

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* FEBRUARY 9, 2010**

Meeting cancelled due to weather conditions.

**REGULAR SESSION \*\* ECONOMY BOROUGH COUNCIL \*\* FEBRUARY 23, 2010**

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:** Gary Bucuren, Larry Googins, Audrey Mutschler, Donald Sivy, Michelle Sovich-Lapinski, John C. Thomas, Ronald R. Rock

**ALSO PRESENT:** Mayor David N. Poling, Dale M. Fouse, Esq., Randy S. Kunkle, Borough Manager

Mr. Rock thanked and congratulated Mr. Earl Fitzgerald and the Economy Borough Public Works Department; the snow hit and these gentlemen were out from 4:30 PM Friday night until after 7:00 PM Saturday night, then back on the roads again, Sunday, Monday and all through the week; requested Mr. Googins tell Mr. Fitzgerald Council is extremely pleased; the residents he has spoken to are all very pleased with the work done during that very, very bad storm. Mr. Rock also commended Mr. Thomas, Mr. Sotirake, EMS people; Mr. Thomas was working on possibly doing a warming station; Mr. Sotirake put out a notice if anyone had any problems, EMS also; excellent job done.

**HEAR THE PUBLIC:**

Mr. Rock opened the meeting to the public restricted to borough business; try to be 3-5 minutes; speaking one time, trying to get everything in that one time.

Andy Melnick, 416 Friel Road, wondered where the gun ordinance is going; the committee seemed to be trying to go towards increasing the fine and that was it; can't understand how everyone is missing the safety factor by allowing the discharge of a gun even within 100 feet of a home; doesn't seem like anyone can see that; looked at it from another angle; provided four peak sound level graphs to Council and discussed the sound levels; can't stress enough the distance factor that he feels is needed; willing to compromise with the 150 yard rule with the committee, but no one wanted to go any different than that, at all, period; they want to leave it just the way it was; Game Commission reports they do the 150 yard rule purely out of safety and respect for the homeowner; all he is looking for is some respect as a homeowner and some safety. Mr. Rock reported he spoke to Mr. Bucuren about this. Mr. Bucuren reported the committee is looking at different possibility of area sound levels to approach this a little differently; the committee was basically on a hold; everybody sitting there could not agree on anything; looking into different areas of sound and possibly disturbing the peace type thing; maybe change something there and get something different there. Mr. Melnick reported an incident when he first moved to Economy Borough about playing a stereo to loud; no way near this sound level at all; his neighbor has been cited for barking dogs; thought the 150 yard rule and safety zone should have been stuck with; seems like it is generating so much animosity; thinks we are trying to please the gun owner too much; he is also a gun

owner; these are his thoughts on the matter; can be involved if wanted; does not know where to go from here. Mr. Bucuren reported he will try to get some things together here and probably have another group session with the group that was there; try to go over this again to see if they can come up with something different on it. Mrs. Mutschler reported a meeting was planned and cancelled due to the weather; wanted to talk to Chief Harrington; they were on the range and had updates; Chief Harrington did not come to the meeting because his daughter was in the hospital; then he was sick for three days with the flu. Mr. Bucuren reported he tried to set up another meeting, but it did not happen. Mr. Melnick asked Council to keep in mind that the Game Commission says that it is out of safety and respect for the homeowner; there was some mention of the 150 yard rule because of an unsure target. Mr. Rock reported Council hopes to get this solved soon; has been going on for several months.

Matt Morrone, 208 Foxglove, asked when Council hired Joe Luff two years ago did he have any education, school, license or things for Council to hire him; when he comes out for inspection does he know what he is doing; when he was first hired did he have certification. Mr. Rock reported the hiring was contingent on him getting certifications; once he got them, Council was assured of them, he started working. Mr. Morrone reported Economy Borough adopted 2003 Code not the 2006 Code; he was going by the 2006 Code that Council did not adopt; 2010 Code is coming out so forget about the 2006 Code, 2010 Code has to be adopted; meanwhile all the contractors coming to Economy Borough are building houses, legally with 2X4's not illegally because if you go back to the code it is 2003 so you are allowed to build with 2 X 4's not 2 X 6's; he was using the 2006 Code which is illegal; Council did not adopt it; it cost him a lot of money; something that he was following; respected him at first because was code enforcement; now he finds out Council did not adopt 2006 Code, we are back to the 2003 Code; 2010 coming out now; he cost him money to do it his way; explained it to Council on record; has it on tape; feels Council thought he was a bullshiter; went on the web site and Economy Borough only has the 2003 Code; today he could build a house 2X4's, R13, R30 in the ceiling and Council can't stop it; what he made him go through and cost him all this money is illegal because Economy Borough does not have the 2006 Code adopted. Mr. Rock reported then it is Council's fault, not Mr. Luff's fault, he followed the current code. Mr. Morrone reported Council is supposed to adopt the 2006 Code. Mr. Rock reported Mr. Luff can not adopt it, Council adopts it, it is Council's fault, he followed the 2006 Code; does not want to argue with Mr. Morrone, answered his question. Mr. Morrone passed out information to Council. Mr. Rock asked Mr. Fouse if a new code is automatically adopted by the borough. Mr. Fouse reported it varies from code to code; it may very well be the code Economy Borough adopted in 2003 may have incorporated changes. Mr. Rock reported if there is any problem it is with Council; does not think it needs to be adopted; just simply when a new one comes out, it takes the place of the old ones.

Mike Lucia, 416 Golden Grove Road, reported last year or the year before there was discussion at Council about accepting building codes that the State was proposing to bring all the boroughs to some uniform code enforcement as far as building construction. Mr. Rock reported that is the Uniform Construction Code. Mr. Lucia asked if this is the same thing being talked about. Mr. Thomas reported it went from the BOCA Codes to the National Codes; switched over about 4-5 years ago; thinks we would have to look at how that was worded; that might have to be voted; not sure; Council would have to look at that to see if they need voted by Council; in the past years when the codes switched Council voted to accept the new code; was off for a while and does not know what happened; something Economy Borough should look at.

