

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* OCTOBER 27, 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, Chad McMillen, Esq., Randy S. Kunkle, Borough Manager,

**PUBLIC HEARING: CABLE FRANCHISE RENEWAL:**

Mr. Rock reported this is the place, date and time set for a public hearing regarding the Cable Franchise Renewal. Mr. Kunkle introduced Frank J. Polito, Director of Government Affairs, Comcast, Three Rivers Region, who gave a brief history of the cable industry and the future of the cable industry and answered questions from the audience members. JoAnn Borato asked if there could be pricing parity between communities. Mr. Polito reported Comcast is trying to do this regionally as much as possible when other cable providers are absorbed into Comcast; difficulty is the different channel options offered by the absorbed cable provider (i.e. Adelphia). Mrs. Borato will provide bills to Mr. Polito showing the dramatic price differences. Bob Gross reported his cable was out of service two times last month; he has television, internet and telephone service with Comcast; all was out from 10:20 PM to after 11:00 PM. Mr. Polito was not aware of that particular instance, but if the problem is ongoing Mr. Gross should contact Council or Comcast.

7:12 PM – Hearing closed and Mr. Polito exits the meeting.

William Vescio, President, Bryon Funding, Inc., gave an update and a market commentary of the Police Pension Fund and the Non Uniformed Pension Fund for the Third Quarter, 2009.

**HEAR THE PUBLIC:**

Andy Milnik, 416 Friel Road, advised Council he is hoping for a vote on the proposed gun ordinance. Mr. Rock reported it is scheduled for action tonight. Mr. Milnic reported the committee wanted to follow the Game Commission Rules; feels this gives both the home owner and the gun owner a little bit of respect for each other; if two people want to agree on shooting they can; hoping there will be a positive vote on it today; noticed in the Economy Connection that the unlicensed vehicle buffer is 200'; can't ride an ATV or motorcycle within 200' of a home; was surprised to see that; disappointed that the gun ordinance has nothing that limits the distance from a home. Mayor Poling reported there are some people here who did not get a chance to review the actual ordinance so there may be some public questions on it. Mr. Rock assured that Council will do that.

Joel Chalupiak, 2867 Ridged Road Ext., reviewing the proposed gun ordinance, Section II Unlawful Acts (a) "No person shall discharge a firearm or air gun or deadly weapon within 150 yards of any dwelling, school, playground, farm building or occupied structure."; (d) "No person shall discharge a deadly weapon within 50

yards of any dwelling, school, playground, farm building, or occupied structure.”; feels this is the exact same thing except in (a) 150 yards in (d) 50 yards. Mr. Rock reported he also noticed those two sections being similar. Mr. Kunkle reported this is the typo; (a) should not have deadly weapon listed. Mr. Rock reported Mr. Kunkle emailed this to Council and he did cross it out in (a); and verified that it does appear in (d); what is the big difference. Mr. Chalupiak reported that is exactly his question a deadly weapon is a deadly weapon; a firearm, 150 yards, a deadly weapon 50 yards; aren't a gun and firearm a deadly weapon? Mr. Rock reported in Section 1 are the definitions for Firearms, Air Gun and Deadly Weapon given; they are more specific under definitions. Mr. Chalupiak reported they are the exact same thing; “Deadly Weapon - Any type of weapon or device which in the manner it is used or intended to be used impels a projectile through the use or force that is calculated or can reasonably be expected to cause bodily harm”; that is a firearm; not limited to is not a definition; can't be worded that way as a definition and then change it completely around; everybody knows a firearm is a deadly weapon; has a problem with it voted on the way it is written on paper. Mr. Thomas asked Mr. Chalupiak what he would like Council to do there. Mr. Chalupiak reported he does not know what to do; he was not a part of writing it or did not have a say in it. Mayor Poling reported Mr. Raabe was involved. Skip Raabe reported he believes the intent with the Game Law was to make the 50 yards the way the Game Law reads; if it would have said bow and arrow it would have been consistent; it changes the safety zone to 150 yards for a firearm to 50 yards for bow and arrow. Mr. Chalupiak reported as it is right now in our district (Area 2V of the Game Commission District) we are allowed a 50 yard safety zone for bow and arrow, compound bow, traditional bow or cross bow. Dale Gatehouse, Heath Drive, reported no borough ordinance can supersede Game Law; in the newspaper ad it had 150 yards on a bow; will this be changed to 50 yards. Mr. Rock read under the definition of Deadly Weapon “this includes but not limited to, traditional, compound, cross bow and arrow; under Unlawful Acts (d) is deadly weapon, 50 yards; based on what is defined as deadly weapon would be 50 yards; not very clear; then there are the Exceptions; there are six Exceptions most people would fit into. Mr. Gatehouse reported they are also categorizing a firearm with an air gun; thinks it is ridiculous; “No person shall discharge a firearm or air gun or deadly weapon”. Mr. Sivy read Section II Unlawful Acts: (b) “No person shall discharge a firearm or air gun, or deadly weapon within 50 yards of any public roadway or pathway”; under the PA laws relating to firearms, doesn't it specify it at 25 yards? Mr. Gatehouse reported you can shoot from the highway. Mr. Chalupiak reported you can stand on the highway; you can shoot over a highway as long as you are over the line of travel; the Game Commission spells that out, plain and simple in the book. Mr. Sivy asked if that was a conflict. Mr. Chalupiak reported yes of the Game Laws it is a conflict. Mr. Gatehouse reported the 25 yards is alighting from a vehicle; you have to be 25 yards into the woods before you can shoot. Mrs. Mutschler asked if this should be changed to 25 yards. Mr. Sivy reported if Council is going to follow the Pennsylvania laws, it should be followed. Mrs. Mutschler verified it was listed in the newspaper at 50 yards. Mr. Rock asked Mr. Thomas for his recommendation. Mr. Rock reported all the Exceptions are with hunting; if you are hunting you refer to Exceptions. Mr. Gatehouse reported what the ordinance is doing is limiting people that own an air gun to ever shoot it, anywhere; most people would shoot an air gun in their yards; that's 150 yards; how many people have 150 yard, yards. Mr. Milnik pointed out something that came up with the committee about the air guns; when the committee talked about the air guns, Chief Harrington pointed out that the air guns today have the velocity of a real bullet; and that was his concern; that is what Chief Harrington wanted the distance on the air gun; air guns now have CO2 power. Mr. Sivy reported they are as heavy as a 22. Mr. Rock verified that Chief Harrington recommended this. Mr. Milnik said he personally thought it was going too far with the air gun until Chief Harrington pointed that out to him. Mr. Gatehouse reported if the ordinance restricts an air gun at 50 yards (150 feet) there are very few places in Economy Borough that you are less than 150 feet from one of your neighbors; so the ordinance is saying if you own an air gun forget about ever shooting it; people don't take air guns to sportsmen's clubs. Mr. Raabe reported he thinks another thing left off from the typed version addressed at the meeting was in order to stay in compliance with the Pennsylvania Game Laws, under Section II Unlawful Acts (a) and (b) – what was talked about was not shooting within 150 yards of a dwelling, school, playground, farm building or occupied structure – the game law reads without the approve of the occupant; the committee asked to have that put in because you and your neighbor could agree; somehow that was missed in this copy of the ordinance. Mr. Rock reported he thought that was a very important point and thanked Mr. Raabe for bringing it up. Mr. Milnik

