

**MINUTES
WEST MIDDLESEX BOROUGH
COUNCIL MEETING
JANUARY 18, 2022
6:30 p.m.**

Call to Order

Pledge of Allegiance

Council Present: President Eric Lucich, Vice-President Mike Williams, Pro Tem David Moyer, Robert Lark, Bill Novak and Mayor Stacey Curry.

Others Present: Attorney Robert Tesone, Secretary/Treasurer Sandra Ricci, Street Department Senior Laborer Bobby Cochran, WMVFD Fire Chief Rich Garrett, WMVFD President Adam Garrett, Police Chief Jason Newton, Harry Kornbaugh, Dave and Nancy McConnell, Robert Rankin, Ray Lucich, David Slicker and Chuck Haun.

Public Comments: WMVFD President Adam Garrett introduced himself and welcomed the newly elected Council Members.

Mr. Rankin of 49 North Street addressed his sewer bill. Ms. Ricci asked Mr. Rankin to contact her with his sewer account number so that they can go over his bill together, he said that he would.

Mr. Rankin addressed the snow plowing by his property for vehicle accessibility. Mr. Cochran said he would take a look at the area tomorrow.

Minutes of December 29, 2021: Mr. Williams made a motion to approve the Minutes, seconded by Mr. Moyer with all in favor.

Bills: Mr. Williams made a motion to approve the Bills, seconded by Mr. Novak with all in favor.

Treasurer's Report: Mr. Novak made a motion to accept the Treasurer's Report, seconded by Mr. Williams with all in favor. Mr. Lark addressed the FNB Capital Improvement Fund CD which matures on February 21, 2022 in the amount of \$8,441.49 to be placed on February's Agenda to either renew or cash it out.

Police Report: Police Chief Jason Newton read the Police Report.

Street and Sewer Report: Mr. Cochran read the Street and Sewer Report. Mr. Cochran addressed the need for a spare pump for the pumphouse and will be obtaining prices. Mr. Cochran and Mr. Lucich discussed the purchase of a heater for the garage since the existing heating is not working properly.

Fire Department Report: Chief Richard Garrett read aloud the Fire Department Report. Adam Garrett requested Workmen's Compensation Insurance Policy information. Ms. Ricci will contact Reinhardt's Insurance Agency. Richard Garrett requested locks for the kitchen cabinet doors and a waterline for the coffee pot. Adam Garrett said there were locks on the cabinet doors before the renovation. Mayor, Council and the Fire Department Volunteers discussed further. Richard Garrett is asking for their Budgeted Funds be placed in a CD, which is used for the purchase of fire trucks. Ms. Ricci will contact FNB for CD Rates.

Appointed Committees: Mr. Lucich addressed the List of Committees and Board Members. Mr. Lucich stated: Streets and Sewers was himself and Mr. Moyer. Fire was himself and Police is Mr. Moyer. The Emergency Management Coordinator is Mike Williams. Office/Finance is Robert Lark and Mike Williams. Grants are Mike Williams, Bill Novak and Mayor Curry. Parks and Recreations are Bill Novak and Stacey Curry. Mercer County Regional Planning are Mr. Williams and Mr. Lark. Shenango Valley Animal Shelter will be Mr. Moyer and Mayor Curry. Mercer County Regional Council of Governments will be Robert Lark and Mayor Curry. Grievances is Mr. Moyer and Mr. Novak. Sewer Authority Board Members are Mr. Lark and Mayor Curry. Mr. Lucich also appointed Robert Rankin for the Sewer Authority Board. Parade Committee Board Members are Mayor Curry, Mr. Williams, Mr. Lark and Police Chief Jason Newton. Land/Buildings Members are Mr. Novak and Mayor Curry. Borough's Association will be Mr. Lark and Mayor Curry. Union Negotiations is himself and Mr. Moyer. Event's Coordinator is Mayor Curry.

Corporate Resolution Authorizing Access to FNB Safe Deposit Box: Mr. Williams made the motion to accept, seconded by Mr. Lucich with all in favor.

Resignation of Joseph J. Walsh from the Sewer Authority Board: Mr. Williams made the motion to accept, seconded by Mr. Novak with all in favor.

GPI Invoice – Professional Services from 8/28/21 to 9/24/21 – (Conceptual Design and Survey – Sewers/Pump Station Locations) in the amount of \$770.25: Mr. Novak made the motion to pay, seconded by Mr. Novak with all in favor.

GPI Invoice – Professional Services from 8/28/21 to 9/24/21 – (Overall building/development plans) in the amount of \$249.25: Mr. Williams made the motion to pay, seconded by Mr. Novak with all in favor.

Heaters needed for Street Department Garage: Mr. Cochran and Mr. Lucich discussed obtaining prices for the garage heater.

