

MINUTES
WEST MIDDLESEX BOROUGH
COUNCIL MEETING
APRIL 19, 2022
6:30 p.m.

Call to Order

Pledge of Allegiance

Council Present: President Eric Lucich, Pro Tem David Moyer, Robert Lark, Mayor Stacey Curry and Bill Novak on Zoom. Vice-President Michael Williams was absent.

Others Present: Attorney Robert Tesone, Street Department Senior Laborer Bobby Cochran, Scott Haddox, Police Chief Jason Newton, Fire Chief Rich Garrett, WMVFD President Adam Garrett and Ray Lucich. Secretary Sandra Ricci was absent and the meeting was being recorded.

Public Comments: Adam Garrett thanked Eric Lucich and Bill Novak for their help in putting up the lights in the bays.

Minutes: Mr. Lark made a motion to accept the Minutes, seconded by Mr. Moyer with all in favor.

Bills: Mr. Lark made a motion to accept the Bills, seconded by Mr. Moyer with all in favor.

Treasurer's Report: Mr. Lark made a motion to accept the Treasurer's Report, seconded by Mr. Moyer with all in favor.

Street and Sewer Report: Bobby Cochran read the Street and Sewer Report.

Fire Department Report: Fire Chief Rich Garrett read the Fire Department Report.

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

Burning Permit Report: Council reviewed the Burning Permit Report.

Building Permit Report: None was available at this time.

Acceptance of Resignation of Council Member Michael Williams: Mr. Lucich said in the past they have not accepted resignations until they have had time to advertise. Attorney Tesone said they can accept it and then authorize advertising today and at the next meeting interviews could be held since they have thirty (30) days. Mr. Lucich said they would have another meeting within the thirty (30) days. Attorney Tesone suggested they may want a special meeting beforehand to interview people. Mr. Novak said they could do that at the Work Session. Attorney Tesone said he will draft the advertisement, that you have to be over 18, you have to live in the Borough for at least a year and you have to be registered to vote, those are the three requirements. Mr. Lark stated the Work Session is Wednesday, May 11th at 6:30 p.m. Attorney Tesone said if a decision is not made then it goes to a Vacancy Board and then to Court. Mr. Lark made a motion to accept Mr. Williams' resignation, seconded by Mr. Moyer with all in favor. Mr. Lark made a motion for a candidate replacement, seconded by Mr. Moyer with all in favor.

Mayor Stacey Curry – Designated Signer on Checks: Mr. Lucich said this is another thing we don't need to talk about again, it has been brought up and we have denied it before. Mayor Curry said Sandy had called her. Mr. Lucich said Ms. Ricci wanted Mayor Curry to sign checks and we don't need that since we will have a key to the office to sign checks. Mayor Curry said that Ms. Ricci told her that the last time she had checks signed during the day it took four (4) days to get in touch with someone who was able to do it. Mr. Lucich said neither he nor Mr. Moyer was notified. Mayor Curry said Ms. Ricci said since the Mayor is available. Mayor Curry said it's fine if they don't want that. Mr. Lucich said they will table this issue for now but he doesn't think it needs to be done, that other things need to be taken care of first. Mr. Lucich said they will table it for now and talk about it later.

Mailbox replacement cost - \$41.43: Mr. Lucich addressed the replacement of a mailbox to reimburse Mr. Novak for the cost of the mailbox. Mr. Moyer made the motion to accept, seconded by Mr. Lucich with Mr. Novak abstaining. Mr. Lucich and Attorney Tesone discussed the insurance claim and a deductible. Mr. Novak said the Insurance Agent call him for an update and he was under the assumption they weren't doing it and so he told her to cancel it as per the last meeting. Mr. Newton asked if there were any other damages, there weren't. Mr. Newton said the deductible would be more than \$41.43 and Mr. Lucich agreed. Roll Call: Mr. Moyer-yes, Mr. Lark-yes, Mr. Lucich-yes, Mr. Novak abstained and Mr. Williams was not present.