reported that is the reason he shot it down in the first place; felt if someone had consent from a neighbor, good; wanted both people to have a choice; that is the point of all of this. Mr. Raabe felt it got missed in the typing. Mr. Thomas reported that was supposed to be in there. Mr. Rock asked Mr. Thomas and Mr. Raabe where that would have been. Mr. Raabe reported anytime it is stated within 150 yards of any dwelling, school, playground, farm building, or occupied structure – the way the Game Law reads right after that statement comma, without the approval of the occupant. Mr. Rock reported Section III Exceptions (c) “...boundary lines of the property on which the use, firing or discharge occurs, and permission was granted by the property owners whose property is the site of the above described activity.”: that would be going on his property. Mr. Chalupiak agreed that is not shooting on your own property. Mr. Gatehouse asked about all the targets all over Economy Borough, deer in yards, straw bales, etc.; you can’t shoot those anymore without permission from all the neighbors? Mr. Rock reported his neighbor has one and has gotten permission from him over the years already. Mr. Rock asked Mr. Thomas what the committee wants to do here; there is too much missing from this. Mr. Chalupiak reported under Section II unlawful Acts (c) “No person shall discharge a firearm before 9:00 am or one half hour after sunset, Sunday through Saturday; Sunset shall be determined by the National Weather Service; where did that come from? Mrs. Borato reported that is basically all week. Mr. Chalupiak reported that is every day of the week you can’t shoot before 9:00 am; the exception is hunting, but you can’t target shoot in the evening when you come home from work or target shoot in the morning before you go to work; what if you work night turn and you come home and want to shoot; it’s crazy. Mr. Rock verified with Mr. Chalupiak that the ordinance should also include simply what the Pennsylvania Game Commission Wildlife Code is. Mr. Chalupiak reported this would be sunrise until sunset; actually one half hour before sunrise until sunset. Mr. Rock reported this was talked about but someone wanted to keep it at 9:00 am. Mrs. Borato reported this makes it every day of the week and you only get 3-4 hours to shoot; if she came home from work and wanted to shoot, she really couldn’t. Mr. Mutschler suggested a re write of the proposed ordinance. Mr. Thomas asked what other concerns anyone has. Patricia Pollock, Mary Reed Road, asked if the definition between pellet and air guns could be more well defined with regards to CO2 cartridges and just an air gun with a single pump. Mr. Chalupiak reported the guns with the CO2 cartridges now a days aren’t the deadly ones, they have them with a single pump barrel that will shoot 1,350 feet per second; but you are still shooting a 177 caliber pellet that will disintegrate on a blade of grass; you could go all day with going back and forth with what is deadly and what is not when it comes to pellet guns; a CO2 pistol at close range is a deadly weapon if you are hitting a temple with it; this proposed ordinance is totally different from the first one that every body opposed then; worse; the original ordinance was fine, as long as the police would enforce the ordinance that is on the books now; it explains every aspect of it, Game Commission, police shooting, neighbors, backstops, everything, it is in the original one; don’t understand what the problem is with the ordinance currently on the books. Mrs. Borato reported it wasn’t being enforced. Mr. Milnik reported the problem was the neighbor 50 feet away was shooting an automatic weapon with no back stop; the police were called. Mr. Chalupiak reported he was here for the original issue and understands Mr. Milnik’s issue; if it was already an ordinance on the books that you can’t shoot an automatic weapon without an approved backstop, etc., it should have been handled by the police and the ordinance should have stayed as it was; it should have been a police issue, not a complete change to take away the rights of borough residents who are doing what they are doing and doing what they love safely. Mr. Sivy reported two words could take care of that – reckless endangerment; it is a police matter, reckless endangerment; the mans common sense was out the window; if he is recklessly endangering someone else, then it should be a police matter. Mr. Chalupiak reported the original ordinance includes this. Mr. Sivy reported with or without the ordinance it is reckless endangerment, period. Mr. Milnik asked what the police were suppose to do; by the time they got there, the fellows had put away the automatic weapon, the gun that was brought was identical to it, but was not automatic. Mr. Chalupiak asked if they were shooting at a backstop. Mr. Milnik reported they were not shooting at a proper backstop. Mr. Chalupiak reported, therefore they were violating the original ordinance because it states proper backstop, so it is still a police matter. Mr. Milnik reported with the current ordinance and the homes on Friel Road, they have 100 foot wide lots, if somebody does put up a proper backstop (which they could do easily) does that then mean the homeowner who does not want to hear an AK47 (4-5 people, drinking beer, shooting AK47s); suppose there was a proper back stop in that situation, what does he do then; if he is out there shooting 4-6 hours, what does he do. Mr. Gatehouse

reported it is disorderly conduct, call the police if it is bothering him. Mr. Milnik reported Chief Harrington told him it just happened on Golden Grove Road; a guy works night turn can't sleep; he just moved here from Pittsburgh; brings his friends over every Saturday morning; has a backstop up and shoots all morning until 1:00 PM; guy can't do anything about it. Mr. Gatehouse verified that Mr. Milnik lives on Friel and asked Mr. Milnik about the trap shooting. Mr. Milnik reported it is plenty far away; would be very happy with 150 yards on everything; shooting off your porch in Economy Borough he does not buy; that is what these people were doing. Mr. Gatehouse reported no one can shoot off their porch; no one can shoot within 150 yards of an occupied dwelling. Mr. Milnik reported the Economy Borough ordinance does not provide for any protection like that; he can sit on his porch and shoot the gun according to the ordinance; is asking for some respect; he also shoots; would never do that to his neighbor, bring 4-5 people over with assault rifles and shoot for 4 hours on a Saturday morning and drink beer; his swimming pool sits 75 feet from the house; they were shooting with him in the swimming pool; got upset that day; they continued to do it; came to the Council meeting and this is where we are at. Mr. Gatehouse reported that was an AK47, we are into air guns, bows and arrows. Mr. Milnik reported the trouble is you can't single out weapons. Mr. Rock asked where you draw the line. Mr. Gatehouse stated you can draw a line, there is a difference between a bow and a rifle, an AK47 or a shot gun; they are talking about a quiet bow shooting at some bales of straw. Mr. Milnik reported if the ordinance followed the Game Commission to a T there would be no problems.

