

WORK SESSION MEETING WESLEYVILLE BOROUGH

Borough Hall, 3421 Buffalo Road, Erie, PA 16510

June 28, 2023 at 6:00PM

Approved Minutes

1. **Call to Order:** 6:00 PM, Mrs. Julius, President
2. **Invocation:** Mrs. Julius, President
3. **Pledge of Allegiance:** Mrs. Julius, President
4. **Roll Call:**
 - a. **Present:** Mr. Johnson, Mayor; Mrs. Julius, President; Mr. Petrini, Vice President; Councilors: Mrs. Morrow, Mr. Silbaugh; Mr. Ball, PWGS Supervisor; Mrs. Horanic Secretary/Treasurer
 - b. **Not in attendance:** Mr. Alfieri, Council Member; Mr. Pitonyak, Council Member; Mr. Wilder, Council Member.
5. **Citizens to address Council: (5- minute time limit per signed-in citizen)**
6. **Mr. Wilder Arrived at 6:08PM**
 - a. **Steve Samec:** 1719 Union Ave. **Steve:** "I have been a Lifetime resident of the Borough. I've serviced the Fire Department for 14 years. I have applied for the Civil Service position and was denied and was here to inquire as to why? I was asked by the police Chief and the Mayor to apply to be on the civil service. I have heard reasons why I was denied and I would like to hear it from you guys." **Mr. Petrini:** "I don't know if this is something that can be discussed." **Steve:** "I can discuss this as it was over a Facebook post. I am being accused of being anti LGBTQ whatever it is and that has nothing to do with that. I'm a free American citizen I can post my feelings, my opinions on Facebook. Jake Wilder had the option to scroll past it. I choose the option to not comment to any of his remarks on the post. I ignored what he said read what his comment was, went back and read my comment changed it because okay I decided that's not how it went. So, I deleted part of it and left it where its at. I feel that the mayor supports me the police chief supports me along with all the police officers for the civil service position. I am not what he is accusing me of being." **Mr. Petrini:** "What was brought up to council at that time and since you would be in charge or partially in charge of hiring the police officer. If something would arise that a police officer would be of that persuasion." **Steve interrupted:** "That would put no effect on my decision making, if they qualify for the job then I would be fine with it, my daughter is a lesbian. I think that you guys have known me for how many years and I've been on the fire department for how many years and for you guys to take his side without talking to me not cool." Steve Samec provided four council members with a copy of the post. **Mrs. Morrow:** "part of the problem was that there wasn't someone here to represent you." **Steve:** "Perhaps before you turn someone down you should TABLE it and ask me to come in and explain myself." **Mr. Johnson:** "I've known Steve for quite a long time he even ran against me for mayor, I have nothing against him. We're trying hard to get people to volunteer and then we have one council member that has an issue with him, its not very good to turn someone down as a resident citizen of this borough by the chief and myself." **Mr. Petrini interrupted:** "Excuse me Paul, you were not here and the chief was not here. We had one person who was a council person bringing up these post that were on Facebook and we went

