

**MINUTES
WEST MIDDLESEX BOROUGH
COUNCIL MEETING
AUGUST 18, 2020
6:00 p.m.**

Call to Order

Pledge of Allegiance

Executive Session – Personnel Issues and Contract Negotiations

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

Others Present: Solicitor Robert Tesone, Street Dept. Senior Laborer Bobby Cochran, Police Chief Jason Newton, WMVFD President Adam Garrett, Fire Chief Clemente, Rich Garrett, Herald Reporter Mike Roknick, Tim Webster, Pam Mickley, Stacey Curry, Susan Garrett, Darlene Raiki, Jim Sanderbeck, Harry Kornbau, Barb Lipinski, Rick White, Robert Lucich, Ray Lucich, Marge Roman and Robert Rankin.

Public Comments: Resident requests the Burning Ordinance be placed in the Newsletter since people are burning during non-burning hours. She questioned who to contact about this issue and she was advised to contact the Police Department. The resident addressed a person who is blowing their grass onto the sidewalk and onto the streets while mowing grass which then clogs sewer drains. Adam Garrett addressed everyone regarding the property that the fire department owns along the river railroad bed and he said for the last four years the fire department would like to give back to the Community and that whole stretch, essentially along that river, has been turned over for a Rails to Trails and there are no unauthorized motor vehicles allowed on that property. Mr. Garrett said the Game Warden has been patrolling that whole area from the viaduct North to Wheatland and will be ticketing those people, also because of garbage and dumping. Mr. Garrett said hopefully advertising can be in the newspaper for people to walk and bicycle on. Mr. Garrett said signs will be placed stating no motor vehicles.

Minutes: July 21, 2020 Council Meeting Mr. Lark made a motion to accept. Mr. Lark also said let it be known that the July 21, 2020 Council Meeting began at 6:05 p.m. and that there was not more than one meeting on that date, and that they complied with the Sunshine Act. Ms. James said the reason they had the meeting in the garage was due to Co-Vid19 and the amount of people allowed in one room. Ms. James seconded with all in favor.

Minutes: August 12, 2020 Work Session Mr. Lark made a motion to accept, seconded by Ms. James with all in favor.

Bills along with Attorney Tesone's Invoice in the amount of \$1,650.00: Mr. Preston made a motion to accept, 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: Bobby Cochran read the Street Department Report along with sewer pump issues and repairs. Ms. Gilkey explained that an exception to voting without a public meeting would be for emergencies that could happen outside of a public meeting.

Ms. Curry explained the project they had on beautifying Kiwanis Park along with help from the fire department. She said there were probably about twenty (25) five people that worked ten (10) hours and she expressed her thanks to everyone involved. Ms. Curry would like to introduce a proposal regarding a fund raiser. Ms. Gilkey asked Ms. Curry to send the Borough an email with information and they can discuss it at the next Work Session. Mr. Preston expressed his appreciation for what they do.

Fire Department: Fire Chief Clemente read the Fire Department reports.

Police Department: Chief Newton read the Police Department reports. Chief Newton asked in regards to the Executive Session that was just held, was there an update on their Contract, that they were aware they are getting close to the Budget for the next year. Chief Newton said an officer is retiring next month and they are looking to replace him, but need some sort of direction. Chief Newton said he was hoping there would have been an Executive Session before today's meeting so they would have a better idea. Ms. James said another negotiations meeting needs to be scheduled. Chief Newton asked if they were then continuing it since their proposal was not accepted? Ms. James confirmed his statement. Mr. Preston asked Chief Newton for available dates to schedule.

Street Paving Bids: Mr. Lark read the Bids that were received and opened at the Council Meeting on July 21, 2020:

School Street: J&T Paving - \$22,184.00, Kirila Paving - \$24,450.00, Sharon Paving \$29,500.00

Garfield Street Extension: J&T Paving - \$39,962.00, Kirila Paving - \$42,135.00, Sharon Paving - \$45,200.

Garfield Street: J&T Paving – 28,927, Kirila Paving - \$29,050.00, Sharon Paving - \$37,950.00.

