

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* DECEMBER 8, 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 (7:12 PM), Dale M. Fouse, Esq., Scott A. Shoup, P.E., P.L.S., Randy S. Kunkle, Borough Manager

**HEAR THE PUBLIC:**

John Campbell, 123 Gross Drive, reported on the proposed 2010 Budget there are numbers and items that don't jive; the current budget report shows a surplus in building maintenance for line item 01.430.300 not used, but is still budgeted high in 2010; suggests there are \$60,000 to \$70,000 in line items that could be taken off to reduce the 2010 budget. Mr. Rock reported if Council starts taking things out of the budget, come 2010 we will have problems; the Finance Committee in correlation with all of Council have looked at all the items in the budget and come up with what is felt to be the best for expenditures based on revenues; Mr. Campbell is looking at the year to date and balance remaining; this changes from month to month; Council looked at the entire picture; to now start taking items off, can't do that, have to plan ahead; that is what Council has done; there is more involved to it; the Finance Committee and the work of all Council have come up with this budget, using the numbers Council felt would be necessary to get Economy Borough by next year, hopefully without a tax increase. Mr. Campbell reported the police secretary salary does not look right and must be backwards for 2008 and 2009 on Plan A. Mrs. Mutschler reported the numbers in the 2009 column are the budgeted numbers and will change when the budget is done for 2011; that is the money that is budgeted for her salary; not saying her salary is that number; that is the money budgeted for her salary; next year when Council does the budget for 2011, the figures for 2009 now will be actual figures, not budgeted figures; that is why 2008 looks higher than 2009; 2009 could change and be a firm number; right now they are the budgeted numbers Council worked with this year. Mr. Rock reported as an example, Council budgeted \$4,000 for tires in 2009; actually spent \$2,986.00 in 2008, budgeted more; may be a little under the \$4,000, when the final figures come in, may spend \$3,350 instead of \$4,000 for tires; between now and the end of the month we may have three more flat tires; this is for the police department, the road department is separate; like Mrs. Mutschler said, the final figures are not in for 2009 yet and won't be in until January. Mr. Campbell felt the figures printed for 2009 are not up to date and are not correct. Mr. Rock reported the 2009 column on the Plan A are the budgeted figures for 2009; the money allotted to that specific area; in some areas we will be under that at the end of the year, in other areas we will be over that figure. Mr. Campbell wanted to comment on Plan A, but the 2009 figures aren't correct. Mr. Rock repeated they are the budgeted numbers; the budget is a plan and Council wants to stay within that plan as best we can; in some areas we can't; i.e. insurance has gone up, car repairs, these are things Council can't anticipate. Mr. Campbell reported in 2009 Council/Mayor salary was budgeted at \$15,000; according to the 2010 budget Council/Mayor are taking a pay cut; the mayor's secretary stipend has been taken completely out; and the 2009 figures aren't correct. Mr. Rock reported the salary is set; the 2009 column are the budgeted numbers. Mr. Campbell asked about borough employee salaries. Mr. Rock advised they are negotiated contracts. Mr. Campbell asked if the borough manager and borough secretary figures on the budget would be

what they actually get at the end of the year. Mr. Rock reported the borough manager and borough secretary salary will be set by Council; road department and police department are negotiated. Mrs. Mutschler reported it will vary a little because full time salaries are set at a rate but will vary due to over time, shift differential. Mr. Campbell advised he is looking at the borough manager and the borough secretary; asked if the 2009 figure is a set figure; says he figured that those two people (and not to sure about a couple other ones) Council and the Mayor are taking a cut and these two people are going to get a pay raise. Mr. Rock reported they are full time employees; Council are not full time employees; they are the people who do 90% of the work; they do most of the work; Council finalizes decisions; was not easy for Council to take a pay cut, don't want to do that; this is not Council's full time job; don't have families to support or children to raise; feels he would agree, if anyone would take a little decrease it would be Council; full time workers (road department, police department and office) all have families to raise and bills to pay; this is their full time job; if you look at the amount of raise they are getting, in a way it's shame on Economy Borough for what they are giving these people. Mr. Campbell reported at the same time they are full time employees; this is their main livelihood; one employee is taking a \$2,400 cut because someone wanted to cut the stipend; she is taking a drastic pay cut; thinks that should be looked at; does not think it is right; other areas where money could be taken from to cover for that lady. Mr. Rock reported this has been looked at and thanked Mr. Campbell for his input.

Sal Boboth, 105 Timber Ridge Road, reported it had to do with the budget, but thinks we have heard enough.

Cindy Carlson, 87 Firethorn Road, came before Council with a concern of the Wind Energy System and Wind Turbine Ordinance No. 423 passed at the November 23, 2009 meeting. Mr. Kunkle reported there are 28 listed requirements in the ordinance before a system can be installed. Mr. Fouse reported he does not want to regurgitate the hearing from the last meeting, but the reason why Council took this upon themselves is because if Council didn't (this is important) they could built anywhere, anyhow they wanted to; Council had to do this; if you don't have this in place, Economy Borough zoning would be exclusionary and they could build whatever they wanted; this is what generated the process; secondly, these uses are Special Exceptions; this means they are not naturally a permitted use; they have to make an application and go before the Zoning Hearing Board; neighbors get notices and get to show up at the hearing; they have to meet all the requirements; Council did not do this on a whim, they had to do this; had to put this in place to protect the people who own property in Economy Borough. Mr. Rock suggested Mrs. Carlson get a copy of the ordinance and once all the regulations are read she will find what Council did safeguards the residents of Economy Borough.

Debbie Sovich, 104 Shady Spring Road, asked if the ordinance would be put on the web page and the web page updated. Mr. Rock reported yes.

