

COUNCIL MEETING OF WESLEYVILLE BOROUGH

Borough Hall, 3421 Buffalo Road, Erie PA 16510

July 14, 2021 at 6:00pm

***** APPROVED MINUTES *****

1. **Call to Order:** Mrs. Julius, Vice President
2. **Invocation:** Mrs. Julius, Vice President
3. **Pledge of Allegiance:** Mrs. Julius, Vice President
4. **Roll Call:**
 - **Present:** Mr. Bills, Mayor; Mrs. Julius, Vice President; Mr. Betza, Solicitor; Councilors: Mr. Briggs, Mrs. Lijewski, Mr. Petrini; PWGS: Rick Gross, BOST/S/T: Mrs. Roseberry
 - **Absent:** Mr. Lombardozzi, President, Mr. Pitonyak, Mr. Silbaugh
5. **PD Code Enforcement/PD activity report:** Officer Hawryliw was unable to attend, if there are any questions for him, contact the Borough office to relay the information.
6. **Approve Agenda:** Motion made by Mrs. Lijewski, seconded by Mr. Petrini to approve 7/14/2021 agenda, addition to New Business (Mayor Bills add Messiah Lutheran Church) and Old Business (Mayor Bills Old Business 12 C) to be discussed, no further discussion, unanimous voice vote, motion carries.
7. **Approve Meeting minutes:** Motion to approve meeting minutes of 6/9 made by Mr. Petrini, seconded by Mr. Briggs, Mr. Petrini questioned the information regarding the one central source for social media. Correct information entered incorrectly, questions of the meeting minutes to be corrected, Mr. Petrini had no other changes but a question, that he understands that the Wesleyville Community Day is canceled for the year. Mrs. Lijewski stated "No it has not" Mr. Petrini, no it has not, Mrs. Lijewski said she did not know why it was recorded that way. Mrs. Roseberry stated because that if what you had said, Mr. Lijewski, said No I did not. Mrs. Julius said that at a meeting it was cancelled and then after the meeting it came out on Facebook pages that it was no longer cancelled. Mr. Petrini stated that it would be corrected for the meeting minutes, Mrs. Roseberry said that I am not correcting, Mr. Petrini said that in this meetings minutes it will show that it is not canceled. No further discussion, unanimous voice vote, motion carries.
8. **Citizens to Address Council:** All signed up citizens have been allotted 5 minutes to address Council, when the time goes off, please be seated for the next citizen. Council will take all issues under advisement
 - Justine Stewart – 2905 Woodlawn Ave – To start I submitted a Right to Know request on June 23rd that is still pending and of further response of all requested information. You each should be fully aware of this request and of the emails as you were all included in this; however, it appears it has gone on deaf ears. As noted in these emails and on the Right to Know request form Council has noted and agreed to a 5-day response time frame. At this time, it has not been met. As a concerned citizen I am again asking for an appropriate response from Council that shall include the information, if it is not able to be provided and why within the next 5 business days. This expectation I would state that I am expecting a response to the Right to Know request by the end of business July 21, 2021. If this request is not fulfilled, I would need to proceed with my civic duties as a concerned citizen. If Council's reply to this information requested regarding Wesleyville Community Foundation is that the Wesleyville Community Foundation, Wesleyville Community Day and/or National Night Out is not through the Borough I would find that there are additional concerns when the Borough is able to provide partial information on this organization and if the Borough has the right to do such remind you for an organization that the Borough is reporting it is not a part of however includes the name Wesleyville Community in such organization. Thus, it is the assumed representation of the Community of Wesleyville. Surrounding this would then also be the concern that Wesleyville Community Foundation address is listed as the Borough building, if this is the case as a citizen of Wesleyville I shall then be able to arrange my mailing address to be the Borough of Wesleyville building. This is appalling and ridiculous and I am sure you would all agree with that. I'm sure Council at this time would like to ask why this is a current concern and what is prompting me for my Right to Know request, as many of you know I have been attending Council meetings for approximately 3 years now, I have missed many due to other arrangements, however, as a citizen it is my civic duty to dedicate my time to the community in which I live. And I will no longer sit back and allow serious concerns to go by the wayside. We are all aware that there was a public situation and or broadcast of a target of personal backgrounds and of utmost respect I will not provide those specific details at this time, however I will note that this prompted curiosity. Curiosity that led to the public records of the Commonwealth of PA regarding all Council members who sit in front of me today, and those missing, staff and other individuals who