Adam Klimkowski, 960 Conway Wallrose Road, reported that what Mr. Morrone is trying to say is it's Economy Borough's fault and Joe's fault, because Council has only ratified/accepted the 2003 International Book, so it was illegal for him to be telling everybody they have to follow the 2006 one (that he was going by); feels it is Joe's fault as much as Economy Borough's because he should know better than anyone which one Council accepted; secondedly, just because there is a new version does not make it law in Economy Borough, because, i.e. the windmill thing that Council passed, if they make a change in six months from now and New Sewickley decides to use the new one it don't automatically make it where Economy Borough is using the new

one; feels Council has to ratify and accept it; Economy Borough and Joe Luff are both in the wrong here and following the wrong codes; Council has not put this into law; that is what he is trying to say.

Elizabeth Burns, 100 Stange Road, reported she filed a letter of resident's complaint and called each Council Member on the phone to explain her problem because she was told to contact Council if you have a problem not resolved about the Code Enforcement Officer. Mr. Rock verified that she took the problem to Mr. Kunkle. Mrs. Burns reported she talked very thoroughly with Mr. Kunkle and explained her situation; reported her husband was just in the hospital with chest pains this week end; they do not need further stress from the code enforcement officer; according to an email, her property was assessed in September, 2008, for a shed roof attached to a house over an existing slab; not so, that is what they had; has the building permit that is stamped by the Economy Borough Code Enforcement Department (05/21/2008) approved; written on top is much meet IRC 2006 Inspection; must follow 2006 when we only have 2003 approved; on the permit it is stated for an enclosed patio room; 32" walls, sliding windows, on a 18 X 15 with a 1 foot overhang; finished on the outside but not on the inside; install one 36" white storm door; the email says shed roof attached to house over existing slab, no mention of an enclosed building; the code enforcement officer was there the first or second day when they had already started; that is when he shut down work; he has a copy of the permit so she has already caught him in a lie because if he is on her property and he sees them building an enclosed addition and he has the permit, but he said to the assessment officer it is a porch roof; that is a lie. Mr. Rock asked if Mr. Luff wrote it was a porch roof. Mrs. Burns read from the email of Linda Topper, Assessment Office, "Hi Joe, I looked at this parcel and my assessor was there in Sept., 2008 and made no change in value. I checked my 2008 box of permits and permit 7050 was for a shed roof attached to house over existing slab." Mr. Rock asked who signed the permit, who said that is what you were building; a roof over a slab. Mrs. Burns reported that is what she had; now has a three wall patio room, no heat, siding on the one wall which constitutes just an enclosed porch; the ceiling is 18 X 15 and the room is 14 X 16, no heat in the room, windows, screen door. Mr. Rock reported he has the same thing he built in 1997, his assessment went up. Mrs. Burns reported that according to the assessment in 2008 her assessment did not go up; now the assessor (Mr. Policaro) was at her house in January and said to the husband that they got word that they have additional living space, that the porch had heat in it; the husband reported it does not have heat in it and questioned where he got his information; Mr. Policaro said Joe Luff had called/sent an email to the assessment office for them to come and check it out; husband invited Mr. Policaro in to show him; took him in, it was 20 degrees in the patio room, it is un-insulated and enclosed with sliding windows; reported Mr. Policaro laughed and said there goes Joe again; said there is no heat in this room. Mr. Rock asked if the assessment went up. Mrs. Burns reported she does not know yet because he took the assessment back in January; called there to find out what was going on; he laughed, he sort of changed his story. Mr. Rock verified that the assessment when inspected the first time did not go up. Mrs. Burns reported she does not care if it goes up or not; by the email it was assessed in 2008; why did Joe deem it necessary to have them reassessed; it's called retaliation conduct, not harassment; he makes sure he is in the realms' of his job; her husbands heart can't take it, she does not need this stress and each one of Council needs to grown up and figure out what we are going to do with Joe Luff; she talked with Mr. Kunkle; an email shows what an egotistical, unprofessional adult (if she can call him an adult); the email states because of Mrs. Burns conversation at the August 25<sup>th</sup> Council meeting. She accused me of requiring them to build above code; she has three 2 X 6's around the exterior of her patio room; the builder did not understand this; told her he has never built a room like this; she offered to tear down the drywall to show the three 2 X 6's on the exterior wall, because that is what Joe Luff said was needed to be done. Mr. Rock reported talked to Mr. Kunkle about this; this original assessment basically was never recorded; never received any information that actually an assessor was there in the first place. Mr. Kunkle reported the only time Economy Borough is aware that an assessor is at anybody's property is if the assessment is adjusted; we get written notification; it is his understanding that the assessors office can send field inspectors out (or if they are in the area) they can go out anytime after they get a copy of the building permit from us; if the field assessor knew the construction was going on or had an idea that they were almost done with it; he apparently went there in September, 2008; we know nothing about that, he determined no change in assessment, therefore we got no notice of that; as far as Economy Borough is concerned, we had no knowledge that the assessor was there; normally what happens when a building permit is