Kathy Preuhs, 91 Firethorn Road, came before Council with three neighbors from Bradford Park to request that Council consider banning the burning of leaves (not wood for camp fires for cooking) for two reasons; the burning of leaves are highly toxic and Economy Borough has a leave collection program; provided two articles regarding leaf burning. Mr. Rock reported when he first got on Council in 2001 he brought up to Council to ban leaf burning in Economy Borough; at that time the Chippewa Township Supervisors (area similar to Economy Borough) banned the burning of leaves; about the same time he made the proposal for Economy Borough, they rescinded the ban because so many residents came to them and told them it was their right as a citizen to burn leaves on their property, felt the supervisors had no right to tell them they could not burn leaves on their property; there were enough of them that the Chippewa Supervisors rescinded the ban; that was the motivation for Mr. Rock to say he's not going to touch it; most of Council has spoken to people who are burning leaves will look Council in the face and say if they want to burn leaves on their property, they will burn them; agrees with Mrs. Preuhs, all these things are in place; if Council does a ban, hopes all the residents that are against the burning of leaves, come here when the many that come and tells Council it is their Constitutional right to burn leaves. Mrs. Mutschler reported Economy Borough did not have the yard waste drop off in place previously. Mrs. Preuhs asked if it could be put on the ballot. Mr. Rock reported putting it on the ballot would be a great way to do it; put it to a vote. Mrs. Preuhs reported nothing is mentioned in the Economy Connection

about not burning on Sunday and Monday. Mr. Thomas reported it is in the burning ordinance. Mrs. Sovich reported they get five days of burning and she gets two days of freedom; they still burn anyway; one officer told her they don't patrol any more they just wait for the everyone to call; does not think it is fair to put the onus on the residents to have to call; this is frustrating after a while. Mr. Rock reported it is not funny; he does joke about living in Bradford Park; they will tell you it is their Constitutional right to burn; as many people who are against it, will bet there are as many for it; does not know if it is something that Council wants to get into; back in 2000 Council decided not to based on what went on in Chippewa; he is for banning leaf burning; believes they may be in the minority. Mr. Thomas reported most of the problems are in their area; when he gets call of burning on Sunday and Monday he does not give a warning; he tells them to put it out. Mrs. Preuhs reported if the people were fined for burning on Sunday and Monday they would stop doing this.

Debbie Jeanette, 89 Firethorn Road, reported they may have a right to burn, but she has a right to breath; increased population in this area, asthma on the rise in children and individuals; can understand people saying they have done it this way and want to continue, but also the environment is changing; if it was looked at in 2000, it is ten years later; we have a new situation; she gets affected with asthma; they burn in the morning, afternoon, Saturday, you can't do anything outside; suggested it be reduced/limited; there are other ways to handle it; we are at a different time; a right to burn vs. a right to breath. Mayor Poling reported there is something the burning of leaves, the smoke doesn't go away; on Bock Lane you can see someone burning because it looks like San Francisco, a haze; it just doesn't go away; it agitates him also. Mrs. Jeanette reported you don't know when someone is burning until you walk out and then you have a physical response to it; they can stop burning, if you have a situation, you can't stop breathing; would like it to be put on the table for reconsideration for the upcoming year. Mr. Rock reported if Council does anything, he would like it eliminated; feels he is in the minority; asked Mr. Fouse if he knows of any communities (or can research it) that have put this on the ballot. Mr. Fouse reported he has never heard of it. Mr. Rock reported it would be interesting and settle everything; asked Mr. Fouse to check out if something like this could be put on the ballot for the residents to vote on. Mayor Poling suggested advertising it somehow to see what kind of response we would get; the newsletter is almost diminished. Mr. Fouse reported he is not aware of any of the municipalities he represents having this; the only time he broke up a fist fight at a municipal meeting was over leaf burning; it becomes a very contentious issue; would review local ordinances out there.

Robert Mueller, 104 Roberts Lane, reported he sees the issues on burning, but disagrees due to the fact that there are elderly and disabled residents who try to load up and carry leaves to the collection area would be a problem; recommended if abolished have a pick up day. Mr. Rock reported Economy Borough does have a leaf pick up program in place.

Adam Klimkowski, 960 Conway Wallrose Road, understands some of the viewpoint on the leaf burning; what if someone cut down a tree and the tree has leaves on it. Mr. Thomas reported that is not part of it. Mr. Rock reported the concern is the people who rake up the leaves into a pile and burn them. Mr. Klimkowski reported common sense should be used when burning; feels 5 days of burning gives residents the choice of what day to burn with regards to the weather. Mr. Rock reported it is a difficult problem

Butch Thompson, First Street, asked if Council planned on taking action on the 2010 Budget; did the public get a full ten days for review from the time it was advertised. Mr. Kunkle reported the ad was sent to the Beaver County Times after the meeting of Tuesday, November 24<sup>th</sup>. Mr. Thompson reported it was advertised on November 30<sup>th</sup>. Mrs. Mutschler provided a copy of the Beaver County Times for Monday, November 30<sup>th</sup>; to Mr. Fouse. Mr. Thompson reported that makes it nine days and would that be a problem for tonight. Mr. Fouse reported it would not be a problem. Mr. Thompson asked who is going to decided what is and is not important to write in the minutes. Mr. Rock reported the borough secretary; the minutes deal with the business

of Economy Borough; if you read the rules that deal with the minutes of a meeting, all that needs to be said is name, address and subject of their concerns; we need to be specific about ordinances, laws, etc. Mr. Thompson reported something that is important to him may not be important to Council. Mr. Rock reported he is not saying it is not important; but minutes that are 20-25 pages in length are getting wordy; where do you cut down; asked the borough secretary to cut down a little bit; the last meeting are pretty extensive again; looking for a happy medium; sees his point; knows Mayor Poling and Mrs. Mutschler were upset; anyone can bring an audio tape, record and listen at their leisure; you are permitted to record. Mr. Thompson asked the status of the vote on the officers who were filing for the pay. Mr. Rock reported Council voted to give them the 15 days. Mr. Thompson asked if a new procedure has been put in place for situations like this so it doesn't happen again; thinks it should be addressed quickly. Mr. Rock reported no yet; will get in this situation again. Mr. Thompson reported rumors that the new road department contract creates a new job title where there is basically a desk job; true or not true. Mr. Rock reported no way. Mr. Thompson asked how many people live in Economy Borough and live outside Economy Borough that will be paying the \$52.00 Local Services Tax. Mr. Rock reported approximately 1,000 people work in Economy Borough; of the 1,000 don't have numbers of how many live in Economy Borough; guess is approximately 20% of the people who work here live here; vast majority come into Economy Borough; the vast majority of people who live in Economy Borough are working in Allegheny County, other areas that are paying the \$52; basically the majority of the Economy Borough residents, himself included and probably most people on Council, pay that money to the municipality that they work in.

