

**WEST MIDDLESEX BOROUGH
COUNCIL MEETING
JUNE 10, 2020
6:00 p.m.**

Call to Order

Pledge of Allegiance

Council Present: President Cyndi Gilkey, Vice-President Eric Lucich, Ron Preston, Robert Lark, Maleia James and Mayor Debra Larouche.

Others Present: Solicitor Robert Tesone and Secretary/Treasurer Sandra DeSantis via Conference Calls, Street Department Senior Laborer Bobby Cochran, Fire Chief Don Hoover, Joe Walsh and Ray Lucich.

Executive Session

Public Comments: Eric Lucich suggested a letter be sent to a resident who has been cutting Kiwanis Park grass. Cyndi Gilkey suggested this should be discussed under the Street Department Report, Eric agreed.

Minutes: Ms. Gilkey asked if anyone had any comments or corrections to the Zoom Virtual Meeting held on May 19, 2020. Mr. Lark asked how many Mr. Lucich's serve on council. Eric Lucich answered one. Mr. Lark questioned why there were direct quotes from a Ray Lucich and a Robert Lucich on the second and third page, regarding filling the vacancy, which meant they participated. Mr. Lark questioned why that was allowed and why were they out of order in doing so. Mr. Lark said he understood there were technical events that night but questioned why they participated in that discussion. Mr. Lark stated, how many Lucich's do we need on council at one time to run this whole town. Ms. Gilkey said she understood Mr. Lark's comment and said obviously everyone was participating by Zoom meeting. Mr. Lark said we have public to be heard and that wasn't public to be heard and asked why did they participate, why did they raise their objection, why were they even voicing an opinion, why were they allowed. Ms. Gilkey asked if they should be eliminated from the Minutes. Mr. Lark said, no the position was that it should not have happened, that the President should have ruled them out of order, which he said he asked it be done that way, but did not happen. Ms. Gilkey said she would take responsibility for that, but with everyone talking it was difficult to maintain the same level of control than we can here, when we are speaking to everybody and can see everybody. Mr. Lark read the quotes by Ray Lucich and Robert Lucich, who lives in Kentucky, who participated in our meeting about filling a vacancy in West Middlesex by a role of five members of council, which he said is unacceptable. Ms. Gilkey asked if anyone else had any comments regarding the Minutes. Mr. Lark addressed the Mayor on what Ray Lucich said regarding her. Mayor Larouche said she took exception to it but held her ground. Mayor Larouche said, she does agree with Mr. Lark and feels it is a discussion among the council members and does not think it should have been the public at that point, but she said she does agree that due to the Zoom meeting she felt they did the best that they could do. She said, it is new to us, exploring new avenues, and that we have got to do something to bring this Borough into today, where we can hold meetings when a circumstance comes up and that we can all be heard and recognized. Mr. Preston commented on a truck quote which specifically said was prepared for Ray Lucich and asked why his name was on it. Eric Lucich explained it was prepared because he made the phone call and since he and Ray have the same last name, the company's contact list emailed information to Ray Lucich which was in their contact list since they did not have Eric's email address. Eric Lucich made a motion to accept the Minutes, seconded by Mr. Preston with all in favor.

Bills: Mrs. DeSantis addressed council asking if they would rather her prepare the Minutes based on approvals and dis-approvals and not include discussions. Mr. Lark said, no, to include discussions which is perfect, that they need to know who is speaking out of order, that the ship isn't properly run, we need to know. Mr. Lark made a motion to approve the Bills, seconded by Ms. James with all in favor.