issued, the final step for Economy Borough is to issue an Occupancy Permit after a final inspection; residents/contractors are informed that they need to call the borough in order to do a final inspection so the Occupancy Permit can be issued; once that permit is issued a copy of it is also sent to the Assessment Office; normally from our point of view that is what would trigger a re assessment of a property; the Council has been formally notified that construction is done and finished; they would do their assessment to determine whether an adjustment was called for or not. Mr. Rock reported Mrs. Nagie came out and did his final inspection. Mr. Thomas verified that it was in 2008 when they had the porch done; asked when completed in 2008 was there an Occupancy Permit given at that time when completed. Mr. Kunkle reported no, a final inspection was never called for. Mr. Thomas asked whose fault was that. Mr. Kunkle reported the property owner. Mrs. Burns reported she did not call because she did not know they needed an Occupancy Permit; had Feltzer & Co. do the work; when the builder was ready to pull out, the code enforcement officer came and said they were all done and he would make the final inspection; they were not home; everything was wide open; surmised he made the final inspection; he never did stop by again and they heard nothing else. Mr. Kunkle reported normally the contractors would help the residents; the contractors are more familiar with the process, whereas the residents aren't; ultimately it is the residents responsibility, but again the contractor should help the residents along. Mr. Thomas asked why all of a sudden they got re assessed again; that the assessor came back out there again this year; was it Joe that requested that. Mr. Kunkle reported he provided today for Council some of the background; the complaint, his response to Mrs. Burns as well as a cover sheet to Council; thinks once Council reads it Council will understand better where it is coming from; as mentioned a few minutes ago, one of the emails referred to minutes of a meeting last year where the property was discussed, Joes name was brought up; Joe's response was that is what prompted him to pull the file out to see what it was that he did or didn't do as far as the paperwork on that property is concerned; that is when he saw that an Occupancy Permit was not issued and he then went to the Assessment website; saw no change in assessment and so since there was no Occupancy Permit issued made the assumption that the Assessors Office did not know to go out and do an assessment to re assess it; when he contacted the Assessors Office, there were some discrepancies between the property, the permit and what the Assessors Office had on it's books; the Assessor told Joe what she has for that property is a shed roof over a slab and a 12 X 12 enclosed porch; Joe knew that was not the case; that is not what is on the back of that house; that is what prompted him to suggest to the Assessor Office to make sure their records are right and go see what is there; that is in the package given. Mrs. Burns asked if Joe pulled out the building permit that says what exactly is contained in the building permit. Mr. Kunkle reported there are two different things; the first thing mentioned is a shed roof over a pre existing slab; that is the reason for the permit; below it does clearly also state that the permit is for an enclosed porch; why the mention of the shed roof over the existing slab was put there (if looked at for the first time) you/I assumed that is what they are building; says reason for building – shed roof over existing slab; heard tonight is that is what used to be there; maybe they were trying to say they were replacing a shed roof over an existing slab with an enclosed porch; it is not stated that clearly. Mrs. Burns reported it says here, shed, build room 18 X 15 with finished ceiling, SSG-EF on something, build 32" lead walls, siding outside, no inside finish; also written, existing patio with metal roof changing to stick built not something phase 3 season room; drawing with full size storm door and sliding windows; 2X6 roof, 2X4 walls; that is all signed and approved; neither she nor her husband are builders; they gave the code enforcement officer what the builder wrote up; what it all contained; they have this on file; all they had to do was pull this out; why do they get a building permit if there is any kind of question as to what all this was going to pertain to; if he had a question on it, it is on file, why didn't he pull it and look at it; why did it necessitate to send the assessor back out; feels it is retaliation conduct; not dealing with professionals; knows the job is hard; knows there are a lot of problems; when it was assessed in 2008, it seems like whenever anybody complaints about Joe Luff, those people have problems unless you have done something that you think he is really nice; apparently he does not think she is nice; does not think he knows to do his job very well; because of all the complaints (like she said in his office) three fourths of these people would not be here if it was not for Joe Luff; we need to deal with him; her employer would deal with her if she did not do her job correctly or if the people at Sewickley or Beaver Valley complained that Mrs. Burns shunned or was rude or did not do her job properly; feels this is retaliation conduct and it has to stop; will not put up with it; no one should have to put up with it; he has cost Mr. Morrone a lot of money; if Mr. Morrone is building 2003 and Joe Luff is

doing 2006; we need to do something seriously about it because he is trying to follow; they are not law breaking people; they didn't change deer tags or get DUI's; reported she is above reproach; ask the police; she has been in no trouble; has a clean record; her kids have a clean record; upstanding citizens; would not be here is she did not have trouble with Joe Luff; tired of having trouble with Joe Luff; thinks with all the complaints Council needs to start to deal with him, not slaps on the wrists; sure there is somebody out there more qualified or just as qualified to do the job; hates to see somebody fired, but her husband is not worth a heart attack; not going to put up with it. Mr. Rock reported he has been hearing continually the perturbative statements that she makes concerning Mr. Luff; basically he is our code enforcement officer today and he will be our code enforcement officer tomorrow; feels he is doing an excellent job; did ask him (when it was brought to his attention that he was sending information to the assessment office) that he was not singling out a single resident; had a folder filled (trying to finish up for the year) because he did not have a completion to her project and that particular day he had six others (a total of seven) sent out; a completion is needed. Mrs. Burns reported he knows he can do this under his job and gets away with it. Mr. Rock reported he did not single her out; several were sent out that day and before the end of the year probably 20-25 were sent to the assessment office that had never been formalized before him or Economy Borough; he had to make the final check; he is performing a service. Mrs. Burns reported he is getting paid very well for it. Mr. Rock reported he basically brings in enough money to pay his salary; he and Mr. Tomaszewski basically paid for their own salary by what they may bring in and with the assessments; we are a service; we obtain money by raising taxes, which Council has not done in nine years; or making sure that all the residents when they do (like Mike Kohlman said when he was here last September) some residents told us if it is not a livable space you can't reassess it; Mike Kohlman stood there and told Council anything that adds to your property can be reassessed; he also stated that does not mean your assessment is going up; but you still can be reassessed; Mr. Luff, part of his job is to make sure that those assessments are up to date, so that if he is reassessed another \$20 a year, Mayor Poling \$20, other people, that adds up; last year he brought in an extra \$12,000 by updating those assessments; that goes into the general fund and helps quite a bit; we are able to keep the taxes down; we provide a service; his job is to go out there and make sure that the assessments are up to date and that is what he does; unfortunately your case happened to fall in that particular realm, but it was not singled out.