Adam Klimkowski, 960 Conway Wallrose Road, asked if he needed a permit for the new washer and dryer he bought this week and for the stumps he had ground out this week; feels Joe Luff harasses him and has violated his Constitutional rights. Mr. Rock reported this is a personnel matter and dealing with coming on posted private property; Mr. Fouse gave the legal interpretation of what exactly the code enforcement officer can do; spoke to Mr. Kunkle about it and Mr. Kunkle spoke to Mr. Luff about the procedures if he would come on property and was interested in the neighbors property, that he would come to him first, knock on the door and ask if he could use his property to see what is going on next door. Mr. Klimkowski asked if he should have to call, because if he knocks on the door, he is already violating your rights. Mr. Rock reported if there is a no trespassing sign on the property he will not come on the property; if he does not have a no trespassing sign he will come to his door about the neighbor and if told no, he has to leave; if there is a no trespassing sign, that is a different thing. Mr. Klimkowski reported he continues to trespass for the second time; has had signs up for over a year. Mr. Rock believed he went to the neighbor's house. Mr. Klimkowski reported he came on his property and his neighbor's property without permission. Mr. Rock reported Council knows that and that situation was dealt with. Mr. Klimkowski asked why does he continue to be allowed to do this; last time he pulled in the back driveway that is 400' off the road, turned around, looked around and pulled out; saw him do this; did this in March and now again. Mr. Rock asked if he got out of the car at all. Mr. Klimkowski reported he does not know; was just getting home and looked out the back window in March and saw the car; was having a boiler put in; assumed he was code enforcement because of the old police car; assumed the guy hired to put the boiler heating unit got a permit and called him; realized a few weeks later, they didn't because he asked them if they gave permission for him to be here; was told by the worker he did not need a permit to put boilers in as he was certified by the State of Pennsylvania to install them. Mr. Rock verified that he was at the meeting and went to the police about it; once he has gone to the police it is taken out of Council hands. Mr. Klimkowski reported where he works if he did something to a customer he would get in trouble; since he is a government employee, he should be allowed to know what corrective measures were taken so he won't do this again. Mr. Rock reported he was spoken to. Mr. Klimkowski reported it has been two times. Mr. Rock reported these are two separate issues; he was spoken to and it was dealt with as a personnel matter; personnel matters are not discussed in public; if Mr. Klimkowski was an employee he would expect that respect also.

R. J. Burns, 112 Almond Way, reported the employee has broken a rule that he, Mr. Rock and Mr. Googins talked about; Mr. Luff isn't suppose to be riding around (according to Mr. Googins) looking for trouble in

Economy Borough; talked about it numerous times. Mr. Googins reported they had the conversation outside. Mr. Burns reported the man is not doing his job; he did not follow his peers. Mr. Googins reported what his opinion is, is not necessarily the opinion of Council. Mr. Burns asked if we are going to keep playing with this guy; said you took the matter behind closed doors; how many times is this going to be; knows of four times already; generally three strikes and you are out; when is Council going to get rid of him; real world, not Ron's fantasy land.

Meagan Trimbur, 3225 Ridge Road Ext., reported we have had incident after incident; took her two years to get her something done with the property next to her; Council went into Executive Session and believed him; had a talk with him; have had how many residents in Economy Borough come forward with complaints; how many times are you going to talk to him; like her brother said in the real world, in a job there should be some kind of reprimand; should be something done; he has not been reprimanded. Mr. Rock reported Council has handled the situation as a personnel matter.

Elizabeth Burns, 100 Stange Road, in light of the recent shooting of a Pittsburgh police officer is concerned of how well outfitted are the Economy Borough police; do they pay for their own bullet proof jackets; are they up to date; does Economy Borough provide those and what other equipment can we provide our officers for safety. Mrs. Mutschler reported they are up to date bullet proof vests that Economy Borough does provide for them; full time and part time officers have them. Mayor Poling reported they go through extensive training for different situations; night shoots; any situation they may run into; feels very comfortable that they are well equipped and semi well trained; a lot of training was cut; they keep what is important. Mrs. Burns thought they paid for their own vests. Mr. Rock questioned how well any vest would protect them from an assault rifle. Mayor Poling reported it seems like the weapons are always a step ahead of the vests; Chief Harrington showed him that they are taught to aim for the head. Mr. Rock reported the police officer remained in his car; he was at least two houses away waiting for back up; the guy came out of the house and basically executed him; the police officer did not approach the house; he stayed in his car; it is a very tough job.

Sal Boboth, 105 Timber Ridge Drive; reported the guy using an AK47 is a 7.65 round; like a 30.06; will go right thru a vest.

Clare Lynch, 101 Walnut Drive, knows it has been under a month, but would like to know what the feed back has been on the speed humps on Park Hill; has seen the sign that a resident put in their yard. Mr. Rock reported good and bad feed back; the sign is not mature; received a letter from the majority of the residents on Park Hill; but there are still a minority of residents who are against the speed humps; did have a resident who worked with 3-4 other ladies who used Park Hill as a short cut and they were very upset with it. Mrs. Lynch asked about the response from the police officers and the emergency response; knows it is a concern in other meetings about it slowing down response time; something that they are looking to get on Walnut because they still have a speeding problem; now they are starting to have a problem with the officers towards them; they have threatened to cite them because they had parked their car at the top of their driveway, blocking part of the sidewalk; told them that that was against the law; when asked what they are doing about the speeding, they were told set up a traffic detail on one of the roads; they never came to them (the residents who are having the problem) and asked where they think the best area is for them to sit. Mr. Rock reported Council is aware of the speeding problem on Walnut; feels her situation is quite different; had the Park Hill situation which was a short cut from Freedom Road to Bock Lane to various areas; personally he feels her problem is the neighborhood residents who live in the plan and take Walnut to go home. Mayor Poling reported it is a short cut too; the police officers use it as a short cut. Mrs. Lynch reported 90% are residents; wanted to know the feed back and what the next step is for them to get speed humps on Walnut. Mr. Rock reported speed humps are something that the majority of

Council does not want to push at this time; Council dealt with Park Hill; dealt with signage; dealt with various speed signs; put the patrol cars there; went through step after step before they reached the speed humps; that is the final thing to do; on record is not for putting speed humps on Walnut; not saying they won't be there four or five years from now; going to be a long process; would prefer using other steps first; because 90% of the problem are people that live there. Mrs. Lynch asked who to work with (Mayor Poling, Mrs. Mutschler) about getting the police to come out and sit where they need to sit; have told them in person and on the phone to sit in their driveway; park behind her car (she works from home a few days a week) catch the people; can tell the times of day that they are coming thru; to come by and be told they if they don't move their car they will be cited because your car is blocking the sidewalk, because they were the only people in the neighborhood out on that day is absurd; how many people actually walk on the sidewalk in front of their house vs. how many cars come through; the neighborhood is turning; there are young people with young kids. Mayor Poling reported a lot of kids and a lot of dogs. Mrs. Lynch reported when he drives by Mayor Poling sees that they are always outside; it is getting scary. Mayor Poling reported he does not know if her driveway would be the best place; he was looking where they have the line is terrible; somewhere on the right hand side where there is some blockage; doesn't know if any of the neighbors would give permission; seems like between Bock Lane and where Walnut cuts up; needs to be in the middle because most of the people cut up the hill. Mrs. Lynch reported the people are flying off Bock Lane. Mayor Poling reported they need to find a spot on the right side where they can be hidden. Mrs. Lynch reported they have given the police the names of the neighbors across the street who are willing to cooperate and nothing has happened. Mayor Poling asked Mrs. Lynch to call him and he will make sure something gets done; thinks it's between 5:00 and 6:30 AM when people are going to work; during the day it might be sporadic; talk to him and they will get it done. Mrs. Lynch wants to make sure they go about it the right way.