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have encountered meeting in the last 3 years. However, I was shocked once again I will not provide this information publicly, however, I will note my concerns and suggestions in moving forward. As a citizen concerned in this regard, I would like to suggest that a third-party audit is considered and completed for the Borough of Wesleyville finances and suggest the employees that have any type of job-related duties that regarding budgeting, finances or spending have a clean criminal record. A few more concerns to put out there publicly on the emails that were exchanged that were of Borough of Wesleyville concern, there is a Council members personal email address included interesting to say the least. Two other suggestions I shall add this evening is that last meeting it was noted that there are 2 vehicles listed, where is the mileage and information listed on the 3rd car? This should be included in each report no matter if it was driven 0 miles or 500 miles. I will note that the Mayor did come up to me prior to this meeting and we briefly discussed it, the response I received was that it could be somewhere else and accounted somewhere else, my concern with that then is it not labeled as a Police vehicle, so we are allowing other individuals to drive Police vehicles, I would be concerned of impersonation at that point. Lastly, I suggest that Work meetings are brought back and used as work meeting and regular council meeting be used as Regular Council Meetings as there obviously some things that could and need to be worked on in this community.

- Darlene Alfieri – 2013 Station Road – I am here to let Council know that we have completed everything that BIU asked us to complete. We were told we were fine I'd show you my business license for 2020 because I have not received one although I paid for one for my residence and 2013 Station Road. One was paid in January and one was paid in May I have not received either of those to display in my business that is now open. We are planning a grand opening of August 7th and I would really to be able to have my licenses on the wall so I am not in trouble. I don't know how to make that happen. I feel that I did my due diligence I paid them on time I paid them as requested I'm not even really sure why I need two of them. I had spoken last month regarding that I paid for a packet which BIU did not take any information from if you all would like it back there is a lot of blank paper, you can hand it to the next person. And hopefully the floral shop is go to take off and get things better from here. I just don't understand why I don't have my license. TR – responded that it will be available by the end of the week.

9. **Executive Session:** 6:19pm

10. **Reconvene:** 7:21pm

- a. Motions to be from Executive Session

11. **New Business:**

- a. Representative from Back the Blue 2 presented flyer for event on Saturday, July 24th. Requested that a Wesleyville PD vehicle be honored in the ride around the Peninsula. Wesleyville PD would be escorted by State Police and Millcreek Police. Wages would have to come out of the Police Budget and Chief would need to state if he is interested. Mr. Betza explained that the Chief and the Mayor would control the expenditures of the Police budget but this would be for services not patrolling the Borough therefore a motion would need to be made to approve if Council does not approve it then he stated it should not be done.
- b. Sale of Parcel 50-006-072.0-001.75, Motion made by Mr. Petrini, seconded by Mrs. Lijewski, no further discussion, unanimous voice vote, motion carries.
- c. Pastor Jeff Piccirilli explained that they were gifted the property formerly owned by Bates Collision. Would like to have the property be tax exempt, this issue would have to go through the Tax Assessment Office. The plan is to have raised bed for a community garden.
- d. Motion made by Mr. Petrini, seconded by Mr. Briggs to accept the Bid from McLallen Construction in the amount of \$82,260.00 for the South Street 2021 Sanitary Replacement Project. No further discussion, unanimous voice vote, motion carries.
- e. Motion made by Mr. Petrini, seconded by Mr. Briggs to accept the Bid from Dean Construction in the amount of \$94,589.00 for the 2021 Center Street Sanitary Sewer Replacement Project. This is in conjunction with the CDBG grant money of \$100,000. No further discussion, unanimous voice vote, motion carries.