R. J. Burns, 112 Almond Way, said he needed to know if Mr. Rock liked to look like a monkey; feels his employee made him look like a monkey; said he just stated as a fact and it is on record that Joe Luff should not be enforcing the 2006 building code. Mr. Rock reported it was said he was enforcing 2006 and Mr. Rock said he should be enforcing 2006; Mr. Morrone said Council never passed 2006; Mr. Rock said maybe Council didn't need to pass it, maybe when it is put out it automatically becomes part of it; Mr. Fouse said it is something to look at. Mr. Burns reported that is not what he said. Mr. Rock reported what Mr. Burns hears is fine; has a good filter. Mr. Burns reported once again we are in Ron's fantasy land; the employees can run wild here; problem with this guy and you won't terminate him; will continue the attack because he attacks the audience; ask the constituents what they think of him because of his attitude. Mr. Rock asked Mr. Burns to bring him some bananas to the next meeting. Mr. Burns asked if Mr. Rock knew Joe Luff had two DUI's; he is an employee of Economy Borough, what does it do to our car insurance. Mr. Rock reported it does not do anything to our car insurance. Mr. Burns reported he owns a business, yes it does. Mr. Rock asked Mr. Kunkle if it has affected our car insurance. Mr. Kunkle reported he is not aware of it. Mr. Burns asked if they know about it. Mr. Rock reported yes; the last one was 15-18 years ago. Mr. Burns reported 1994. Mr. Rock asked how long should something be on your record. Mr. Burns reported it is now a Federal crime; you can't own a firearm if you have a DUI. Mr. Rock reported Council is not worried about him owning a firearm; he is our code enforcement officer he does not carry it with him. Mr. Burns asked if a background check was done on him. Mr. Rock reported for this particular job, yes; how far back is Council supposed to go. Mr. Burns reported to wherever you need to go. Mr. Rock reported they did; Council did a background check on all the candidates; we don't need to go back 16 years (then it would have been 14 years) and a DUI could not disqualify him from this particular job. Mr. Burns asked what this does to the automobile liability insurance; Mr. Rock is missing the big picture because he is in Ron's fantasy land once again.

Pat Skonieczny, 104 Rockrose Drive, commented there is a flag behind Council and they have a First Amendment right to free speech and he is stilling in front of a flag saying he can't speak. Mr. Rock reported he had spoken; he was given 3-5 minutes. Mrs. Skonieczny reported Mrs. Burns had more. Mr. Rock reported out of respect for Mrs. Burns and her concern, he would let her go over; was not about to insult her by saying her five minutes were up, because as she knows there are constituencies in Beaver County that will cut you off after three minutes. Mrs. Skonieczny asked Mr. Fouse if he could find out for the next meeting if the code enforcement officer can enforce the code that the borough did not adopt and if not under Council's admissions that it was their fault. Mr. Fouse reported he heard what Mr. Rock said and he was speaking rhetorically he was not saying that Council knew anything of this 2006 Code; so that the record is clear, he was president of council responding to a question; he did not say that we did anything wrong; not saying that we didn't do anything wrong; he didn't say we did anything; will look at this for Council's purposes to make sure we know where we stand; does not have the answer right now; aware of a lot of enabling legislation that provides for an initial code and the authority given to the local municipalities to include additional restriction or limitation as time goes on or not to; we might have discretion to do that or to not do that; or maybe we don't have to do anything at all; will look at the law. Mrs. Skonieczny reported hypothetically she has been hearing rumors that Mr. Luff has not enforced the provision of an ordinance with respect to certain residents; question is Council has been put on notice about this and been aware of it; legal question is, if Council is aware that Mr. Luff has not been enforcing the provisions of it's own ordinance informally is this a violation of the rest of the residents constitutional rights under the Fourteenth Amendment of not being treated equally and if so doesn't that remove the immunity of Council members, because they knew about it. Mr. Fouse reported this is hypothetical however, thinks the minutes reflect now that somebody said that he was picking out certain individuals and Council's response was that we looked into it found that in that same time frame there was a good number of other people who received that same or similar letters. Mrs. Skonieczny reported she was referred to another rumor. Mr. Fouse reported rumors are rumors; you have to have more notice than that; you can't rely on rumors and innuendo; you must have facts. Mrs. Skonieczny reported the facts are brought to Council. Mr. Fouse reported if someone came up here, stands on the chair and say something outlandish that would clearly put us on notice of something; you have to have a basis, some substance to the allegation before you can say that Council is on notice and therefore you loose our immunity. Mrs. Skonieczny asked if it would be fair to say if a resident put it in writing to Council Members that factual basis that Mr. Luff was not enforcing provisions of the ordinance with respect to some residents over other residents, Council would then be put on notice. Mr. Fouse reported as long as there were facts that supported it and at the same time Council didn't have facts that confronted those facts, then yes; this is about three hypotheticals.

Meagan Trimbur, 3225 Ridge Road Ext., would like to know when Council is going to do something with Joe Luff; took her 2 ½ years to get something done; had all her documentation; her formal complaint; not only did the assessment office come back to her mothers house, but her house was assessed in May, 2009 (got the Occupancy Permit in March); had the assessment office back out to her house again; husband came home from work and an assessment office employee was on their property; does not understand why they were back out, nothing has changed at their house; did call the assessment office and talked to them in regards to the situation and is actually having a letter drawn up to the assessment office asking them the dates and times they were at her and possibly her parents property; looking for a trail. Mrs. Trimbur reported it was said Joe Luff needs probable cause to go onto somebody's property; it has been brought to Council attention several times for a borough employee's property having a junk yard and nothing has been done about that. Mr. Rock believed she had already been to the magistrates with that. Mrs. Trimbur reported she is not talking about the property next to her, she is talking about the property half a mile down the road; has 200 some cars as per the picture from Google satellite; feels that is probable cause; yet Joe Luff is suppose to be able to drive around and if he sees probable cause he can go on to property; why hasn't anything been done with a borough employee; selective enforcement is going on here; that is not just the only case; has been doing her own investigation, getting her facts together in another situation; feels there is selective enforcement and favoritism going on here; until she has all her facts she will not present it; wants to know when we are going to do something. Mr. Rock reported she has already been to the magistrate. Mrs. Trimbur stated she also came back to Council saying we should