Mr. Chalupiak, Daniel Drive, reported as an owner of a Class 3 automatic weapons; there are rules and regulations that go along with the ownership of this; if there is any problems with a full automatic weapon or as Mr. Milnik stated to him, the neighbors were trying to convert a semi-automatic over to a full automatic (which is completely illegal and you will do time for the rest of your life for converting this); why make new laws for one situation when this can be cured just by calling the FBI in Pittsburgh, let them come down and confiscate the weapon; because they are not abiding by the rules of Class 3 ownership. Mr. Milnik reported he is already gone; who is to know what the next boyfriend is going to be; does it make sense to have homes with 100 foot wide lots and allow people to shoot off their back porch; the adjacent homeowner can't use his back yard. Mr. Joe Chalupiak felt it does if you do it in a safe manner; the adjacent homeowner can ask first to have it be stopped or call the police if it is an issue and then it becomes a police matter. Mr. Milnik reported with the current ordinance it is not a police matter. Mr. Rock reported Mr. Milnik came to Council with an issue; Council is trying to be as fair as possible to everyone to solve the issue; have to remember we are not in Mr. Milnik's shoes; feels if Council was living in that house under those conditions, maybe our thoughts would be a little different; sympathizes and agrees with the firearm owners, but he is not living in Mr. Milnik's house and not under those circumstances; if in his place, maybe would be a little bit more prone to accept some lee way on his behalf; common sense and reckless endangerment have been mentioned; you may have common sense and there may be rules that state what has to be done with automatic weapons, but that does not mean everyone will obey them; there are a lot of people that rules aren't made for them. Mr. Joel Chalupiak asked if Mr. Rock thinks this ordinance will make the people obey them. Mr. Rock stated that is a very good question; at least Council will have something on paper. Mr. Joel Chalupiak asked if they find a loop hole, will this be re written in another year when something else happens. Mr. Rock said that is a good point; Councils job is to protect themselves, Economy Borough and the constituents. Mr. Joe Chalupiak reported he feels for Mr. Milnik; understands the situation that could happen there; lives 100 yards from the backstop of the Ambridge Sportsmen's Club, bullets fly constantly there; knows how annoying it can be, but sometimes it is what it is; not saying to wash away Mr. Milnik's problem; doesn't believe this is the proper way to solve it; there are so many things in the proposed ordinance that are out of whack. Mr. Rock reported Council did form a committee. Mr. Thomas reported when this all came about, Council decided to look at the ordinance and it was reviewed; a 7 member committee was put together; Mr. Raabe, 2 representative from the Sportsmen's Club, Mr. Musi, and another gentlemen; at the meeting, the committee took the items that the people sitting in the audience brought up to Council about the ordinance and discussed the changes; that is where the changes came from in this proposed ordinance; that was people sitting in the audience that wanted the different changes in the ordinance; Council did not change an ordinance to change an ordinance; everything that was discussed and a change in the ordinance came from the people in the audience. Mr. Joel Chalupiak reported he was sitting in the audience and

at no time was a pellet gun a deadly weapon or a bow; and at no time was discharging a fire arm before 9:00 am mentioned. Mr. Thomas reported it was all comments made, taken to that meeting.

Mike Lucia, Golden Grove Road, reported the issue isn't automatic weapons or pellet guns; the issue is safety; if he was in Mr. Milnik's position, his kid is out there, the kid runs across, if the guy is shooting a 22 he could kill the kid; it could be an accident; it is too close; he also hunts, would not think of shooting off his porch; disturbing the neighbors; a 30-06 will kill someone a mile away; if you miss the backstop, who is behind you half a mile away; the issue is safety for everyone; is a sportsman, goes hunting, but he uses common sense; too close, you can't shoot that close to a house; Mr. Milnik is talking about an automatic; that doesn't matter, if someone fires three rounds from a rifle that is almost as fast as an automatic rifle; the issue is safety. Mr. Milnik reported the automatic weapon was the icing on the cake; that is what caused him to call the police. Mr. Rock asked Mr. Thomas where Council goes from here. Mr. Joel Chalupiak asked why the Game Commission rules can't just be followed.

JoAnn Borato reported to give back to Council that when a citizen of Economy Borough comes in and says i.e. someone re landscaped their yard and now they are getting water in the basement and the foundation is moving, Council tells them it is a resident to resident issue, Council can't help them; when someone comes in and says i.e. I have a sewer pipe that is ruining my back yard and it is ruining my landscaping, Council tells them it is a personal issue; somebody is disturbing one neighbor, that is a neighbor to neighbor issue; to Mr. Sivy's point, if they feel their life is in danger, that they are acting recklessly, they have alcoholic beverages, they have automatic weapons; would like someone here who knows what the ordinances are; could probably say this is the issue then why all of a sudden is Council willing to take this on when they are not willing to take on anything else; if someone's foundation is sliding because someone's water from after moving dirt; that is endangerment too, that could cause their house to fall in; understands what is being said; does not shoot at her house, but may take up shooting; just thinks Council swept in on this and it really is a neighbor to neighbor issue; felt his life was in danger; he could not enjoy his safety at his home; he could not enjoy his pool; suddenly Council is re writing laws when it is something that should have been handled through the police and the municipal judges; should have been a ticket issued for causing him to fear for his life; can understand that, but to re write everything that is there and not enforce ordinances that Economy Borough already has. Mayor Poling reported he does not think they could issue a citation on that; the State Game Commission would have to. Mrs. Borato reported the State Game Commission will come out right away; at her Moms farm was a hunter in a tree illegally (did not know who he was); the State Game Commission came right away to get the hunter off their property; but if you call the police to report someone shooting, drinking and you fear for your life, believes this is something the police can answer; tell them to cut it out or they will issue a disorderly conduct ticket. Mayor Poling asked Mr. Milnik what the issue was. Mr. Milnik reported they were given a warning; wished to point out that most every municipality around Economy Borough with the exception of a few, has gone (to protect the safety of their residents) with a similar ordinance to what the committee tried to draft; hoping Council will do the same thing; thinks Economy Borough needs something like that, that says you can't fire a fire arm close to a house.