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

Street Department Report: Mr. Cochran addressed the issue Mr. Lucich was speaking about in regards to residents cutting the grass at Kiwanis Park. He said it was Mr. and Mrs. Airgood that are mowing, which Scott Haddox and the neighbors in that area had relayed to him. Mr. Cochran spoke to Eric about the situation. Mr. Lark asked if there was a problem with them mowing it and Mr. Cochran said it takes away from Scott's job hours. Ms. Gilkey asked if a letter should be sent, Mr. Lucich agreed. Mayor Larouche said she had a totally different feel. Ms. Gilkey said Scott is in a union position, and obviously the Airgood's are not part of the union. Mayor Larouche said her question is if someone is from the community and is civic minded and does something out of the goodness of their heart, that Scott can't find something else to do to better well serve our community. Mayor Larouche asked, if the grass ever got out of hand. Mr. Cochran said, not in that area. Mayor Larouche said, so someone can continuously manage and take care of it and we are going to send them an adverse letter telling them to please back off on doing community service, thank you very much. Mr. Lucich suggested sending them a letter telling them if they want to do it, they can, but they are not getting paid for it. Mr. Cochran explained that Mr. Haddox cuts that grass other than when the mower was broken. Mr. Lucich asked if they were sending letters to people with high grass and Mr. Cochran confirmed. Ms. Gilkey suggested letting the grass go and see what comes of it, if they continue to mow it. Mayor Larouche suggested waiting until the next month's work shop meeting. Mr. Cochran said he would like to know if there is some reason they are cutting it or exactly what is happening, how they feel about it, if we are not cutting more frequently, etc. Mayor Larouche told Mr. Cochran to tell the people to call the borough if the grass is too high and then ask for one of the Street Department employees to cut it. Ms. Gilkey agreed saying that approaching them and speaking to them is a first step and then we can address it from there if it becomes an issue. Mr. Cochran addressed the sewer pump issues and also the street department report. Council discussed issues regarding both sewer and streets along with speeding in the borough, street sweeping and the dangerous parking spot on Erie Street due to traffic visibility.

Mayor Larouche mentioned she received a phone call regarding a friendly Black Lives Matter protest coming to town. Mayor Larouche said as soon as she hears of a date, she will inform everyone. Council discussed the difficulties in obtaining police reports when requested on incidents relating to residents' personal matters.

Fire Department Report: Don Hoover spoke of the Erie Street visibility suggesting cutting down a tree for the first responder's vehicles. Ms. James said she would speak to PennDOT regarding speeding and Erie Street visibility for public safety. Mr. Hoover apologized for not supplying everyone with the Fire Department Report and proceeded to read the Report he had. Mr. Hoover said, a Pump Test Certification which is \$500.00 per truck will be coming due again and also hose testing. Mr. Preston addressed the issue regarding the fire department being in such a terrible situation, he made a motion to hire Justin Barnes as the Administrative Fire Chief for the Borough of West Middlesex who would be in charge which would keep the merger prospects with Shenango Township. Ms. Gilkey asked if this would be something council would want to review with Attorney Tesone, Mr. Lark agreed. Mr. Lark said he amended the motion to explore that possibility. He said, to explore the possibility not actually do it because we don't know what he wants paid, we don't know what the job description is, we don't know

about Attorney Tesone. Mr. Preston said Attorney Tesone told him on the phone to proceed. Ms. Gilkey said Mr. Preston made a motion and Mr. Lark amended the motion. Mr. Lark said he withdrew the motion, to go ahead and vote on it. Mr. Preston then said he was done and he was withdrawing his motion. Mr. Preston stated somebody is going to die in this town. Mr. Preston said, this has gone on for two to three years, passing the buck, kicking the can down the road. Mayor Larouche said to give it a week like Mr. Lark said earlier, let's take next week and have a meeting. Council discussed further. Mr. Lark made a motion to explore the possibility at looking at new leadership in the fire department. Ms. James made a second to that motion. Mr. Lark said, and as a result of that discussion let's consider moving forward to next Tuesday to taking some action. Mr. Lark said, you don't hire anyone without a job description. Council discussed. Mr. Preston stated we will not have a fire department for one week, Don Hoover will turn in his resignation and then we will have nobody to respond to a fire. Ray Lucich asked if council would be willing to sit down with the fire department to hear more than one side of the story. Mr. Preston stated, we listened to your side of the story since a year ago in September. Council discussed which council members could meet with the fire department. Don Hoover spoke saying he agreed our fire department is broke. Discussions ensued. Ms. Gilkey requested a roll call vote to Mr. Lark's motion. Eric Lucich abstained since he is on the fire department and has a conflict of interest. Mr. Lark, yes. Ms. James, yes. Ms. Gilkey, yes. Mr. Preston, no. Ms. Gilkey stated the motion has passed. Mr. Lark stated in the meantime they need to speak with Justin Barnes of Shenango Township if they have a problem filling the capacity of Mr. Barnes in the place at the same time. Eric Lucich said he would contact Shenango Township Supervisors and report back to council. Mayor Larouche said Ron Preston thinks a week is too long to wait to make a decision and then we decide to meet with both sides we have pushed our division back even further, so we have to set up a meeting with the fire department tomorrow. Don Hoover said even if it takes a month, he has mutual aid coming if need be. Eric Lucich said the borough will have fire coverage no matter what and that is not the issue. Mr. Preston said yes and it will come from Shenango. Eric Lucich said it doesn't matter where it comes from and that we are covered. Eric Lucich said the West Middlesex Volunteer Fire Department will all be in attendance tomorrow night at 6:30 p.m. – 7:00 p.m. to meet. Eric Lucich said he will speak with Shenango Township and make accommodations for council to meet with them next month if council requests.