have been back there ten days after the situation because the property wasn't cleaned up. Mr. Rock reported she should have gone back to the magistrate; once she went to Mr. Howe it is out of Council's hands. Mrs. Trimbur reported it wasn't Mr. Howe, it was the code enforcement office here; when the property wasn't cleaned up she called that day (has it documented); asked them when they were going out, they had not been out there yet; came home at 5:00 and there was a message on the answering machine saying that they had been out there, it still wasn't cleaned up, but they were giving him until the end of the day; nothing had been done; he should not have had until the end of that day; it should have been filed and back to the magistrate again, but we have selective enforcement going on; several cases of it. Mr. Rock reported we don't, that this is her opinion. Mrs. Trimbur asked if Mr. Rock thinks it's ok that we have a man who has two DUI's driving around in a borough car. Mr. Rock reported she is bringing up information from 15,20,25 years ago. Mr. Trimbur asked who cares; the thing is Council never did a back ground report on him. Mr. Rock reported Council did. Mrs. Trimbur asked if Council ever reprimanded Joe Luff. Mr. Rock asked why would Council. Mrs. Mutschler reported she thinks Council needs to basically sit down with him. Mr. Rock reported Council in Executive Session sat down with him and every Council member had a chance to question Mr. Luff; Mr. Luff gave his point of view; he asked questions; Mr. Googins asked questions; Mr. Sivy may have said something, but basically that was it; no one put him on the spot; if you want to sit down with Mr. Luff again, we can do that. Mayor Poling asked why we can't just do a third party inspector and end this; this is an hour of his life; he's 50 years old; if we add up the hours it goes into weeks and weeks; get a third party inspector and be done with it. Mrs. Trimbur asked why Mr. Rock is so rude to the residents when they come here in a respectful manner and talk to him in a respectful manner and then he disrespects them by getting argumentative with them. Mr. Rock reported he is not getting disrespectful to her, she asked him what he is going to do and he said he is not going to do anything against Mr. Luff unless he has factual information of things that Mr. Luff has done incorrectly. Mrs. Trimbur asked how much factual information does he need; she gave him copies of a formal complaint and documentation with pictures in 2007 and came here in 2009. Mr. Rock reported that is a good point; she let that situation go for two years; then at the end of two years she came to Council, Council was made aware of it and she go involved when Mr. Luff was checking old complaints; complaints that he thought had been solved; so he though he would simply check on some of these and he did; checked on several, yours being one of them, gave you a call; and that's where this whole situation started; then last spring you called him and he told her to come to Council and Council probably could have settled this very easily, but instead of making it a borough situation to try to solve a problem, you made it a personality conflict and that is where we are. Mrs. Trimbur reported she did not come to Council sooner because she was threatened by the code enforcement officer whenever she told him what do we need to do to get this property cleaned up; it is all in the documentation she provided to Council; she should not have to do his job; filed a formal complaint; it should have been taken care of right then. Mr. Rock reported she was threatened; he would have been to Council immediately if anyone from this borough threatened him. Mrs. Trimbur reported because they were a young couple building a new house and she had to have him come and inspect the house and then she would have more problems; went to her family and everyone said she needed to wait until her house is done and then take it to Council because of the fact of this issue. Mr. Rock reported she should have come to Council immediately. Mrs. Trimbur reported Council didn't do anything with him then, so her coming sooner would not have gotten anything done sooner. Mr. Rock felt it would have. Mrs. Trimbur reported Mr. Luff calling the residents of Economy Borough having a lynch mob mentality (as she stated before) she hasn't seen anybody back here creating lawless acts of violence; the only person she sees breaking the law is Mr. Joe Luff. Mr. Rock reported that is her opinion. Mrs. Trimbur reported he is menace to society, a menace to this borough and something needs to be done. Mr. Bucuren asked if this Council would possibly be willing to have somebody oversee him for a while to see if he is doing a proper job. Mr. Rock reported Mr. Kunkle is his supervisor. Mr. Bucuren reported he knows a building inspector that could probably oversee him and looking into what he is doing to see if there is a possibility if he is doing anything wrong. Mr. Rock reported Council would have to talk about that in Executive Session to see if that would be a concern; he reports to Mr. Kunkle right now; would also want Mr. Kunkle's input; would not want to go over his head, he is the borough manager, but that is something that Council can think about; if there is someone out there that is also knowledgeable with codes and is an unbiased, impartial person, we can talk about it. Mr. Bucuren reported if a possibility in Executive Session Council could talk about it. Mr. Rock reported yes.

Matt Morrone, reported when he got his building permit to build the house he got one building permit, all the time; this time he had to get two (house & deck); had to get two Occupancy Permits; never had to do that before; why did he have to get two permits (house & deck) for the same house. Mr. Rock reported maybe favoritism was shown to him by previous code enforcement officers. Mrs. Mutschler asked if the deck was on the plans for the house. Mr. Morrone reported every house he builds he puts a deck on. Mr. Rock reported Mrs. Mutschler asked if the deck was on the original plans for the house. Mr. Morrone reported he thinks so; everybody puts a deck on a house; why did he have to get two when he never had to before. Mr. Rock reported previous code enforcement office may have let it go. Mr. Morrone reported he didn't get away with nothing. Mr. Rock reported he didn't say he was getting away with anything; was saying they let it go. Mr. Morrone reported it looks bad for him and he doesn't want to look bad in the future. Mr. Rock reported he didn't say he was getting away with anything; simply said it was allowed by previous code enforcement officers.

Elizabeth Burns, reported she has the building permit; on it Joseph Luff signed, Ralph Burns, 100 Stange Road, 16X15, 3 season room; so if he didn't know they were building a 3 season room on the back, how did this happen; he is lying; feels it is retaliation conduct; and any blind man can see it.

### **MINUTES:**

***MOTION by Mr. Googins, seconded by Mrs. Sovich-Lapinski – to approve the Minutes of the January 12, 2010, Regular Session of Council, as written. CARRIED UNANIMOUSLY***

***MOTION by Mr. Thomas, seconded by Mrs. Sovich-Lapinski – to approve the Minutes of the January 26, 2010, Regular Session of Council, as written. CARRIED UNANIMOUSLY***

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

Mayor Poling reported the lost dog Magnum, returned home five day ago, after about a month lost; good people in Economy Borough; lots of people went out looking for this dog; an Economy Borough resident who works for the Humane Society was putting food out; business' posted the poster, people contacted the borough office and the police department; he lost 30 pounds, but he is in good shape; he found his own way home.

Mayor Poling read the Mayor's Report for the Police Department for the month of January, 2010, as prepared by Chief Harrington, which will be on file for review in the borough secretary's office.

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

**1. Summer Help:** Mr. Kunkle requested authorization to advertise for summer help. Council decided on \$9/hour depending on the qualifications.

