

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* SEPTEMBER 8, 2009**

Council Vice President Larry Googins 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:** Arthur Mutschler, Audrey Mutschler, Renee Raymer, Donald Sivy, John C. Thomas, Larry Googins

**ABSENT:** Ronald R. Rock – Prior Commitment

**ALSO PRESENT:** Mayor David N. Poling, Kelly Tocci, Esq., Norman C. Shoup, P.E., P.L.S., Randy S. Kunkle, Borough Manager

**HEAR THE PUBLIC:**

Vice President Googins advised the next order of business is to hear the public; asked that your name and address be given for the record; restrict comments to Economy Borough business; try to keep comments to 3-5 minutes; do not interrupt so everyone has a chance to say what they have to say; after the business portion of the meeting will be a chance to ask questions and clarify what is said.

Bob Mecchia, 211 Fernwood Drive, commented that this past week Earl Fitzgerald had the speed timing device on Park Hill Road, in both directions and with the screen on and off; noticed Mayor Poling had the police presence there; what a difference it made. Mayor Poling verified with Mr. Mecchia that the combination of the sign and the police presence made the difference. Mr. Mecchia reported the residents of Park Hill Road thank Council for that.

JoAnn Borato, 2001 Conway Wallrose Road, reported she is still upset with the expenditure of \$35,000 for the 13' paver; was reviewing the PA Code regarding expenditure of Liquid Fuel Funds and asked who submits the MS965 to the state. The secretary reported she submits the MS965 to the state. Mrs. Borato will stop at the office for a copy of 2008 MS965 and 2009 MS965 when submitted. Mrs. Borato feels the scrap metal money is important; it was said in this Council Chambers with all members of Council present that this was something that was done for convenience and a practice that was going on; has not been able to find anything in the minutes; the Economy Borough Code is also published online; verified that Mr. Sivy is chairman of the Property and Building Committee; read from Economy Borough Code Chapter 33, Property, Sale of Surplus "the Property and Supplies Committee shall, from time to time, submit to the Borough Council its report detailing the items of personal property disposed of, the estimated sale value(s) thereof and the disposition thereof"; asked if any report has been submitted. Mr. Sivy said he does not know if a report was submitted; questioned if scrap is property. Mrs. Borato reported she watches the metals market and scrap metal has been going nuts in the past few years; would like to recommend to this Council that they follow the borough ordinance and the chairman of Properties and Supplies not let to the discretion of the road department anything that is to be sold; should be evaluated, looked at and receipts be brought back to Council. Mr. Sivy reported the scrap metal practice was changed a year ago or more. Mrs. Borato reported this goes to the issue of borough property and what happens to the funds from property sold; should not be left to a single individuals discretion if it has an estimated value of over \$200; the code was not followed from 1984 and as amended in 1987; almost to the point that it is lost track; this is a sore point in the community; either money is being spent or money is being taken without any follow up as to where it has gone; this has been brought up time and time again; is

investigating as much as she can; as a spectator at the meeting, has no reason to trust Council; as a taxpayer, deserves answers; trying to find out why Council is not following rules that have been in place for twenty, thirty years; concerned that things have not been done right in a long time; perhaps that is why the meetings are tumultuous; can't be swept under the rug anymore; hope this comes to the attention of the committee that you had free reign for a while and now the citizens are watching and want Council to be responsible with their money. Mr. Googins commented that even before Mrs. Borato recognized that problem, the scrap metal issue was brought up to Council and the policy was changed over a year ago and it is not done like that anymore. Mrs. Mutschler asked if there has been any scraping done since then. Mr. Kunkle reported there was one last year. Mr. Googins reported it was turned into the General Fund. Mr. Googins reported Council can't correct history; Council has corrected that issue by not allowing an individual to keep the funds. Mrs. Borato questioned the PA Code regarding the Liquid Fuels Fund that if scrap metal or any personal property sold by the road department that that was to go back into the Liquid Fuels Fund. Mr. Kunkle reported if there was a purchase made out of Liquid Fuels and Council sold that particular item (i.e. a truck) then the money would go back into the Liquid Fuels Fund.

R. J. Burns, 112 Almond Way, asked why Council bought the same size paver we already had; said Mr. Fitzgerald reported at a meeting that Economy Borough has a 13' screen and he can't pave the roads because it is not big enough; why did Economy Borough waste the money to do that; was it sent out to bid to other equipment dealers; knows it wasn't because he deals with them everyday. Mr. Googins verified with Mr. Kunkle that it was legally advertised in the Beaver County Times as a normal practice so that everyone could respond. Mr. Burns asked why Economy Borough wasted the money buying the same size paver. Mr. Googins reported the difference in the pavers this was talked about at the last meeting. Mr. Sivy reported the new paver has power augers which allow the asphalt to go along the sides, whereas the old paver the worker would have to shovel the asphalt in; this paver will also push a dump truck with asphalt where the other one will not. Mr. Burns said a screen is a screen; thirteen foot is thirteen foot; if the augers are on the outside you have workers finishing it; why didn't you buy a bigger screen. Mr. Sivy reported Council tries to invest within Economy Borough's means; obviously would love to have a new paver; just can't afford it; can save money by doing it in house with the new one for the amount of roads that need attended to; Economy Borough does not have that type of budget to spent \$120,000 or \$150,000 for an updated paver like Mrs. Borato talked about; felt this was a decent deal; does a better job than what we have now and less manpower; the paver we have now is a 1986; how many people here have a 1986 vehicle. Mr. Burns asked what the estimated cost on contracting out Laurel Road, forty or fifty grand. Mr. Sivy reported the low bid for Laurel Road was \$33,160; estimating for every 1/10 of a mile Economy Borough will save \$3,000; even \$1,500 saved for every 1/10 mile; if it is \$3,000 Economy Borough will have that paver paid off with one mile of paving; that \$30,000 saved in that one mile can now go for extra asphalt for our degrading roads; trying to get ahead by doing more and more paving. Mr. Burns reported he understands that, if the paver will be used; if it is just going to sit and be a dust collector then it wasn't worth buying; the old one sat and was never used. Mr. Sivy reported because of its inefficiency is why it hasn't been used. Mr. Googins reported he understands the question; he might not agree, but they went through the same questions he is having; they looked at all those same things; it is the same size paver; it is an upgraded version; it does do a better paving job; these are items that are looked at, discussed, validated and the decision is made by the majority of Council to go ahead and buy an upgraded paver; everybody is not going to agree to that, he apparently does not agree; Council went through a methodical process of trying to figure out if this was a good purchase for Economy Borough to be able to do more paving in house and do a job as well as or closer to contract paving for the roads that we are going to do; that was the decision Council made; he does not have to agree with the decision, not all of Council agreed with the decision. Mr. Sivy reported the very first question he had for Mr. Fitzgerald was what is different about this paver than the one we already have; people that know him say he is tighter than two coats of paint; tries to watch; wants to invest in Economy Borough's future; has an eighty-one year old mother; not voting for people like himself that can afford an extra \$40 in tax money at the end of the year; voting for the senior citizen on a fixed income that have bills going up every year. Mr. Burns stated he wants this paver to be used. Mr. Sivy reported it will be used.