Police Department Report: Police Chief Jason Newton called in earlier saying his schedule did not permit him to attend the meeting and told the secretary that he would see if another officer could be present. No Police Officer was present.

Street Department Truck Bids: Mr. Preston made a motion to purchase a Ford F-250 from McCandless Ford. Eric Lucich said the Ford F-350 is a better option. Mr. Preston read the cost for the Ford F-250 priced at \$30,288.00. Mr. Lark made a second to the motion. Ms. Gilkey asked if any financing would be included in that motion. Mr. Lark said that would be separate, but that another issue would be the salt spreader and the plow since the truck does not come with these additional items. Mr. Lark said finances would have to be looked at as far as possibly taking some money from the Sewer Fund since the truck serves both needs and there also needs to be a follow-up bid and contract on the snow plow and salt spreader. Ms. Gilkey stated to be clear the motion is simply to purchase the F-250. Mr. Preston and Mr. Lark confirmed. Mr. Lark said, you might want to incorporate those additional costs in the financing for the plow and the salt spreader, that is why we should move forward on the financing tonight since those are two extensive items. Attorney Tesone discussed further with council in regards to financing and also constructing a Resolution with financing through the bank, which may be tax free as long as we keep it five years and under, he said. Mr. Lark stated this would be via COSTARS and that he spoke previously to Mr. Bealles at McCandless Ford to make sure the January price is still current. Mr. Lark said Mr. Bealles said there were four in stock of said truck and Mr. Lark suggested choosing red in color since other

vehicles were red in the borough. Mayor Larouche expressed what Mr. Lucich suggested in that the difference of the truck was a matter of \$5,000.00, not \$46,000.00. Mr. Lark said the other truck does not have a bed on it. Mr. Lucich said they have a bed. Mr. Lark questioned why mix up old and new. Mr. Lucich said he somewhat agreed that the bed is not the best, but that the salt spreader is just fine. Mr. Lucich said, depending on which truck they get, we are spending \$11,500.00 if they buy the F-250 we can no longer use our salt spreader, that would overload the truck and driving around illegally. Council discussed further. Ms. Gilkey said the motion right now is for the F-250, what are council's wishes. Roll Call Vote was taken: Mr. Preston-yes, Ms. James-yes, Ms. Gilkey-yes, Mr. Lark-yes, Mr. Lucich-no. Council discussed financing for the salt spreader and snow plow. Mr. Preston suggested purchasing the truck first and then purchase the salt spreader and snow plow at a later date. Mr. Lark said he will contact Mr. Bealles tomorrow for said purchase of the truck and that he can send us in the right direction for the salt spreader and snow plow particulars. Mr. Lark said more information is needed.