ADA Compliance Wheelchair at Kiwanis Park: Mr. Cochran said he assumed this was for wheelchair accessibility and discussed prices. Mr. Lucich said they need to clean the garbage that is in there and then open the bathrooms that are down there and work on re-opening. Mr. Lucich said since they have to take down those walls there would be plenty of room for ADA accessibility.

Amended Burning Ordinance for Commercial Business: Mr. Lucich said the original burning ordinance does not allow commercial businesses to burn and he said Campbell's is asking for an exemption to continue to burn the wood to clean up the lot. Mr. Lucich said one of the firemen would have to be there and Attorney Tesone asked if it has to be supervised. Chief Garrett said they are working on it since it is not a local burning ordinance, it's DEP. Attorney Tesone asked if there is an exemption to that, Chief Garrett confirmed. Chief Garrett said they are going to do training. Mr. Lucich said our local ordinance doesn't allow it but if it's for training. Chief Garrett said there is no trash. Attorney Tesone asked Chief Garrett that they wouldn't have to amend the ordinance then, Chief Garrett confirmed. Mr. Lucich said they will note that they will contact the Fire Department for any commercial issues that arise on burning.

Street Sweeper: Mr. Lucich said they already discussed this topic.

Paving & Storm Sewer Projects; GPI Bids/Advertising: Mr. Lark distributed sketches to Council for the storm sewers, with explanations of this report from GPI Engineers on their projected work. Mr. Lark explained that the first page deals with storm sewers which would be on Garfield Extension and it is described on this paper along with drawings. Mr. Lark said they are estimating the cost of \$46,700.00 which could be the same, less or more. Mr. Lark said he raised an issue both with the Engineer and with Solicitor Tesone who were both in agreement. Mr. Lark said a seminar he attended regarding the American Rescue money said they could not use it for streets, but for milling and paving, they could not use it for sanitary sewer, but for other things, one of which was storm sewers. Mr. Lark said he talked to both the Engineer and Attorney Tesone and they were both in agreement that they can. Mr. Lark said if that is the case, they can use the money they received from the American Rescue Act last summer of \$42,000.00 and they will receive another \$42,000.00 this summer.

Mr. Lark said this needs to be advertised as a separate project and a separate contract so that it doesn't get mixed in and have to be pulled out later. Mr. Lark said GPI is suggesting they do this first so that there's no confusion and this needs to be done first before the milling and paving. Mr. Lark said they are suggesting they should Bid this first. Mr. Lark addressed the second and third page with additional information of what he provided to them. Mr. Lark said they would do all of the streets with the exception of Garfield Extension and that is a storm sewer which again is separate. Mr. Lark explained the milling and paving of the streets with estimations which he said could not be exact amounts. Mr. Lark said all of the estimated costs together, with the exception of the storm sewers, is \$112,725.00. Mr. Lark said what they would need tonight is to simply vote to authorize GPI to advertise so we can find out the exact numbers. Mr. Lark said when they get the Bids back, they can decide then where the money will come from and to do this. Mr. Lark said he would research the finances for these projects with projections on costs. Mr. Lark made a motion to direct GPI to solicit Bids for the storm sewer work on Garfield Street Extension. Mr. Lucich questioned if those Bids would come directly to them. Mr. Lark said no, that GPI will handle all of that for them. Mr. Lark said GPI will prepare the specifications for the Bids and put it in the newspaper. Mr. Lark said his first motion is just to do the storm sewer work as GPI advertises for Bids, seconded by Mr. Moyer with all in favor. Mr. Lark said his second motion is to authorize GPI to advertise for Bids for milling, paving on West Street, Garfield Street Extension, New Street, Carbaugh Street and School Street, seconded by Mr. Moyer with all in favor. Mr. Lark said he will be in contact with GPI, that they will advertise and set up a schedule for when the Bids will come back to open and so forth, and to give them guidance. Mr. Lucich had a question on signs and Mr. Lark said he is checking on that.

Tracks for Skid Steer: Mr. Lucich said the quote still stands at \$2,762.00. which covers the parts of two tracks, service, labor and travel from Grove City. Mr. Novak made the motion of acceptance, seconded by Mr. Moyer with all in favor.