Mrs. Borato wondered since it is purchased, will we have a paving plan in effect and since the exultations of this machine is that it is cheaper are you going to put moratorium on the road crew to take a vacation in the summer when it is paving time so we won't be short a man and have to hire outside. Mr. Googins reported the road crew is under contract so Council can't do that at this time; currently under negotiations; stipulations in the contract is how many can take vacations during the summer months for paving; that is there presently; Council was not aware of the option to buy this paver until a short time ago, so the paving plan in place was minimal this year; did not include that; will talk tonight to Mr. Shoup about Laurel Road being contracted out; the plan now is to use the new paver to do Laurel Road and negate the bid; Laurel Road is the only road planned on paving for right now; have been doing tar and chipping around Economy Borough; since we didn't have a paving plan this year because of financial restraints; basically that's the plan right now. Mrs. Borato asked if it would be to the citizens benefit to have a paving plan for 2010 in place before spring; she will hold him accountable for it. Mr. Googins reported they should have a plan for 2010 to do paving; they still have financial problems with the amount of money that will be available and they will be know when the budget is discussed as to how much money can be budgeted for the public works department to do the work needed to do next year; will not be a full out paving; would like to do three miles of roads; will not be able to do this, just don't have the finances even by doing it in house; it will be something less than that, but more than one small section of road; yes, strongly agrees, should have a paving plan and a sealing plan for next year.

Ray Kenny, 195 Sylvester Street, reported at the last meeting he read a prepared statement of facts and figures out of the zoning book; thinks he put everybody to sleep; would like to make a suggestion to Council to have the solicitor look at this issue that he has; thinks he has a good case, but apparently Council does not think that way and wondered if in the past two weeks Council had any thoughts on his issue. Mr. Googins answered, only from his point of view; he was not put to sleep, but he quoted a lot of codes that he could not relate to; took the minutes that were transcribed home and reviewed with the on line code book, looked up the codes that were referred to and what he stated and is in the current minutes made sense to him; understood what he was saying; talked to the borough manager and at his suggestion according to the zoning ordinance to get a legal option he had was to go to the Zoning Hearing Board by September 16<sup>th</sup>; instead of that, suggesting Mr. Kenny, the borough manager and Mr. Luff sometime this week meet and go over the same data he presented last week with the ordinance numbers he read and came to a similar conclusion he did when he read though it; meet with them to see if he can come to an agreement; but if there is an option beyond that maybe the three of them can come up with an option to talk to the solicitor, when talking about zoning ordinance, there are steps that need to be followed which the Zoning Hearing Board is; has a difficult time stating that he should have to pay the fee until other avenues are explored; would like to ask and if Council agrees or doesn't disagree that Mr. Kenny, Mr. Kunkle and Mr. Luff meet this week and try to sort out the differences in the borough code he had written compared to what they had responded to see if they can come up with some solution. Mr. Kenny reported the last time he talked with Mr. Luff he was told Mr. Luff was not allowed to talk to him. Mr. Googins reported if this Council tells the borough manager and Mr. Luff to talk to you, he believes Mr. Luff will talk to him. Mr. Mutschler suggested Mr. Dunlap be at the meeting. Mr. Googins felt it was best not to have Mr. Dunlap at the meeting; you can look at the items in the code you are referring to when read as stated last week; Mr. Kenny is looking at one section and they are looking at another; this meeting is offered; he is sure Mr. Kunkle and Mr. Luff will make themselves available at anytime that is convenient to Mr. Kenny; asked if anyone on Council disagrees; no response; the Zoning Hearing Code is written and the appeal must be before September 16<sup>th</sup>; would like to try to get this resolved before that.

R. J. Burns, back to Laurel Road; when this was first talked about it was stated it needed milled; will it be milled. Mr. Googins stated yes, outsourced. Mr. Burns asked if anyone in Economy Borough ever thought about bringing the roads up to twenty ton specs; they would last longer; cost more in the beginning but down the road get your money out of it. Mr. Shoup reported this is called HS20; really not 20 ton, more than 20 ton; refers to the construction of the road; it is a heavier base, actual asphalt is of little concern; it is the base and drainage that makes the road last. Mr. Googins reported the road specifications were revised approximately three years ago; so the roads would not deteriorate as quickly. Mr. Shoup reported this is the new roads. Mr.

Burns reported if Economy Borough would do the HS20 the road would last way longer and we would get our money out of the road; basically inch and half wearing course and nine inches of binder; depends on the binder and stone grade. Mr. Shoup reported we would not put nine inches of asphalt binder down; the most binder put on a road (even a HS20) would be a three inch binder course; aggregate base under that is presently approximately ten inches; approximately two and a half inches of binder and approximately one inch of wearing course. Mr. Googins reported the past practice was to just take roads that are breaking apart and putting a layer of asphalt on top to make them last. Mr. Burns reported this is a waste of money. Mr. Googins felt the same way; that had been the practice in the past and will not be done anymore, it is a waste; one of the problems in Economy Borough and other rural areas; just a quick fix; makes it look good for a short period of time. Mr. Burns reported it cost a little more money up front but will get your money out of it in the long run; he is working on a project right now with nine inches of binder with a hundred trucks running down it; was told by that engineer they will not have to touch the road for fifteen years. Mr. Shoup reported, for edification, that he has mentioned to Council; normally when a new road is put in under the HS20 specification, Council can anticipate getting ten years with no maintenance; from ten to fifteen years minor maintenance, cracks; then fifteen to twenty years major maintenance and after twenty you start over; in defense of that even though some of the roads we have were old, what is called red dog roads; red dog is a slag by product; have some old red dog roads put in years ago and in 1994 we had our big paving project to get us out of the mud; those roads are now 15 years old and some are still in good shape. Mr. Googins agreed with Mr. Shoup to do it right; mill it down and put a base in, make it last. Mr. Shoup reported the base and the drainage are important. Mr. Burns asked if the Economy Borough Code allows the workers to put slag under the road; all the jobs he is on they are not allowed to use slag due to the reaction. Mr. Shoup reported it is an aggregate base; can't differentiate between limestone and i.e. gravel; specifications eliminate slag because slag has a tendency to grow/expand; when slag was king there was a lot of inexpensive slag available and lots of roads were built with it.

Sal Boboth, Timberridge Road, reported his road is a red dog road; only place where it is breaking up is where there are no drainage and water puddles.

Butch Thompson, First Street, asked the status of the possible forensic audit for Economy Borough that was brought up at the last meeting. Mr. Kunkle reported Mr. Rock specifically asked him to find out what did Moon Township do in regards to a forensic audit; talked with Moon Township; they had discussion of a forensic audit, but they did not do one; they also reported some people were interested in a broad scale audit of all the accounts and after they had talked with auditors (they brought a third party auditor in) who does not do their normal audits; they explained to the Supervisors that broad scale forensic audits are possible to do, not very often done, as far as across the budget; would be very expensive and time consuming; normally a forensic audit is focused on specific areas or an area or two where there is believed to be some problems; focused in on an issue; still have calls out to get further feed back from auditors that do this; to substantiate or refute what has been found so far. Mr. Googins reported Council is looking into this; reported Mr. Rock spoke to him and maybe at the next meeting may have more information; has not been involved with this; Mr. Kunkle has done some of the legwork to find out information. Mayor Poling verified with Mr. Kunkle that he spoke to Jean Creese, Moon Township Manager. Mr. Googins reported to answer the question, it is continuing; no solution or decision on this yet; Council has to look at this to see if it is something feasible; Mr. Rock may have more information once he talks to the borough manager.

