

**West Middlesex Borough
Council Meeting
March 19,2024**

Call to Order: The West Middlesex Borough Council was called to order at 6:30 p.m. by Borough Vice President Mr. Robert Lark.

Pledge of Allegiance

Council Present: Vice President: Mr. Robert Lark conducted the meeting. Mr. Bill Novak, Mr. Robert Ranking, Mr. Dennis Bollinger, Mayor Stacey Curry, Absent: President Mr. Tim Webster

Others Present: Attorney Robert Tesone, Secretary/Treasurer Paula Luca, WMVFD Chief Rich Garrett, Police Chief Jason Newton, Building Code Official Mr. Jeff Richardson, Mr. Ray Lucich, Mr. Jeff Incerto, Mr. John Luca, Mr. Harry Kornbau, Ms. Barb Lapinski, Mr. Chris Webster, Ms. Thelma Barnes

The Council at this met for an Executive Session regarding Legal Matters.

Public Comments: No Public Comments

Minutes: A motion was made by Mr. Novak, and seconded by Mr. Bollinger to accept the Minutes from the February 14th 2024 work session Meeting and February 20th 2024 Council Meeting. All in Favor, No Opposed. Motion Carries.

Police Department Report: Chief Newton read the Police Report for the month of February 2024. Mr. Lark asked how many of the incidents are in the Borough? The Chief replied all. Secretary Paula Luca thanked Chief Newton for the January and February Reports received in the office, and asked if a copy of the 2023 year-end report can be obtained for the Borough Records. Chief Newton replied he will get the requested report for the Borough. Questions for the Police Dept.: Mayor Stacey Curry and Mr. Bill Novak updated Chief Newton of the traffic situation that occurred in the Borough when Route 80 was closed down recently. All of the traffic was rerouted through West Middlesex. They both had inquired if a situation occurs in the future, do they need to call dispatch to have a traffic officer provided? Chief Newton replied, the Police Dept may be tied up with the situation happening, and suggested The Fire Department or Streets Dept can be notified if needed if all of the Police Dept is on the scene.

Fire Department Report: Chief Rich Garrett Read the Fire Department Report. Also dates for upcoming events were announced. The Dinner Dance will be April 13th 2024. The Night at the Races Fundraiser will be held June 1st, 2024. No Questions for the VFD.

Treasurer's Report: The Treasurer's Financial Report was read by Secretary/Treasurer Paula Luca. It was noted that the Borough did receive the Liquid Fuel Fund on March 1st 2024. The First Payment Reported from the Real Estate Tax Payment was received today. Mr. Lark asked if we are doing well based on our Budget. As of today, we are on track. Mr. Novak asked if a letter can be sent to Penn Power to have the Street Lights Replaced that have been out for over

a year. Mr. Novak then updated the public present that the Borough pays Penn Power Monthly to maintain the Street Lights. Mr. Lark at this time asked the Treasurer to read the list of Bills to be approved to be paid. A motion was made by Mr. Rankin, and seconded by Mr. Bollinger. All in Favor, No Opposed. Motion Carries.

