

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* APRIL 14, 2009**

Council President Ronald R. Rock called the meeting to order at 7:00 PM in Council Chambers of the Economy Municipal Building to conduct business of general purposes.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Larry Googins, Arthur Mutschler, Audrey Mutschler, Renee Raymer, Donald Sivy, John C. Thomas, Ronald R. Rock

**ALSO PRESENT:** Mayor David N. Poling, Dale M. Fouse, Esq., Norman Shoup, P.E., Randy S. Kunkle, Borough Manager, Earl Fitzgerald, Road Foreman, Joe Luff, CEO

Mr. Rock introduced two Life Scouts from Boy Scout Troop 414 who discussed Eagle Scout projects.

Matthew Wisniewski, 2420 Conway Wallrose Road, advised Council he has finished a dog house at the police department and is requesting Economy Borough to donate \$53.25 towards the project; and requested the Road Department remove dirt and cement next to the dumpster.

***MOTION by Mrs. Raymer, seconded by Mr. Sivy – to authorize reimbursement in the amount of \$53.25 to Matthew Wisniewski and have the debris removed. CARRIED UNANIMOUSLY***

Joel Parks, 209 Silverdale Drive, proposed to Council installing a Batting Cage and painting the Dugouts and Bleachers (paint donated by EYBA) at the pony field on municipal building property; the batting cage will not have a concrete base, will have 8-10 poles installed, will be taken down each fall (by EYBA), at a total cost of \$800-\$1,000; not asking for money at this point, just permission to do this work on Economy Borough property; has talked with EYBA and has their backing and will talk to the Junior High ball team officials.

***MOTION by Mr. Thomas, seconded by Mrs. Mutschler – to authorize Joel Parks to proceed with his Eagle Scout project of installing a batting cage and painting the dugouts and bleachers. CARRIED UNANIMOUSLY***

Mr. Rock thanked the Boy Scouts from all members of Council for showing outstanding civic responsibility to Economy Borough and going above and beyond their call of duty.

**HEAR THE PUBLIC:**

Matt Morrone, 285 Foxglove Drive, came before Council with issues with Joe Luff, Code Enforcement Officer, with regards to inspections on houses he builds in Economy Borough and that he received a reassessment from Beaver County for repairs on his personal home. Mr. Thomas suggested when someone is having a problem with Mr. Luff they should contact Council. Mr. Rock offered due to the conflict of personalities for Mr. Morrone to call Mr. Kunkle with a date to sit down and meet with him, his son, Mr. Thomas, Mr. Kunkle and Mr. Luff in order to reach a mutual understanding and improve the business relationship between him and Economy Borough.

Michael Stefanchik, 48 Bock Lane, came before Council regarding the status of his complaint about the water coming from Whispering Pines down over a drainage swale behind/above his property; been 3 years, nothing has happened.

James Butschko, 46 Bock Lane, also reported there was a permanent culvert put in, but it was filled in; it was redug once and lined with mesh rock, but has been filled in again by the home owners; there is a water easement. Mr. Shoup reported when it was originally built, it worked fine; then the homeowners regraded their lots and filled in; the developer came back and corrected it (about 3 years ago Maronda did this as a favor); has been refilled in. Mr. Fouse stated he would have to look at the plans and deeds. Mr. Kunkle reported he was at the site on April 3, 2009, while it was raining; was able to see places where water was breaching the swale; talked to Scott Shoup and has prepared letters to 2 residents at the top of the hill telling them their swale is breaching and needs to be corrected; in talking with the engineer, they feel it is a private drainage swale, not owned or under the control of Economy Borough; will have to look into the legalities of this; the stormwater easement was part of a covenant or part of the common property originally set out in the development to be overseen by a homeowners association, which never materialized; the developers changed hands; there are attachments to the deed where the swale is and each homeowner should be aware of what their responsibility is; not sure if Economy Borough can enforce the deed attachments.

Mr. Stefanchik stated the last few years have been frustration that nothing has been done; would like to work as a team. Mr. Shoup felt there is a drainage easement; would have to look at it; this can be solved, just a case of who will solve it. Mr. Googins stated the committee would get with Mr. Shoup and Mr. Fouse and will have an answer for the next meeting. Mr. Rock asked Mr. Kunkle to send out the letters tomorrow; would like to see a permanent solution.