Bob Mecchia, thinks the biggest problem with Economy Borough roads is too many people trying to get from there to Cranberry and it is destroying our roads; we are the people suffering and paying for it; should have a dedicated effort of going after the state and getting the Crows Run Corridor put in; getting these people off our roads; we could pay for the paver in one year, but the amount of traffic on the roads we will be repaving it in two years; unless you dig the base out and start over it is a cosmetic fix; efforts should be getting the traffic off our roads and if we can't get Crows Run, go after our representatives for money to do something about this; we should have a traffic light at the top of Dunlap Hill so the people can use that road and stay on state roads; if there has to be one on Ridge Road Ext. because of the amount of traffic and confusion; maybe this needs to be

done to force the traffic off Economy Borough roads; roads were not built for this traffic. Mr. Shoup reported the newer roads perhaps, but not the old ones. Mr. Mecchia reported the roads were not built to handle this; with the little bit of build up in Economy Borough, we are having contractor trucks, semis, bulldozers cutting through the neighborhoods; they are destroying the roads; all the money saved by buying the crack sealer and all the money saved by buying the paver; we are actually losing more by the traffic damage. Mr. Googins totally agrees with Mr. Mecchia; has written letters to all our representatives; has visited representatives in Harrisburg while at borough conferences; gone to meetings they have (recently CCBC discussing roads) has discussed that same issue every time he has met with representatives and senators; was told at a meeting with Senator Stout, that if a single Council member or county representative tells them something they will listen, but if the voters tell them that same thing, they really listen; he is just one voter; letters from residents to our state representatives and senators mean something; every chance anybody gets to write a letter to our representatives and senator about that, do it; talked to them about the fact that they use Park Hill Road as a major interlink between two state roads; does not know if it goes anywhere after the talk; also talked to them about radar guns; every time he can for the last few years; thinks it really helps to get the residents to do this too; they will listen to the voters; everyone solicits you to send letters about specific points; when it comes to Economy Borough we have to take an active interest. Mr. Mecchia stated lately he has not seen any form of government state or federal that the people, citizens and taxpayers of this country have said we don't want this, change this, have done anything to adopt it; it is time for the citizens of this country, like Economy Borough, to force it on them; make no left turn on Park Hill and Woodcroft on to our roads; make the traffic stay on the state road; maybe you will get somebody's attention; right now we can do letter writing and talking; time to step up and make Conway Wallrose Road no left turn to Cranberry; make no right turns; now the traffic would be their problem and they would have to do something about it; they don't care about Economy Borough because they save their money; who came up with the stupid idea of a double yellow line; what does that mean; same as a single yellow line, you can't pass; so we paint double yellow lines at twice the cost, paint them and everyone gets yellow paint on their vehicles, because they don't do it right; how much money is spent. Mayor Poling reported then they tar and chip after they paint the lines. Mr. Mecchia reported then they paint again; a state problem; can't see the citizens writing letters that will do anything; don't think they care; thinks as a whole, Council needs to do something to force the issue. Mr. Googins reported he is just relaying what our local and state representative stated, so did Senator Stout. Mr. Morrone reported in 1978 Charlie Laughlin was the only one who approved that road; nothing has happened since then. Mr. Mecchia reported it gets costlier every year, because nobody is doing it; more development is occurring on both sides of the road over there; if the state would have made the corridor twenty years ago before the developing in Cranberry; there is no place to go with it now; everyday more development in Cranberry; because Economy Borough and other boroughs are not standing up for themselves and forcing them to put it on the state roads. Mr. Mutschler reported when Mr. LaGrotta was here he told Council Hoenig Road and Mason Road would be paved in 2007; and it was done; asked him about Crows Run and was told is it scheduled for 2010; might be coming yet. Mr. Mecchia says the state did Hoenig Road to make the traffic easier to get from here to there; not doing anything to eliminate the traffic coming thru Economy Borough.

Meagan Trimbur, 3225 Ridge Road Ext., reported the residents of this borough have asked for a forensic audit not a broad scale audit; there are several firms in Pittsburgh and one in Wexford that do a forensic audit; they can not give an exact amount for the cost of the audit; all depends on when they come in, what they find, what they research; then they can give more of an estimate of a cost; the residents are asking for a forensic audit; knows a forensic audit was done in Raccoon Township or Midland or York. Mrs. Trimbur asked if there was a complaint formally filed on the house on Harmony Road by Mr. Joe Luff. Mr. Thomas reported he can't answer that. Mrs. Trimbur reported she understands where Mr. Thomas is coming from when it comes to the safety and welfare of children. Mr. Googins reported Council would find out if a formal complaint was filed against the property. Mrs. Trimbur stated she feels there is selective enforcement going on; her situation went on for two years; how many people drove by and saw what a mess that house was and did not see what was down back of it; it has been brought to your attention about Mr. Maker's property one half mile down the road; that should be considered a fire safety hazard; the codes need to be enforced to everyone here and not just

selective enforcement going on; her issue is Mr. Joe Luff; feels there is favoritism going on here; until something is done with Joe Luff, she is not going to stop. Mrs. Trimbur reported the property next to her should have been considered a fire issue; the house is still vacant; he is trying to fix it up; how long is this house going to be vacant for; will be glad to keep coming back and pointing this stuff out; it has been brought to Council's attention about Mr. Makers property a half a mile down the road; had a picture of it; Google updates their site every two years; expects Google to update their site for a clearer picture. Mr. Thomas asked if Mrs. Trimbur filed a formal complaint with the office on this property. Mrs. Trimbur reported she has it with twenty-five signatures on it; point is if we don't see it, just let it go. Mr. Thomas reported that is not it; she has to file a formal complaint as stated two months ago at this meeting; you want action taken on something like that, you have to have a formal complaint filed with the office and then the code enforcement officer has to do his job or Mr. Thomas has to do his job as fire marshal; Mr. Thomas reported he can not go on property unless he has a formal complaint. Mrs. Trimbur reported a formal complaint was filed by her two years ago and nothing was done once again; wants to know if there was a complaint filed where Joe Luff wanted to evict; feels there is selective enforcement. Mr. Thomas reported he does not know; he was called to come in on that issue; did his part.