Ordinances/Resolutions – Digitalizing/Downloading Companies: Mr. Novak said the previous Council had discussed digitalizing copies of the Borough's Ordinances and wanted to know if it had been voted on. Mr. Lucich said that Mr. Lark took the Books to Butler and they are still there, Mr. Lark confirmed. Mr. Lark said they are only being rebound since they were in bad shape for many years. Ms. Ricci said the first Books that were dated back to the 1800's, were very fragile to touch. Mr. Lark said they would be done some time around the first of the year and that he would contact them soon. Mr. Novak said he would like to see them in pdf. format and placed on the website. Mr. Lucich asked Mr. Novak to research costs for digitalizing, Mr. Novak confirmed.

Mr. Novak said his thought process was for a company to type the Books as is on the PA. Government Website. Mr. Moyer suggested that Penn State may have some type of school project regarding this issue.

Noncompliance case – Ron and Cathy Dubrasky car and trailer – Jeff Richardson, Zoning Officer’s request to process and re-file against this property at Sharon Road – Route #18: Mr. Lucich addressed the Dubrasky’s noncompliance case. Ms. Ricci said Jeff Richardson asked the Borough if he should re-process and file against this property. Ms. Ricci said that last year the Dubrasky’s told Council that the car was sold and would be removed from the property. Mr. Lark said they have been to Court and it has not been taken care of obviously. Mr. Lark made a motion to re-file. Mr. Novak said he spoke with the Dubrasky’s today, that Ron has just gotten out of the hospital and they are waiting to get the title for the car. Mr. Novak said he did not see rationally how they could take them back to Court if they are working on it and are tied up in a legal matter to get the title for the car. Mr. Novak said the trailer is also out of their control, and with the Dubrasky’s fighting hospital issues, he does not think they should take them back to Court right now until at least the Summer if something is not done by then. Mr. Lark said that would be fine but that they were told so many things, first her father left the car to Scotty Campbell. Mr. Lark said believe me if Scotty Campbell owned the car it would have been removed years ago. Mr. Lark said then they were told it has been sold and now we are being told they don’t have the title. Mr. Lark said it seems to him that the title should have been an issue long before this happened. Mayor Curry said that she thinks the family has ample area where they could put a nonfunctioning vehicle in a spot where it’s not an eye sore in the Borough. Mayor Curry said there is plenty of Barris property in town. Mr. Novak said it has also been there since he was a child and he is 31 years old, Mayor Curry agreed. Mayor Curry said they are a Government Entity and as a Government Entity they have been trying to peacefully work this out with them for a very long time and she thinks they are taking advantage of the situation and said that if you or I took advantage of this situation we would get taken to Court. Mayor Curry said they have given them ample opportunity and they could set a date to move it and if not, they will file suit. Mayor Curry said they could go about it nicely but she doesn’t think it should wait until Summer. Mr. Williams Amended Mr. Lark’s motion to postpone it until May 1st or something of that nature. Mr. Lucich said they can send a letter that they would have until May 1st. Mr. Moyer said they will need to check with Mr. Richardson as well to make sure that the case has been filed and if not is it inactive or discontinued to a later date since there still may be something pending this month. Mr. Moyer said we do not want our letter to contradict what is in Court. Attorney Tesone asked if Jeff filed a complaint. Mr. Lark said to his knowledge he did with Judge Odem and the result was that Cathy Dubrasky agreed to remove it and here we are he said, it has never been done. Mr. Lucich said he does remember when they came to the meeting that she said it was sold and there were three different stories. Mr. Lucich said they did say they didn’t have the title for it and they didn’t know who had the title. Mayor Curry said that was before she was on Council, that was nine months ago and it doesn’t take a year to get a lost title. Mr. Lark said he called for a request to vote on this since they had ample opportunities and they told us things that weren’t obviously true, Mayor Curry agreed. Mr. Lark said when it is delayed again Mr. Richardson charges us money again, Mayor Curry agreed that they are just losing money and it’s ridiculous in her opinion. Mr. Moyer said he doesn’t disagree with what is being said here today, but they need to ensure that the Court doesn’t have something pending, Mr. Lark agreed. Mr. Lark said they can check with Mr. Richardson to see what the status is, whether it’s contingent on something, it needs to be done properly, Attorney Tesone agreed. Attorney Tesone said there is a motion on the floor. Mr. Lucich asked what is the motion. Mr. Lark said the motion is that we move forward on this matter by conferring with Mr. Richardson and Judge Odem, seconded by Mr. Williams, Council was in favor with Mr. Novak opposing.

Mr. Lucich said since they made the motion, they will decide at the next Council Meeting whether to do anything or not. Attorney Tesone said they will need to contact Mr. Richardson for documentations from Judge Odem.

Request from David Slicker, owner of USA Precision & Fabrication for Class 7 FFL (Manufacturing of Firearms): Mr. Slicker introduced himself and addressed Council regarding his manufacturing of firearms. Mr. Slicker said he has to get local Zoning approval to make sure everything complies with the Ordinances. Attorney Tesone said Mr. Slicker will have to contact Jeff Richardson to comply with the Ordinance, if they do not, then he will have to apply for a Variance, Mr. Slicker agreed. Mr. Slicker said he went through the Borough's Ordinances and Pennsylvania's Ordinances and he said there was nothing that told him that he couldn't. Mr. Slicker said in some areas there are restrictions as far as close to schools, etc. but he isn't doing public sales at all, that this is strictly business to business. Mr. Slicker said the property belongs to Campbell which is Zoned Industrial. Attorney Tesone told Mr. Slicker to check with Mr. Richardson and if that use is within the Zone, he will not have to do anything. Mr. Slicker, Council, Mayor and Attorney Tesone discussed his business further, along with Mr. Slicker presenting samples of his product.