Skip Raabe reported in defense of all the work the committee has done, don't know exactly how to do this, but thinks we don't want to create something here that we will have a problem with later that would be more stringent than the game laws; feels wording will have to be put in that was missed originally that would go back to the game law rules to say if you are putting limitations on, you are going to have to put back in without the permission of the occupant; otherwise this is more stringent than the game laws and there may be legal problems and enforcement problems; feels it just got left out in the wording. Mr. Rock asked Mr. Thomas for his recommendation. Mr. Thomas reported they will meet again; will set another meeting up again next week to look at it again. Mr. Milnik reported he would be out of town for two weeks. Mr. Thomas asked Mr. Milnik to let the borough secretary know when he is back and available.

Andy Naggy, Bradford Park Road, reported if the gentlemen was issued a warning, sounds like the police did have an issue with it and it was resolved with a warning; a warning is if you do it again the police will come and ticket you; why is something more needed, he was warned; if the police saw something that was very endangering he probably would have gotten a ticket; sounds like it was a done deal. Mr. Rock reported Mr. Milnik and others probably want something in writing. Mr. Naggy reported obviously something was in writing, he was given a warning. Mr. Milnik reported all he would have had to do was get an approved backstop up and he could begin shooting again from the porch; that's why he wants to see the distance, does not want somebody shooting an assault rifle within 50' of his window. Mr. Rock verified with Mr. Milnik that he would be happy with basically the addition of the approval of the occupant of the dwelling, etc. Mr. Milnik said absolutely yes; that could be put in the current ordinance as long as someone had my approval. Mr. Joel Chalupiak reported he would go along with that 100% if the original ordinance was read off right here tonight and it was stated in there in exceptions, the approval/consent of your neighbor; right then and there that ordinance covers everything talked about tonight, except for that issue; could agree and live with that without any problem whatsoever; the original ordinance reads so plain so him, with the approval or consent of neighbor would sum up the whole thing.

Gary Bucuren, 3480 Conway Wallrose Road, suggested Joel Chalupiak be put on this committee; seems to know what he is talking about, needs to be put on the committee; maybe this could be resolved. Mr. Thomas asked Mr. Joel Chalupiak to leave his name and phone number with the borough secretary; he will be invited to the meeting. Mr. Rock verified with Mr. Thomas that Mr. Raabe is on the committee.

Mr. Chalupiak, Daniel Drive, reported the only reason to bring up his last statement was that he understands Mr. Milnik has a problem and he does agree with it; would think the one situation that he has the FBI can still be notified so that this person does not and is still not able to own an automatic weapon; that is his only reasoning for stating that; does understand the problem; understands Council needs to write/change the law that is there; trying to remedy the one situation that Council has now.

James Neal, Amsler Road, asked what about someone who works third turn and the neighbor put a barking dog out and the dog barks all day long because they went away; what to do with a case like that, it is worse than a gun shot; it's the same thing, it's noise; what's the difference. Mr. Rock reported Mr. Neal should call the police; the dog will bark, but nothing will come out of it's mouth that will kill a person. Mr. Neal reported that is not the point, it's the same, noise. Mr. Rock reported Mr. Milnik is talking more than just noise, he's talking about safety. Mr. Neal reported Mr. Milnik talked about a guy who couldn't sleep. Mr. Milnik added (Chapter 75 of the Economy Borough Code) 171 does provide for excessive barking by a dog for more than 1 hour, the fine is up to \$300. Mr. Neal reported he understands what is being said, but it is noise; he's complaining about the noise, he's complaining about this, does the man not complain.

Bob Mecchia, 211 Fernwood, reported Council has the answer already; have both views; put them together, you have both sides of the story, total strictness, total different view; put the two together with the committee, let them sit down and talk and hash it out. Mr. Rock reported Mr. Milnik is already on the committee and Mr. Joel Chalupiak will be added; will get the two extreme points of view and find something in the middle.

Andy Naggy, asked if the guy shot again after he was issued a warning. Mr. Milnik reported he is gone, but concerned this could occur again easily. Mr. Naggy reported he was given a warning and he stopped the problem, feels Council is wasting their time by doing this proposed ordinance; obviously there is something in place, the man stopped, he hasn't shot, the problem went away; as far as the noise you can not like the neighbor starting a chain saw, weed whacker, lawn mower, barking dog, the noise isn't safety; if you have a backstop and are shooting into the backstop; bullets can go miles and miles; if you hit somebody you are charged with murder or second degree murder; that is how respond to this; feels it is a whole lot of something for nothing.

Bob Gross, 114 Rose Street, requested to be put on this committee; thinks what is needed is a revision to the current ordinance; Council is writing an entirely new ordinance. Mr. Thomas reported Council is not writing a whole new ordinance; this came from people sitting in the audience at the meetings, the things put in were discussed. Mr. Gross reported the ways ordinance come about, are one or two people complain and everybody suffers. Mr. Thomas reported that is not the intent of the proposed ordinance; Council does not want to do that; this is not finalized; the people raised their concerns; Council is going to look at the concerns; will try to do the best thing for the people; he is not here to change an ordinance to upset the people, especially the gun people; has nothing against guns; Council is just acting on a complaint; trying to look at the ordinance has not been changed since Mr. Gross has been on Council. Mr. Gross reported maybe the ordinance needs a revision, not an entire new ordinance. Mr. Rock reported that is probably what council will end up with. Mr. Gross felt that is probably what it should end up as. Mr. Thomas advised Mr. Gross if he would like to participate in the committee to leave his name and telephone number with the borough secretary and he will put him on the committee.