Charles "Buddy" Heilig, 1230 Tevebaugh Hollow Road, reported he purchased his house from the Stadniks; asked when city water would be available to his area; property is across from the PRR Supervisors Club. Mr. Googins will contact Ambridge Water Authority (AWA) to find out if there is anything close by; has been discussing issues with AWA for the last four years. Mr. Heilig reported he went to AWA and was told it is a borough issue. Mrs. Mutschler reported he would have to petition for water. Mr. Heilig reported he worked for eleven years for WSSC (Washington Suburban Sanitation Commission); took care of all the water and all the sewers in Prince George's/Montgomery County, Maryland; knows how government works. Mr. Googins reported AWA is a separate entity and Economy Borough has no control over them; AWA can put in water lines; Economy Borough can pay to put in water lines and turn them over to AWA once put in and they own the lines then; one way is to get residents in an area along a section of road that will request public water to their homes and will guarantee to pay their tap in fee up front to pay for having them put it in; in some cases Mr. Kunkle can get a CDBG to pay for part of it; the first thing is to see how far your property is from a water line and what it will take to get water up to your house and are there any other residents along that area that will guarantee paying the tap in fee. Mr. Heilig asked how much the tap in fee is; feels this is the first question the neighbors will ask if he passes a petition around. Mr. Googins reported when AWA put in the new water tower on Conway Wallrose Road, one of the additional stipulations was to add a component fee to the tap in fee; this means that the residents that would be affected by that water tower would pay an additional amount of tap in fee; originally it was under approximately \$3,000; when the component fee was added to the tap in regulations which they are allowed to do, they added another approximately \$3,000; basically the tap in fee for water right now is approximately \$6,000; Council does not agree with it because the way it is interpreted is that it should only affect those who will be influenced by that water tower; AWA made it the entire Economy Borough; Economy Borough has a law suit against AWA for that issue; the approximately \$6,000 tap in fee will apply to any new water lines put in in Economy Borough, not current water line, new water lines; Economy Borough pays for a new water line put in plus AWA charges the resident approximately \$6,000 to tap into the water line; the law suit is ongoing. Mayor Poling verified that if Economy Borough pays 100% of the cost to install a water line and then gives the line to AWA and then AWA charges us double for the water; that's a bad deal; good deal for AWA. Mr. Googins reported Council discussed this for years before he got on Council and Council decided to file the law suit against AWA; asked Mr. Kunkle to contact AWA to see if there is a line close by. Mr. Heilig reported the only thing close is Tevebaugh Creek; doesn't want to suck the water out of there; has two wells; one well doesn't drink from; other well is on the rough side; has treatment system in the basement; water is crystal clear and tastes good; has to pay to run the pump; has not seen a topographical map of the hill behind his house; he has heard that Walmart, a water treatment plant and a sewer treatment plant is suppose to go there; would appreciate if that could be cleared up. Mayor Poling reported West View Water did buy twenty acres by Quigley; West View Water would run a mile line to sell water and pay for it; that is the difference between AWA and West View Water; putting a treatment facility got delayed because of the

economy. Mr. Sivy reported according to the AWA agreement, Economy Borough can't go to another entity. Mr. Shoup reported West View Water Authority plant is not to serve Economy Borough. Mr. Googins reported it is to pump it up to Cranberry; it is for West View Water to pump water from the Ohio River, process it, go across part of Economy Borough and part of New Sewickley Township to Cranberry; does not affect us. Mr. Heilig reported a neighbor dug a hole and filled it with tires and some other stuff; not sure if his water comes from his place to him or from an underground stream; worried about his well water getting contaminated. Mr. Googins will look up a reporting system to report environmental problems. Mrs. Mutschler suggested calling DEP and they would refer him where to go to. Mr. Googins reported it would be better if Mr. Heilig called as he is the one who knows what happened; call Pennsylvania Department of Environmental Protection to report what he witnessed; call Mr. Kunkle or Mrs. Blum for DEP numbers. Mr. Heilig reported he was trying to find out if you are allowed to bury stuff in the ground. Mr. Googins reported it is his opinion no, absolutely not.

### **MINUTES:**

Mayor Poling complimented the secretary that the minutes are very nice; very detailed.

***MOTION by Mr. Thomas, seconded by Mr. Mutschler – to approve the Minutes of the August 25, 2009, Regular Session of Council, as written. CARRIED UNANIMOUSLY***

### **MAYOR'S REPORT:**

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

Mayor Poling requested (if not too late) to have an article in the Economy Connection regarding the Veterans Memorial; it is under construction right now; wants the public to know it is in the process of being built; should be done probably in one month; wants to get the word out that it is under construction and to watch the newspaper for a dedication service. Mr. Kunkle asked if Mayor Poling had an article ready or did he want him to draft something. Mrs. Mutschler suggested information in the article that it is still not too late to purchase a brick. Mayor Poling reported forms to purchase bricks are available from Kathy at the police station and in the literature rack in the borough building; recommends anybody in the area to come up and look at it; it is an awesome memorial; the five flag poles have been set; they are building the planters; recognized and thanked people for volunteering; Morrone Electric for donating services for hooking up electric; Economy Borough 4H Club, involved with the planting of the planters; Boyd Piatt, stone mason/brick layer, supervising the workers; A. J. Vallecorsa, installed all the irrigation for the planters; Lee Faltenovich, volunteered equipment and services; anybody who wants to get involved in any way; invited Dr. Treka to get the Boy Scouts to get involved by starting practicing and learn to raise the flags; five flag poles; wants to get the community involved in this; if goes as planed possibility of a mid October dedication; they are moving along quickly now; asked Mr. Kunkle to draft the article. Mrs. Mutschler again reported bricks are still available and the applications are at the police department and borough building.

### **MANAGER'S REPORT:**

**1. Resolution No. 426 – Beaver County EIT Collection Committee Delegates:** Mr. Kunkle reported at the July 28<sup>th</sup> meeting Council appointed Mr. Kunkle and Mrs. Blum to the Beaver County EIT Collection Committee; the DCED rules recommend this be done by resolution; Beaver Counts wants to see this done by resolution; Resolution No. 426 reiterates what was done on July 28<sup>th</sup>. Mr. Googins read the resolution aloud.

***MOTION by Mr. Mutschler, seconded by Mr. Thomas – to adopt Resolution No. 426 appointing Randy Kunkle as delegate and Susan A. Blum, as alternate delegate to the Tax Collection Committee covering Beaver County. CARRIED UNANIMOUSLY***

**2. Speed Humps:** Mr. Kunkle reported the first request was received from Park Hill Road and the Traffic Committee is scheduled to meet tomorrow to look at some of the data collected from Park Hill Road; in the process of continuing to collect data there; Mr. Shoup indicated he thought it should be collected from more than one spot; this is ongoing.

**COMMITTEE REPORTS and OTHER BUSINESS:**

**FINANCE COMMITTEE:**

Mr. Thomas verified with Mr. Kunkle that Mark Custer is paid mileage for the use of his own vehicle to make purchases needed and if he goes to Sunset Hills Park or Meddock Park; this is a four month bill. Mayor Poling asked if there was a borough truck he could use. Mrs. Mutschler questioned how many hours he worked. Mayor Poling questioned the side walk ice remover. Mr. Kunkle reported we were able to purchase in bulk (2 Pallets, 98 bags total) an amount at this year's price before the price went up; this is priced every year; ordered before the price increase. Mr. Thomas questioned the bill for Darryl Robinson, Truck #6. Mr. Sivy reported this is the pick up; it is used for salting and is in bad shape underneath with rust; needed extensive repairs; this is a Ford technician who does work on the side; has done work before; saved us about \$1,000 on parts and labor. Mr. Thomas asked what was done. Mr. Sivy reported a front drive shaft, U joints, front axle U joints; ball joints; front end alignment; radiator replacement, transmission lines. Mr. Thomas reported a lot of work is being done at Morrow Motors. Mr. Sivy reported the Morrow Motors invoice is for the parts, at his cost. Mrs. Mutschler asked if he has a garage. Mr. Sivy reported yes, in Chippewa; did work on the 73 diesel (yellow dump truck) last year. Mr. Googins asked why that truck is having so much rust. Mr. Sivy reported he asked the same question; 38,000 miles; issues with rust on the calipers; the transmission lines were rusted out. Mr. Googins asked if there was anything to do to the undercarriage to protect it. Mr. Sivy reported there is a black rust inhibitor than can be put on; has to be brushed on. Mrs. Mutschler verified the truck is a 2006. Mrs. Mutschler questioned if Economy Borough has dealt with A. R. Oliastro, Inc. before for gravel. Mr. Googins reported Economy Borough has been buying gravel from them for years.