Braho Property: Mr. Jeff Richardson updated the Council that the Borough is in a position to demolish the Braho Home. The orders have been in place for a time, and he will confirm with Attorney Tesone if another copy of the order needs to be sent. Mr. Richardson asked if Mr. Braho appealed? Attorney is not aware if he did. But he feels the issue is the Borough does not have an Appeal Board in place currently. He brought attention to a case from Hermitage that has gone to the Supreme Court. There is a municipal Lien on the Property, but he is concerned due to past history, with Mr. Braho. Mr. Richardson informed the Council of the Tri County Board of Appeal. One of the members of the original board is no longer able to be a part and Mr. Richardson has a gentleman to take over the position. The Tri County Board of appeal affects many municipalities and West Middlesex is part of that association. The Borough does not need to have our own board because we are a member of the Tri County Board. Mayor Stacey asked Mr. Richardson how long it will take for the appeal board to be reorganized. She then asked Attorney Tesone if the appeal board was reorganized, would he feel comfortable moving forward. Attorney Tesone is still questioning what Mr. Braho may do. The mayor is concerned with the safety of the residents. She asked if the Fire Department can burn the house, but Chief Garrett said No, unless labeled as a health hazard. Attorney Tesone said he spoke to the neighbors and feels no one will come forward to say it is a health hazard. Mr. Richardson said they had the Power turned off, but Mr. Braho called to have it turned back on. Mr. Richardson then read the Code and is confident the Borough has a very strong case, however he noted that he is not an Attorney. But he feels he can prove that it needs to be demolished. If at that time, he appeals, that is when the Tri County Appeals Board would be used. Chief Newton feels a fence needs to be placed around for safety purposes. Chief Newton then commented as a nearby property owner. He feels that it is just a matter of time before the roof will fall in. As a resident he feels that the Borough should consider the Appeals Board. Attorney Tesone said it is all about Property Rights. He is concerned as to what Mr. Braho will do. He feels Mr. Braho takes pride in pushing the government buttons. Mr. Richardson added he will speak to Attorney Tesone to see what the best strategy going forward will be if the Borough chooses to move forward. Attorney Tesone suggested we move forward to get the Tri County Appeal Board Reorganized.

Purchase of an Air Compressor: Mr. Cochran had asked Secretary Paula to update the Council that he has someone that is in need of the bigger air compressor and has a smaller air compressor and questioned if a trade with no money exchange can be made. Attorney Tesone inquired as to the value of both and if any guarantee would be in place. He said, it can be done if it saves money for the Borough, but because of no guarantee in hopes it will not have an issue. Mr. Novak added that we still have time remaining before the larger one would need to be inspected. This will be tabled until the next work session to have Mr. Cochran gathers more information.

Sewer Authority and Zoning Hearing Board Vacancy: Secretary Paula Luca updated Council on the list of residents on all of the Boards. The Sewer Authority Board consists of: Mr. Robert Lark, Mr. Tim Webster, Mr. Robert Rankin, and Ms. Stacey Curry. The Planning Committee consist of Mr. Robert Lark, Mr. Dennis Bollinger, Mr. Jeff Incerto, Ms. Barb Lapinski, Mr. Harry Kornbau and Mr. John Luca. The Zoning Hearing Board consist of Mr. Chris Webster, Ms. Barb Lapinski, and Mr. John Luca. At this time Mr. Lark updated all of the committee members present of a tentative meeting with the representatives of the Planning and the Zoning Hearing Board with Lisa Holmes from the Regional Planning Committee to be held at the next work session meeting on April 10th, and also on May 15th as a back-up meeting At 6:30.

2023 Borough Audit: The Audit has been completed. The report from the Auditor stated that it was a clean audit. Mr. Lark asked if we have received the invoice as of yet for the audit. We have not been received as of yet. A motion was made by Mr. Ranking and seconded my Mr. Bollinger to accept the 2023 Audit. All in favor, no opposed, Motion Carries.

Questions for Attorney Tesone:

1. Kiwanis Park: Mr. Lark gave an update that the park is currently closed because of a safety issue and updated all of the situation and the reason why. Mayor Stacey Curry stated that she feels that a survey needs to be done. She has been in contact with Mr. Richardson, who owns the property next to the park, concerning where the property lines are. Attorney Tesone added the deeds need to be compared. Mr. Novak, suggest we try to reach out to Mr. Richardson suggested we get a survey and he and Council split the cost of the survey. A Motion was made by Mr. Rankin and seconded my Mr. Novak for the Mayor to inquire on a survey. All in favor, no Opposed. Motion Carries. Mr. Lark also added that the port- a-john needs to be moved. He has brought it to Bobby's attention to see if he and Scott can move it.
2. Mr. Lark updated all that the Truck payment has a balance of apx. \$9,000. He questions Attorney Tesone if the Borough decides to pay off the truck, can it be paid off in full by the Sewer Account. Originally the payment was paid by the General Account, and we have begun to pay 50/50% between the General and the Sewer. Attorney Tesone said it can be paid off from the Sewer Account, however you will want to compare Interest Rates on the loan and the savings account and based on those findings you will want to make the best financial decision.