Lillibridge Pump – V-Systems Invoice for Tramco Sewage Ejector Pump - \$7,255.75: Mr. Cochran said he received a Bill of Sale and that they wouldn't deliver it until it was accepted. Mr. Novak made the motion to accept, seconded by Mr. Moyer with all in favor.

Motion to Advertise Vacancy: Mr. Lark made a motion to advertise the vacancy, seconded by Mr. Moyer with all in favor.

GPI Invoice – Sewer Services Waste load compilation, review and approval - \$402.50: Mr. Lark made a motion to accept, seconded by Mr. Moyer with all in favor.

Daman Industrial Services Pump - \$5,770.00: Mr. Novak made the motion to accept, seconded by Mr. Moyer with all in favor.

R. Donatelli, Inc. Invoice – Trouble Shooting and Repair Pole Lights - \$987.26: Mr. Cochran explained the work performed by R. Donatelli, Inc. regarding the pole lights. Mr. Moyer made the motion to accept, seconded by Mr. Novak with all in favor.

Jones Performance Land/Building Proposal: Mr. Lucich said this will be tabled again since he hasn't heard anything back from Dave Jones.

Adoption of the Fire Feasibility Study: Mr. Lark said they are not adopting the report but only accepting the report. Mr. Lucich said they are accepting and that they don't have any comments or questions at this time, that they can make it public only after the Township makes it public on their end. Mr. Lark stated the second updated copy still isn't fixed, with errors. Mr. Lark said he will make the motion to accept the report. Mr. Lucich said they can accept it pending the Township's approval of it. Mr. Lark stated the corrections should be made. Mr. Lucich said they have a motion to accept the feasibility study contingent upon not only the Township's approval but with the corrections of the study, seconded by Mr. Novak with all in favor. Mr. Lucich stated this is not adopted, but accepted.

Snow Emergency Ordinance (tabled): Attorney Tesone said they need a motion to take it off of the table. Mr. Lark made that motion, seconded by Mr. Moyer with all in favor. Mr. Moyer said he doesn't have the reference material, but that he would like to see some changes. Mr. Moyer said to remove this from the Agenda since he doesn't have any discussions as yet. Mr. Moyer said he would like the changes to reflect the days after it snowed, as in odd and even days. Attorney Tesone said then basically they should leave it on the table. Mr. Lark rescinded the last motion to take it off of the table, seconded by Mr. Moyer with all in favor.

Communication Board (tabled): Mr. Lucich said this subject is tabled and asked Mr. Novak if they need to talk about it. Mr. Novak said no. Mr. Lucich said this will stay on the table.

Brian Foster, COG – Proposals for swimming pool area paving: Mr. Lucich said they will talk about this when Mr. Foster is present.

Fencing and playground equipment: Mayor Curry said she has not heard back from Mr. Harmon about a price for the fencing and she doesn't know what Council wants to do about the playground equipment. Mayor Curry said she was at the Park and saw children playing on it, parts of the equipment are broken, there is no mulch and completely unsafe. Mayor Curry said they need to do something about it with summer coming, baseball season day is the 23rd so there will be many, many children playing on it. Mr. Lark made the motion that the street department remove it, let's get it out of there and we will decide what to do later he said, seconded by Mr. Moyer with all in favor. Council and Mr. Cochran explained the procedure on removing it. Mayor Curry said while they were doing that, there was another issue of the large piece of cement that is sticking out of the ground. Mr. Cochran said if they get a couple days of nice weather, they can definitely do it before April 23rd. Mr. Lark said if they can't, then put something around it. Mr. Lucich said they could always take it off for now and close it until they can get it all fully removed if they have a backhoe. Mr. Lark made the motion to remove it by the 23rd and if that's not possible then they need to fence it off. Mr. Lucich said he thinks they should close it for now and until they get the backhoe fixed. Mr. Lucich said they can actually remove everything since there's a lot of concrete in the ground to dig out and it isn't really easy to do with what they have. Mr. Lark said for Mr. Cochran to remove it to the best of his ability and then fence it off. Mr. Lucich said they can make a motion to remove what he can. Chief Garrett asked what equipment they were talking about. Mayor Curry said it is a jungle gym that has the slides, walkways, bridge (which is coming off and broken with rust under it), no mulch under it and it's an insurance issue if someone gets hurt. Chief Garrett said he is afraid if they get rid of the equipment the vandalism will go up. Chief Garrett asked if it can be fixed. Mayor Curry said no. Mr. Lucich said Mayor Curry is working on a Grant to replace it. Mr. Lark said it is outdated and they don't need that thing anymore. Mr. Novak said it is getting worse due to neglect. Mayor Curry said she will try to raise the money to get it fixed sooner than later, but it isn't safe and a liability. Mayor Curry said when she attended the Grant Committee, everyone is now aware that they need to take care of it.