***MOTION by Mrs. Raymer, seconded by Mr. Sivy - to authorize payment of all bills listed and properly signed off and approved by the appropriate supervisor of that department. CARRIED UNANIMOUSLY***

Mr. Kunkle reported the Finance Committee met with Bob Vilella, Central Tax Bureau, a few weeks ago; he addressed a number of questions and concerns from the committee; one subject Council needs to address with him between now and the end of the year is the contract; we are in the third year of a three year contract; the language in the contract says if we don't notify him ninety days prior to the end of the contract that it will automatically renew for an additional three year period; he is acutely aware of the change in the EIT law that says in 2012 we must be part of a county wide collection; if Beaver County is able to move quick enough we could be in a county wide collection by 2011; this may not happened, but is a possibility; for technical reasons we don't want the contract to automatically renew for three years; something that Council should address; Central Tax currently collects about 70% of the collections in Beaver County; they will be competing for the Beaver County award when that comes; when mentioned at the finance meeting how he would like to approach this event, he would like to enter into a two year agreement at the end of 2009; when first hired in 2007 it was somewhat of a transition year; Economy Borough was a new client; not used to dealing with our population base with five different zip codes, etc.; the transition year numbers show they are going through a learning

curve and uploading things; based on this experience, anybody new will probably have an upstart year; based on this information Council needs to decide what to do between now and 2012; suggests even though 2007 was not a great year, rebounded in 2008; Mr. Villella told the committee he would personally see to it that his staff is doing everything possible to get 2009 numbers back up to 2008 numbers; some of that is possible, some is not; Central Tax has had a difficult time obtaining the PA State books from the school district; the state book allows them to go back in the past to match up what people reported they earned to the state and compare to what they reported to the local tax jurisdictions what they earned; they are now going through the data to collect those taxes; if Council elected to go to another third party next year or two years, suspects they would have first year start up issues similar to what we had in 2007; if Council wants to possibly change for 2010 and 2011 need to do that quickly; would want to put out for bid and get requests for proposals from the different parties and evaluate like last time; recommends that we have a working relationship with Central Tax, anybody else selected would have to upload all our data; the other part of the equation of the contract, those companies know they will have to do more work getting Economy Borough into the system to get things started and after the first or second year will not have to do all the initial maintenance work; a different third party would look at it as a two year contract; they would do all the work the first year and maintain it the second year and then be out of the picture; this may make their proposals more expensive. Mr. Sivy asked if Mr. Villella is aware of our concerns of expectation of the money; will the state books get them up to speed and get more reimbursement. Mr. Kunkle feels this will play a part; they also changed some procedures between 2007 and 2008 and 2009; in 2008 (a much improved year) they made sure that the money that they collected in 2008 was turned in, in 2008 to Economy Borough, as Economy Borough is on a cash basis; in 2007 they did not do that; the numbers for 2008 are probably skewed to the positive side; they look better then they otherwise might be; if we can come close to 2008 this year, they are doing what they said they would do; has been in touch with them every month. Mrs. Mutschler reported she received delinquent letters twice. Mr. Kunkle reported Mr. Villella told the committee they have a list of people lined up to go to the district justice. Mrs. Mutschler reported she received notice last year that she did not pay her wage tax, it was deducted from her Council paycheck and sent in; this year her husband got a notice, the check was made out directly to them; the letter says you are delinquent; the penalty is double; if you don't have good records to go back and prove you paid, you will be writing a check out; this is their audit department; when she called them to report she paid and would get a copy of the cancelled check from the bank, she was told she did not have to do that since she told her she did it, if she did get a copy she could mail it to her; they took her word over the phone; the check was made out to Centax. Mr. Sivy suggested this should be brought up to Mr. Villella; we have had some concerns on the aggressiveness. Mr. Googins reported the committee talked with Mr. Villella. Mrs. Raymer reported Mr. Villella said everything that Randy said; never said anything about doubling up; next time she sees him, she will ask about that; was told Mr. Villella is checking into a lot of different avenues to follow to make sure collections are up; scheduled to send forty-six people to the magistrate. Mr. Googins said he does not feel there was any question in Mr. Villella's mind when he left here that Economy Borough was serious about getting answers; did not sugar coat it; told him we want to know why; we consider ourselves down about \$60,000 from last year; Mr. Villella said \$120,000; did not argue with him, go after the \$120,000; want to know why it is behind, is it going to show up; why is it not there now; Mr. Villella made personal statements to the committee; have to give him time; if it doesn't show up in another four to six weeks, ask him to come in again or come to a Council meeting and answer everybody's questions; looks like they have a high percentage chance that they are going to be the Beaver County Collection Agency; since so many municipalities participate in the school districts to be satisfied; the weight of the vote will be with the school districts, he feels they will get the contract; other collections agencies are not politicking in Beaver County; looks like we will be with Central Tax in 2012; changing now is not worth changing for a year or two. Mr. Sivy agrees with Mr. Kunkle about the change over; his concern is the aggressiveness. Mr. Googins asked if Economy Borough can do a one or two year renewal contract with Central Tax. Mr. Kunkle reported a reason to do one year at a time is there is a possibility that Beaver County could have the system implemented as allowed in 2011; it is required by 2012; should have the solicitor address the contract through the language to Central Tax and suggest in the letter by mutual agreement we go one year at a time. Mr. Googins reported it would be Councils decision whether to renew the contract for a year with Central Tax or to seek bids for other agencies; asked for Council's opinion for another or stay with

Central Tax. Mr. Thomas felt we should go year to year to see what happens. Mr. Googins asked Mrs. Tocci to contact Mr. Fouse to review the current contract. Mrs. Tocci asked that the current contract be sent to their office for review. Mr. Googins asked Mrs. Tocci if a motion is needed to renew the contract. Mrs. Tocci suggested waiting to do that until after Mr. Fouse reviews the contract. Mr. Kunkle reported if Council was thinking about changing they definitely would have to move quickly to get the information; at this point done by the end of the year; Mr. Fouse will look at it to see how he thinks it should be handled and report at the next meeting.

Mrs. Raymer reported on September 21<sup>st</sup> will be the beginning of the 2010 budget meetings; department heads are to have their budget information in to Mr. Kunkle by September 15<sup>th</sup>.

**ROAD DEPARTMENT:** No Report

**ORDINANCE and RECREATION:**

Mr. Thomas reported Mr. Fouse is reviewing the changes to the draft gun ordinance; will report at the next meeting.

**PUBLIC UTILITIES**

Mr. Googins reported the AWA water tower is still not in service.

**PROPERTY and BUILDING:**

Mr. Sivy reported mowing continues; Mike Moyer was off for a few weeks; some basic electrical work was done on electrical ballasts on the building.

Mr. Sivy reported Mr. Spinelli, Park Hill Road, is still upset about the noise issue from MSP; Mr. Spinelli went to New Sewickley Township meetings; allowed is eighty decibels and MSP is forty-eight at decibels; the cost is \$26,000 to fix; suggested looking into legal action as a nuisance.

