

**MINUTES  
UNION CITY BOROUGH  
SEPTEMBER 13, 2022**

**VISION STATEMENT:** “The Union City area is a thriving rural community of families, businesses and organizations dedicated to encouraging growth while maintaining small town values.”

The Council Meeting for the Borough of Union City was called to order at 6:00 P.M. by Councilor Cross. The meeting was at the First United Methodist Church, 42 East High Street, Union City. The meeting opened with the Pledge of Allegiance and a moment of silence.

**COUNCILORS PRESENT** were Cross, Joyce, Brumagin, Daggett, Warner, and Winkler. Douglas was absent.

**OFFICIALS PRESENT** were Solicitor Tim Wachter; Mayor, Natalie Wilmoth; Borough Manager, Cindy Wells; Police Chief, David Pernice; Streets Supervisor, Bob Phillips; Code Enforcement, Terri Migliaccio.

**APPROVAL OF AGENDA** Motion made by Councilor Joyce and seconded by Councilor Warner to adopt the agenda as amended to include police policy updates and motion to accept the updates. Motion carried unanimously.

**MOTION ON MINUTES:** Motion made by Councilor Brumagin and seconded by Councilor Daggett that all Councilors, having read the minutes, approve minutes from the Council Meetings on August 9, 2022 and August 23, 2022. Motion carried unanimously.

**MOTION ON SECRETARY’S REPORT:** Motion made by Councilor Brumagin and seconded by Councilor Joyce that the Secretary’s Report be accepted and made a part of the minutes of this meeting. Motion carried unanimously.

Borough Manager Cindy Wells stated that all departments should watch their spending due to some large, unexpected expenses such as the Willow Street bridge replacement, garbage collection fees, and the required match for the TA Set-Aside grant for Safe Route to School sidewalks on Bridge & Willow Street.

**MOTION ON BILLS:** Motion made by Councilor Warner and seconded by Councilor Joyce that the unpaid bills be ordered paid and those paid be approved. Motion carried unanimously.

**HEARING OF THE VISITORS:** Jackie Kaday, 57 South Street complained about the Quality-of-Life fines she had received. She said a lot of the accumulation is due to someone that is a hoarder that has been living with her. Council told her that someone would contact her.

Emmet McGuire, 33 Bridge Street complained that his Father-in-Law, Glenn Himrod on Hemlock Street had received a Courtesy Notice regarding un-mowed grass.

**CODE ENFORCEMENT:** Code Enforcement Report for August 2022 was provided. Forty-five Courtesy

Notices, and 31 tickets were issued. There were 68 phone calls handled. Terrie stated she follows the ordinance as written when issuing Courtesy Notices and tickets. She follows-up with the information provided on the list from Denny Ploss and sometimes gives more than one Courtesy Notice and usually allows extra time to correct the problem. She takes photos when issuing tickets.

**ZONING:** There were no questions concerning the Zoning Report for August 2022.

**POLICE CHIEF:** The Police Chief reported the following:

Update on hiring of new officers-Full-time officer working, part-time will be working at the end of the month. The application period is closed for the next hiring period. One application was received, and Chief will schedule the Oral Exam.

Police Reports for August 2022 – no comments or questions.

Working on collecting quotes for body-cams, Tracks System and Lexipool to apply for the DCED grant Phase 2 on the STMP program. Borough Manager stated that there is a grant through PA Commission on Crime & Delinquency that we need to apply to. Chief Pernice agreed.

**POLICE POLICY UPDATES:** Solicitor Wachter had provided updates to the Police Policy & Procedures to meet DOJ requirements. The proposed updates were emailed to Borough Council for review.

**MOTION TO ACCEPT THE RECOMMENDED POLICE POLICY AND PROCEDURES UPDATES.** Motion made by Councilor Brumagin and seconded by Councilor Joyce. Motion carried unanimously.

**PUBLIC WORKS:** Street Supervisor reported that the new employee Robert Newark was doing well. Bob has been reviewing the snow route and Robert has been using the street sweeper. Bob reported that they would be installing a clean-out at in the area of 40 Putnam Street. He had been trying to reach Great Lakes but they hadn't returned his call. After it is installed he will have Great Lakes come in and clean the storm drain.

**MAYOR:** The Mayor had no reports or recommendations.

**SOLICITOR:** The Solicitor reported that there is an update to Act 57 requiring the Borough to pass a resolution to waive penalties & fees for property owners who made a purchase in the last 12 months but never received a tax bill. A resolution will be presented at the October Council meeting.

Regarding the performance bond for Raccoon Refuse, a conference call is scheduled on September 23, 2022. The process with this is a slow process.