Mr. Lucich addressed that street paving projects should be handicap accessible. Mr. Lark said these projects were for the back of the post office and the back of yards. Council discussed further. Solicitor Tesone said since Mr. Lucich had questions about handicap accessibility, perhaps they should research that further. Mr. Lark said he would contact the Engineers and since they have Bonds if not done properly there will be legal action. Mr. Preston asked Mr. Lark if he researched which accounts to take the money out of. Mr. Lark said in Liquid Fuels there's \$30,435.00 and obviously wouldn't take it all, but would take \$30,000.00 from there. Mr. Lark said Liquid Fuels Checking is \$1,113.00, so take \$1,000.00 there since we shouldn't deplete these down to nothing. Mr. Lark said Road Tax Savings account is \$6,033.00, you might take \$5,000.00 there which takes you up to like \$37,000.00-\$38,000.00 and the rest could either come from the CD that we have which is \$8,441.00 or we could simply take it out of the General Fund. Mr. Lark said the General Fund Savings Account is \$315,081.61, so we can certainly take it from there to top it off. Mr. Lark said we aren't obligated but that it would be silly not to use the Liquid Fuels Fund because that's why they give it to us. Council discussed further about street repairs and Engineers. Ms. James questioned GPI Engineers capabilities. Mr. Lucich said they voted at the beginning of the year since they have all of the drawings and information for the Borough. Ms. Gilkey said they had priced others also. Mr. Lark said they are all competitive but it would be nice to have someone that was here, there were prices from Hermitage and New Castle, they would be here quicker, it wouldn't be four hours when GPI comes here. Council discussed further. Mayor Larouche said to review the Companies that submitted the Bids to see if handicapped ramps were included in their Bids. Mr. Lucich asked if there were any drawings, Solicitor Tesone said no and that he didn't see any Bonds in the packets.

Solicitor Tesone said Mr. Lucich should follow up with any questions with the Engineers. Mr. Preston asked Mr. Lark if he would call the Engineers. Mr. Lark said absolutely.

Mr. Preston asked if they could take a vote and Mr. Lark said absolutely not, to remind them this is August and that all construction work in the Commonwealth is called the PennDOT construction which expires in November and the new construction season does not start until March. Mr. Lark said PennDOT is the biggest buyer of blacktop, so when PennDOT says the construction season ends, it ends. Mr. Lark explained others projects that were affected by this. Mr. Lark explained further. Ms. Gilkey said since there were no motions for the Street Project Bids it will be tabled along with financing street projects.

Mr. Lark stated that the prices of the Bids submitted may now no longer be compatible due to the thirty (30) day clause.

Ms. James suggested recessing the meeting in regards to the Police issue and also because of the street paving bids. Ms. Gilkey confirmed and asked of Council's schedule. Ms. Gilkey said the Recessed Meeting will be set for Wednesday, August 26th at 6:00 p.m. Solicitor Tesone said he will be in Pittsburgh that day.

Mr. Lark said, refresh my memory, when the specifications were prepared by me, did I do that in secret or not share with all of you, did not all of you approve the specifications. Mr. Preston said yes, Ms. Gilkey said yes. Mr. Lark said he rests his case then, because if this point was to be made, it should have been made back in March or April, and now on the eleventh hour we have issues due to handicap assessable. Ms. Gilkey stated they are tabling the Street Department Bids and the financing of the Street Paving Bids until their Recessed Meeting which will be a week from Wednesday on the 26th.

Mr. Lark addressed that they have finally finished the paperwork at the bank and will need the signature of the Mayor and the signature of the President of Council. Mr. Lark made a motion for said signatures. Ms. Gilkey stated it is a Resolution authorizing such that Council already voted on, with signing the Resolution and Loan Documents from First National Bank of West Middlesex. Mr. Lark made a motion to that effect, seconded by Ms. James with all in favor. Roll Call Vote: Mr. Preston-yes, Ms. James-yes, Ms. Gilkey-yes, Mr. Lark-yes and Mr. Lucich-yes.