Jo Ann Borato, 2001 Conway Wallrose Road, asked if there is any progress for development behind Northern Lights Shopping Center. Mrs. Mutschler reported no. Mrs. Borato asked if Economy Borough is being billed for the solicitor fees for the declaration of taking issue. Mr. Fouse reported all his legal fees are being paid by Economy Borough taxpayers; this is the only remaining commercially zoned developable property in Economy Borough and we have to provide access to SR 65 from that property; this will allow for a borough road to exist from SR 65 thru the shopping center up over the Boal property to Tevebaugh; that property taken exists; no matter who might develop the property behind the Northern Lights Shopping Center, this whole case is just about that proposed roadway location; does not want Council to respond to this as it is ongoing litigation.

Adam Klimkowski, 960 Conway Wallrose Road, asked for clarification on what Mr. Fouse said that reasonable cause is needed to enter property or a neighbor needs to call with a problem. Mr. Fouse reported someone needs probable cause. Mr. Klimkowski reported someone needs permission or probable cause and in this case he had neither. Mr. Fouse reported that is Mr. Klimkowski's opinion; has been dealing with probable cause for twenty-five years; this is a personnel matter. Mr. Klimkowski reported he wanted to clarify how bad he thinks what he did was; a neighbor did not call and the item in question can not be seen from any road unless you trespass on someone's land.

Mike Lucia, 401 Golden Grove Road, asked if probable cause would be if an anonymous caller called to say Joe Blow is building a shack, you better check it out; feels probable cause should be anything that leads you to believe that something is going on that should not be and that Economy Borough should be compensated for or at least be inspected; if someone who lives on the other side calls to request it be checked out, give him the right to go on the property. Mr. Fouse reported every case is different.

John Campbell, 123 Gross Drive, has a simple solution for accurate minutes of the meetings; they can be recorded on a disc; can be used for research; the disc can be stored for reference from now to eternity; can do an amendment that those records would be official minutes and the printed one would also be the same. Mr. Rock reported the minutes of the meeting deal with the business of Economy Borough; laws and ordinances being

passed; the question and answer period has nothing to do with the business of Economy Borough; these are concerns of citizens that Council tries to answer; does not need to be in the minutes; when it deals with an ordinance or something that goes into law, that goes into the minutes; to put everything else in, which has been done, is something that is above and beyond what the secretary must do; she must record the business of Economy Borough; when someone comes to Council with a question Council answers it to the best of their ability; they have their answer; question asked, question answered, whether they like the answer or not; other people can record the meeting; basically the question was answered; that is the concern of the public session, not something that needs to be put in the minutes; it has been in the past as a courtesy to the public; the borough secretary goes above and beyond what is expected of her.

### **MINUTES:**

November 24, 2009 Regular Session of Council – Not available at this meeting.

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

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

Mr. Rock reported a resident called him regarding an incident where while hunting his car would not start; had to leave it over night; the police saw the car, got the license plate, went into the woods to see if the hunter was there to find him, got the phone number and called him to make sure everything was ok; resident was impressed that the police would follow up on something like that.

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

**1. Batykefer/Glenn Plan of Lot Consolidation:** Mr. Kunkle reported this is a simple reverse subdivision combining a 2 acre lot with a 4 acre lot off Spring Road Plan; Both Planning Commission's recommend approval with typical caveats.

***MOTION by Mrs. Mutschler, seconded by Mr. Mutschler – to approve the Batykefer/Glenn Plan of Lot Consolidation conditioned upon the following: comply with the BCPC review comments of November 9, 2009, comply with the Planning Consultants recommendations of October 29, 2009, Shoup Engineer's recommendations of October 30, 2009, and comply with all borough ordinances and regulations.***

***CARRIED UNANIMOUSLY***

**2. Traditions of America (TOA) – Liberty Hills Phase II:** Mr. Kunkle reported originally the Liberty Hills development was put in, in two phases, Phase I and Phase II; given the economy and the way Phase II went in, they are asking if Economy Borough would consider breaking Phase II into two phases (Phase IIA and Phase IIB); Phase IIA is all in Economy Borough, 24 units would be involved; all of the infrastructure is in place; Phase IIB still has some infrastructure to put in; TOA will hold off on that expense and focus on Phase IIA; they are ready to obtain permits now; this also went through Beaver County Planning Commission, Economy Borough Planning Commission and Mr. Shoup noted one slight set back issue which has been dealt with; they are recommending approval that Council allow Phase IIA to commence on its own; it is the portion of development nearest Barbara Street.

***MOTION by Mr. Sivy, seconded by Mr. Thomas – to authorize Traditions of America (Liberty Hills) to change their plan and proceed with Phase IIA (24 homes in Economy Borough).***

***CARRIED UNANIMOUSLY***

**3. Refuse Hauling Agreement:** Mr. Kunkle reported this has been discussed over several meetings; this is a copy of the existing agreement with the underlined new additions and crossed out old items; the current agreement runs thru 2010; last year Council extended that to 2011; this one starts January 1, 2010 and runs to December 31, 2014; this is a three year extension given that 2010 and 2011 are technically under agreement; the existing agreement allowed for a dollar a month increase starting January 1, 2010; this was pushed back to January 1, 2012; an automatic savings to residents of over \$30,000 going with this. Mr. Rock reported he feels most of Council has great respect for Mr. Powell, he does an excellent job and recommends that Council follow through with this.