with what we were presented with. So now we can take that into consideration.” **Mrs. Julius:** “I could say something to this too. If we are hiring a police officer that may be gay or may be bi-sexual or whatever and we have somebody that post things like this, not saying that you meant it to be anything but what it is, that police officer if they are not chosen could come back and say that we are being biased to them. So, what we had to look at is what Mr. Wilder had said I did see part of this, I didn’t see the changed post on Facebook. We had Mr. Wilder opinion to go on and that’s all we had at this point.” **Mr. Johnson:** “Has anyone talked to the solicitor since then?” **Mr. Petrini:** “No because it wasn’t brought up after the vote.” **Mr. Johnson:** “Technically, it doesn’t have to do with anybody thoughts. Mr. Wilder has a podcast. Should we go back and listen to every podcast maybe he might have made an issue on there” **Steve:** “If I’m going to be considered for the position ill take it down but I wasn’t going to take it down because Jake doesn’t like it. Jake could have just scrolled right past it like how I scrolled past his comments on my post.” **Mr. Wilder:** “Oh yeah, you’re talking about that hateful stuff you posted. Why bring it up who cares? Like why did you post it? Why did you purposely make fun of someone who’s different than you?” **Steve:** “Because I can. The same reason people in Walmart posts funny shit. It’s my right to.” **Mr. Wilder:** “No see you’re punching down on people who are different. **Steve:** “It’s my right” **Mr. Wilder:** “Ya its your right but you know what its my right to say I don’t think you should be on that commission because of comments.” **Michael Nesgoda:** “Steve will you allow me to speak at this time please?” **Mrs. Julius:** “One moment I’m the one who allows people to speak okay?” **Michael Nesgoda:** “Okay well this is getting out of control. He’s a community member responsible for groups I’m here to speak as well. I feel this man has said everything he possibly can and you’re turning him down because of his community involvement. You’re expecting a problem” **Mrs Julius:** My suggestion would be to if you would rewrite your letter of intent.” **Pete:** “I sat on the civil service, you can have your own personal opinion but, also do what’s right for this community. I’m a stickler for what people post on Facebook. There is a fine line on one’s opinion and crossing that threshold. Now one of the comments that was brought up was what if we didn’t hire someone, they could say well this why, well touché. What if we had a conservative cop that we didn’t hire and now they turn around and say well a bunch of liberals didn’t hire me. I can assure you with the post causing all this nonsense, I can assure you that was not his intention.” **Steve:** “That’s why I changed it. When Jake commented that’s not what I meant. I went back and changed it.” **Pete:** I promise you that even if that’s how you would want to paint him which is not the case there are people that live in this borough that well this is how they feel. To be fair right, wrong, or indifferent, they are intitled to that too.” **Mrs. Julius:** “They are intitled to that but we do need diversity and we need to have people that are excepting of diversity people on our civil service.” **Pete:** “We don’t have people pounding on our door to join the fire department. We don’t have people pounding on our door to join the civil service. It would be different if this person had a track record.” **Mrs. Julius:** “I think I answered the question. Please Mr. Samec rewrite your letter to us and give us an explanation and we’ll look at it. Is that acceptable to everybody?” **Mrs. Morrow:** “I also understand that you also serve, I’m not good with terms but with the fire department, and the fire police. Please include that in your letter that would have been very helpful with me.”

- b. **Michael Nesgoda:** I was here last year I would like to reintroduce myself my name is Michael Nesgoda. I would like to first apologies by saying the truth is difficult. Thanks for your service. This tremendous growth and all these good things happening in Wesleyville. My personal opinion is there are somethings some people who focus on drama instead of what's good instead of what's necessarily good for the community. I've made enemies in this borough particularly Mr. Wilder as well. He's an elected council member and I assure you council member I am not a demon or a narcissistic sociopath but thank you for your concern. At this point probably a good idea to request the following, I will provide this to you as a council if you require, please let me know. I think its my personal opinion and most people would agree that have community growth involvement struggle is what makes the community. And congratulations on the celebrations two years in a row, Wesleyville Community Day and Hometown Hero Mayor Thank you. President thank you for the order. I'm personally fielding messages for community assistance and forwarding them to the appropriate department ad I believe Tina left because she couldn't do it all not one person can. Honorable councilmember Wilder would you please focus your attention while I am speaking. **Mr. Wilder:** "I don't have to do anything that you ask me to do." **Michael:** This time I am asking for community assistance there's about 2,000 followers and I'm seeing a growth and the borough is struggling. I am seeking community help if any of these members here would like to contribute, community expert. Please. I hope people see this request as honorable because I firmly believe that we all agree that community involvement, decision making within a small community that sometimes isn't getting involved it's okay it happens. I would please request members votes, decision making as public information, that minutes are updated in a more timely fashion. I would like an update with respect to the Savvy citizen app please. I ask for no identifiable information. Lastly, I request that community access to the minutes so that people take it for themselves so people don't need to here if from me they can here it from you. Thank you for your time.
- c. **Marens Jacobs** Been part of the community for a couple of years now and now I'm actually a property owner now as well. I really love this community and have been looking for more ways to get involved. I did notice on your page last week that the Borough Manager position opened up. I just wanted to verify, it will probably be a week before I can get my information in, I just wanted to make sure that it will stay open that long.

7. **Approve Agenda:** Motion made by Mr. Petrini, seconded by Mrs. Morrow to approve the agenda, unanimous voice vote, motion carries.

8. **Approve Meeting Minutes:** Motion made by Mr. Wilder seconded by Mrs. Morrow to approve June 14, 2023 Meeting minutes, further discussion, please have Mrs. Foley fix the minutes from June 14, 2023 convened is spelled wrong. Also, the years states 2022 not 2023. unanimous voice vote, motion carries.

9. **Old Business:**

a. Fee Schedule for 2024

- i. Motion made by Mr. Petrini, seconded by Mrs. Morrow to approve 2024 Fee Schedule as is. Further discussion, Fees can be changed tonight by resolution.