Salt Box Spreader and Snow Plow purchase: Mr. Lark said they talked about this Zoresco Company numerous times which are part of the State's CoStar Program, so he said we don't need competitive bidding on this. Mr. Lark they are able to supply and install two things for us. One is a Western Tornado Electric Hopper Spreader, that's the salt box that is \$7,052.00, and also supply for us a Western Pro Plus Steel Snow Plow that is \$6,137.00, for a total of \$13,189.00. Mr. Lark made a motion to purchase these two additional items for their new truck and would also like to indicate the truck they are replacing is a 2003 truck that is 17 years old, it has holes in the floor in the cab and the street department took old street signs to cover over the holes and this is what we are replacing. Mr. Preston seconded. Roll Call: Mr. Preston-yes, Ms. James-yes, Ms. Gilkey-yes, Mr. Lark-yes and Mr. Lucich-yes. Mr. Lark said Mr. Preston made reference to finances and auditing purposes. Mr. Lark made the motion that the bank will deposit the loan into our checking account, Mrs. DeSantis will then make a check from the account to pay McCandless Ford. Mr. Preston seconded with all in favor. Mr. Lucich said he received an offer from a local business to install the bedliner for free in the new truck. Mr. Lark said it has already been done and he has voted to approve it along with everybody else when we bought the truck and the records will indicate that so we don't need an investigation. Council briefly discussed further.

Annual PMRS Documents – Adoption of Ordinance – Defined Benefit Plan – Cash Balance Plan: Ms. Gilkey explained this is the Pennsylvania Municipal Retirement System and the documents that they require. Ms. Gilkey said she and the Mayor will sign said documents and that this is just a routine administrative signature required every year. Solicitor Tesone said he would review said documents.

Resolution No. 4 of 2020 – Purchase of Street Department Truck: Ms. Gilkey explained this is the Resolution for the purchase of the truck which the Mayor and she will both sign.

Feasibility Study for WMVFD: Ms. Gilkey said, this was discussed before and in order to accept we would have to submit a Letter of Intent, they will do a complete study as long as all parties agree with the benefits of merging the fire departments, those are just some of the details. Ms. Gilkey stated at the last Work Session that she would contact Shenango Township to make sure they were on board, because if they aren't, there's really no point to proceed. Ms. Gilkey said they have it on their Agenda and intend to agree to it also. Ms. Gilkey said a Council vote and the Township vote would be needed. Mr. Lark made a motion to submit a Letter of Intent in regards to the Study, seconded by Ms. James. Ms. Gilkey asked if all was in favor. Mr. Lark-yes, Ms. James-yes, Mr. Preston-no, Mr. Lucich said no since he spoke with the Fire Department and said they don't want the merger, he doesn't know if they are willing to do this and he said they were willing to do the Study of the Fire Department but not the Merger. Ms. Gilkey explained they could reject the whole thing or pick out parts they don't like, or just information gathering for us to get some good ideas, we aren't committing to doing anything. Mr. Preston said they haven't wanted it for three years, why would we do it now. Mr. Lark said the Contract is the same as what the State did about ten years ago when under consideration with the merger and with the Borough and Shenango Township from the Department of Community Economic Development, that is their job. Mr. Lark explained further. Ms. Gilkey stated regarding the vote, there were three in favor and two opposed – motion passed. Ms. Gilkey said she will sign the Letter of Intent.

Amending Ordinance No. 393 – Ms. Gilkey read the Agenda that after ninety (90) days delinquent sewer accounts would be charged one percent (1%), Sharp Collections are already charging this extra one percent (1%) on the ninety days delinquent accounts. Mr. Lark said there was research done and as of the 17th of December, 1979, Council decided there should be a penalty for late payments of your sewer payments. Mr. Lark stated over the years this has been sometime collected, over the years this has sometimes not been collected, over the years when this was sometimes collected there were cash payments, over the years when this was sometime collected the same people who were being penalized also paid a penalty at Sharp Collections, that is wrong, the same people are paying a penalty twice for the same delinquent sewer bills. Mr. Lark said that is total mismanagement and it didn't happen under Mrs. DeSantis. Mr. Lark said they need to rectify this, and what they need to do is to Amend this Ordinance, Eliminate this Ordinance, or Eliminate the penalty charged, you cannot penalize the same customer twice and if they went to Court it would be illegal, it should never have happened, and the records show it did happen. Solicitor Tesone asked who was paying the one percent (1%) to Sharp Collections or to the Borough. Mr. Lark said both were on occasion. Solicitor Tesone and Council discussed Sharp Collection accounts. Ms. Gilkey said usually when they do the water shut off notices they usually get a big influx of payments, Mr. Lark agreed. Mr. Preston stated a big influx of payments were made when customers were sent to Sharp Collections. Mr. Lark said if Solicitor Tesone needs to review, that is fine, but at some point, we need to address this, this is wrong. Solicitor Tesone and Council discussed further. Solicitor Tesone will review.