***MOTION by Mr. Sivy, seconded by Mr. Thomas – to authorize advertising for summer help. CARRIED UNANIMOUSLY***

**2. New Cable Franchise:** Mr. Kunkle reported this previously distributed document will be on the next agenda.

**3. Slappo Re-Zoning:** Mr. Fouse reported Council held a public hearing on a zoning map change request which was applied for by Frances A. Ciamacco, Executrix of the Estate of Mary Slappo, and Gerald W. and Roxeen D. Slappo, who own three separate parcels, that are zoned R-2; hearing was held on January 26, 2010; received recommendations from the Economy Borough Planning Commission and the Beaver County Planning Commission considering this zoning map change request; during the course of the public hearing Council considered the evidence concerning the topography; presenting the Findings of Fact and Conclusions of Law decision prior to the adoption of the ordinance that would change the zoning map; the last page is the Order; Order provides that Economy Borough Council would approve this zoning map change request; in doing so (under discussion) in part because the Economy Borough Planning Commission and the Beaver County Planning Commission recommended it; more significantly because this particular property change would not result in spot zoning and that the property based upon the evidence is really not developable in the R-2 context; it is perhaps best situated in an R-A Zoning District; which is what these applicants have requested; to his knowledge at the time of the hearing the only individual who appeared at the time was Mr. Harry Slappo; his recollection is that his challenges in this case was procedural; he indicated he was not given notice of the proceedings and he did not receive notice of the Planning Commission proceedings; attached to this decision are exhibits; Exhibit 1, Beaver County Times advertising; Exhibit 2, Petition for Grant of Letters of the Mary Slappo Estate and letters of administration/execution for Frances A. Ciamacco; she is the applicant and she appeared at the time of the hearing; she represents the Estate of Mary Slappo; believes upon his review of the Will (attached to Exhibit 2), Mr. Harry Slappo is one of the seven beneficiaries; the question of whether or not Economy Borough has to provide notice to every one of the beneficiaries is clear; we are not required to do so, particularly when the Estate is the applicant; this is pan amount to his mind having to give notice to all of the shareholders of a corporation that makes application for a rezoning map change; we certainly are not required to contact all the shareholders; believes Ms. Ciamacco said she did tell Mr. Slappo these proceeding were going on; clear that according to the Economy Borough Planning Commission that this change would be consistent with the borough comprehensive plan and if Council would decide to concur with it would be approving the zoning map change to Parcel Numbers 60-185-0222-000-01-1; 60-185-0222-001-01-1; and 60-185-0222-002-01-1; these are the properties owned by the Estate of Mary Slappo, and George W. and Roxeen D. Slappo; procedurally from this point if Council does approve this zoning map change; anybody challenging the decision would have 30 days to do so; within 30 days of this decision Council will be advertising an ordinance to change the map. Mrs. Sovich-Lapinski advised there are nine beneficiaries according to Article 5 of the Will; should be clarified. Mr. Harry Slappo reported two already got their land. Mr. Fouse reported whether there are seven or nine thousand, the point is that Economy Borough is not under any obligation to administer the estate; it is up to the Executrix to do that.

***MOTION by Mrs. Mutschler, seconded by Mr. Googins – to approve or concur with the decision to amend the zoning map. CARRIED UNANIMOUSLY***

Mr. Fouse asked the borough secretary to provide a copy of the order to Mr. Harry Slappo as he is in the audience.

Mr. Slappo asked for a persons name on the Beaver County Planning Commission that recommended this change. Mr. Fouse provided a copy of the Beaver County Planning Commission recommendation letter. Mr. Slappo reported Mr. Fouse stated Economy Borough is moving towards rural/agriculture zoning; looks like the borough is moving towards more residential development. Mr. Fouse reported that, that particular property because of its topography is feasible developed as an R-A than an R-2; not a Suburban Residentially developable piece of property. Mr. Fouse encouraged Mr. Slappo to read the decision; if he wants to file an appeal he can do that or he can call Mr. Fouse and he will try to answer questions the best he can. Mr. Slappo said if he knew what was going on Council would not have voted for it. Mr. Fouse reported the decision is purely based upon recommendations of the Beaver County Planning Commission and the Economy Borough Planning Commission and what was heard at the hearing; the only thing Mr. Slappo said was that he did not get notice. Mr. Slappo stated he is representing four of the heirs; there are actually seven heirs; two older sisters

and an older brother, nieces and nephews; this is a personal favoritism here; assumes Mr. Fouse talked with Frances Ciamacco. Mr. Fouse reported he never talked to Frances Ciamacco in his life except for the time he asked her questions at the Public Hearing; does not know the woman; never talked to her; does not know her. Mr. Slappo asked Mr. Fouse how to appeal this. Mr. Fouse reported Mr. Slappo should get an attorney; this is not between Mr. Fouse and Economy Borough and the Estate; the question of who will pay for any appeal is between Mr. Slappo and the Executrix of the Estate. Mr. Slappo reported she is the Executrix of the existing will and no where in the will does it state to change the zoning that is being done by the Executrix. Mr. Fouse encouraged Mr. Slappo to see a lawyer.

**4. Police Contract:** Mr. Fouse reported he reviewed the Police Contract and recommends approval; verified with Mrs. Mutschler they have affirmative from the bargaining unit. Mr. Sivy asked the percentages (wages were listed). Mrs. Mutschler reported 3, 3, and 4. Mr. Sivy asked what the cost is associated with the contract. Mrs. Mutschler reported she did not figure it out. Mr. Sivy asked how is Council going to vote on it without a cost; did so with the road; talked about that; did not see any cost associated with it as requested. Mr. Rock reported he does not remember that request. Mr. Sivy reported he sees the cost of the wages but does not see the cost of the contract; would like to see the cost to the taxpayers before he votes on it, but it is up to Council. Mr. Rock reported he thought this was discussed. Mr. Fouse reported Mr. Sivy was not here; these discussions were in Executive Session at the last meeting. Mr. Rock reported Council had said this would be the final offer and thought Council was all in agreement with that; not denying that you need those numbers; would like the numbers; can get those numbers. Mr. Rock reported he understands that Mr. Sivy would like the bottom line numbers; doesn't think it will change anything; if he feels this is necessary, Council has waited until now, can wait until the first meeting in March to come back to this; unless everyone is happy with the way it is presented. Mr. Sivy reported this is just his opinion. Mr. Rock reported at the last Executive Session they were all pretty much in agreement; Mrs. Mutschler took it back. Mrs. Mutschler reported this was the final offer; can get with Mr. Kunkle; has figures in file (they gave back two sick days); has the figures all in the file. Mr. Googins asked if it would be a problem if it was delayed. Mrs. Mutschler reported it would be fine; another two week, a month, it doesn't matter. Mr. Kunkle reported it would be easy. Mr. Googins reported there was a change on Page 4 of the contract; which is the correct page. The borough secretary reported she made the error when she typed it; the page with the written 9 in the right hand corner is wrong; page 4 with no number in the corner is correct. Mrs. Sovich-Lapinski reported under Article IX Clothing Allowance should have the years changed. Mrs. Mutschler reported nothing is changing under this article.