**BOROUGH MANAGER:**

**MISCELLANEOUS UPDATES:**

Grants – USDA and DCNR – The Borough did receive notice they will be receiving \$38,700 from the USDA for the purchase of a plow truck and also \$17,400 for a new police vehicle. The Borough has five years to use these funds. The Borough was also notified by the DCNR that the application for Devereaux Park Development in the amount of \$91,240 was approved and an additional \$65,000 for Southwest Park.

Update on Garbage Collection – an amendment was added to the RFP to accept bids on limited amount of collection per residence.

Vandalism at Caflisch Park – The individuals have been identified and we are requesting restitution that totaled over \$700 in damages.

Public Safety Open House 9/24/22 10:00 – 1:00PM. There is also Pipeline Training available at the American Legion on October 19, 2022 at 6:00 PM and dinner will be provided.

Council Member Replacement – If you know of anyone interested in serving on Council, please let us know. There may be an opening that will need to be filled.

Discussed the agreement with Penelec for Hometown Hero Banners – The Borough will be installing the banners.

ECGRA Press Conference on September 27, 22 at Dai Salon at 10:00 AM. They are providing \$150,000 for Mission Main Street and an additional \$100,000 for the Renaissance Grant.

**DEPUTY CODE ENFORCEMENT:** Code Enforcement Officer Terri Migliaccio has requested that Borough Council appoint Morgan Dyne as a Deputy Code Enforcement Officer. The current monthly pay would be divided between them.

**MOTION TO APPOINT MORGAN DYNE AS DEPUTY CODE ENFORCEMENT OFFICER AND THE PAY BE DIVIDED BETWEEN CURRENT CODE OFFICER TERRI MIGLIACCIO AND MORGAN DYNE.** Motion by Councilor Joyce and seconded by Councilor Brumagin. Motion carried unanimously.

**STREET SWEEPER REPAIR THE JOHNSTON SWEEPER AND SELL THE ELGIN SWEEPER.** Someone from Pittsburg expressed interest in purchasing the Elgin sweeper. The Borough would need to accept bids for the purchase if not sold to another municipality. Item was tabled until the next meeting on September 27, 2022.

**PURCHASE OF A 2016 FORD INTERCEPTOR FOR THE POLICE DEPARTMENT:** The EC DA's office is providing \$25,000 for the purchase of a used vehicle for the Police Department. The vehicle has 60k miles with approximately 2200 engine idle hours. Previous owner was a Sheriff's office in New York. Smrcka's Auto looked the vehicle over and saw no issues. It can be purchased for \$18,000. The equipment from the Ford Taurus can be transferred to this vehicle for approximately \$5,000. The decals and installation of them is approximately \$1,500. All together, this totals \$24,500.

**MOTION TO APPROVE THE PURCHASE OF A 2016 FORD INTERCEPTOR FOR THE POLICE DEPARTMENT FOR A TOTAL OF \$18,000, AND TRANSFER THE EQUIPMENT FROM THE FORD TAURUS AT A COST OF APPROXIMATELY \$5,000 AND DECALS FOR APPROXIMATELY \$1,500 USING FUNDS FROM THE DISTRICT ATTORNEY'S OFFICE.** Motion by Councilor Brumagin and seconded by Councilor Winkler. Motion carried unanimously.

**COUNCIL TO DISCUSS THE SALE OF THE FORD TAURUS AND THE FORD CROWN VICTORIA.** The Ford Taurus currently needs repairs of over \$4,500 plus additional problems that haven't been determined which appear to be electrical. There is also a 2012 Crown Victoria. Does Council wanted it listed on Municibid? Chief Pernice doesn't want to sell the Crown Victoria, it has 45,000 miles on it. It doesn't have a computer or radio in it.

**MOTION TO SELL FORD TAURUS USING MUNICIBID FOR A STARTING OFFER OF \$500.** Motion by Councilor Brumagin and seconded by Councilor Winkler. Motion carried unanimously.

**RENAISSANCE GRANT APPLICATIONS:** Council reviewed applications and recommendations for the projects. The recommendations were selected based on what the largest economic impact on the Borough would be and represent the largest potential to negate blight.

**MOTION TO APPROVE ALL THE RECOMMENDED RENAISSANCE GRANT APPLICATIONS USING 2022/2023 FUNDING.** It was moved by Councilor Joyce and seconded by Councilor Winkler. Motion carried unanimously.

**GARBAGE COLLECTION STARTED WITH KICKER DISPOSAL AS TEMPORARY:** Kicker is billing the Borough for 901 customers per week at \$8.00 each for a total of \$7,208. The Borough has no system available to bill residents for this.