Street Bids: Mr. Preston read the May 19, 2020 Minutes where a motion was already made for street bids. Mr. Lark passed out paperwork explaining street repairs. Eric Lucich mentioned all of the millings. Mr. Lark explained. Mr. Lark read said paperwork in that on School Street the distance would be the intersection with Main Street, then to the school district property. Mr. Lark explained distances and landmarks. He said north to south, east to west, curb to curb. He said they will mill and remove the existing pavement, they will Power Broom and clean the roadway, apply Tack Coat Emulsion to pavement as an adhesive, apply a leveling layer of IDE 19MM Binder Asphalt, apply Top Coat, Seal all Abutting Edges with hot tar, and curbing around Catch Basins. Mr. Lark said there aren't any issues that he is aware of, but will not know until projects begin, but he said there is on Garfield Street Extension. Mr. Lark provided photos of Garfield Street Extension from a month ago and explained past repairs with tar and chipping in July of 2014. Mr. Lark explained major problems when it rains due to tar and chipping. Mr. Lark said the borough was always tar and chipping, even over pot holes, which is the same as painting over rust on your car, it will come back, there is no foundation there. Mr. Lark said this project distance will be from Main Street all of the way to Erie Street itself or where Garfield Street begins. Mr. Lark said, another possibility could be we could split this, doing Garfield Street Extension from Main behind the Post Office and just up to Fair Street if money becomes an issue and the rest we would have to keep patching. Mr. Lark discussed with council more streets in the borough that need repaired. Mayor Larouche suggested a list to be constructed as was in the past, in regards to street priorities and projections in which she found very insightful and informative, which gave her a vision of the borough's progress to be implemented. Mayor Larouche asked Mr. Cochran if he could bring to their attention all of the roads that needed repaired so that council can adjust them and put them on a list. Council further discussed streets, sewer lines and gas line placements. Ms. James made a motion to advertise the bids, seconded by Mr. Preston with all in favor. Ms. James said she would speak to PennDOT about street flooding near the school and Route 18.

Braho property: Ms. Gilkey addressed the Braho property. Mayor Larouche disconnected the conference call with Mrs. DeSantis to be able to call Solicitor Tesone from her phone for better reception. Recorder was still active. Mr. Lark said he found it totally unbelievable that after all of these years that Mr. Braho only partially owns the house since there is a mortgage with the bank on his property, therefore the borough could never have demolished the house without the bank's consent and he said why would the bank give consent since that is all they have. Mr. Lark said they might be able to clean up the property around the house and items that are not on the property that are on the bank loan. Solicitor Tesone said, he is preparing a petition with Judge Wallace to confirm that order so we can go after him for \$2,000.00 and also said he needed to speak to Jeff Richardson to see what he has filed at Judge Odem's to hopefully short circuit that appeal. Solicitor Tesone said instead of going after

criminal intent they are going to try to pursue abatement provided he is given notice to clean up the property, etc. and that if he does not, we will clean it up ourselves. Solicitor Tesone said giving him notice will give him ten (10) days to appeal to a Civil Zoning Board. Solicitor Tesone also suggested taking photographs so as not to overtake any items, valuables, etc. Solicitor Tesone said he will speak to Jeff Richardson to expedite. Mr. Lark asked what was the timeframe. Solicitor Tesone said he will be given a ten (10) day notice and there is a provision under the property maintenance code that we will send him and to understand this could take three weeks since we send certified mail, the post office will give him three chances to pick it up, if he doesn't pick it up they will send it back to us, if they send it back to us the property maintenance code says we post it on his door where the public and he can see it. Solicitor Tesone said he may have to obtain the Constable from Mary Odem's to serve him. Solicitor Tesone said the turn around time for a civil abatement might be a month or so. Council and Solicitor discussed further. Mayor Larouche suggested a community of helpers instead of the borough litigating and getting Jeff Richardson involved and wouldn't it be nice if we could become a community of helpers with even our firemen if they were interested. Solicitor Tesone said the problem is that Mr. Braho has postings all over his property not to trespass. Mayor Larouche said if they had his permission. Solicitor Tesone said she would be welcome to try that and hopefully have success, but his only thought and concern is Mr. Braho may be doing this out of spite. Mayor Larouche said she and Ms. James had talked about the Wesex garbage and offered for him to bring his garbage to their totes at their houses to be community minded instead of going after people. Mr. Lark stated Wesex building cost was \$1,300,000.00 and he should pay his bills. Mayor Larouche said she thought since there were problems, they need to be a little more compassionate but that maybe she did not know enough. Council discussed. Solicitor Tesone excused himself once the discussion was complete and was then disconnected from the conference call.