Mr. Sivy reported he is still working on the recreation board sign; has asked twice for estimates; Franklin Park had theirs done for \$40,000; EVFD had theirs done for \$2,500. Mr. Thomas reported the total for the sign was \$4,000, for the sign and the insert. Mr. Sivy reported he would call again this week to get a spec sheet to get it out for bid. Mayor Poling suggested a local contractor; asked about electric. Mr. Sivy reported the electric is at the parking lot; public works can run a conduit.

**PUBLIC SAFETY:**

Mrs. Mutschler reported the committee is working on the police contract negotiations; no update tonight.

**REPORTS:**

**SECRETARY:** No Report

**ENGINEER:**

Mr. Shoup reported Council needs to make a decision to award or reject all bids for Laurel Road. Mr. Googins reported he talked to Mr. Mutschler, Mr. Fitzgerald and Mr. Kunkle about the intent to use the new paver to pave Laurel Road; the decision would be to have road department do Laurel Road or accept the bid of \$33,160 from Youngblood Paving.

***MOTION by Mr. Sivy, seconded by Mr. Mutschler – to reject all bids for the Laurel Road Improvement Project.***

***Yes – Mr. Mutschler, Mrs. Raymer, Mr. Sivy, Mr. Thomas, Mr. Googins***

***No – Mrs. Mutschler***

***Absent – Mr. Rock***

**SOLICITOR:** No Report

**VICE PRESIDENTS REPORT:**

Mr. Googins reported a letter dated August 16, 2009, from the PA Clean Ways is planning a survey of Beaver County roads for illegal dump sites; the goal is to identify and map every illegal dump site in Beaver County; can provide Mr. Heilig with a copy of the letter. Mr. Heilig reported he knows who that group is; they do the sides of the road, streams, trails, etc.; the neighbor dug a hole in the back yard the size of Council Chambers and dumped stuff in it. Mr. Googins suggested talking to them; it couldn't hurt.

Mr. Sivy started to read a letter dated September 4, 2009, from a borough resident, regarding the code enforcement office. Mrs. Mutschler reported she didn't think Council did that. Mr. Sivy reported it is up to Council. Mr. Googins reported to suffice, just say we received a letter to Council saying they were happy with the code enforcement office.

**HEAR THE PUBLIC II:**

Mr. Googins asked if any residents had any questions on what was talked about during this meeting tonight.

Bob Mecchia, heard the Traffic Committee was going to meet tomorrow; asked what is the Traffic Committee he was asked to get five residents for. Mr. Kunkle reported the Economy Borough Traffic Calming Policy and Procedure sets up what steps to go through and when that committee will be involved; the Economy Borough Traffic Committee meets first to see if the data meets the warrants; once that is determined then the committee will start to look for alternatives and that's when the committee will get involved with him. Mr. Mecchia confirmed they are not at that point yet; in the ground stages; concerned that most batch plants close October 15<sup>th</sup> and will have to live with this all winter. Mr. Googins reported Council is trying to get this moved along quickly. Mr. Mecchia reported regarding the noise at MSP that a group of residents went to New Sewickley Township and met with the Supervisors; they said they really could not do anything, but they immediately bought a decibel meter to track the sound; the Supervisors said to call the police department any time the noise occurs and the police would come and measure the decibels; their ordinance is eighty decibels. Mr. Sivy asked if they measure at the facility or at the residence. Mr. Mecchia said they were told the police were to measure at the facility and at the residence that called to complain; the last time the officer came down he said they are just measuring at the residence; met with the board chairman, Mr. Smith, who basically said New Sewickley Township is washing their hands of this; not going to do anything with it; they are not getting a reading of eighty decibels so there is nothing they can do; he suggested a civil suit; the residents tried to explain to New Sewickley Township was that the readings at their homes was between forty-five to fifty-five decibels, way under their ordinance; forty-five to fifty-five decibels is normal conversation; the residents are concerned with

sleeping and hearing someone talk next to you all night, continuously. Mr. Googins reported he was there and listened to it; when you first hear it it doesn't seem bad, but this is constant. Mr. Mecchia reported when the MSP representative came here he said there were three speeds on the equipment there (low, medium and high); nobody can tell the residents where they are taking the decibel readings off this thing; last he heard a group of residents was to contact Mr. Kunkle to ask for a special meeting with Economy Borough Council, because they feel they are taxpayers and Economy Borough needs to help the taxpayers; they are getting a lot of complaints from Summerfield, Brookside and Park Hill; this is getting progressively worse; feels it is the constant noise; does not notice a difference in his home; annoying in the summertime when the windows are open; the residents are thinking of getting a special meeting with Council specifically on that issue and if not going into a civil suit; heard that the machine installed was suppose to be installed higher and New Sewickley Township refused to let them do it as it was above their ordinance for height; fire trucks couldn't get to it; made them put the machine lower; was suppose to be at the other end of the building, but Buncher did not want the machine out front; the residents are going after New Sewickley Township also because if it was put up higher according to manufacturer specs, the residents would not hear all the noise; this is what he hears through the grapevine.

R. J. Burns, thanked Council for rejecting the bids for Laurel Road Paving; good move to save people money especially since Economy Borough just bought a new paver; would like to know if Economy Borough has someone cut grass; doesn't understand by the road department is not cutting grass; paying extra wages for part time, but have all the men on the road department; why can't we cut our own grass. Mr. Sivy reported the wages are a lot less with the custodian; he is part time with no benefits vs. paying the road department employees; the road department has a lot of work that they need to do. Mr. Burns reported the Economy Borough road department is not that busy; he comes by the garage and sees guys standing around at 10:00 and see guys standing around at 1:00; when he goes home he sees guys hiding on Amsler Ridge Road; they are not that busy; sees road trucks at Economy Superette; they are not that busy; can't see why one job can't be eliminated; sees Council likes to spend money; would like to get more bang for his buck. Mr. Googins advised Mr. Burns if he sees any of those things occurring call Mr. Fitzgerald, Mr. Kunkle or himself. Mr. Burns reported his phone would burn up. Mr. Sivy reported it can't be fixed if we don't catch them. Mr. Googins reported he and the committee have been watching the road department the last four years and he has not witnessed any abuse from any of the employees of the road department in that period of time; there are times on the job that they may be waiting for a truck to come, a piece of equipment, etc.; there are few times that they are idly sitting around when they could have been doing some work; if Mr. Burns witnesses this, instead of making statements, tell someone about it and it will be looked at; defends the road department, does not see it being abused. Mr. Burns reported it is and will start carrying a camera in his truck; now that it has been brought up he guarantees he won't see it now; next time he sees one of the guys sleeping on Amsler Ridge back in the trailer court dump, should have got a picture, it was great; why is Economy Borough paying other people when we have guys who can be doing it; other municipalities and borough's have the road department cut their grass in front of the borough buildings. Mr. Googins reported in some municipalities the grass cutters work for the road department; Brighton Township does; our custodian cuts the grass, we hire a part timer at low wages for the amount of work we get out of that individual. Mr. Burns reported Economy Borough is paying worker's compensation and that's not cheap. Mr. Googins reported the work that we have to do on our roads now takes up all the time that the road department has and more; because of issues just talked about, it is the base repair of roads that haven't been taken care of for year that needs work done; they do significant amount of base repair a significant amount of berm repairing to keep the water flowing down the side of the roads; there is plenty to keep the road department employees busy, and more. Mr. Burns reported doing Cooney Hollow Road was a waste of money; all they did was spray tar on mud and put stone down; what is that going to do. Mr. Googins reported Mr. Fitzgerald has been working twenty eight years on the road department; feels if Mr. Fitzgerald says that is the way to care for that road, not one to say that is different; he talks constantly to the engineer; they talk often about any questions that comes up that they need the engineers expertise on. Mr. Burns reported he works on heavy highways; he owns his own business; that is what they do; asked Mr. Shoup if that is an acceptable way to do a road, spray tar on mud. Mr. Shoup reported it depends on what the purpose is; if it is dust control, yes; does not know what the situation is. Mr. Burns feels this is a waste of Economy Borough

money. Mr. Googins appreciated Mr. Burns comment; can't answer the question tonight; that is what was done to protect the road. Mr. Burns feels we have bad management running this place; understands the road is muddy; did not have to do that; grade it off with the grader, fix it up; but to spray emulsion on the road and put limestone chips on it; what's that going to do; might as well ride down the road and throw money out the window.