Mr. Johnson: I think this should be up to the treasurer because so goes through everything she knows. She should actually be giving us a list of fees that need to be raised. The rest sit and here and say they need to be raised we don't know.

That's just my opinion. **Mrs. Julius:** My concern is we don't have Carlin's rate and what they are going to be charging next year. **Mr. Petrini:** I would state that by resolution any fees set by BIU because we have no control over their prices. **Mrs. Horanic:** BIU never charged us for zoning permits, or rental inspections. They only charged us for sewer lateral. Right now, we're eating the cost of everything because we don't have a zoning officer. Right now, we're charging \$35 for a zoning permit and BIU is charging us \$75. **Mr. Petrini:** We could raise everything 10% to cover our administrative cost. Our administrative cost is going up and we can likely see that our administrative is likely going to continue to go up. So, we can't just sit here and say we can't do anything. We can do something. **Mrs. Morrow:** I'm reading this from Lawrence Park zoning and I don't know enough about the different names of the fees but what they have in theirs is Fees for plans reviews, inspections, and other services payable to the building code official when application for construction permit is submitted. Township surcharge on UCC permits is 10% of total UCC permit fee payable whenever Township permit or review is also required. Can we just have a blanket statement? Are UCC is that a universal everybody that follows? **Mr. Petrini:** No UCC is Uniform Construction Code. It tells you what you have to inspect. The fees are set by the firm that does the inspection. **Mrs. Morrow:** I'm wondering if we could make that a bigger blanket. Not just BIU but other companies. **Mrs. Julius:** For example, building permit our building permit say \$175 dwelling. I'm assuming these are all from BIU prices. So, could we put rather than this specific amount can we say at the cost of the administrator of the inspection plus 10%? Could we put that in here and not put a specific price? **Mr. Petrini:** We don't set these fees. Somebody else sets these fees. In the past as far as I know have never charged where BIU is collecting. What I'm saying is once it gets put on our fees schedule it becomes our animal. If we approve this were saying this is all you have to pay. I think that we should put that other fees are set by BIU but there are things on here like the residential rental fees. I believe is \$75 I would thing \$85 to cover with the cost of everything going up. **Mrs. Horanic:** Residential Rental fees just went up for the year 2023. **Mrs. Morrow:** We weren't covering our cost before we raised them. Are we covering our cost now? To me it's irrelevant when we raised them. **Mrs. Horanic:** Year to date rental inspection revenue \$3,650.00. We've paid BIU \$2,885.00 for rental inspection. BIU still has some inspection to do. **Mrs. Morrow:** So, if we pass this now, we can change this around the budget time? **Mrs. Horanic:** Yes, you can pass this buy ordinance. Unanimous voice vote, motion carries.

- b. Quality of Life Ordinance-
 - i. **Mr. Petrini:** This is something that the City of Erie uses and I gave it to the Chief and Officer Beaton our code officer. They looked over and they are in agreement with this. Its just a better way for us to be able to do our property maintenance ordinance. I'm going to meet with Chief, and Beaton and go over it to make some changes. Well have it retyped with Wesleyville's name on it.
- c. Fire/EMS Issue-
 - i. Mr. Alfieri not here to report.
- d. Status of a new front loader
 - i. Nothing to report at this time

- e. Status of outstanding grant applications-
 - i. Nothing to report at this time.