Elizabeth Burns, 100 Stange Road, reported it was brought to her attention in the Economy Connection; a reminder about new permits being required for new fences, sheds, gazebos, playhouses, garages and decks; disagrees with this; if she wants to put up a playhouse for her grandchildren she has to have a permit; does not understand the reasoning. Mr. Rock reported Michael Kohlman, Chief Beaver County Assessor, was here (July 14, 2009) and he explained to all of us for Beaver County you need a permit; basically he said if you are going to put up garage, shed, deck, everything needs a permit. Mrs. Burns reported she did not hear him say playhouse. Mayor Poling reported he did say playhouse. Mrs. Burns reported she did not hear him say playhouse; she could see garage, fence, shed; if a gazebo is confined within the limits of her building line, does not see what the problem is; even if she wants to put up a 4X4 section on 4X4 posts with a little roof for her grandchildren, she would need a permit for that? Mr. Rock reported this is what Mr. Kohlman told Council; if you are adding something to your property that increases the value of your property, a gazebo will increase the value of your property. Mr. Burns feels a playhouse will not increase the value of her property. Mr. Rock agreed unless it would be some kind of huge structure the size of a shed like a playhouse that is a regular small house kids go into; but not some little plastic playhouse. Mrs. Mutschler asked if the ordinance was changed regarding the shed size, if it is bigger than a certain dimension that you had to get a permit; if it was an 8X10 or something you didn't have to get a permit and it didn't go to Beaver County for assessment or increase your taxes. Mr. Kunkle reported he would have to check. Mrs. Burns reported a 4X4 with a roof can be cut down at any time. Mrs. Burns reported another concern is political signs can't go on public property and can't block the visibility of drivers; reported across from AZ Nursery there are several political signs; when she pulls down Amsler she does not have full view to her right hand side to see what is coming up Conway Wallrose Road; there are at least three or four political signs that she would like to personally go and pull out of the ground. Mr. Rock reported she should call the police. Mrs. Mutschler asked if they are on someone's private property. Mayor Poling reported this is owned by Wentz. Mr. Thomas reported it is for sale. Mrs. Mutschler reported if this is a safety issue she can contact the police and have them removed. Mr. Rock reported the sight is bad. Mrs. Burns reported it is hard to see with the weeds and now the political signs are up; noticed in the night you have the car lights to see but in the day time you have to pull far out onto Conway Wallrose Road and take a chance of getting hit from the left if a car comes over the crest of the hill. Mr. Rock asked Mrs. Burns to please not pull the signs herself; call the police, explain the situation, safety factor, line of vision factor and they will take it from there. Mrs. Burns reported she will not be getting a permit for her playhouse in the spring.

Butch Thompson, First Street, asked at the last meeting about the revenues and how they compare from last year to this year at this time of year. Mr. Rock asked Mrs. Raymer to respond. Mrs. Raymer reported as of the end of September, Economy Borough is \$276,400 short from last year; down is EIT \$45,500, Prior Property Taxes behind is \$27,800, Delinquent Taxes \$7,600, behind on Real Estate Transfer Taxes \$32,100, Keystone Grant \$48,000, AASD/Cops in School \$29,000, Pension Aid \$8,300, Interest \$13,800, Vehicle Code Violations \$8,900. (Removed – by motion Nov. 10, 2009) Mr. Thompson reported Council knows how he feels on spending; why did Council go all year like Economy Borough had the money and spend all summer when we

are over \$200,000 behind; does not understand it at all; if you run out of money what are you going to do, where will you go to get more; could not understand all the spending this year; how is Council going to do this. Mrs. Mutschler asked about the \$48,000 on the grant. Mr. Kunkle reported Economy Borough received a recreation grant last year and we did not this year; this is explaining why this year's numbers are different from last years numbers. Mayor Poling verified Mrs. Raymer is going off the total revenues; this does not necessarily mean we are in a crisis. Mr. Thompson asked how it compares with what was budgeted for. Mr. Rock reported the revenues are lower; Economy Borough is not in any financial crisis; Council was able to buy what they thought was necessary to buy and they are working on the budget for 2010 right now. Mrs. Raymer reported they are working on the 2010 budget; crunching the numbers. Mr. Thompson reported that is 2 mills of tax. Mr. Rock reported they are not at that point; the school district is off 1.2 million; our problems are minor. Mayor Poling reported they don't know where it when either. Mr. Thompson reported it is a concern to him. Mr. Rock reported if his concerns were well founded, but it is not like Economy Borough doesn't have the money there; it is not like Economy Borough is in some economic crisis; Council has not raised taxes in Economy Borough in 8 years. Mr. Thompson reported he does not disagree with that; there are times where maybe Council has to raise the tax; this is not the time to do that when there are people hurting; feels spending is out of control this year. Mr. Rock does not think spending was out of control; Council kept it in control this year; cut out a lot of things they preferred to do that they did not do; the Finance Committee is looking at everything; the revenues are anticipated money coming in; much of it still may come in by the end of the year; we still have October, November, and December; Mrs. Raymer just reported the way the numbers are right now. Mrs. Raymer reported the numbers are as of the end of September. Mr. Rock reported Economy Borough's finances are no way near a crisis; knows and appreciates that Mr. Thompson is very fiscally conservative. Mr. Googins reported the numbers Mrs. Raymer gave were the difference in revenues that we have at this time compared to last year; just the revenue side; the other side of the equation is our expenses; we have also lowered our expenses; as of the end of September, the balance that we have in our General Fund at the financial institution; that is taking the receipts and the disbursements and coming up with the answer of what we have in our till; the difference we are down \$14,000; that is the number to be concerned about; it is not a big number from last year; from the end of September last year to the end of September this year; the balance in our General Fund; not budget, not plans, not anything else, the General Fund, the bank account, is \$14,000 lower than it was at the end of September last year; so it is not a crisis; it is \$14,000, wishes it was a plus \$100,000, but it is not; that is where we sit right now; does not want anybody to think Economy Borough is in financial distress; we are not, that is why when planning the 2010 budget we are looking at what we think we are going to end up with on December 31<sup>st</sup> and that will be our fund balance and plan the 2010 budget so it is balanced; keep asking the questions, they are good questions, but need to look at both sides of the equation; two items from the \$276,000 that will get paid to bring that side of the equation down is \$24,000 for snow removal on PennDOT roads and \$31,000 Worker's Compensation; this is two numbers that reduces it to approximately \$150,000; again this is just the revenues; this is not good because it is down, but expenses have been cut during the same period of time. Mr. Thompson asked if the \$200,000 doesn't come in, what will happen. Mr. Googins reported that is what he just said; Council has already cut expenses the same period of time; look at the revenue decrease and look at the expense decrease and right now in the General Fund is \$14,000 difference. Mr. Sivy reported we actually did not spend that much money compared to the budgeted amount; we have cut our expenses, we have cut our spending. Mr. Googins reported the difference at the end of September is \$14,000 less than last year; during the next three months we want to recover that; at the end of October, we will look at it again to see how the numbers are; constantly looking at this. Mr. Rock reported all the departments are cooperating very well.