Jeff Lehn, 369 Golden Grove Road, came before Council regarding a letter he received from Mr. Kunkle on an ongoing drainage issue, advising this is a private matter between private property owners; he said he was not invited to a meeting regarding his property. Mr. Rock advised Mr. Lehn to have his attorney contact Mr. Fouse.

### **MINUTES:**

Mrs. Mutschler requested a correction on Page 63, the adjournment motion, should read “Motion made by Mr. Thomas and seconded by Mrs. Mutschler”.

Mr. Thomas requested an addition to Page 60, to reflect the absence of Mr. Kunkle.

Mayor Poling requested a correction to Page 63, last paragraph, to remove “he should come to a Council meeting.”

***MOTION by Mr. Thomas, seconded by Mrs. Mutschler – to approve the Minutes of the March 24, 2009, Regular Session of Council, as corrected. CARRIED UNANIMOUSLY***

### **MAYOR’S REPORT:**

Mayor Poling requested a Moment of Silence for Pittsburgh Police Officers Paul J. Sciullo II, Eric G. Kelly and Stephen J. Mayhle, who were fatally shot April 4, 2009, while responding to a domestic disturbance.

Mayor Poling read the Mayor's Report for the Police Department for the month of March, 2009 as prepared by Chief Harrington, which will be on file for review in the borough secretary's office.

**MANAGER'S REPORT:**

**1. PennDOT Resolution No. 423:** Mr. Kunkle reported Resolution No. 423 replaces Resolution No. 420 granting access to the new PennDOT automated system when filing annual reports.

*MOTION by Mr. Mutschler, seconded by Mr. Sivy – to adopt Resolution No. 423 authorizing the signing of an agreement to authorize electronic access to PennDOT systems. CARRIED UNANIMOUSLY*

**2. Costanza Subdivision:** Mr. Kunkle reported this is a simple subdivision dividing one 37 acre tract into two parcels (Tax Parcel 60-185-0291-000-01-1) ; both Planning Commissions recommend approval with typical caveats.

*MOTION by Mrs. Mutschler, seconded by Mrs. Raymer – to approve the Costanza Subdivision conditioned upon the following: comply with the BCPC review comments of March 31, 2009 , comply with the Planning Consultants recommendations of March 24, 2009, and comply with all borough ordinances and regulations. CARRIED UNANIMOUSLY*

**3. Wetter/Matschner Subdivision:** Mr. Kunkle reported the Economy Borough Planning Commission has recommended this subdivision application be denied as the proposed subdivision fails to meet the minimum lot area requirements of Economy Borough's Zoning Ordinance.

*MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to deny the Wetter/Matschner proposed subdivision as it fails to meet the minimum lot area requirements of Economy Borough's Zoning Ordinance. CARRIED UNANIMOUSLY*

**4. Scenic Hills Plan of Lots #2 (Flamos):** Mr. Kunkle reported this is a simple subdivision dividing one 26 acre tract into two parcels, 20 acres and 6 acres. (Tax Parcel 60-175-0107-000-01-1); both Planning Commission's recommend approval with typical caveats.

*MOTION by Mrs. Mutschler, seconded by Mr. Thomas – to approve the Scenic Hills Plan of Lots #2 (Flamos) conditioned upon the following: comply with the BCPC review comments of March 12, 2009 , comply with the Planning Consultants recommendations of March 2, 2009, and comply with all borough ordinances and regulations. CARRIED UNANIMOUSLY*

**5. Drainage Issues:** Mr. Kunkle reported he has been listing drainage issues on his bi-monthly managers report; has recently met with the committee to try to update some of the problems; the Seelinger property on Clover is currently having property damage when it rains hard, involving at least 3 properties; with no easements to work with, makes it hard to accept the problem as Economy Boroughs; feels some obligation to try to help people; some problems are easier to solve than others.

Mrs. Mutschler asked how the EIT collections went with Centax on site. Mr. Kunkle reported while they were here, traffic was constant. Mr. Rock reported he had a brief wait in line; felt some people want to talk person to person.