10. New Business:

- a. Chief Of Police
 - i. Not present
- b. College Heights Construction Agreement
 - i. Motion made by Mr. Wilder, seconded by Mrs. Morrow to pay Joseph McCormick College Heights 2023 Street Restoration project, unanimous voice vote, motion carries.
- c. Zoning Officer
 - i. Motion made by Mr. Petrini, seconded by Mrs. Morrow to recognize Donald McKee as the Boroughs Zoning Officer. Further discussion, **Mrs. Horanic:** What if he doesn't want to do it? **Mrs. Morrow:** That's his job. **Mr. Wilder:** Does he have any experience doing it? Craig had like 20 plus years. **Mr. Ball:** He knows quite a bit. He's been with the borough 29 years usually if I have a question about something I would try to asking him. He has a lot of knowledge. **Mrs. Julius:** It's in his job description and everybody's job description on the very last line is anything that the borough also feels is a necessity for them to use. **Mr. Wilder:** I mean you can't have him be police officer, right? I'm not saying he's not qualified for it. Have you guys talked to him about it and he's on board with this? **Mr. Ball:** I've talked to him. I've been talking with him.
- d. Enhanced Regulated Rental Inspection
 - i. **Mr. Petrini:** When we did the regulated rental inspection with BIU it was for Fire and safety. Just the basic inspection for that. So, I was asking about property maintenance, condition of the property inside and outside, sidewalks, junk and whatever. They said that's all part of the contract we had with them. That we just have not been enforcing it. We've just been easing into it. It's been years that we've been easing into it. I think that we need to let them do the full inspection.
 - ii. Motion made by Mr. Petrini, seconded by Mrs. Morrow that we advise BIU that they do the full regulated rental inspection which would include property maintenance starting January 2024 Also, the Borough will send out an informational letter to the landlords with their application, unanimous voice vote, motion carries.
- e. Part Time help for Streets
 - i. This has been posted. A Part time and Full-time position is available. Mrs. Morrow asked about employment agency. **Mrs. Horanic:** I reached out to Career Concept and they quoted \$22.90/hour for \$14.00 rate. I figured that if we could afford to pay that rate to Career Concept that possible, we could try to come up with a better rate to offer for a starting rate in the streets. **Mrs. Morrow:** Well, I just asked for a report. I asked for information so I just wanted the information.
- f. Quotes for replacement of ditch for water drainage at 2915 & 2921 E. 30th St.
 - i. Property owner filled in his ditch and has created a problem for his neighbor with water backing up onto his property. Received two quotes one from Miaczynski Landscaping and services and Carlin.
 - ii. Motion made by Mr. Petrini, seconded by Mrs. Morrow to hire Miaczynski Landscaping and Services for \$650 to dig the ditch to open up our drain, unanimous voice vote, motion carries.

- g. Properties listed for sale in the Borough must meet external requirements of the IPMC and the Quality-of-Life Ordinance.
- i. Mr. Petrini: As we do with the sewer lateral when a property comes up for sale. They would have to meet or at least bring to the attention of the new owners that this is in violation and it has to be taking care of.
 - ii. Motion made by Mr. Petrini, seconded by Mr. Wilder that the properties in the Wesleyville Borough that are being brought up for sale must be inspected by the code enforcement officer and documentation listed as to what requirements has to be done to meet IPMC and the Quality-of-Life Ordinance, Further discussion, **Mr. Wilder:** This would be an ordinance within its self because its basically telling someone who already doesn't want to live here more to fix stuff that they don't want to fix that they want to get rid of their property. Now I understand the sewer lateral aspect of it because its hiding. Like if the roof leaks you have an inspection if you're getting a loan. Why are we continuing to make it harder for people to sell things in the borough and to buy things. **Mr. Petrini:** We're not making it harder for people to sell things. We're making it easier for the person coming in the new resident not to get burned because they buy a property and then all of a sudden two days after he buys the property hay you have to repair this and you have to repair that. I think it's only proper to treat the new people coming into the borough with more. Now if you want to work it out with the previous owner and take the responsibility for it but it has to be done. Its not hurting anyone. If the person selling has to repair the sidewalk, he can adjust his prices. He takes care of the property, he gets it up in good shape, whatever. I think its good for the borough to fight blight. **Mr. Wiler:** People buy houses because they know they need fixed up. If you want to fight blight you need to get people to sell the property that they are not using. **Mrs. Morrow:** this doesn't stop them from selling it. **Mr. Wilder:** It sounds like it does. They would have to fix it before they could sell it. **Mr. Petrini:** They could put money in escrow just like with the sewer lateral. It doesn't stop the sale of a property. This just ensures that it meets the standards that are already set by our ordinance. **Mr. Silbaugh:** What if you have a house whose sidewalk is lifted about two feet up in the air. Okay now you're wanting the seller not only repair the sidewalk but cut down a tree and whatever things need to be done to make that sidewalk proper, correct? **Mr. Petrini:** yes, if the sidewalk is in that shape. It doesn't meet the ordinance. Roll call vote: Mr. Petrini: AYE, Mr. Wilder: NAY, Mrs. Julius: AYE, Mrs. Morrow: AYE, Mr. Silbaugh: NAY. The AYES have it, motion carries.
- h. Use of Motor Brakes (Jake Brakes) restricted on certain roads within the Borough
- i. Motion made by Mr. Petrini, seconded by Mrs. Morrow that we restrict Buffalo Road, Station Road, and Shannon Road for the use of Jake Brakes whatever the proper term is. Further discussion, we will give Betza the ordinance to draw up. **Mr. Wilder:** Those things have those brakes for a reason, right? For safety reasons, right? **Mr. Ball:** A lot of times they will not use them in the winter time because what it does is it will back spin the tires. That's the first thing they teach you in class. You can run without them. Roll call vote: Mr. Petrini: AYE, Mrs. Morrow: AYE, Mrs. Julius: AYE, Mr. Silbaugh: NAY, Mr. Wilder: NAY. The AYES have it, motion carries.
 - i. Set a date and time for a review of the Wesleyville Community Day celebration
 - i. Mr. Johnson already had this. **Mr. Wilder:** How much did the Fire Dept. raise? **Mr. Johnson:** Couldn't tell you. They didn't come to the meeting. **Mrs. Julius:** Did you break even? **Mr. Johnson:** We were in the black. We're still waiting on a \$1,000 check from PA lotto. There will be money left over.