2022 TCC Voting Appointment Resolution: Mr. Lucich said they will need to appoint someone for the 2022 TCC Voting which he said previously was Cyndi Gilkey. Mr. Lucich said they will appoint Mr. Novak.

Mr. Lucich asked if there was anything else that they needed to talk about.

Mr. Moyer addressed the PSAB Training and gave copies of paperwork to Council.

Mayor Curry said the Fire Department's screen was moved in an inconvenient place for training since they cannot see the screen. Mayor Curry said it needs to be moved back to where it originally was so Council would need to discuss that and if they have any questions to ask the Fire Department.

Mr. Lark passed out paperwork pertaining to the Council of Governments:

Mr. Lark said he had a meeting last Friday, January 14th with Lisa Holmes from Regional Planning who is in charge of Zoning and they are on a list to have their Zoning redone. Mr. Lark said he and Ms. Holmes will meet in the next month or so for the appraisal of the parameters and then he will present it to Council and as a process there will have to be a couple public meetings which will be announced with maps of the current Zoning which is at least twenty years old to see if they want to make any changes. Mr. Lark said there is a meeting today with the Shenango Valley Area Transportation Study which deals from funding with PennDOT and so forth. Mr. Lark said tomorrow night there is a monthly meeting with COG which he supplied with the most recent reports of expenses and revenues for the swimming pool, softball complex and the bucket truck.

Mr. Williams addressed the Municipal Building in regards to Sandy's office which he said is not up to standards. Mr. Williams said the office basically has a concrete floor, when she has to go to the rest room she has to leave the door open, unattended with all of the materials she has in there, walk across the fire department bay floors with all of the fumes, etc. and asked if there was any way they could write a Grant. Mayor Curry said they are looking into that. Mr. Williams said if she moves on, gets a job somewhere else or retires, and we interview people who want that job, the place is garbage, unsanitary along with walking across the fire department bay floor to use the restroom. Mr. Williams suggested a rest room be placed near her office door. Mr. Lucich said that was part of GPI's invoice to do a study and a survey on that whole part of the building. Mayor Curry and Council discussed further.

Mr. Lark said they need to get the results of the potential cost of the office renovation since everything was truck bays. Mr. Lucich said this was the original Fire Hall and now it's a Municipal Building.

Mr. Novak asked Attorney Tesone's legal advice regarding the Sunshine Act Law for Council members to meet. Attorney Tesone said basically you cannot have a Quorum, if you are discussing business as a Quorum then that's against the Sunshine Act Law. Mr. Lucich asked if Mayor Curry was part of a Quorum and Attorney Tesone said she could be since she would have a tie vote, which would be a concern. Attorney Tesone said it would be best to have only two council members or one council member and the Mayor. Attorney Tesone said if they want to discuss Borough business with more than two, it has to be done in public with advertising.

Mayor Curry questioned Attorney Tesone's advice on a COG meeting not as a Mayor, but as President of the Women's Club regarding fund raising and working on the playground. She asked how that works if she wears both hats. Attorney Tesone said it would be legal if she presented herself as President of the Women's Club and not Mayor.

Mr. Novak addressed that on February 1st a few Grants open up to be applied for and asked if they have to have a meeting to discuss that beforehand. Attorney Tesone said if it is something that involves expenditure of funds then Council will have to approve it. Mr. Lucich said if it's not a matching funds Grant they will not have to meet.

Attorney Tesone stated an individual Council Member has no power, they must have the majority vote of the Council Members to be able to do anything with the Borough, so keep that in mind to help as a guide.

Mr. Lucich said they had already approved the purchase of the laptop and keyboard. Mr. Lucich said they will get the cable ordered since it's in progress. Mr. Lucich said that since they have a lockbox for the computer and there is also one at the borough garage, he would like himself and Mr. Moyer to have a key to the borough garage in case they need access.

Mr. Novak asked if it was possible for Council to get their own bank card for purchase approvals by one of us instead of having to go through an Employee. Attorney Tesone said no, that was not a good idea. Mr. Lucich said Mr. Cochran has an FNB credit card and Ms. Ricci said she believes that credit limit is \$5,000.00. Ms. Ricci said she has an FNB credit card in her name but that she doesn't use it, she only uses the Staples credit card. Mr. Lucich said since Mayor Curry will be purchasing so much approved money, is there a card they can allocate to her in her name. Attorney Tesone said that is up to Council. Mr. Lucich said that will be on the next Council Meeting's Agenda.

Rich Garrett said their Rescue Truck is going to Barris' tomorrow since they are having electrical issues with it. Mr. Garrett will keep Council informed along with the cost.

Adjournment @ 7:35 p.m.: Mr. Novak made the motion to adjourn, seconded by Mr. Moyer with all in favor.