Ms. Gilkey questioned if there were any other zoning updates and already spoke of the grass letters. Mr. Lark said on Ninth Alley the garage has caved in and also a tractor trailer and recreational vehicles parked there for a long time. Ms. James mentioned on the Barris property not only is there a trailer but now an old rusty car there that is starting to look like a junk yard and maybe can have Jeff look into that. Eric mentioned speaking to the owners regarding this issue and Mayor Larouche agreed and said she would speak with Ron and Cathy Dubrasky.

Shenango Township Police Contract Negotiations: Mr. Preston stated they have a copy of the letter than Eric Lucich and he received. Mr. Preston said unfortunately Eric was out of town and could not attend the meeting and the meeting took place before he received the letter, Eric confirmed. Mr. Preston said, to put it mildly there is a money issue and hopefully will be able to work something out. Ms. Gilkey questioned if another meeting will be planned. Mr. Preston confirmed and said he would like Eric to be in town to be able to attend meetings also. Ms. James asked what percentage they were looking at that was proposed. Mr. Preston said he would rather not go into that but that it was absurd and he said they admitted that and it was a very poor way to start negotiations. Ms. Gilkey asked if he and Eric would like to meet with them before council discussed it as a whole, Mr. Preston agreed. Mr. Preston said he could assure them that it will change and ventured it is going to be somewhere between 4% - 5% as just a guess, not to be held at that. Mayor Larouche asked if they are entertaining any communications with any other police protection. Mr. Preston asked who would she suggest. Mayor Larouche said, when you have a monopoly of something you can do just as they are doing to us, they can set their own value and asked about Hermitage. Mr. Preston stated you must understand police mentalities, that all of the Chiefs are not going to bid against one another. Mr. Preston said first of all by going to Hermitage you are not going to save any money and you will not get the coverage that you think you are going to get. Mr. Preston said Hermitage sends a patrol into Clark one hour a day. Mayor Larouche said she thinks Clark is different than ours, they don't even have a downtown business area.

Mr. Preston said, Hermitage is not going to drive through Shenango Township to get to West Middlesex, they won't drive into somebody else's district. Ms. James questioned Pulaski. Mr. Preston said they are still driving through somebody else's district and they have a one-man police department. Mr. Preston said you have two choices, Shenango Township or State Police. Mayor Larouche said she thinks they should negotiate. Mr. Preston said they will negotiate. Ms. Gilkey said there are many possibilities. Mr. Preston said he will pursue this negotiation process and he said he was very dissatisfied with their proposal and Tom Hubert's words were, well this is just a starting point. Ms. Gilkey said we don't want to waste everybody's time. Ms. James stated we have to start looking everywhere. Mr. Preston questioned where. Ms. James said to ask Hermitage, Pulaski and Sharon. Mr. Preston stated, trust me, I have been in law enforcement for forty years, those people hardly have enough cruisers and men to cover their own calls.

Ms. Gilkey asked what Agenda Protocol Formulation was.

Ms. Gilkey addressed the Fourth of July Fireworks with a possibility of taking an alternate date in September. Mr. Lark said he agreed that this is too early and they do not know where this is going. Council discussed. Ms. Gilkey said everyone in Shenango Valley cancelled their fireworks, and they would risk having everybody trying to cram themselves into West Middlesex because no one else is having fireworks. Mr. Lark also stated another issue would be traffic and so forth.

Ms. Gilkey suggested having Wi-Fi in the municipal hall for video conferencing capabilities, not knowing what is coming, due to the coronavirus. Ms. James suggested changing the curtains in the room. Ms. Gilkey asked if anyone wants Maleia to purchase curtains with the leftover insurance money. Mr. Lark said there will be an investigation on how that money is spent, no. Ms. James said the price would be \$23.00 per window. Mr. Lark made the motion to purchase the curtains, seconded by Mr. Preston with all in favor.

Ms. Gilkey stated this meeting will be Recessed and to consult with Attorney Tesone a little more and be back here on Tuesday, June 16, 2020.

8:50 p.m.