Matt Morrone, commented that Council got a letter Mr. Sivy wanted to read and it got shut down real quick; Council gets one letter he wanted it read; Council gets several complaints; he doesn't want to hear about it; how come. Mr. Sivy reported Council hears about it, just wanted to show the other end. Mr. Morrone reported he wanted to read it to the public; he protects him very well.

Butch Thompson, First Street; questioned the cost of the repairs on the truck talked about. Mr. Sivy reported the cost was over two thousand dollars. Mrs. Mutschler reported one of the bills was one thousand dollars even. Mr. Thompson suggested Economy Borough might be using the wrong truck for the wrong job; just destroying a good piece of equipment. Mr. Googins reported he understands the question and it will be looked at. Mr. Sivy reported even the one ton trucks have the same concern. Mr. Thompson felt at that rate the truck will be scrap before its time.

Elizabeth Burns, Stange Road, suggested calling Ford and complain about it only having 38,000 miles and the amount of repairs; they may agree to fix the truck for minimal or no cost or warranty. Mr. Sivy reported the answer would be no as this is a commercial truck; last year Ford Motor Company cut off all good will adjustments; it is out of warranty at 38,000 miles; this was 36/36. Mrs. Burns asked who buys the machinery at that kind of a warranty. Mr. Sivy reported the newer vehicles have a higher warranty. Mrs. Burns reported Economy Borough should when they buy a truck knowing it would be under tough conditions dicker for a higher warranty or mileage or something; we are throwing away our money. Mr. Sivy reported this could be purchased. Mr. Googins reported he buys cars and he bought a warranty on his new vehicle; first time he ever did this; it's a judgment call to spend the money for an extended warranty or not; it is easy to say now that we have had problems that maybe we should have looked into it. Mrs. Burns reported that should have been first on his mind; when she buys a new car that is first on her mind; when she bought her car she made sure she did not have to pay for the warranty. Mr. Googins reported normally extended warranties are pricy; in this case it might have been a good idea. Mr. Sivy is not sure if an extended warranty would cover rust; the transmission line rusted out; there were other issues with the U joint that may have been covered. Mrs. Burns suggested someone is not taking care of Economy Borough equipment. Mr. Sivy reported the trucks are hosed off; maybe not hosed off enough; they go back and forth salting with calcium chloride; doesn't know if people noticed, but a lot of bridges are being changed due to the calcium chloride damage. Mayor Poling reported if anybody could find the reverse effect of salt on a vehicle let him know; he uses distilled vinegar.

R. J. Burns, Almond Way, asked why in the wintertime when we get a snow we see a red Ford F350 running up and down Conway Wallrose Road plowing with salt; in the plan that he lives he has Peterbilts plowing; they can't turn around in the cul-de-sac; the big trucks should be out on that road; should not be in the plans doing the little roads. Mr. Googins asked Mr. Burns to bring questions on that up at the next meeting, we are suppose to be discussing things that were discussed in the business portion of the meeting. Mr. Burns reported this goes back to why the truck is not lasting; bad supervision.

Meagan Trimbur, Ridge Road Ext., wants to know if Council is going to bring in Mr. Luff so they can talk to him; as a resident and a taxpayer of Economy Borough feels that Council has failed her in regards to her situation; it was stated that Mr. Luff can not just walk on anybody's property; knows for a fact that Mr. Luff did walk onto somebody's property without a complaint, said and did something; that gentlemen can not be here on Tuesday nights because he works straight afternoons; Maker's property when they went to the magistrates on the fifth, he had ten days to get the property cleaned up and was fined fifty dollars; said he did not have the means; she stated he makes \$48,000 per year for Economy Borough; the ten days was Saturday, August 15<sup>th</sup> ;

when she called on Monday, August 17<sup>th</sup> at 12:30 and talked to the code enforcer, asked if they had been out there, they said no they had not been out there yet; when she got home from work that evening there was a message on the machine at approximately 4:00 or 4:30 stating once again things were not cleaned up; we should have went back to the magistrate again, but instead Joe Luff has selective enforcement and favoritism and gave Mr. Maker more time to get the property cleaned up; instead of working for her who is not breaking the law, not working for the residents, working for the employees of Economy Borough; wants Mr. Luff here at a meeting. Mr. Googins reported we can't continue to state the same facts at every meeting over and over again; does not want to be confrontational but that was not a subject discussed at Council tonight; knows she has to have time to make the statements, but Council has to continue with Economy Borough business and this was not an items that came up tonight. Mrs. Trimbur reported she mentioned this. Mr. Googins reported Council did not; it was what she mentioned at the beginning of the meeting; not an agenda item. Mrs. Trimbur reported she asked if there as a formal complaint in regards to the property that Mr. Luff wanted to evict that man and nobody has an answer for her. Mr. Googins reported what was stated is that they would find out the answer and get back to her; that is what they will do. Mrs. Trimbur reported it was also commented that he can't just walk on anybody's property and she knows for a fact that he has done that; there is selective enforcement going on here; knows there are several people here that are still breaking ordinances; if she has to follow the ordinances, Council has to too.