**RETRO ACTIVE VOTE TO APPROVE THE BOROUGH PAYING THE BILLS FOR GARBAGE SERVICE THROUGH SEPTEMBER 30, 2022.** Motion by Councilor Daggett and seconded by Councilor Warner. Motion carried unanimously.

**NORTHWEST NON-UNIFORM AND POLICE PENSION MMO:** Council approved signing the MMO for 2023 payment.

**MOTION TO APPROVE SIGNING THE 2023 MMO FOR THE NORTHWEST NON-UNIFORM AND POLICE PENSION.** The motion was made by Councilor Brumagin and seconded by Councilor Joyce. Motion carried unanimously.

**USDA GRANT FOR POLICE & PUBLIC WORKS:** The Borough was approved to receive \$17,400 for a new Police Car and \$38,700 towards a new plow truck for Public Works.

**RETRO ACTIVE VOTE TO ACCEPT THE GRANT FROM THE USDA FOR \$17,400 FOR A NEW POLICE CAR AND \$38,700 TOWARDS A NEW PLOW TRUCK FOR PUBLIC WORKS.** Motion by Councilor Daggett and seconded by Councilor Warner. Motion carried unanimously.

**ERIE AREA COG PROPOSED FINANCIAL STATEMENTS AND YEAR END AUDIT:** Council was provided the 2022 audit for Erie Area COG. A Resolution is required stating Council has reviewed the Financial Statements and Independent Audit Report and finds it to be in good order.

**MOTION TO PASS A RESOLUTION (2022-16) THAT THE ERIE AREA COG PROPOSED FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT HAS BEEN REVIEWED AND IS IN GOOD ORDER.** Motion by Councilor Joyce and seconded by Councilor Winkler. Motion carried unanimously.

**ERIE COUNTY AT-RISK-BRIDGE PROGRAM:** The Borough received notice that our application for the Willow Street bridge replacement was approved for the EC program. There is a required 40% match which is estimated at \$160,000. I have not been able to secure any grants for that amount. Council needs to approve the agreement between EC and the Borough.

**MOTION TO APPROVE THE AGREEMENT BETWEEN ERIE COUNTY AND UNION CITY BOROUGH FOR THE WILLOW STREET BRIDGE REPLACEMENT PROJECT WHICH WILL PROVIDE APPROXIMATELY \$240,000 TOWARDS THE REPLACEMENT.** Motion by Councilor Joyce and seconded by Councilor Winkler. Motion carried unanimously.

**STORM DAMAGE ON PUTNAM STREET:** The storm water that runs from the trailer park area to a storm drain behind 49 Putnam washed rocks and other debris and blocked the normal drainage route. The Borough has requested permission to go onto 49 Putnam Street to restore the ditch this one time. The Solicitor has provided the agreement to present to the property owner.

**MOTION TO APPROVE SUBMITTING AN AGREEMENT TO THE PROPERTY OWNER AT 49 PUTNAM STREET TO RESTORE THE STORM DRAIN DITCH, AS STATED IN THE AGREEMENT, FROM THE STORM THAT OCCURRED ON MAY 22, 2022 BY OCTOBER 31, 2022. THE AGREEMENT DOES NOT OBLIGATE THE BOROUGH TO PERFORM ANY FUTURE MAINTENANCE ON THE DITCH.** Motion by Councilor Joyce and seconded by Councilor Winkler. Motion carried unanimously.

**BLOCKED STORM DRAIN ON PUTNAM STREET:** A blocked storm drain on May 22, 2022 on Putnam Street caused approximately \$375 of damage at 40 Putnam Street.

**MOTION TO APPROVE GENERAL RELEASE FOR PAYMENT NOT TO EXCEED \$500 TO WILLIAM NELSON, 40 PUTNAM STREET TO COVER DAMAGE TO HIS HOT WATER HEATER FROM STORM ON MAY 22, 2022.** Motion by Councilor Brumagin and seconded by Councilor Daggett. Motion carried unanimously.

**RETRO-ACTIVE MOTION APPROVING THE PAYMENT OF ONE WEEK VACATION FOR MALACHI MURPHY.** Motion by Councilor Warner and seconded by Councilor Brumagin. Motion carried unanimously.

**ADMINISTRATION:** Council President had no reports or recommendations.

**DEPARTMENT LIAISON REPORTS:** Councilor Winkler reported that the Parks & Recreation Committee will be meeting at Caflisch Park on Sunday September 18, 2022.

**ADJOURNMENT:** Motion made by Councilor Brumagin and seconded by Councilor Winkler that the meeting be adjourned. The meeting adjourned at 7:06 P.M.

**EXECUTIVE SESSION:** To discuss personnel and contract with no action to be taken. Executive Session started at 7:15 and ended at 8:02 PM.

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ATTEST