***MOTION by Mr. Thomas, seconded by Mr. Sivy – to authorize approval of the Refuse Hauling Agreement between Economy Borough and E. Reid Powell (Refuse Service, LLC) for the period beginning January 1, 2010 and ending December 31, 2014 for the hauling and disposal of residential garbage and recycling under the conditions and terms set forth. CARRIED UNANIMOUSLY***

**4. Local Services Tax (LST) Ordinance No. 424:** Mr. Kunkle reported the recommendation of the Finance Committee going into 2010 is to increase the LST from \$10 to \$52; this is imposed on anybody who works in Economy Borough making over \$12,000. Mrs. Mutschler reported it was advertised in the Beaver County Times on November 30<sup>th</sup> and stated Council was amending Ordinance 419; this is the ordinance vetoed last year. Mr. Fouse reviewed the ad provided by Mrs. Mutschler; Mr. Fouse reported the ad does say that; it is his recollection that Mayor Poling did veto 419 last year; this is not fatal to the ad; the ad does provide for all the details of the ordinance and does provide for the \$52; does not see that that aspect of the ad will have an adverse affect; the ad provides for the details set forth in the ordinance and provides for the \$52 increase over the previous established \$10; feels this is sufficient notification; does not think it is fatal to the advertisement. Mrs. Mutschler asked if Mr. Fouse had to send anything to the state. Mr. Fouse reported that happens next; this is not done until the ordinance is actually passed; this ordinance is a tax ordinance; slightly different than a typical ordinance Council might pass (i.e. zoning ordinance); Mayor Poling has the opportunity to veto this ordinance as he did a similar one last year; with the typical non tax related ordinance, the mayor can't veto; Council can't consider an over ride to his veto for ten days; as it relates to tax ordinances, the law is slightly different only to this extent; the mayor can veto within ten days if that is what he chooses to do; has talked to him about this; contacted the state because we have deadlines, not only our advertisement for this ordinance, but the state has to place this tax on the state rolls to make it enforceable; if this process is going to unfold and Council is going to adopt this ordinance either by way of an adoption without a veto or an adoption with a veto and then an over ride, we can do that all in one night; all three of these items can be done in one night; right now the motion would be to consider adopting this ordinance; the ordinance has a page for the mayor to either sign off on or not to; if he chooses to veto this ordinance, he must do so by providing a written letter to the borough secretary or include in the minutes his reasons for vetoing it; he would have to sign the document prepared that he had examined it and vetoed it this day, December 8<sup>th</sup> 2009; (unlike a regular ordinance) with a tax ordinance, Council has the opportunity to over ride it; this is a three step process; the only way this is going to unfold (assuming the mayor is going to veto it) and to be able to send this to the state for tax roll purposes; would require first Council's majority vote for the ordinance; then the mayor's veto; then if Council chose to do so, reconsider the veto by way of the over ride. Mayor Poling asked if this can be done even if his opinion is not in writing yet. Mrs. Mutschler reported he just signs off on the ordinance that he vetoes it. Mr. Fouse reported on all ordinances he has provisions for the mayor; Mr. Rock has the original; at the bottom of the ordinance it states examined by me this eighth day of December 2009; where the blank is, if he chooses to veto,

he would fill in I veto or vetoed by me; according to the law he has to tell the borough secretary the reasons for the veto. Mayor Poling asked if it could be at the next meeting. Mr. Fouse reported it could be done tonight. Mayor Poling reported he is not prepared tonight. Mrs. Mutschler reported the mayor has ten days to submit this in writing. Mr. Sivy asked if it could be over ridden tonight. Mr. Fouse reported if Mayor Poling vetoes the ordinance tonight, at that point Council has the opportunity to over ride, yes; the written statement can be given any time within ten days; was not certain of this until he contacted the state yesterday; they confirmed, but would not commit that this is the right way to do this; Council typically does not have to deal with the state on Economy Borough ordinances unless it is a tax ordinance, because they put it on their rolls. Mr. Thomas verified that this ordinance is tied into the budget; if it does not go through, what does it mean for the budget. Mr. Googins reported last year Council just left the anticipated numbers in the 2009 budget and they just stayed there, but Council knew it would be tax we would not have. Mr. Fouse reported this is the old occupational privilege tax; have had the \$10 tax for year and years; Council would be doing away with the occupational privilege tax and establishing the Local Services Tax. Mr. Thomas asked if the majority of the residents of Economy Borough pay LST outside of Economy Borough. Mayor Poling reported the majority of the people pay \$62.00 per month for sewage. Mr. Sivy reported the LST has nothing to do with the sewage. Mayor Poling reported it does to him; if it is going to affect people at the dollar store, Smittys, D&S, Economy Superette, it affects him; he won't sign it. Mr. Rock reported the people paying \$62 per month sewage are also paying \$52 LST. Mayor Poling reported his Mother always told him when he would say everybody else is doing it, if they would jump off a bridge, would you jump; no; thinks it is time to be an example; the people who keep this county going is the working man; how much can you give; whoever put the occupational privilege tax into effect in the State of Pennsylvania should be exiled from the county; it is a nuisance tax and to give little municipalities and townships that opportunity to add more, no, he will not sign it. Mr. Rock reported people coming into Economy Borough are using all our services that we are paying for; Economy Borough has about 1,000 people that work in Economy Borough and close to 80% of them come from outside Economy Borough. Mayor Poling reported when he sees real growth in Economy Borough, real business and real industry, then it would consider it; will not hit people making \$14,000, \$15,000, \$18,000; that may be a tank of gas or food for their family. Mr. Rock reported those people live in Baden, Cranberry, Freedom, Conway, Ambridge; places that Economy Borough residents would pay \$52 to work there. Mayor Poling reported maybe if they came here to see how we spend their money they would be a little hesitant if they pay here or not; what he has seen in the last four years is disgusting how the money is being spent. Mr. Sivy pointed out that the people that it is not going to affect (who he is for) the senior citizen on a fixed income; if Council doesn't pass this and Council has to raise property taxes, it will affect the senior citizen on fixed incomes; they can't afford the \$20/\$30 per year. Mayor Poling reported we were here until 10:30 PM for a special budget meeting; everything was peachy keen; went over the budget line by line by line; no tax increase; come back to a public meeting and now \$100,000 off, we are going to raise taxes; some bad accounting somewhere; if this budget was done right the senior citizens would have a reduction in their property taxes. Mr. Sivy asked Mayor Poling if his department runs 100% efficient. Mayor Poling report no it does not, no department does, and we'll straighten that out too.

