell introduced herself. She is a CPA. She stated that her concern would be why the 2012 audit was not done by the CPA firm that was hired to do the audit. She stated that she felt that council needed to contact that firm to find out why they backed out.
- Mr. Barsottini stated that when he spoke to Mr. Ely yesterday (1/5) that there was not a signed letter from the CPA firm stating their resignation. That it was done over the phone.
- Mr. President asked Kathy Bell how much it would cost (ballpark figure). Annual budget for the audit position is \$3,000.
 - o Mr. Barsottini said that there were 4 checking accounts.
 - o Mr. Barsottini stated that in the past it would take the auditors 2-3 weeks to complete the audit.
- Kathy Bell stated that her firm's hourly rate is \$150/hour.
- Dick Pegg made a motion to look for auditors within the Boro
 - o Jim Turnbull seconded the motion
 - o All council was in favor – motioned carried.

Building Inspector – John Balsler, MDIA

- Paul Bellan motioned to keep MDIA (John Balsler) as the Building Inspector for the Boro
 - o Julie Muhlberger seconded the motion
 - o Carried unanimous

Code Enforcement Officer – Dawanna Pella

- Paul Bellan motioned to look for a new Code Enforcement Officer as Dawanna Pella has not been at the last 3-4 meetings and is hard to get a hold of.
- Julie Muhlberger seconded the motion
 - o Discussion: Julie stated that in October, the council made a motion to change and extend her contract. Mr. President stated that that motion did not carry/pass.
 - o There was nothing in the minutes from October or November stating that her contract would be changed or extended.
- Mr. Bellan revised his motion to table the discussion until council can speak to Dawanna Pella to see if she would like to continue to be the Boro's code enforcement officer.
 - o Motion seconded
 - o All was in favor and carried

Beaver County Regional Council of Governments (BCRCOG)

- Mr. President stated that there were 3 positions opened to sit on this council.
 - o A delegate and 2 alternates
- Mr. Pegg nominated Julie Muhlberger

- Paul Bellan seconded
- All was in favor – motion carried.
- Paul Bellan nominated Brian Landman as 1st alternate
 - Jim Turnbull seconded the motion
 - All was in favor – motion carried.
- Paul Bellan nominated Jim Turnbull as 2nd alternate
 - All was in favor – motion carried.

Fire Department & Police Department

- Paul Bellan made a resolution that the Beaver Falls Police Department and the Patterson Heights Volunteer Fire Department are continued on and our contracted and appointed representatives for the Heights.
 - The motion was seconded.
 - All was in favor – motion carried.

Depository Bank – PNC, City of Beaver Falls

- Paul Bellan made a motion that PNC Bank remain as the Boro’s depository bank for the remainder of the 2014 calendar year.
 - The motion was seconded by Brian Landman
 - All was in favor – motion carried.
 - Julie Muhlberger had to abstain due to her husband’s employment at PNC Bank.

NEW BUSINESS

Approve 2014 Council Meeting Dates

- Paul Bellan made a motion that the council meets on the 3rd Wednesday of the month at 7:00 p.m.
 - The motion was seconded by Julie Muhlberger
 - All in favor – motion carried.

2014 Budget

- Julie Muhlberger made a motion to re-open the 2014 budget.
 - Jim Turnbull seconded the motion.
 - All in favor – motion carried.
- Mr. Pegg confirmed that the reaffirmed budget has to be done by Feb. 15, 2014
- Mr. Lozier said that the tax rate will also be reaffirmed – since the tax rate may change if council reaffirms the budget.
- Sue Phillips stated that she will need the millage as tax documents need to go out by March 1, 2014.

Junior Council

- Mayor Aluseo swore in 3 members of Junior Council
 - Zander Wilkinson

- Madeline Portzline
- Will Portzline

Mr. Turnbull brought to the attention that he believes that Patterson Heights has never had a female Mayor. Congratulations were given to Mayor Aluseo.

- Paul Bellan made a motion to adjourn.
 - Motion was seconded.
 - All in favor – motion carried.