Tomas Lynch, 101 Walnut Drive, reported the police could sit on Walnut Drive and get revenue because the speeding has gotten worse; would like to know how many citations have been written since he has starting coming in January and companied. Mayor Poling reported he did not know, but could find out. Mr. Lynch reported he guesses it is about zero; knows the police are busy, but would like to see them on Walnut Drive instead of sitting at Sheetz in Baden drinking coffee with their counterparts when they could be sitting on Walnut Drive collecting money or at Climo's on Freedom Road ordering pizza; understand they can leave Economy Borough to get their meals; taxpayers money, economy, and total blatant disregard for the speed limit

on Walnut Drive. Mayor Poling reported he told Chief Harrington the last time he was at the meeting about it. Mr. Lynch reported police officers are coming home to escort their kids off the bus; that is taxpayers money; if they can come home to escort the kids off the bus they can sit for a half hour and maybe write a few citations; has had enough of it; Walnut Drive is like a race track; can't walk out on the road because you because you might get hit. Mayor Poling reported he discussed with Chief Harrington the times. Mr. Lynch reported Walnut Drive is a free for all; knows police officers live in the neighborhood; guesses they probably don't want to write citation to their neighbors; the problem is not traffic using a short cut, it's the residents. Mayor Poling reported he is right. Mr. Lynch reported about 20 cars that come through are repeat offenders every time; feels it is ridiculous and he is sorry he has had it; you see police drive through the neighborhood coming through to go to the police station or to go home; would like to see something more done about it; not just him, it's all his neighbors, but they don't come to the Council meetings. Mayor Poling reported he lives there too; walks his dog there; Mr. Lynch is right, it is mostly residents because he and Chief Harrington talked about it today; everybody complains about the speeding and 90% of the citations written are Economy Borough residents; they do fly there; fortunately he lives on top of the hill, usually just a handful of cars come past his house; but by Mr. Lynch's home, they turn the bend and everybody is in a big hurry. Mr. Lynch reported it is in both directions; one guy in particular, from one stop sign to the other stop sign, as hard as his foot can hit the gas between both stop signs; estimates he is doing 45-50 MPH; does not feel his estimate is an excessive number. Mayor Poling asked Mr. Lynch to tell him who it is privately after the meeting. Mr. Lynch reported he has asked him to slow down and they ignore him; huge safety issue; there are a lot of kids on that part of Walnut; five house in a row have kids between one year and five years old; probably ten to twelve kids, just in those few house; this is a huge safety issue. Mayor Poling reported he will give Mr. Lynch the reports on how many cars traveled, speed. Mr. Lynch reported no offense, but he has had the reports; they are not worth the paper they are written on. Mr. Rock reported we have already done those reports; feels Mr. Lynch wants more patrols. Mr. Lynch reported to have devices that can be set up; painting the white lines on the road were a waste of taxpayers money, a waste of time and effort. Mayor Poling reported for the Vascar you need the lines; feels the lines are to far down because a lot of people are turning up that road. Mr. Lynch agreed. Mayor Poling asked if there was somewhere between Bock Lane and that road that the police can sit. Mr. Lynch reported he called Chief Harrington himself and offered his property. Mayor Poling reported Mr. Lynch's property is visible; they need to be somewhere hidden, but with a line of vision. Mr. Rock reported they need someplace they can sit back, because once seen the drivers slow down. Mayor Poling reported they can try to get Pennsylvania State Police to run radar as they can sit anywhere they want. Mr. Sivy asked about the system with metal stands that set across the street from each other; thought those were very precise. Mayor Poling reported you need two people to operate it. Mr. Sivy asked if they need to get them going over eleven miles an hour. Mayor Poling reported it has to be 10 MPH or over. Mr. Sivy reported with those you can't see the police until its too late; they set them up and sit down the road and that's where they catch them. Mr. Lynch reported he was told in a 25 MPH zone the person has to be doing 36 MPH before the local police can cite them. Mayor Poling reported the State Police can come in and run radar that can get them for 5 over. Mr. Gatehouse reported 6 over. Mr. Lynch reported he is a very calm, level headed person 99.9% of the time, but this past week end he has had enough. Mayor Poling reported he doesn't blame him, he would be frustrated too.

Elizabeth Burns commented to Mr. Lynch that she lives by the Jr. High; her children are 36 and 33 years old; since they were in grade school she has fought the teachers, soccer parents, baseball parents, music/chorus concert parents; has even walked out in front of speeding cars and almost gotten hit; has finally given up her fight to have people stop at the stop sign and slow down because her kids were ridiculed by the teachers in Jr. High because their mother was the one at the stop sign; did call Economy Borough Police and did write down all the teachers license plate numbers, but somehow they found out about it and that morning they all stopped at the stop sign because there was almost a wreck and her kids were almost killed one morning; the kids were ridiculed by the teachers in school; the lawyer at the end of the street told her he doesn't have to stop at the stop sign; she asked him he's a lawyer does he know what STOP means or does he need to go back to school; that's at the end of the street; finally gave up; God forbid her grandchildren get hit, there won't be a safe person in this borough. Mr. Rock reported we got a lot of stop sign violations back in September. Mrs. Burns reported she

did see the police and told them they could back into her driveway. Mr. Rock reported he got several phone calls from colleagues; no sympathy from him; stop means stop, doesn't mean slow down it means stop. Mrs. Burns reported she lives right there on the corner and has seen how many almost wrecks; waiting for them to come into the yard; been years she has been fighting; lawyer at the end of the street doesn't know better anyhow; it will probably take something drastic for people to slow down.

Joel Chalupiak, strictly in humor, there are two complaints concerning safety, we could put in an ordinance banning cars or the travel of them near houses.

## **MINUTES:**

***MOTION by Mr. Thomas, seconded by Mr. Mutschler – to approve the Minutes of the October 13, 2009, Regular Session of Council, as written. CARRIED UNANIMOUSLY***

## **MAYOR'S REPORT:**

Mayor Poling reported he received another letter from a resident concerning speeders on Woodcroft; he is recommending the small radar signs; he hears from Mr. Vild every 3-4 months; he was asking about state or federal grants for the small radar signs; it must have helped when the radar sign was put by his house, it slowed the traffic down; he is asking about the smaller ones that go on poles if there is any grant money to obtain them. Mr. Kunkle reported he has started an application for that. Mr. Rock reported when this was looked at several months ago there was nothing there to apply for. Mr. Kunkle reported he will apply. Mayor Poling reported Mr. Vild mentioned bushes on Ridgeway and Brookside obstructing the view; he and Chief Harrington looked at it today; it's two small hemlocks and they don't see a safety issue with them.

Mayor Poling reported receiving a letter from a resident about somebody burning on Foxglove; Officer Woods and Mr. Thomas responded to that. Mr. Thomas reported Sunday he responded to a burning complaint; was coming down Mary Reed Road and he could see the smoke; it was a new couple that just moved in; they were burning leaves; they did not know the ordinance on burning; stopped and talked to them; they now know the ordinance. Mayor Poling reported Officer Woods also responded. Mr. Thomas reported Officer Woods lives across the street from them. Mayor Poling reported the situation was taken care of.