- j. Display of flags on Borough owned properties is restricted to the Pa. State and National Flags.
 - i. Mr. Petrini: I've seen other municipalities get into a problem with flying different flags or different things. One municipality the mayor got booted because he was against the flag that they were going to put up. I figured before we get into any real issues about people wanting to fly flags that are on borough property that we are putting up, in other words our flag poles and stuff. That it would be restricted to the State and National flag only. That way if anyone comes, we can tell them that we only fly the National and State flag.
 - ii. Motion made by Mr. Petrini, seconded by Mr. Silbaugh that the Borough will fly nothing but the State and Federal Flag, Further discussion, **Mr. Wilder:** That's the problem with telling people what they can and can't do with tax payer property. You run into a slippery slope. I think this is something we need to talk with Mr. Betza about seriously before passing a motion. **Mr. Petrini:** We're not telling anybody we're just saying we display the flags on our flag poles. For the National and State Flag. If someone wants to come down to the park and put a flag in the ground that's up to them, that's free speech. We're not going to raise it on our flag pole. **Mr. Wilder:** Has someone asked this before? **Mr. Petrini:** No, but if someone comes in and asks. Its now already set and you can tell them that council set that we only display State and Federal Flags. Mr. Petrini withdrew his motion. Mr. Silbaugh agrees.
- k. Use if temp agency
 - i. Already discussed.

11. Executive Session: convened at 7:52PM regarding personnel matters.

12. Reconvene: 8:01 PM. Following the reconvening of the regular meeting, Mrs. Morrow motioned to let David Mayo go (fire) from the Street department, Mr. Wilder seconded. Unanimous voice vote, motion carries.

13. Treasurers Report: Motion made by Mr. Petrini, seconded by Mrs. Morrow to approve the bank transfers for the month of April 2023 and May 2023, no further discussion, unanimous voice vote, motion carries.

14. Borough Council Department Chairs:

- a. Mr. Alfieri- Not in attendance
- b. Mr. Pitonyak – Not in attendance
- c. Mr. Silbaugh – Nothing to report
- d. Mr. Wilder- Nothing to report
- e. Mrs. Morrow- Started our search for a new borough manager, one part time and one full time public works employee. As far as streets go, we had a meeting today with the stakeholders. A number of our local businesses, as well as utilities, PennDOT and NPO participated in the meeting. The next meeting is scheduled July 25th. I'm going to get some posters up. So, if anyone has any suggestions or ideas where I can out some up, please let me know. Could I post them on poles?

15. Borough Officers:

- a. Mayor – Mr. Johnson
 - i. Hometown Hero Banners: I have a couple bills. One was for the truck. We received a nice discount of about \$800 off the bill. Our final bill was about \$900. We only have \$734.36 left in there. I was asking if the Borough could come up with \$300-\$400 to put toward the Hometown Hero Banners for the bucket truck. Its not the full amount. I will not be attending the convention, so there's a \$1,000 in that line item.

- ii. Motion made by Mr. Petrini, seconded by Mr. Wilder that they use the mayor's money to pay for the bucket truck for the Hometown Hero Banners up to \$400, unanimous voice vote, motion carries.
- iii. Wesleyville Community Day: The mayor has a plaque for the borough.
- iv. Buffalo Road Revitalization
- b. Council President Mrs. Julius- Nothing to report.
- c. Council Vice President Mr. Petrini- Nothing to report.

16. Good of the Order:

- a. Next Council Meeting July 12, 2023 6:00PM, to be held at the Borough Hall.
- b. Next Work Session Meeting July 26, 2023 6:00PM, to be held at the Borough Hall.

Meeting Adjournment: Motion made by Mr. Wilder, seconded by Mr. Petrini to adjourn the meeting, unanimous voice vote, motion carries. Meeting adjourn 8:13 PM