***MOTION by Mrs. Raymer, seconded by Mr. Googins – to authorize Ordinance No. 424- Local Service Tax Ordinance as stated, providing for \$52.00 per year Local Services Tax for Economy Borough.***

Discussion on the motion: Mr. Googins reported he does not disagree with some of the things Mayor Poling said; when they looked at the budget and came up with the numbers that were talked about the last few meetings; it was the opinion that they needed to supplement the income that they had; Council had decided not to raise property taxes; does agree that legislature should have never passed the LST tax; nevertheless, the tax system in the State of Pennsylvania as convoluted as it might seem, does include several different taxes; the LST tax, the Per Capita Tax, school taxes, local taxes, county taxes; the taxes put in place for municipalities to recoup some of the cost of services for individuals use the services within a municipality; those that work outside or inside a municipality, the assumption was that they would use the borough services including

emergency services; roads to a greater extent than the average citizen; thinks that is why the legislature did it; not defending what they did, but thinks that is the reason they did it; also states that municipalities must use 25% of the tax revenue for emergency services, which was talked about earlier; to not take this tax (a user tax for people working within Economy Borough) is a disservice to the residents of Economy Borough that would be strapped with some other way to finances the services within Economy Borough; that is the reason he supports the LST tax. Mayor Poling reported he was reading the budget report and public safety should be rolling over \$150,000 from the current budget; when he sees accountability on spending; as far as the mayor's secretary, thinks it is political sabotage; 3.8 million dollar budget, \$2,400 per year; she does proclamations, helps with wedding vows, speeches for Memorial Day, all complaints, emails, correspondence, letters to congressmen, United States Senators over the post office, 9-1-1 centers. Mr. Sivy agrees with Mayor Poling as well, it is a nuisance tax, but people are using Economy Borough roads, we are providing them services; and the majority of people are from outside Economy Borough; Economy Borough is the last borough keeping it at \$10; does it make it right; does understand what he is saying.

***Roll Call Vote:***

***Mr. Googins – Yes***

***Mr. Mutschler – Yes***

***Mrs. Mutschler – No***

***Mrs. Raymer – Yes***

***Mr. Sivy – Yes***

***Mr. Thomas – No***

***Mr. Rock – Yes***

***5 Yes, 2 No – Motions Carries***

Mr. Rock verified with Mr. Fouse that the next step is to turn the ordinance over to Mayor Poling for his veto. Mr. Fouse provided two originals. Mayor Poling wrote vetoed on the ordinance. Mr. Fouse reported Council now has the wherewithal to over ride the veto. Mr. Rock reported Mayor Poling will give his rational within ten days. Mr. Fouse reported it is suppose to be in writing.

***MOTION by Mr. Sivy, seconded by Mr. Googins – to over ride Mayor Poling's veto of the LST Ordinance (Ordinance No. 424 )and to put it into effect.***

***Roll Call Vote:***

***Mr. Googins – Yes***

***Mr. Mutschler – Yes***

***Mrs. Mutschler – No***

***Mrs. Raymer – Yes***

***Mr. Sivy – Yes***

***Mr. Thomas – No***

***Mr. Rock – Yes***

***5 Yes, 2 No – Motions Carries***

**5. Proposed 2010 Budget:** Mr. Kunkle reported the Finance Committee is recommending approval of the 2010 Budget. Mr. Rock reported taxes will stay at 14 mills for 2010. Mr. Fouse requested the record reflect that the budget and the tax ordinance were available for review by the public for at least ten days; this question came up and we have established this.

***MOTION by Mrs. Raymer, seconded by Mr. Googins – to adopt the 2010 Budget as presented as 2010 Summery Budget Proposal A (Plan A) as recommended by the Finance Committee.***

***Roll Call Vote:***

***Mr. Googins – Yes***

***Mr. Mutschler – Yes***

***Mrs. Mutschler – No***

***Mrs. Raymer – Yes***

***Mr. Sivy – Yes***

***Mr. Thomas – Yes***

***Mr. Rock – Yes***

***6 Yes, 1 No – Motions Carries***

**6. 2010 Tax Ordinance No. 425:** Mr. Kunkle advised Ordinance No. 425 reflected the millage staying at 14 mills for 2010; recommended for adoption by the Finance Committee.

***MOTION by Mrs. Raymer, seconded by Mr. Googins – to adopt Ordinance No. 425 with the millage remaining at 14 mills for 2010.***

***Roll Call Vote:***

***Mr. Googins – Yes***

***Mr. Mutschler – Yes***

***Mrs. Mutschler – Yes***

***Mrs. Raymer – Yes***

***Mr. Sivy – Yes***

***Mr. Thomas – Yes***

***Mr. Rock – Yes***

***CARRIED UNANIMOUSLY***

**COMMITTEE REPORTS and OTHER BUSINESS:**

**PUBLIC UTILITIES:**

Mr. Googins reported the Ambridge Water Tank on Conway Wallrose Road was put into service, Thursday December 3<sup>rd</sup> about 11:00 AM. Mayor Poling reported he did not notice an increase in pressure at his house. Mr. Thomas reported it helped him; he has a boost pump (which is broke); like he never had a boost pump; has not looked at the pressure gauge. Mayor Poling asked Mr. Thomas to check the pressure gauge. Mr. Thomas reported he saw AWA open lines by the road. Mayor Poling is going to ask the neighbors if they see a difference. Mr. Shoup reported if you have a booster pump on your individual line, you are still running off the pressure tank and may not feel the effects of the new water tank; if there is a way to by pass the pressure tank, may want to try to by pass it. Mayor Poling reported his system is an on demand type which he shut off and by passed. Mr. Sivy asked if he had clarity issues of the water as well before. Mayor Poling reported sometimes; did not notice a difference.

Mr. Googins reported noticing AWA digging in the road and asked if they are having any problems with the water lines; in the area of Short Cut and Foxglove.. Mr. Thomas reported they had an issue on Park Hill. Mr. Googins would like everyone to be cognitive.

Mr. Googins reported he mentioned before, got a letter and talked to Comcast about their change over of all digital; he did it and it was there in two days; the control box; has not hooked them up yet; have until March to do it; understands every TV that you have will need a control box of some sort. Mr. Rock reported unless you have a DVR already. Mrs. Mutschler asked if Comcast is going to give a free one for every TV? Mr. Googins reported no, one main box and two other smaller boxes; anything after that if \$1.99/box/month. Mr. Rock reported the rates are going up in January. Mr. Googins reported Comcast will be moving a lot of the channels up to the digital area which you won't be able to see; wants people to be aware.

**PROPERTY and BUILDING:** No Report

**PUBLIC SAFETY:**

Mrs. Mutschler reported the Click It or Ticket program had sent a check for \$2,880.99; needs to go back into the police over time; the second check was approved by Chad Lively at the state November 30<sup>th</sup> for \$673.47; verified with the borough secretary that she did not get the email for approval; when the check is received the money goes back into the police overtime budget line item as done before in the past.

Mrs. Mutschler requested an Executive Session regarding personnel and the police department contract, with a vote.

**FINANCE COMMITTEE:**

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

**ROAD DEPARTMENT:**

Mr. Mutschler reported the trucks are ready; salt and cinders have been received; requested an Executive Session regarding the road department contract, with no vote.