Swimming Pool – Ms. Gilkey addressed the COG swimming pool where Brian Foster is requesting to use \$3,000.00 from the Wheatland Fund and also asking if West Middlesex Borough would like to contribute any more monies for the repairs. Ms. Gilkey said she just received a message from Mr. Foster before the meeting, she read the letter and also reviewal of photos. Council discussed further with Mr. Lark explaining to everyone in regards as to what needs to be done to save the pool and also spoke of Lackawannock Township, Shenango Township, West Middlesex Borough and the monies from Wheatland Borough. Ms. Gilkey said she would like to just say they are speaking of the spending of the \$3,000.00. Mr. Lark said to also understand that it could mean more.

Ms. Gilkey confirmed but said they could have another meeting to vote for additional funds but at this point somebody needs to make a motion that Brian Foster from COG can spend \$3,000.00 from the Wheatland Fund to make pool repairs. Ms. James made the motion, seconded by Mr. Lark with all in favor.

Street Sweeper Purchase from Barris: Mr. Lark explained a number of years ago that West Middlesex Borough had their own street sweeper and R.J. was in charge of the Street Department. Mr. Lark said that R.J. came to us and said the street sweeper needed new tires, these tires were going to cost thousands of dollars and so forth. Mr. Lark said they decided rather than spending that money, they would seek services from other places, which worked out to be Hermitage, to have them come and sweep the streets and we would sell the street sweeper. Mr. Lark said they then sold the street sweeper to Barris' Company. Mr. Lark said this is done and at some time Barris' must have repaired the street sweeper and apparently the street sweeper has been all around Western Pennsylvania and was sweeping in Mercer last week, in Butler, in Youngstown and surely wasn't sweeping in West Middlesex. Mr. Lark said the street sweeper was old and in bad shape when we got rid of it or we wouldn't have gotten rid of it. Ms. Gilkey said they assumed it was of scrap value, Mr. Lark confirmed and thought it was in a junk yard but apparently Barris' resurrected it. Mr. Lark made a motion that they do not repurchase the street sweeper from Barris' Company, seconded by Mr. Preston with all in favor. Ms. Gilkey said at a later date they can discuss it if there is a used street sweeper out there for sale.

Porta Potty at Kiwanis Park: Ms. Gilkey didn't know about this and asked if anyone knew anything about it. Mr. Preston asked Mr. Cochran about this issue. Mr. Cochran said he spoke with Bell Sanitation, that it is handicapped accessible at a price of \$750.00, and the reason it's so cheap is there is a crack in the ceiling, but the company they rent it to, they use seal foam. Ms. James said she didn't know they needed one and it was the first she heard of this. Mr. Lark said there's a facility there now and for all intents and purposes it's what is called an outhouse, it smells and they are worried if a child is in there a child may accidently fall into the thing, there are a lot of concerns about it. Council and Mr. Cochran discussed further. Ms. Gilkey said they will revisit this topic when they have more information.

Security Cameras: Ms. James said there are security cameras that are installed that are not owned by Council and that they do not have access to. Ms. James said she doesn't know if it's appropriate to people other than the Borough. Mr. Preston said we don't have access to the results. Ms. James said occasionally there are instances and occasionally there are things that have to be looked into. She said they are expensive but if Council would install them then they would have access to these tapes if they are incidences, we can go along the building and discuss where we would put them and how many we would need with a cost of \$100.00 per camera. Ms. Gilkey said they are Wi-Fi related instead of hardwired now. Ms. Gilkey said the ones that the fire department has, she would hope if there was something they needed a video of, they would give it to us. Adam Garrett and Council discussed further. Ms. Gilkey stated the talk is if we want to have Borough owed cameras in various locations with Wi-Fi which is a lot cheaper. Ms. Gilkey requested Solicitor Tesone's advice.

Solicitor Tesone said basically if it is posted that the property is monitored, it's out in the general public and there isn't any privacy issues such as bathrooms, etc. Ms. Gilkey said shutting off the audio is probably the safest option otherwise you have to provide notification along with no wire tap issues at any point. Ms. James agreed. Mr. Lark said this should be on a future Agenda with more information. Ms. Gilkey agreed.