#### **5. Appointments:**

***MOTION by Mr. Sivy, seconded by Mr. Googins – to enter into Executive Session to discuss candidates and potential appointees to the Recreation Board, EBMA and the proposed Public Works Contract, with a vote.***

***Time: 8:28 PM CARRIED UNANIMOUSLY***

***MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to return to the regular order of business.***

***Time: 9:37 PM CARRIED UNANIMOUSLY***

Mr. Fouse reported during the course of the Executive Session Council talked about issues with the Public Works Contract and the Committee was informed as to what Council's position would be on those issues and they will be going back to the Public Works bargaining unit and discuss those with them; no vote necessary this evening with regards to that contract. Mr. Fouse reported in addition to that Council also talked about appointments as reflected in the agenda; the first series of appointments will be to the Recreation Board; he was present when he listened to the deliberations of Council and the following motion is in order; a total of six people to be appointed to this seven member board as a result of vacancies and other circumstances,

***MOTION by Mr. Bucuren, seconded by Mr. Sivy – to appoint the following individuals to the Economy Borough Recreation Board with the appropriate terms:***

- 1 – Tom Smith – 3 Year Term***
- 2 – Meagan Trimbur – Term expiring 2011***
- 3 – Courtney Barthelemy – Term expiring 2012***
- 4 – Tim Mannella – 4 Year Term***
- 5 – Audrey Mutschler – 5 Year Term***
- 6 – Carl Protzman – 5 Year Term***

Mr. Fouse reported the second appointment would be with respect to the Economy Borough Municipal Authority and based upon what he heard during the Executive Session the following motion is in order.

***MOTION by Mr. Thomas, seconded by Mrs. Sovich-Lapinski – to appoint JoAnn Borato to the five year term which is currently vacant. CARRIED UNANIMOUSLY***

Mr. Fouse reported this is all that was discussed during Executive Session.

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

#### **ROAD DEPARTMENT:**

Mr. Googins reported everyone knows the men on the Road Department has been working day in and day out to clear the borough; for the most part has all the compliments; does not want to read them all; there were a few people that still have issues with the cinders and understands why. A few incidents on the first big storm; a truck got stuck, the axel broke trying to get the truck unstuck; couldn't find the edge of the road and trying to tow the truck out it snapped the axel; thinks everyone should know the Road Department did the repairs themselves; Jim and Chris; can't imagine how much that saved Economy Borough; fixed in one day in the middle of a snow storm; another truck had springs broken, got that fixed in a day and a half and back on the road; been tough on everybody; as Mr. Rock said Economy Borough roads look better than anyplace in Beaver County; has driven them, his wife has driven them; he can attest to that; there was some problems with people throwing snow out in the middle of the street; PennDOT has rules for driveway snow removal; thinks it is obvious what everybody should know, but people still do it; can't plow your driveway and put it in the middle of the street; not only does it make the work for clearing the road difficult, but it is dangerous; if you know anybody that does this, please remind them. Mr. Bucuren asked if that was a rule in Economy Borough. Mr. Googins reported it is actually from PennDOT. Mr. Bucuren reported Economy Borough should have that. Mr. Googins reported we may want to look into that; it is a rule that PennDOT District 11 has; we talked about it and it is something to look at.

Mr. Googins reported last fall it was talked about (and they have approached us again) the manager from Bell Acres came up (for the third time) and is interested in buying the old paver for \$3,999; looking at that from Walsh and other places it appears to be the going rate; if not, a little bit above the going rate; does not have to be bid out because this is within municipalities to another municipality; his opinion is to take advantage of that offer and sell it before it sits any longer. Mr. Sivy reported he believes Walsh Equipment reported if he had that on his lot, he would sell it for around \$4,500; asked that question. Mr. Googins reported that is what they would ask for it; thinks he said they hope to get three of twenty-five; thinks \$3,999 is good. Mr. Bucuren asked if the money would go back into Liquid Fuels. Mrs. Mutschler reported if it was bought out of Liquid Fuels it has to go back. Mr. Googins reported it would be researched to see if it was bought out of Liquid Fuels.

***Motion by Mr. Thomas, seconded by Mr. Bucuren – to go ahead and make an offer to Bell Acres to purchase our old paver for \$3,999. CARRIED UNANIMOUSLY***

Mr. Googins reported we also have a roller that he and Mr. Sivy are working on to get rid of.

Mr. Googins reported there was a question by Mayor Poling about a guiderail on Woodcroft; looking into this; the snow is higher than a guiderail; will look at that when the snow clears.

Mr. Googins reported there was also a question from Roger Kowal about Amsler Road; looked at it independently from Mr. Fitzgerald; will take a look at that this year; the problem with the road is the sewer went down the middle of the road; same with Mary Reed Road; where the manholes are, it sunk, it is not a problem we developed, it is a problem that occurred when the sewers were put in. Mayor Poling suggested back charging the EBMA.

Mr. Thomas commented that the Fire Department has worked a lot with the Road Department over the last month or so; has to say they did a hell of a job; they really did a good job; they were out there all hours; feels we should do something for them for all the hours they put in down there; feels we should have some sort of a hot lunch for them. Mayor Poling reported he worked in Moon Township for 26 hour straight; when he came home from Moon Township, SR 51, Ambridge, you had to have four wheel drive the whole way home to get home; our roads were clean; it was phenomenal. Mr. Thomas reported they did a hell of a job keeping the roads clean; out all hours; feels that we should show some appreciation.