Mr. Lucich said can they get a motion to remove the equipment when they can and close it at that point until we can get the equipment to remove the rest of the concrete and everything else in the ground. Mr. Lark made the motion, seconded by Mr. Moyer with all in favor.

Backhoe needed: Mr. Lucich addressed the backhoe repair saying there is a man willing to look at it and previously was not willing to look at it at all, not knowing the validity of that. Mr. Lucich said he has a quote of \$5,771.99 to repair the backhoe and that is just for operable conditions, they will need a new seat outside of that, with an estimation of thirty-three (33) hours of labor. Mr. Novak made the motion to repair the backhoe, seconded by Mr. Moyer. Roll Call: Mr. Moyer-yes, Mr. Lark-yes, Mr. Novak-yes, Mr. Lucich-yes.

Rustproofing Street Department Trucks: Mr. Novak made a motion to get the trucks serviced at Krown Rustproofing. Mr. Lucich said they don't have an estimated cost. Mr. Novak rescinded his motion. Mr. Lucich said it's going to be between \$250.00-\$300.00 and they will reach out to see cost comparisons.

Annual Events – Parades: Mr. Lark addressed the Memorial Day Parade. Mr. Lark said Ms. Ricci called the VFW and they told her they are having a parade with Pulaski. Mr. Lark said he called Bill Garmin and he said they are having the parade they always had. Mr. Lark said the permit will be prepared within the next three days. Mr. Lark made a motion to have the Memorial Day Parade on Monday, May 30th as in the past, seconded by Mr. Moyer with all in favor.

Purchase of flags and flag poles: Mr. Cochran said they will need to purchase thirteen (13) flags and ten (10) flag poles. Mr. Lucich asked if there was a price and Mr. Cochran did not have one. Mr. Cochran said he believes last year they were donated from the Boy Scouts, Girl Scouts or the VFW. Mayor Curry said to let her know the cost of the flags and the poles and she can speak to the Women's Club, they have a meeting on the 27th and that is something they discussed to possibly donate. Mr. Cochran said he would.

Purchase of more 110 outlets: Mr. Lucich said this is something they have to do in contact with PennDOT. Mr. Lucich said this is for more 110 outlets on the light poles to be able to plug in more Christmas lights. Mr. Cochran asked if it was Penn Power and Mr. Lucich confirmed it is Penn Power and not PennDOT. Mayor, Council and Mr. Cochran discussed further.

Mayor Curry asked at their next meeting, if they can get prices for the rubber speed bumps on Walnut Street because the others get ruined by the snow plow for safety.

Executive Session – Personnel @ 7:42 p.m.

Meeting Reconvened @ 8:35 p.m.

Mr. Moyer made a motion to spend up to \$1,500.00 to buy a fireproof safe for the purpose of securing the Documents in the Borough office, seconded by Mr. Novak. Roll Call: Mr. Moyer-yes, Mr. Lark-yes, Mr. Novak-yes and Mr. Lucich-yes.

Adjournment @ 8:37 p.m.: Mr. Moyer made the motion to adjourn, seconded by Mr. Lark with all in favor.