12. **Old Business:**

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- a. Asphalt parking lot sealing – TABLED until Church obtains quotes
 - b. Motion to approve ordinance for short term rental (Airbnb) – Mr. Betza will be advertising the ordinance. The fees will be the same as a rooming house or fraternity house for the Residential Rental License Application.
 - c. Mayor Bills vetoed the motion to approve the ordinance amending the ordinance to include uninspected motor vehicles”. A special meeting will have to be advertised to be held on Thursday July22, 2021 at 6pm. Motion to hold the special meeting, motion approved ***Mr. Briggs rescinded his motion for the amending of the ordinance, email sent to Council on July 16th requesting if there were any objections to this had 2 responses. Special meeting was canceled.
 - d. Clarification of Business owner, Darlene Alfieri, on having 2 separate entities and the need to have 2 separate Business Tax Licenses. Council determined after speaking to Mrs. Alfieri, who stated that the location at 2013 Station Road, was just her residence and the only business-related services that were being done there was the business accounting. Motion made by Mr. Briggs, seconded by Mrs. Lijewski to reimburse \$60 to Darlene Alfieri. No further discussion, unanimous voice vote, motion carries.
13. **Treasurer’s Report:**
- a. Motion made by Mr. Petrini, seconded by Mr. Briggs to approve June 2021 check detail. Mr. Petrini questioned the difference in pricing of the Back Flow preventers from Jackson Plumbing, not further discussion, unanimous voice vote, motion carries.
 - b. Presented Unreconciled General, Sewer, Garbage reports and Current day Bank balance.
14. **PWGS:** Presented activity report
15. **Sewer/Zoning/Permit:** Presented activity report
16. **Wesleyville Hose Company:** Presented activity report
- a. Mr. Petrini had a question regarding the statement in the report that the borough wants to purchase hydrant hydrants. Mr. Petrini did not recall a purchase of adapters for the hydrants. The representative in the audience stated that in a previous meeting it was discussed the hydrant flags being purchased. During the discussion Mr. Pitoynak turned around and stated the he would purchase the flags. They are stating that if money was going to be spent, they would rather have the adapters than the flags. Letter to be sent to Erie Water Works to see what they can do to help by the Hose Company and Mr. Petrini stated that North East had applied for a grant. Representative stated that it was incorrect in their meeting minutes and that it would be corrected.
17. **Borough Council Departments Chairs:**
- a. FP – nothing to discuss regarding the finances, however with all the discussion regarding the Community Foundation made a motion to have a financial audit of the Community Foundation done by an outside agency. Mr. Briggs seconded, further discussion. FP - stated that since there was a lengthy comment for an individual in the audience at citizen to speak regarding the that the financial issues with the Community Foundation in as much as it is a Wesleyville Community Foundation using the Borough’s address would like to have an audit done which is a reasonable request. PF - stated that it is not reasonable. FP it is his thought and the motion is there. SB - asked how much would something like that cost and how would it be paid for? PL said that it would be paid for out of Wesleyville Community Foundation pocket which is very minimal. PLi said that a Right to Know is for a governmental agency only (speaking to the audience member Justine Stewart) you cannot ask me (Mrs. Lijewski) about this at a governmental meeting. You must request for these things from the IRS that is where the non-profit 501c3. Ms. Stewart said that the request is currently pending. PL - stated that she did not know why it was pending, all you have to do is go to IRS.gov look up non-profits look up Wesleyville Community Foundation and Ms. Stewart asked if PL - will be bringing that to the next meeting and share with Borough Council and Mrs. Lijewski stated it was not her job. I don’t have to do that you want the information you look it up. PL - stated that she supplies the Borough, which she does not have to do, with the end of year financial statement which she supplied at last month’s meeting. There was no activity in 2020 of \$1,068.00 which was carried forward.
- The Borough’s address was used because it was brought up that way by E. Paul Johnson and Jill Merritt and she was just the secretary at that time and they were President and Vice President. PL - stated that she has no access to funds that come in and out has two signatures, the treasurer and herself. Nancy Mindek, from the fire department, and