Mr. Thomas asked if there was not going to be a Christmas party this year. Mr. Mutschler reported he would like to pay for it and asked Mr. Thomas if he would come. Mr. Thomas reported yes; he used to come every year; thought they were very nice; enjoyed going there and having lunch; talked to him last year and said maybe they will do it next year; he did say he wanted to pay for it; that is his department, not his; just asked if he was going to have one; thinks it is a good idea. Mr. Googins asked if anyone on Council would have a problem. Mrs. Mutschler suggested it's a shame something couldn't be incorporated to be bigger to include all employees. Mr. Googins reported we could try to do that. Mr. Thomas thinks the office people used to go to the lunch; does not see why the rest of them can't be there; just his opinion. Mrs. Mutschler suggested extending it to everyone; maybe it would bring harmony. Mr. Mutschler asked is she meant Harmony Township. Mr. Thomas reported he thinks it is a good idea. Mr. Googins suggested that Mr. Rock establish a committee to do that. Mr. Rock reported there would be no problem; will talk about it. Mrs. Mutschler suggested between Christmas and New Years. Mr. Thomas reported he does not know their work schedule, how many are off, probably a few off; thinks it would be a good idea and in the best interest for the borough

employees; will help out with anything he can do. Mr. Googins reported he would also volunteer with Jake to assist.

**ORDINANCE and RECREATION:**

Mr. Thomas reported the proposed firearms ordinance has been put off until January in order to get everyone together.

**REPORTS:**

**SECRETARY:** No Report

**ENGINEER:**

Mr. Shoup reported on the Mueller issue on Roberts Lane; met with Mr. Mueller and his father on November 19, 2009, to review the matter again; Mr. Mueller did obtain a permit from DEP to pipe part of the steam (up to 100'); could locate no easement (drainage easement or any type of easement) on the Mueller property; two suggestions would be 1) install an inlet at the end of the two pipes at the corner of Roberts Lane and Rose Street and to extend 20' of new 18" pipe along the existing steam and to backfill; or 2) do nothing; don't know if you can go on his property; there is no easement Mr. Kunkle reported the next neighbor down stream has expressed some concerns. Mr. Shoup reported he also expressed concern to him; if Economy Borough were to extend the 20' of pipe, in his opinion that would not aggravate any issues down stream neighbors may have; if it is extended beyond that then it is being extended by someone else and would not personally see Economy Borough's involvement. Mr. Googins verified it would be 20' from the road and backfilled. Mr. Shoup reported one length of pipe is 20'. Mr. Thomas reported he does not have a problem with what Mr. Shoup suggests. Mr. Rock reported he does not feel Council should just walk away from the issue; should do something.

***MOTION by Mr. Thomas, seconded by Mr. Sivy – to authorize the Economy Borough employees to install an inlet at the end of the two pipes at the corner of Roberts Lane and Rose Street and to extend 20' of new 18" pipe along the existing stream and to backfill. CARRIED UNANIMOUSLY***

Mr. Mueller reported he does not think it extends past a hazard point, but he will deal with that further on; appreciates what is being done now; will deal with it out of Council Chambers.

**SOLICITOR:** No Report

***MOTION by Mrs. Mutschler, seconded by Mr. Mutschler – to enter into Executive Session to discuss a personnel issue and the police contract negotiations, with a vote to be taken tonight and the road department contract negotiations with no vote taken tonight.. Time: 8:55 PM CARRIED UNANIMOUSLY***

***MOTION by Mrs. Mutschler, seconded by Mr. Googins – to return to the regular order of business. Time: 10:07 PM CARRIED UNANIMOUSLY***

Mr. Fouse reported in Executive Session discussed was the police department contract and the public works department contract, no vote at this point is necessary; in addition Council talked about a letter received from Officer Orsini requesting an opportunity to roll over a vacation week that he did earn into 2010; next year he has no vacation due to his circumstances with the military this past year; the end of the year scheduling is difficult; these are specific circumstances; Council agreed to allow him to take that vacation in 2010.

***MOTION by Mr. Mutschler, seconded by Mr. Sivy – to approve that consistent with his request of December 7, 2009. CARRIED UNANIMOUSLY***

***MOTION by Mr. Thomas, seconded by Mrs. Mutschler – to cancel the meeting of Tuesday, December 22, 2009, unless there is some emergency business needed to be heard by Council. CARRIED UNANIMOUSLY***

Mr. Rock reported Council will re-organize on Monday, January 4, 2010, at 6:45 PM for the swearing in of the new and re-elected Council Members and the re-swearing in of Mayor Poling.

### **HEAR THE PUBLIC II:**

President Rock opened the floor back up for questions about what was discussed during the business portion of the meeting.

Beth Burns, 100 Stange Road, reported Mr. Fouse confused her regarding the litigation. Mr. Fouse reported Giant Eagle has challenged the taking of the road even though the Economy Borough position is that it does not affect them; they are challenging the taking on a number of basis one of which is that Economy Borough is taking it for the benefit of one single property; they are saying it is not a public purpose; it is a road; the case is about Economy Borough and Giant Eagle, it does not involve anyone else. Mrs. Burns asked why Economy Borough is worried about a road to this property. Mr. Fouse reported it is the only significant remaining commercially zoned property in Economy Borough. Mr. Fouse reported this is litigation and we are not going to talk about it in public session. Mrs. Burns asked that since Mr. Fouse is on retainer and paid by Council why are there additional fees for his services. Mr. Fouse reported he is on a paid retainer and the retainer describes certain things he does including coming to meetings and taking telephone calls. Mrs. Burns asked if it was included in the budget. Mr. Fouse reported it is all set forth in the budget; also works on an hourly fee for extra (beyond his retainer) retainer services. Mrs. Burns asked if Economy Borough can afford him with all the litigation. Mr. Fouse reported we have been in this for three years; he has never been over budget in 14 years. Mrs. Burns commended Council for not raising taxes. Mrs. Burns asked Mr. Kunkle who takes care of personnel issues. Mr. Rock reported personnel was not an agenda item. Mrs. Burns asked for clarification as where she works they have a personnel policy on line, is Economy Boroughs on line. Mr. Googins reported they are in the process of being revised. Mr. Kunkle reported they may be on line, but not soon. Mr. Rock verified they are in revision and eventually they may be on line. Mrs. Burns asked if someone from the public has a problem, do they file a grievance or what is their recourse. Mr. Rock asked Mr. Kunkle the process. Mr. Kunkle reported depending on the nature of the problem, they call that department. Mrs. Burns reported apparently the procedure hasn't worked.