## **MANAGER'S REPORT:**

**1. Nuisance Ordinance – Junk Vehicles:** Mr. Kunkle reported this ordinance has been advertised and is ready for Council consideration for adoption. Mr. Rock reported this amends Chapter 125 of the Borough Code. Mr. Sivy reported he has some issue with this; C, D, and E under "Junked Vehicles or parts thereof: Any vehicle that is required to be registered by the Pennsylvania Motor Vehicle Code, or any part of such vehicle, including tires, which: C. is without either a current license plate or current inspection sticker for longer than thirty (30) days; and D. is stored outside a complete enclosed building for longer than thirty (30) days; and E. Has not been moved or used for more than thirty (30) consecutive days." Mr. Sivy reported there are residents in the military overseas who possibly have a vehicle sitting out and their inspections expire; plates possibly or anyone; if it is under a weatherproof cover is one issue; but who is to say if it is there for two or three years and someone is slowly working on it, is what he is getting at. Mr. Rock reported he had that concern years ago when he got on Council and the previous code enforcement officer called, they went over to a residence and the resident said he is working on the car, it is going to be an antique car; probably two or three years, but he was going to be working on it; he intended to restore the car, didn't have the time, but had bought parts and did some work. Mr. Sivy reported he doesn't have an issue with that, but he does have issues with the

first part; not sure if it should be worded that way. Mayor Poling verified the 30 days is the issue; reported it could be a little bit of a problem; some people just forget; sometimes his trucks are not driven for two months. Mr. Sivy reported there are people with financial hardships, in the military and their vehicles are left outside. Mr. Rock reported every case is handled differently; if someone would explain the situation it would be reviewed as an individual case; what would be a fair time. Mr. Sivy reported he has thought about that and is not sure how to word that. Mayor Poling reported by law you have thirty days after your sticker expires to get it inspected. Mr. Rock reported you have 3 months to get a vehicle inspected. Mr. Sivy reported that is before the expiration date. Mr. Rock reported if he is stopped on the road in January by the police because it ran out, he's already had three months; now wants thirty more days; by law thirty more days. Mr. Mutschler reported you have from one year to the next to know the inspection date is coming. Audience member reported you get five days to get it inspected after you get caught by a police officer; the guy that inspects the car gives you a tag you send into the state. Mr. Naggy reported he has gotten tickets and sometimes they can waive the ticket if you show them proof, but sometimes they don't. Mr. Sivy reported his issue is the storage outside. Mr. Googins reported Council needs to come up with a solution to the concern of the exception. Mr. Sivy reported some kind of wording; has been thinking about it; would like to table it until the next meeting. Mr. Googins verified the concern is about someone who just can't get it inspected for a valid reason. Mrs. Mutschler reported in most situations you can tell what a junk vehicle is and one that is of value; but Economy Borough has a problem with junk vehicles. Mr. Rock advised this is tabled until the next meeting.

**2. Ordinance for the Installation of Speed Humps – Park Hill Road:** Mr. Kunkle reported this ordinance has been advertised and is ready for consideration of adoption; the Traffic Committee met with the Residents Committee from Park Hill; had a good meeting; discussed possible locations for the speed humps; getting it narrowed down; may not be 100% fixed yet but getting there and will be resolved very soon; appears the Residents Committee is very much for this and the Traffic Committee is also behind the ordinance as well. Mr. Rock asked if this ordinance is passed tonight will the speed humps be installed by the end of the year. Mr. Kunkle reported they are attempting to have it done by the end of next week; those plans sometimes change. Mr. Rock read the ordinance. Mrs. Mutschler verified that there would be a separate ordinance per road request. Mr. Kunkle advised that is the way Mr. Fouse set this up. Mr. Rock reported Council has tried everything else; this is it. Mr. Sivy reported he is anxious to get it going to see what happens. Mr. Rock asked for questions of Council; the committee has done an excellent job.

***MOTION by Mr. Sivy, seconded by Mrs. Raymer – to accept Ordinance No. 421 Establishing the Location and Construction of Speed Humps on Park Hill Road. CARRIED UNANIMOUSLY***

Mr. Kunkle reported the signs have been ordered. Mrs. Mutschler requested a cost analysis on everything itemized.

**3. Memo of Understanding – EBPD and AASD:** Mr. Rock reported at the end of May, Council received the Memo of Understanding from the Ambridge Area School District (AASD); it was sent to the Police Department and to Mr. Fouse; everyone thought it was taken care of; we received a memo from the AASD about three weeks ago; they are required by the state to have this; it deals with if our police department is involved with any kind of situations concerning the AASD it protects our police department and it protects the AASD; spoke with Dr. Weischedel about this today; they need this on file; they will be audited at the end of the year by the state; Mr. Fouse and Chief Harrington had no problem with it; it was never sent to the AASD; it is black and white; basically what we have signed off on in the past to the AASD; if there are no questions he recommends this as it is needed by the AASD and something Council should do.

***MOTION by Mr. Thomas, seconded by Mr. Googins – to accept the Memo of Understanding between the Economy Borough Police Department and the Ambridge Area School District. CARRIED UNANIMOUSLY***

## **COMMITTEE REPORTS and OTHER BUSINESS:**

### **PUBLIC SAFETY:**

Mrs. Mutschler reported under the action items, there was a benefit request at the last meeting from Officer Creese and Officer Orsini; talked with Dale Fouse today; this will be tabled because Mr. Fouse wants to be involved in the matter.

Mrs. Mutschler reported the police contract negotiations are moving along.

### **FINANCE COMMITTEE:**

Mrs. Raymer reported the Finance Committee will be meeting again tentatively on November 5<sup>th</sup> on the 2010 Budget; hopefully there will be a draft by the next meeting.

### **ROAD DEPARTMENT:**

Mr. Mutschler reported Laurel Road paving is almost done; cul de sacs are difficult; need to do behind the curbs yet.

Mr. Mutschler requested an Executive Session to discuss the road contact negotiations status, with no vote.

### **ORDINANCE and RECREATION:**

Mr. Thomas reported there are still openings for the November 7<sup>th</sup> Casino Niagara trip; anyone interested, the forms are available at the borough office.

Mr. Thomas provided to Finance the quarterly report from the Recreation Board.

### **PUBLIC UTILITIES**

Mr. Googins reported regarding the Comcast Franchise Agreement, there is a meeting with the five participants of the multi municipal Comcast Cable Agreement; Mr. Kunkle represents Economy Borough regarding the agreement; it is standard; Mr. Fouse will review it when it is decided the final agreement; it will help Economy Borough financially.

### **PROPERTY and BUILDING:**

Mr. Sivy reported the Community Building furnace is up and running; the pilot light was out; maintenance was done on it; noticed the heat exchanger is showing signs of cracking; waiting to see if there is a 20 year warranty on it.