**COMMITTEE REPORTS and OTHER BUSINESS:**

**PUBLIC SAFETY:**

No Report

**FINANCE COMMITTEE:**

Mrs. Mutschler requested a bill for \$125.00 from Beaver County Parks and Recreation for the June 22-26, 2009, Economy Borough Tennis Clinic be added to the list of bills.

***MOTION by Mrs. Raymer, seconded by Mr. Thomas - to authorize payment of all bills listed and properly signed off and approved by the appropriate supervisor of that department and include the \$125.00 bill from Beaver County Parks and Recreation for the June 22-26, 2009, Economy Borough Tennis Clinic.***

***CARRIED UNANIMOUSLY***

Mayor Poling reported increased vehicle maintenance for the police vehicles; some vehicles have over 100,000 miles.

Mr. Rock reported the Finance Committee will meet Monday for their quarterly meeting.

**ROAD DEPARTMENT:**

Mr. Mutschler reported the street sweeper has been out everyday possible, the swept material is being recycled and will be used next season; most of the plows and spreaders have been gone over and put in storage; and started crack sealing.

Mr. Googins requested to have the Borough of Economy Personnel Policies and Procedures Manual from May, 1992, Job Descriptions, updated before the contract negotiations begin; with a draft copy to Council for review before approval. Mr. Fouse advised if any of the changes reflect on the contract, to contact the bargaining unit.

***MOTION by Mr. Googins, seconded by Mr. Sivy – to task Mr. Kunkle to update the Economy Borough Personnel Policy and Procedure Manual, by June 30, 2009, for review of Council.***

***CARRIED UNANIMOUSLY***

Mr. Thomas asked that the proposed changes be in bold to compare the old and new language.

Mr. Googins suggested checking with Hess to see if they have an electronic copy of the manual, as re typing the entire manual will be a big undertaking.

**ORDINANCE and RECREATION:**

Mr. Thomas reported the Recreation Committee is proceeding with setting the new stone at Meddock Park.

**PUBLIC UTILITIES:**

Mr. Fouse reported the Ambridge Water Authority (AWA) litigation is moving forward; depositions will be scheduled.

Mrs. Mutschler reported an increase in her current water bill and the strong smell of chlorine in the water. Mr. Googins asked Mr. Kunkle to call AWA to see if there is any change in the rates.

**PROPERTY and BUILDING:**

Mr. Sivy advised Mark Custer reported when he attempted to make repairs on the Recreation Board Sign at the municipal building, found the sign badly rusted and beyond repair; suggested a new sign with changeable letters below the lit Economy Borough Municipal Complex sign. Mr. Sivy asked Mr. Kunkle to get estimates and options available.

Mr. Sivy reported Mr. Custer found the sliding doors on the Boy Scout newspaper dumpster either open or removed completely; suggested they be marked.

Mr. Sivy reported Mr. Custer is suggesting a programmable thermostat for the break room in the Community Building to help with the heating bill.

Mr. Sivy reported the specifications for the police department roof have been drafted to have installed 40 year 265 lb / square dimensional shingles on the entire roof and cupola.

***MOTION by Mr. Sivy, seconded by Mr. Thomas – to authorize Shoup Engineering to advertise the police department roof replacement with dimensional shingles to be opened at the May 12, 2009, meeting.  
CARRIED UNANIMOUSLY***

Mr. Thomas verified that the money to pay for the roof will come from the Public Safety Building Capital Construction Fund. Mr. Fouse reviewed the original loan document for the police building and the funds can be used for the replacement roof.

**REPORTS:**

**SECRETARY:**

No Report

**ENGINEER:**

No Report

**SOLICITOR:**

No Report

**HEAR THE PUBLIC II:**

Ray Mattern, 2906 Conway Wallrose Road, stated the AWA does not itemize the water bill with the current rates; suggested putting the rates in the next newsletter.

John Campbell, 123 Gross Drive, reported a large increase in the smell of chlorine in his water. Mr. Campbell reported there is no way of reading the new meter AWA installed on his house. Mr. Googins stated he has been to the AWA meetings, they discuss their use of numerous different styles of meters, and the problems with them; will contact AWA to get a chart of the rates.

**ADJOURNMENT:**

***MOTION by Mrs. Mutschler, seconded by Mrs. .Raymer – to adjourn the meeting. Time: 8:50 PM  
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum  
Borough Secretary  
April 23, 2009