

Mill Village Borough Minutes: Wednesday August 3, 2022

President Linda Falconer called the Mill Village Borough Council meeting for August 3, 2022 to order at 6:57 p.m.

Those also present were Council Members: Edward Falconer, Shawn McLaughlin, Ali Peters, Shannon Nye, John Letzo Jr. and Steve Yovich. Also, in attendance were Solicitor Tim Sennett Mayor Joe Sam and Secretary/Treasurer Catherine Wise. Guests: Gwen Campbell, Rhonda Eggleston, Jimmy Eggleston, Dave Stearns, Fire Department Attorney – Buzz Andresweski, Caleb Ellis, Doug Lord, John Letzo Sr. Jessica Lester, Tyler Schroder, and Dawson Bogert. (Members of the MMVFC left at 7:02 after the proposed Ordinance was voted on).

Steve Yovich motioned to pass and sign Ordinance #1 of 2022 – The Mill Village Fire Company Billing Ordinance – with proposed amendments, John Letzo Jr. seconded motion. A role call vote was taken – all seven Mill Village Borough Council Members voted yes. Motion Carried.

Edward Falconer motioned to accept the agenda, Steve Yovich seconded, all in favor, motion carried.

Shawn McLaughlin motioned to pass the Consent Agenda including the Minutes from the Regular meeting – July 6, 2022 and the Treasurer's Report for July 31, 2022. John Letzo Jr. seconded motion. All in favor, motion carried.

N.W. Saving Bank –July 31, 2022

General Fund: \$ 8,110.49

State Fund: \$19,212.09

Capital Reserve: \$72,429.13

Tornado Siren Fund: \$290.00

Petty Cash: \$ 28.50

ARPA Funds: \$5,844.98

Dollar General Escrow: \$1,214.01

Secretary Report: The Dollar General is officially open. PennDOT L-tap classes were presented. A report was received from the Erie County Health Department in reference to small flow septic systems.

Borough Maintenance: Edward Falconer reported that he has been mowing grass and will trim brush by the Stop Signs.

New Business:

Edward Falconer stated that he has been mowing the property by the railroad tracks on Depot Street. An invoice will be sent to the Railroad asking for compensation for the mowing.

The Dog Catcher was called for an incident on South Main Street. A dog attacked the neighbor's cat. asked Council is they would like the Municipal Building Driveway to be sealed again. Council Woman Shannon Nye stated that it isn't in this year's budget.

Ed Falconer asked Council members if they would like the Municipal Building Driveway to be resealed again. Council Woman Shannon Nye stated that it isn't in this year's budget.

A road repair needs done on South Main Street at the Intersection of Gillette Street. Quotes will be acquired. Tabled.

The Erie County Health Department sent the Small Flow Sewage System Report.

Unfinished Business:

Ali Peters made a motion to pay payroll and monthly bills for June 30, 2022 seconded by Edward Falconer. All voted yes.

Millitary Banners were discussed. There are multiple choices. Council members agreed to order the same design as posted in Waterford Borough. A sample banner will be ordered.

The Mill Village Volunteer Fire Company Billing Ordinance was moved to the top of the Agenda, before the Consent Agenda was voted on.

A letter was received from PennDOT concerning the traffic speed study on Center Street (Route 6), they do not feel that the speed should be reduced to 35 mph at this time on West Center street, entering Mill Village Borough (located near the new Dollar General Store).

General Comments from Council President: Linda Falconer stated that she is glad that the Mill Village Borough council has resolved the matter of the billing ordinance with the Fire Company, and hopes it helps the Fire Company get reimbursed for costs.

General Comments from Solicitor: No Comment

General Comments from Council:

Mayor Sam – No Comment

Councilwoman Nye – No Comment

Councilman Falconer – reported that he tried to contact the Railroad and PennDOT about fixing the Railroad Tracks on North Main Street. A meeting was held in 2021 and the Railroad agreed to pay for the repair, if PennDOT agreed to perform the work. Everyone who attended the meeting last year have left employment from both entities.

Councilman Yovich– is working on a concept plan for the new Community Park to propose for grant funds.

He also stated that a Bear has been seen in the Borough of Mill Village.

Councilman McLaughlin– Asked about the road work that was proposed on Depot Street by the railroad tracks. Edward Falconer stated that the project was turned down due to a high cost. Tabled.

Councilman Letzo Jr. – No Comment

Councilwoman Peters – No Comment

Edward Falconer motioned to adjourn the meeting at 7:22 p.m. Steve Yovich seconded. All voted yes.

The next regular meeting is scheduled to be held on **September 14, 2022 at 6:30 p.m.**

Mill Village Borough Minutes: Wednesday August 3, 2022
Special Meeting – Public Hearing for Ordinance #1 of 2022
The MVVFC Billing Ordinance

President Linda Falconer called the Mill Village Borough Public Hearing to order at 6:15p.m. Those also present were Council Members: Edward Falconer, Shawn McLaughlin, Ali Peters Shannon Nye, John Letzo Jr. and Steve Yovich. Also, in attendance were Solicitor Tim Sennett, Mayor Joe Sam and Secretary/Treasurer Catherine Wise. Guests: Gwen Campbell, Rhonda Eggleston, Jimmy Eggleston, Dave Stearns, Fire Department Attorney – Buzz Andresweski, Caleb Ellis, Doug Lord, John Letzo Sr. Jessica Lester, Tyler Schroder, and Dawson Bogert. The Public Hearing was held at the Mill Village Volunteer Fire Company Social Hall.

Solicitor Tim Sennett reviewed the purpose of the proposed ordinance. The Ordinance authorizes the Mill Village Borough Volunteer Fire Company to pursue compensation from insurance agencies for expenses incurred. The Ordinance was drafted to be specific to ensure that it will be upheld as written in a Court of Law. Service fees were identified, the Mill Village Borough Volunteer Fire Company must adopt rates on an annual basis and submit it to the Council of Mill Village Borough.

Attorney Buzz Andrewsdeski added additional comments stating that the Proposed Ordinance is acceptable. The Fire Department Representative vowed not to aggressively pursue additional payments from Mill Village Borough Residents and Landowners who pay the additional Fire Tax which was enacted in 2020. A Good Faith Clause is not recommended at this time.

This Ordinance will only be enforceable within the limits of Mill Village Borough, other service areas such as LeBoeuf Township and Rockdale Township will need to pass separate Ordinances. Solicitor Tim Sennett suggested that they pass the same Ordinance presented to the Mill Village Borough Council.

The Mill Village Borough Council requested the denial letters from the Insurance Companies and did not receive them before the meeting. Tim Sennett explained the Insurance Policies are written to pay expenses for all categories at a set rate.

After much discussion, Council members decided to amend the proposed Ordinance to change the stated name of the Fire Department to *Mill Village Volunteer Fire Company* and to remove the following:

Section3 (i) - ...or from the property owner where the property owner is not insured or underinsured...

Section3 (j) - ...or directly from the property owner if insurance coverage is found inadequate or inapplicable, ...

Councilman John Letzo Jr. stated that Insurance Companies will give the Fire Companies what they want. He agrees with Council members that the Ordinance needs enacted for the sake of the Taxpayers and the Fire Department and he agreed that the Residents who already pay a tax to the Mill Village Volunteer Fire Company should not be hounded for additional money.

Ali Peters motioned to adjourn the Public Hearing at 6:55 p.m., Shannon Nye seconded. All voted yes.

DRAFT