Mr. Sivy reported it is doubtful to have the sign installed by the end of the year; contractor is busy; doors probably by the end of the year; checked on extra letters, \$80 for a full set of letters; the windshield/letter shield will not be an issue to have a latch put on it for a lock. Mayor Poling reported this would stop dirty words being put on it. Mrs. Mutschler reported the letters would get stolen.

Mr. Sivy reported the Economy Connection sent out regarding the ATV usage on private property; specified was that written permission was needed every seven days to ride an ATV on private property; the ordinance is from 1979; it is talking about someone riding on a neighbors property; people take this to heart. Mrs. Mutschler reported this is why ordinances need reviewed and looked at; some have been on the books for years and the community has changed over the years. Mr. Sivy reported they can be a nuisance; possibly would like to see this reviewed.

## **REPORTS:**

**SECRETARY:** No Report

**ENGINEER:** No Report

**SOLICITOR:** No Report

## **HEAR THE PUBLIC II:**

Mr. Rock reported the second part of the Hear the Public would be anything covered in the context of the agenda tonight.

Andy Naggy, Bradford Park Road, reported he is probably too late and in the minority; where will it stop; will there be speed humps on every road of every person that complains; people have problems with people speeding; people are citing kids safety; feels the road is not a playground, not a basketball arena, not a skating rink, or whatever else kids might do in the street; it's a road; keep your kids off the road and there won't be a problem. Mr. Lynch asked Mr. Naggy if he is a parent. Mr. Naggy reported no, but he would not let his kids play in the road; people need to teach their kids to not run on the road. Mr. Rock stated he understands that, but until you become a parent and a father. Mr. Naggy reported Council picked speed humps because there is a nuisance and now we are going to put more in. Mr. Rock reported he did not say we were putting more in; Park Hill Road speed humps are experimental; will see where it goes; as for teaching children, become a parent, then make that comment. Mr. Kunkle reported, for those that don't know, in order to get the speed humps installed, one of the several requirements is that 70% of people on the street have to ask for it; we are not just going to put them in anywhere; there is a process that the residents on Park Hill have gone through and endured with us; 70% have to ask for it. Mr. Sivy reported he is possibly thinking of a little hump in the road; this is not what these are; these are like plateaus; this is experimental process that has been talked about a long time; we do realize we have speeding issues and will see what this does. Mr. Googins reported Mr. Naggy was not here to witness the exhaustive process (Mr. Mecchia can witness this) to make sure that there is a policy established so that everybody doesn't get a speed hump on their street; Mr. Mecchia can agree that the process is thorough to determine if it is needed; no everybody will get a speed hump on their street; he might want to read the policy. Mr. Naggy reported Council is setting themselves up for everybody with a problem wanting them because someone else has them. Mr. Googins repeated Council wrote a policy to insure that that would not happen. Mr. Mecchia reported this has been a long process; he came to Council and complained about the speeding on the street; we have done traffic studies with the police department and the road department; the residents have signed two petitions; something has to be done on this road before someone gets killed; it is not only the kids in the street playing; what about the kid that jumps out of the yard accidentally; what about the person who wants to walk down the street to the neighbors house; what about the borough manager that was trying to put cards in the mailbox and almost got his car rear ended; what about the borough engineer who was trying to put white lines on the road and almost got driven off the road; the problem isn't five or ten miles over the speed limit; the problem is fifteen, twenty miles; would like to comment on the entire meeting tonight; the problem with the United States of America and the American people right now is, there is no common sense; if there was

common sense he wouldn't have a problem; people don't have common sense; people are in too big a hurry to do what they want to do and could care less about everybody else; has worked with Council three years trying to get something done; every member of Council was against the speed humps; went to every other alternative (dummy police cars, etc.); has done everything possible, the only way to try to fix it is with the speed humps; if this does work it could set a pattern up for the other streets in neighborhoods that have problems; but they will have to go through the process Park Hill Road went through; it is not going to be put a speed hump because someone wants a speed hump on his road; other communities, Mt. Lebanon, Peters Township, Marshall Township, Findlay, Moon Township, etc., have had to do this because of the mentality of the people driving now; there is a problem; if we don't take action and someone does hit a kid who is going to remember that we didn't try to fix this problem and the person who was in such a hurry and killed the child will live with that the rest of his life. Mayor Poling reported to Mr. Lynch that Mr. Mecchia has been through writing citations; he will get someone down there to write citations but that does not stop the problem. Mr. Lynch reported he knows it doesn't stop the problem but something is better than half of nothing. Mr. Mecchia reported a school bus was doing 61 MPH on Park Hill Road. Mayor Poling reported the school bus wasn't stopped until Mary Reed Road. Mr. Mecchia reported the police usually catch the speeders on Bock Lane after they already got off Park Hill Road, heading for Walnut. Mayor Poling reported our problem is like Park Hill Roads, everybody is cutting through to get to Cranberry; Walnut is a short cut for people who don't want to go up Bock Lane and turn left, they are coming through the neighborhood. Mr. Lynch reported it is a small percent. Mayor Poling reported it is a small percentage, but it will increase too. Mr. Mecchia thanked Council for what they did and hopes it works; wants it to work.

Dale Gatehouse, Heath Drive, directed to Mr. Sivy, that he was instrumental 38 years ago in enacting Ordinance 209 on Off Road Vehicles; maybe he could clear something up; he has a quad that he uses to plow his driveway; has a cart to pull loaded with firewood; is that going to be included in getting the neighbors permission; this is non recreational was the ultimate goal of the original ordinance; is that how it is worded or is it going to be blanket, not allowed to use them. Mr. Rock felt that what Mr. Gatehouse said would not be included. Mr. Gatehouse reported he does not have a copy, read it in the Economy Connection; sounded like if you had one, don't ride it. Mr. Thomas reported the ordinance was signed in 1979 by Robert Gross, sitting in the audience. Mr. Gatehouse reported it was when Bradford Park started to build up. Mr. Gross reported permission was needed if you rode on somebody else's property. Mr. Sivy reported it is common courtesy to do that.

***MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to enter into Executive Session to discuss the Road Department contract update, with no vote to be taken tonight. Time: 8:55 PM CARRIED UNANIMOUSLY***

***MOTION by Mr. Sivy, seconded by Mrs. Raymer – to return to the regular order of business. Time: 10:04 PM CARRIED UNANIMOUSLY***

**ADJOURNMENT:**

***MOTION by Mr. Sivy, seconded by Mrs. Raymer – to adjourn the meeting. Time: 10:04 PM CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum  
Borough Secretary  
November 6, 2009