JoAnn Borato, was glad Council voted no on the paving; hoped part of the paving plan will be to sell the old paver; hopes it is in the spring; you don't buy a four wheel drive in the spring; you will recoup money by selling the paver to pave Laurel Road; also by helping to pay that paver off; will have some funds from the selling of the old paver. Mr. Googins does not think it will be a lot of money out of the paver; Economy Borough has no reason to keep the paver; did talk about this; thinking instead of trying to sell it right now, might be more productive and people might want to buy it in the spring. Mrs. Borato suggested February or March when they are looking to pave; something to think about when we were buying. Mrs. Borato reported hearing all the comments and the fact that Mr. Sivy wanted to read a letter from a resident; thinks some of the anger and unhappiness that is going on with the Joe Luff situation may be misdirected towards Council and should be directed towards Mr. Kunkle because maybe he has become to complacent with having Joe Luff around or having become to complacent in his job; because if Mr. Kunkle is Mr. Luff's immediate supervisor, complaints are heard, it is up to the borough manager to discipline or reprimand the people underneath him; he is suppose to be directing Council in that matter, Council is not to direct him; sits idly by on his hands week after week, complaint after complaint; we were happy to drag the tax man in here, because everybody knows they have a big target on their back; yet where there are bullets constantly being fired at a borough employee for numerous complaints, the target, that person that the complaints are about, is never available and Mr. Kunkle lets it go meeting after meeting; Council has to sit up there and hear it time after time; perhaps it is not Joe Luff who needs to be replaced; perhaps it is Randy Kunkle that needs to be replaced. Mr. Googins reported Council as a group, as mentioned multiple times, spoke with Mr. Luff about the issues that we have been regurgitating for the last month after month, meeting after meeting; Council made no recommendation or decision to do anything or take action at that time; that was the direction from Council to Mr. Kunkle; it is the Council that directs the borough manager; what he should do as borough manager is to supervise the employees; Council has not directed the borough manager to take any action at this time. Mrs. Borato reported this is not how she reads it in the codes; he should come to Council with issues and together sit down; in the blue code book online, he should be directing what should be done to Council. Mr. Googins reported directing is not the right word; he should be recommending what should be done. Mrs. Borato feels it is almost at an impasse and residents have come to Council to tell their concerns about Mr. Luff; appreciates Mr. Sivy wanting to read a letter from a citizen, however other citizens have taken their time to come here to Council and face to face to Council; if it is a pro and if this person feels so strongly about it they should take the time and come to Council and tell Council what a great job he is doing, but on the other hand she thinks part of the impasse with the citizens concerning Joe Luff falls squarely on the shoulders of not Council but squarely on the shoulders of the borough manager for letting this go on for so long; how long is Council willing to let that go; to let him keep blowing it off. Mr. Googins stated that what the discussions with Mr. Luff or any other discussions that are brought up at these

meetings is not going on deaf ears from members of Council; is there anybody not listening; does not think there is anyone on Council not listening to what is being said; Council is not ignoring what the residents have to say. Mrs. Borato asked Council to make sure the borough manager is hearing what is being said. Mr. Kunkle reported he hears it every week we are here and does not dismiss or take it lightly; does talk with Joe Luff practically daily about any issue that comes up; in the position that he is in he will run into situations where people are not happy with the results and we try to work through those.

R. J. Burns, Almond Way, asked a resident in the audience why she was recording the meeting. Mr. Googins advised Mr. Burns should address Council. Mr. Burns asked Mr. Googins why the resident is recording; she is not allowed to do that; she did not state to him as an individual. Mrs. Burns asked why she is recording. Mr. Googins advised the resident she does not have to answer. Mr. Burns asked Mr. Googins to ask the resident why she is recording. Mr. Googins asked Mrs. Tocci if a resident is allowed to tape record meetings. Mrs. Tocci reported she is not familiar with the ordinance, but would take the question back to Mr. Fouse who would report back at the next meeting. Mr. Burns reported it is illegal, she did not notify him as an individual.

Meagan Trimbur, would like to comment to in regards that she would have to have a complaint to Makers property a half mile down the road; knows for a fact that there are borough cars that go on there and have seen the property and she shouldn't have to file a complaint; she has brought it to Councils attention and something should be done about it. Mr. Googins reported what Council is trying to accomplish by having a written complaint is to have a record; a record so it is not just word of mouth; a record so Council can require a follow up. Mrs. Trimbur reported it is in the minutes. Mr. Googins reported he does not think the minutes are to be used for that purpose; if it is on paper it would require documentation, a follow up and a record; so it is actually is a benefit that you have documentation to show that something was done for the complaint you filed and not a verbal statement; this is how he understands Council rational for now requiring something written on paper; you have a complaint and a follow up, not just a statement of comment in the minutes. Mrs. Trimbur understands; this issue has been brought to your attention; it is a junk yard; has lived to the situation next to her for how long; knows for a fact that there are people here who have gone on that property and have seen it; for a fact; guesses it is out of sight out of mind; select enforcement going on here.

Gary Bucuren, 3480 Conway Wallrose Road, reported after selling the paver to the taxpayers about buying the paver; took longer period of time from the discussions to make the decision on dropping the bid on Laurel Road; should have been dropped because Economy Borough has the paver to do the job; thought he heard Mr. Googins say that beings that the paving job will only cost \$33,500 and we were only going to cost Economy Borough an additional 10%, was he saying that he thought that Economy Borough should just go ahead and have them pave that. Mr. Googins reported the savings that we looked at when they were evaluating buying a paver; done years ago; on in house vs. contract paving; had long discussion at the last meeting about that again; Council looked at and evaluated if it was worth while having our own paving program than contracting out; looked at the anticipated savings; they were greater than the 10%; decided to put it out for bid to see what the bid would be; the paver came along and Council decided to buy the paver; went back and looked at the cost of the paver, approximately \$33,000 and put together in house including wages for the road department; trying to make an apples to apples comparison; it was not the 25% or 30% savings we anticipated in talking to the engineer; in this case it was only about 10%; Mr. Fitzgerald and Scott Shoup went back over the figures to try to make sure that the evaluation they had was correct because of the lower amount of savings; it appears that this bid was extremely low, for whatever reason,; maybe competition, maybe they need the business; maybe they would be in our area; maybe they bid it lower; in this case it turns out only to be a 10% savings; it will cost Economy Borough including wages; could be factored out as the road department will do some work anyway, but will take that work and put them on Laurel Road; factor that all in it will be approximately \$30,000 to compare to \$33,000 to bid it out; just want to be honest the savings will not be the savings anticipated, as mentioned earlier, like Mayor Poling mentioned, to try it, take a look, see what it is going to cost and next year take a look at a couple; guaranteed if it is not saving money, he will not support it; does not think anyone else on Council would; if Council can't find out that this in fact is saving money it is not our purpose. Mr. Bucuren

reported the paver was bought to save money; felt Mr. Googins was looking at Council saying Economy Borough was only going to save 10% on this; sounded to him like Mr. Googins was asking Council if they wanted to make a decision on no we don't want to pave this road or let them pave because we are only going to save 10% on it. Mr. Googins reported this was something Council may have wanted to do; if they wanted to spend the extra money. Mr. Bucuren reported he can't understand why after selling this paver to the taxpayers, that he would sit there and ask that question. Mr. Googins reported the decision is not his; it is all of Council. Mr. Bucuren reported it should have been no we are going to drop the bid and pave this road; this is what was set out to do; understands that in house paving saves money; down the road it will save money, someday; looking at the time and questions if this was the appropriate time to do this with a paver.

R. J. Burns, Almond Way, stated he felt resentment to Mr. Googins voice that they are going to pave this road; reporting a 10% difference; disagrees with Mr. Googins; if the guys are going to go out and just sit on their hands, yes; their wages can't match prevailing wages; heavy highway operators are probably \$43 per hour; right there is more than 10%; if they go out there under bad supervision and screw off, yes it will cost more money; if the guys go out and get it done, we will save money; wants to make that point.

Charles "Buddy" Heilig, 1230 Tevebaugh Hollow Road, reported when tobacco is stripped, there are different grades; some better than others; asked if there are different grades of asphalt that can be used in Pennsylvania. Mr. Shoup reported yes you can, however the municipality can't; they have to abide by the PennDOT specification which is set; a private individual can get a different grade of asphalt.

Mr. Googins reported he appreciates the discussions that we had tonight and appreciates the courtesy and professionalism that everybody showed; only does this about once a year; personally thanked for all the good comments and keeping it professional; can accomplish a lot by doing this together.

**ADJOURNMENT:**

***MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to adjourn the meeting. Time: 9:27 PM  
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum  
Borough Secretary  
September 18, 2009