R. J. Burns, Almond Way, reported he does development for a living and a lot of the municipalities they go into require impact fees; that is used for roads, red lights, parks, short falls, or new projects they want to do; asked if Economy Borough has impact fees for new developments. Mr. Kunkle reported yes and no; probably not to the extend he is referring to in that we do not have the rapid amount of development of places that normally have those fees that have a lot of development occurring very quickly; they could justify in a court their impact

fee; another township ran into some trouble a few years ago, they had a fee that they imposed similar, did not research it and was not able to defend what they were trying to do; each home building permit issued for Whispering Pines (both phases) is charges a \$100 fee; that money is put into an account dedicated strictly to recreational facilities on this property; Economy Borough has a developers agreement with Liberty Hills whereby they agreed to help finance a traffic light at the top of Dunlap Hill; they have agreed to pay approximately \$24,000. Mr. Burns suggested looking at something for the future development of the commercial property. Mr. Burns asked if contractors are required to get street opening permits when they dig in Economy Borough. Mr. Kunkle reported Economy Borough has a \$25 basic road opening permit that is being reviewed; depending on the size of the opening, the permit fee goes up. Mr. Burns reported in 90% of the municipalities he works in the minimum fee is \$250. Mr. Thomas verified that the fee is just for borough roads, can't charge for state roads; should be looked at to raise the fee. Mr. Kunkle reported the Finance Committee has initiated that review.

Steve Borato, 2001 Conway Wallrose Road, asked why Economy Borough pay \$5 LST tax to the Ambridge Area School District; and asked if the accountant provides quarterly status reports of the borough finances. Mr. Fouse reported for years we had the Occupational Privilege Tax; that law provided for a 50/50 split (\$5 to the local municipality and \$5 to the school district); when the legislature changed the law and called it a Local Services Tax (LST) they realized that the services being provided, were being provided by the municipality and not the school district; they left the \$5 in for the school districts because they were going to challenge it; the balance goes to the municipality. Mr. Googins reported of the \$52, \$5 goes to the school district and \$47 goes to Economy Borough. Mr. Kunkle reported this is how it was set up in 1965. Mr. Kunkle reported not the accountant per say, but a monthly report is generated, double checked by the treasurer at the bank; we have monthly information and the Finance Committee met quarterly last year to go over all of the monthly reports; everyone on Council gets the report. Mr. Rock reported Council gets a budget report that keeps them up to date every month; they know what percentage has been used in every area and what percentage is left. Mr. Sivy reported Council also gets a treasurers report from the bank. Mr. Googins reported it is like a statement from the bank; feels all of Council looks at it every month; in 2010 the Finance Committee will look at it even closer. Mr. Rock reported Council will have Finance Committee meetings with the full Council so they are all aware of what they are doing.

Clare Lynch, 101 Walnut Drive, asked who updates the website. Mr. Kunkle reported the consultant is Chip Sargent. Mrs. Lynch asked if it is an outsourced position, how frequent is the contract with him to update as it is not updated; a lot of people have communication issues; she does not get the BCTimes, but would go to the website first to get information. Mr. Rock reported Council has talked about updating, changing and revising to get more on quicker. Mr. Kunkle reported earlier in the year there was a proposed law that would allow municipalities to do their official advertising on websites; Economy Borough let our legislators know we supported it for two reasons, 1) it is easier for us and 2) it saves us quite a bit of money; advertising in the newspaper can be expensive; in the last two to three months, Economy Borough has probably spent approximately \$2,000 in advertising not much information; if we every get a chance to help support that kind of legislation we need to do it again. Mrs. Lynch suggested internships from local colleges. Mr. Rock reported Council looked at the high school several years ago as they have a big computer program. Mr. Thomas reported we need to go in another direction because we are not getting the updates needed; thinks Council should look into this next year. Mr. Googins reported he thinks Council should too; the problem with the current individual is that he just posts and puts information on the website; now it is up to Economy Borough to format the information and send it to him to put together and publish it; he only takes direction; the problem with the IT individuals that do the work for the website is that they are real expensive; thinks this is important, but just as many people in Economy Borough say they don't have electronic communication, they want the paper communication; something he thinks Council needs to look at, but may be pricy; does anyone know of a volunteer. Mrs. Lynch reported she is willing to do the leg work to find people. Mrs. Mutschler reported the gentlemen that does it is a school teacher, he does Cranberry, and his kids are young. Mr. Thomas reported his

hands are full. Mr. Rock reported the bottom line is the cost. Mr. Googins suggested to find someone who wanted to do it as a community service. Mr. Sivy reported if there is someone to contact Mr. Kunkle. Mr. Googins reported we are billed on thirty minute increments at 50% rate (\$60); so we try to put groups of information on; if you give him two minutes of work it costs thirty minutes, if you give him twenty-nine minutes of work it costs thirty minutes; the problem with doing that is it gets out of date, but it is a good point.

### **PRESIDENT'S REPORT:**

Mr. Rock reported he has been on Council ten years and Mr. Fouse has been the solicitor; Mr. Fouse has never taken Council down a road that has been advantageous for Mr. Fouse; he has only taken Council down roads that have been advantageous for Economy Borough; showed him tonight another municipality that they have lost two appeals already dealing with the road department and the residents are very concerned because their solicitor advised them to appeal again; the residents are saying the solicitor is really making the money and he lost appeals twice already and the supervisors went along; Economy Borough has had several incidents here where Council wanted to do things, sat in Executive Session and Mr. Fouse informed Council that he could do this, but Council would lose in court; he has been very up front with Council along the line, has always been very pro Economy Borough and he has been very judicious with Economy Borough money; has a lot of respect for Mr. Fouse; be aware that he does an excellent job for Economy Borough.

Mr. Rock thanked Mrs. Raymer for her four years of service; as head of the Finance Committee was not easy; was not easy working with Mr. Rock and Mr. Googins sometimes; appreciates what she has done for Council; she came in when Mr. Gnarra left, took the Finance Committee and did a fantastic job for the last four years; speaking for the residents of Economy Borough, very happy for what she has done; she can leave knowing for the last four years taxes were not raised; one of her philosophies from the very beginning was to keep taxes under control.

Mr. Rock reported he and his friend, Mr. Mutschler, have had words since 2002 on different things; feels he has brought Economy Borough into the twenty-first century with a lot of the things he has done with the road department; the salt shed, the various equipment he has encouraged Council to buy; all along he was in the forefront and his expertise is going to be missed; very proud to have worked with him for eight years and to get to know him as a person and Mrs. Raymer; enjoyable working with the two individuals; the residents of Economy Borough will miss them both, especially on Council; hope they both come to some Council meetings.

Mr. Burns reported he felt what he said was taken out of context about Mr. Fouse; thinks he is doing a good job; just don't want to throw money away beating a dead horse.

### **ADJOURNMENT:**

***MOTION by Mrs. Mutschler, seconded by Mrs. Raymer – to adjourn the meeting. Time: 10:33 PM  
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum  
Borough Secretary  
December 18, 2009