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herself. Nancy did the books until this PL - year when she took off for health reasons, and she did a beautiful job. The only questionable issue, which was said was no big deal, is that she intermingled the funds and put the National Night out Funds in the same account as the Community Day account. No big deal easy to fix easy to see what is what its not that big of a deal. No improprieties where people are stealing money, she wished there was more money in the account, she has \$7,000 to put this event together so far and \$6,000 just went to fireworks. Darlene Alfieri had discussion regarding there is a confusion regarding that Wesleyville Community Day is thought to be run by the Wesleyville Borough and that there is confusion that is on social media. There used to be a Wesleyville Newsletter, which PL - stated it was too expensive and Darlene stated that a lot of the confusion comes from lack of communication between Borough Hall and tax paying residents and unfortunately, they won't come to a meeting because they come to a meeting and have to sit for an hour while they have an executive session that executive session should be done prior to the meeting. 90% of the problems that she sees are that there is a lack of communication. PL - stated that Wesleyville Community Foundation was started and separated itself from the Wesleyville Borough when E. Paul Johnson had a great idea to bring alcohol to Wesleyville Community Day. Wesleyville Borough requested to be pulled out from it, so they would not have any responsibility for it. Getting thrown stuff where do send things, what address. RJ - stated that at this point we currently have motion on the floor and a second is there any other further comments. PL - stated that RJ - was shutting her up and RJ - stated that she is not trying to shut her up just saying that talking about that and she is going on about other things. Further discussion about the Right to Know. Mr. Betza explained the Right to Know standards and that it appears that the Community Foundation is exempt from responding to the Right to Know. FP - asked if the Borough can demand to have an audit done to which Mr. Betza stated that you can demand anything you want, but the respondent does not have to turn over the documents which could lead to other issues. Justine Stewart asked that if the Foundation does not reply to the request can the Foundation be brought back into the Borough, Mr. Betza stated that it cannot be because the 501c3 is a separate entity from the Borough. RJ - stated are there any other comments, call for the vote for the motion to request the Wesleyville Community Foundation have and present an audit, all in favor. Roll call Vote

AYE: Mr. Petrini, Mrs. Julius

NAY: Mr. Briggs, Mrs. Lijewski, Tie vote: Mayor Bills NAY Motion defeated.

b. Mrs. Lijewski – Stated towards Justine Stewart, that Melissa Bigwood is no longer working for the borough and she is not the Right to Know Officer, and the person that received this at 8:02pm on 6/23 when we weren't even here. Justine responded that the page is directly from the website and the website has that information and that whoever administers the website should update. PL - stated that the red thing means it is received 6/23/21 at 8:02pm. TR - asked what PL's - point was to which PL - responded, what are you doing in the office at 8:02pm. TR - that she wasn't in the office maybe that was when it was sent from the there and it was received and then I got if off the computer does not mean I was not at the office.

- Wesleyville Community Foundation – Their books are opened, there is no problem with their books, the only thing is that Nancy did not do the proper kind of bookkeeping but they are accountable. Gave explanation of how the money comes in and goes out. The money lines up and there is someone with a check outstanding. E.Paul, Jill and I started the Foundation and the address was used because everyone has the address, her intent if there was no Wesleyville Community Day this year the address would be moved to a PO Box.
 - RJ - had a question as to who the officers were for the Foundation, PL - stated that they maintained Mr. Rickrode as President, Mrs. Lijewski, Vice President, Amanda Sands, Member at large, Judy Gregory Treasurer, Jessica Dunkle Secretary. FP - asked if they have scheduled meetings and what days are the normal scheduled meetings are they on?

PL - replied that right now they are hit and have meetings all the time on Facebook because of so much going on right. They are going to rewrite the By-Laws to have meetings quarterly there is no reason to, FP - wondered because if someone wanted to sit in on a meeting and PL - said that she can let him know. Questions that can be brought up. The only one that can answer the questions would be PL - because Mr. Rickrode is so busy right now and Amanda, Judy and Jessica have any history of being on the board. FP - stated that is what he is saying that if there were established meetings, on

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established places and established times than anyone with questions could approach that board instead of this board. RJ - said that with Covid has messed a lot of things up but isn't a Community Foundation not with the Borough are they supposed to have regularly scheduled meetings and PL - stated that you can change that if necessary. It's very hard to have in person participially with Mr. Rickrode since he is on several boards.