American Rescue Fund: Storm Sewer Project: Mr. Lark updated all on the American Rescue Fund. We have to make a commitment on how we are going to distribute the funds. But we have longer to use the funds. Mr. Lark suggested we hold off on voting how we are going to use the money until we receive a report back from our Engineers. Mr. Novak asked that the topic be tabled until next month's meeting to be voted on possibly then.

Covid 19 ARPA Capital Projects Fund: Mr. Novak updated the Council that there are additional ARPA funds available to update the Municipal Building. Mr. Novak made a motion Seconded by Mr. Rankin to inquire on the grant before the deadline. All in favor, No Opposed, Motion Carries. Mr. Novak will inquire into the funding.

Approval for payments for the swimming pool to be issued by Mayor Stacey Curry from the Swimming Pool Account: Mayor Stacey explained to all that because the Pool is Located in WM, she is the contact person on the Swimming Pool Committee that is listed on the Bank Account for the L-S-WM Community Pool. She is asking Council to please vote to allow her to make the payments as due without having to have a Council Vote and hold up payments. Mr. Novak made a Motion that Allows Stacey as the President of the L-S-WM Community Pool Committee, to pay the bills from the L-S-WM Swimming Pool Account as due, seconded my Mr. Bollinger. All in favor, No Opposed. Motion Carries.

Snyder Brothers / National Fuel 2-year Agreement: The current agreement we have with Snyder Brothers is due to expire in May. Mr. Bollinger made a motion to extend our agreement for 2 more years, Seconded by Mr. Ranking, All in Favor, No Opposed. Motion Carries.

Days Off for the Secretary Paula Luca: Thursday April 11th ½ Day and Full Day on April 12. A Motion was made by Mr. Bollinger and Seconded my Mr. Rankin, All in Favor, No Opposed, Motion Carries.

Cashier Check for the Fire Department purchase of Honda UTV: A Cashier's Check was issued payable to Northstar Inc, for a partial payment towards the purchase of a Honda UTV. Grant money was also awarded to the VFD to be used towards the purchase also. It was originally voted and passed by Council on November 21, 2023 that a partial payment would be issued to the VFD from The Fire Department Fund. Additional funds were also passed at the Council Meeting on November 21, 2023 for additional expenses that will be coming in the future. Mr. Novak questioned why this had to be put on tonight's agenda if it was already approved. Attorney Tesone said it is always good to have on the agenda and in the minutes when funds are distributed.

Site Inspection by GPI: Mr. Lark updated all on the inspection by GPI. He also passed out a copy of the agenda that was followed for the inspection Tour. The inspection ws from 10am-4pm. The Engineers will be putting together a report and will get it to the Council as quick as possible. The inspection was 3 parts: 1. Sanitary Sewer Issues 2. Storm Sewer Issues and 3. Street Repaid Issues. Mr. Lark also added that the engineers did also visit the Shenango TWP Municipal Authority Sewer Plant.

Other Business:

Mr. Novak asked what was the suggestion for the Bus Garage Ditch. Mr. Lark reported they need to be cleaned out. Mr. Novak has received quotes from M&R for the rental of machinery to be used to clean out the Drain Ditch near the Bus Garage. Mr. Lark reported we will keep the information on file until we receive the report back from GPI.

Borough Association Magazine: Mr. Lark passed out a FAQ to all of the Council that was a brief article in the magazine that he felt would be great information for the Borough Council Members.

Mayor Stacey discussed future plans in the work for the 160th Celebration of the Borough that will be in August. She spoke of a time capsule. Mr. Lark added he spoke to the Bank Director so

the band can be involved. Mayor Stacey suggested we pick the date because it will have to be approved by the School Board Also.

Mr. Lark reminded all of the Primary Election to be held on April 23rd.

A motion was made by Mr. Rankin and Seconded by Mr. Novak to Adjourn. All in Favor, No Opposed. Motion Carries.

Adjournment: 8:20 pm.