Ms. Gilkey said a few residents that live on Haywood had asked her if they could put up a Children at Play sign, more so after Chestnut Street down to the Cemetery because there are a lot of people out there with their kids and grandkids who ride their scooters and big wheels on the road. Mr. Lark said he would have the Street Department do that. Ms. James also mentioned South Street. Mr. Lark said he would research. Mayor Larouche questioned the speeding signs which could be mobile and moved which would in effect keep not only the children at play but keep the speeders down and the public seemed very interested in that. Mr. Lucich discussed a quote and said it would be \$2,900.00 for the Solar Power signs and a couple hundred dollars less for others and he said that he would send information to Mrs. DeSantis.

Mr. Lark said he went to the Regional Planning Commission Meeting on Friday and they discussed the West Middlesex Borough Traffic Improvement Study. Mr. Lark said there are 102 traffic signals in Mercer County. Mr. Lark explained that Regional Planning hired a company called GPE from Akron, Ohio to study these traffic signals. Mr. Lark passed out a chart to Council which indicates signals. Mr. Lark said our aspect of the study was delayed due to our involvement with the Green Light Go Project. Mr. Lark explained Green Light Go and said they didn't exactly change the original traffic light which research showed was erected in 1948. Mr. Lark explained the chart rankings and Municipalities where he said West Middlesex Borough would be in the middle and explained further for improvements. Mr. Lark discussed the full construction of the traffic signal could typically range anywhere from \$125,000.00 to \$250,000.00. He said we don't want to get into that category, so what we did two years ago was good, we made improvements and we will see about the cover that we need and to be careful in making changes. Mr. Lark said initially we met with Bruce & Merrilees who found out upon opening the cabinet door, the filter was very black.

Mr. Lark said we need to maintain and keep up on what we have done, and if not this Council but somewhere down the road, the expense of somewhere between \$125,000.00 and \$250,000.00 to change that traffic signal.

Mr. Lark said Regional Planning Commission maintains Zoning and so forth and they undertook a project five or six years ago where they are going to every Municipality looking at their current Zoning and updating it as situations change. Mr. Lark explained further. Mr. Lark said they are currently finishing Shenango Township which now is about ninety eight percent complete and will be done by the end of the year. Mr. Lark said they will be discussing this item further and will have to vote to have this done.

Mr. Lark said they will come here openly to the public where people will have an influence regarding Zoning and then they will look at our current Zoning if applicable and so forth, and then they would make some recommendations. Mr. Lark said if changes were made votes would have to be taken, and then there would be a final report. Ms. Gilkey said they will do this for us for free and we will get the information and then we can do what we like with the information. Mr. Lucich said awhile ago there was a power outage and the red light wasn't working, there is no battery backup for it and they need at least a twenty-two hundred (2200) watt generator to power the light. Ms. Gilkey said then they will have to look at the prices of generators. Mr. Lucich said there are a few generators at the fire department but the fire department would have to be called.

Ms. James spoke of a time when the light was out for quite awhile before anyone realized it to be called. Ms. Gilkey said she is shocked that people do not treat it as a four way stop.

Braho property: Solicitor Tesone said they prepared a Notice of Abatement with Jeff Richardson our Code Officer to enforce, he was supposed to give him notice on that but when he did that, they appealed it. Solicitor Tesone said he hasn't heard from him since. Mr. Preston said Braho's were put on Notice that within thirty (30) days to clean it up, if he doesn't do it then we will clean it. Mr. Preston said he could appeal to a Board but it's not like going to Court, if he doesn't respond to the Notice, we have the right to go in and clean it up. Ms. Gilkey stated they are now waiting for the Notice period to expire.

Robert Lucich said he remembered from about ten or twelve years ago that there were drawings in the office from Hill Engineering and the reason the roads were tarred and chipped were there were problems with the bases on those roads and they were talking several hundred thousand dollars. Robert Lucich said you may want to go back and review that to see what all of the issues are on the roads over in that area, that is why the roads were tarred and chipped and they were not paved. Ms. Gilkey said she would check with the Secretary to see if she can find that information in the office.

At 7:18 p.m. - Recessed until Wednesday, August 26, 2020 @ 6:00 p.m.