- In Kind services – RG - said that they can be a dumpster and has volunteers to clean. Volunteers to play night patrol on Friday night and Saturday night if necessary. FP - asked if there are going to be fireworks, PL - replies yes, FP - what date will that be on, PL - replied August 7th, the date still remains.
 - RJ - said that this is coming pretty quickly and we don't have the insurance paperwork that you provided to the Borough for insurance for the fireworks or do they have their own insurance or do you have to provide insurance for the fireworks? PL - that the fireworks company has their own insurance that he provides, but I also have an insurance policy. RJ - asked that copies of those for the Borough. PL - said that she can provide the copies.
 - Mayor Bills stated that the Chief would like to know what the times of it all, PL - stated that she sent him and email, MPB - said that he doesn't have anything with times of the events. Did not specify that. PL - Kathi just made up the schedule the other day because they didn't know what bands, MPB - He just needs to know when things are going on so he knows how to staff it. PL – He does not have to worry about Friday night, usually the fireworks guys come in Friday night and work until Saturday morning, he does not have to worry about that, Leader of Men has volunteered to picnic/camp around the area. MPB – can you let him know that. PL – ok and they will do that on Saturday in case it rains. MPB – Just send him something with a literary so that he knows what he needs to do to staff it. TR – the fireworks are set off at Memorial Field correct, PL- uh huh. TR – Rick and I were talking earlier, so who goes and cleans the field for any debris that may be there? PL – the debris is only paper, but the Leader of Men have also volunteered to make sure that all the little fields are taken care of. TR - Ok because we were just talking whether or not staffing for that Monday? PL – The little league always complained about it on Sunday that they had, somebody had to come pick it up for them, that's going taken care of. it was taken in 2020 too. TR – you didn't have it in 2020. PL – I meant 2019. RG – Every year that I have been involved in with the Community Days always had to do extensive clean up on Monday I worked a good 4 hours with 3 men after the Community Days, PL - I don't think you are going to have that problem this year because I got enough volunteers, I have high school kids volunteering to pick up garbage, I just need garbage cans. RG – We have garbage cans, I do have the roll off to put the garbage into, but I don't know how we are going to take care of the situation because the fireworks are a complete mess every year, they do not clean their mess up. There are embers, charcoal that are like rocks all over the fields. PL – I will tell Leader of Men to take an RG – So it's quite a mess when we come back on Monday. PL – I will have them rake the area. RG – And with us working 2 and 3 guys different shifts working throughout the day for the Community Day Foundation for Community Day. PL – It's ok, I've got it. RG – I'm just stating how it's always gone for us. PL – I have a ton of volunteers.
 - July 21st at Hinkler Park at 6:30pm is the Erie County Associations of Boroughs picnic that we are the host. Money is needed for water and pop and money for \$20 for a gift basket. FP – how much do you anticipate. PL – I was going to say \$50/ \$60 bucks – will keep it under \$100. Mr. Petrini made the motion. 2nd by Mrs. Lijewski to approve purchase of ECAB picnic up to \$100. Which should include water/pop and a \$20 gift basket. Mr. Lombardozzi will be receiving his cup. No further discussion, unanimous voice vote, motion carries. FP. - clarified that it is a \$10.00 per person. Any unused funds and receipts will be turned into TR
- Mayor Bills – nothing to report

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- Mrs. Julius – All the bids for Memorial Park are out, hopefully the playground project will be started very soon.
 - Wesleyville's Comprehensive Plan is from back in the early 2000's. In order to get more grants for things that we want to do we need to have a Comprehensive Plan that is update. The last one is my understanding that we looked at a company that we paid for and contracted with to do the Comprehensive Plan with us. Because it entails doing surveys throughout the Borough to see what people feel the needs are and writing up an entire Comprehensive Plan of what Wesleyville would like to see what happen within the next 5 possibly 10 years. What I would like to see, and not making a motion tonight, especially since there are only 4 of us, what I would to see a Comprehensive Plan done for the Borough. Talked to TR in she was going to call a couple of places that we have in mind such as the contractor that the old Comprehensive Plan was done and PSAB so that they can possibly give us some ideas of where we can go to get a Comprehensive Plan done. FP – Erie County is doing for different municipalities, we had a meeting before with them before Mr. Wittenberg resigned and then passed, as far as I know I still have the information, they did one for Albion which was a really good plan and what he understood there was no cost to the community. The Planning Commission, PP – is the President does not know where it stands now. TR – asked if there was a contact or a number? FP – I have that and I will get that to you. You are right that receiving grants they do want an updated Comprehensive Plan. RJ – With the couple of grants that we were applying for they were telling us that we really need to look at our comprehensive plan and update it.

18. Good of the Order

- a. Next Work Session Council Meeting: Wednesday, July 28, 2021, 6:00pm, at Borough Hall
- b. Special Meeting: Thursday, July 22, 2021, 6:00pm, at Borough Hall
- c. Next Regular Council Meeting: Wednesday, August 11, 2021, 6:00pm, at Borough Hall

19. **Motion to adjourn meeting:** Motion made by, seconded by Mr. Petrini – meeting adjourned 9:06pm

Approved Meeting Minutes:

Tina Roseberry
Borough Secretary

Date: 8/11/2021