***MOTION by Mr. Thomas, seconded by Mrs. Sovich-Lapinski – that we supply a hot lunch for them one day at a time designated by Mr. Fitzgerald. CARRIED UNANIMOUSLY***

Mr. Googins reported one of the positive comments received was from the Assistant District Executive Manager of PennDOT; commenting on how well our roads were maintained during the storm; point is not only by the residents, but PennDOT recognizes.

Mr. Rock reported FEMA contacted Mr. Kunkle and gave him 24 hour notice that hopefully some money may come back to Economy Borough. Mr. Kunkle reported Beaver County is helping collect the data, so we put our costs together. Mr. Rock thanked Mr. Kunkle because he was given 24 hours notice; he crunched all the numbers of vehicles and time spent; took him quite a while and he got it in on time; who knows we may be getting a few dollars back. Mr. Thomas reported we probably will be getting money because Governor Rendell declared it a state of emergency and we fell right in line; usually you get something back. Mr. Bucuren reported at the LGA meeting it was reported Allegheny County applied for that originally and they said if Allegheny County gets that, all of the bordering counties, plus Allegheny County will received that too; they have to be considered basically a disaster area; said there was probably 4-5 counties in Eastern Pennsylvania (around Philadelphia) already receiving funds.

### **ORDINANCE and RECREATION:**

Mr. Bucuren reported basically as talked about at the beginning, they are on hold with the gun ordinance; once that is taken care of hopefully something can be done, then they will look at the burning ordinance.

Mr. Bucuren reported the Recreation Board appointments have been made; the 5K Race is May 8<sup>th</sup> and the Casino bus Trip is April 10<sup>th</sup>.

Mr. Rock reported he has some information that Recreation may be interested in; getting a group together to go to PNC Park for a tour and to watch the next Eastern Division Champions, the Pittsburgh Pirates (Americas

Team) play this summer. Mayor Poling reported this is a nice trip; just to go and eat. Mr. Sivy reported it is a beautiful park for someone who has never been there. Mr. Rock will get information; there are a lot of options.

Mr. Rock thanked Mr. Bucuren for putting together the interviews; questions put together, very impressive; nicely done.

### **PUBLIC UTILITIES:**

Mr. Thomas reported he will try to make the next meeting of the Ambridge Water Authority.

### **PROPERTY and BUILDING:**

Mr. Sivy reported he spoke with Mark Custer to see how things were going during the snow storms; kept him busy salting.

Mr. Sivy reported one of the furnaces in the Community Building (same one talked about) has a gas valve that was sticking; had a service call on the 8<sup>th</sup> and it is working now; going to continue to monitor it for now.

### **PUBLIC SAFETY:**

Mrs. Mutschler reported Randy would get the figures for the police contract.

### **FINANCE COMMITTEE:**

Mrs. Mutschler questioned the out of commission police car evaluation done at Smittys; the charge was \$19.00 coming out of the police budget; once the vehicle is sold, can the \$19.00 go back into the police budget. Mr. Sivy reported he will request that it comes out of building and property because he is the one who requested the evaluation. Mrs. Mutschler asked that any money spent getting the decommissioned vehicle ready for sale is recouped back to the right department. Mr. Kunkle reported probably out of the car maintenance for code enforcement because it may be improving that car; this would be a budget amendment; would be adding \$19.00 revenue and increasing an expense item by \$19.00. Mrs. Mutschler reported this would be done after it is sold. Mr. Bucuren questioned if Economy Borough is getting government pricing on tires. Mr. Kunkle reported he will verify it, but normally when tires are bought they are at the state price. Mr. Sivy reported where he works, Comcast does a monthly business rate for all three services (phone, internet, cable) for \$99; Economy Borough is with Verizon; requested Mr. Kunkle see if Comcast could offer Economy Borough some kind of business rate; would be a savings. Mayor Poling reported he did it; his bill is less than what he used to pay Verizon for just the phone.

***Motion by Mrs. Sovich-Lapinski, seconded by Mr. Sivy – to approve the list of bills as stated from January 14, 2010 to February 10, 2010. CARRIED UNANIMOUSLY***

### **REPORTS:**

### **SECRETARY:**

The borough secretary reported 19 employees have signed up for the payroll direct deposit; needed is authorization for Mr. Rock, President of Council to execute the necessary documents to move forward with the direct deposit.

***MOTION by Mrs. Mutschler, seconded by Mr. Thomas – to authorize Mr. Rock to execute the necessary documents to move forward with the direct deposit. CARRIED UNANIMOUSLY***

Mrs. Mutschler reported we have tried years to get this done; 19 employees have signed up; asked if when it is set up if new employees come on they have to take direct deposit; it is a lot easier. Mayor Poling suggested doing this both ways. Mr. Sivy reported he did not have a choice. Mrs. Mutschler reported Council hires someone; they want to work here; these are our rules. Mr. Bucuren reported where he works, they still make the checks out; you get a void check; some still get the checks, some are direct deposit. Mrs. Mutschler reported she is looking down the line. Mr. Rock reported Council could consider Mrs. Mutschlers idea; something to think about.

**ENGINEER:**

No Report

**SOLICITOR:**

Mr. Fouse reported he has discussed with Council in the past the retention of a traffic consultant in order to conduct a HOP (highway occupancy permit) study on the road extending to the Boal property and to SR 65, in order to make commercial development forward ; the engineer knows the name of the firm, Trans Associates; they are expert in the field of HOP studies; this process needs to begin now, because it could take 13-14 months easily; has experience involving Trans Associates in Center Township over the past seven years; has worked with him and feels he is outstanding; has the appropriate contacts with the state and with PennDOT; they are out of Pittsburgh; has been in contact with the developer as well as Zamias Corp; Trans Associates is being recommended to Council for the HOP study; verified money was budgeted for this; no firm price from them yet; Council intends to be reimbursed entirely for all these costs; there are a multitude of issues that have to be handled; has informed Council in Executive Session; information has filtered out to the public; the developer and Zamias engineering have been working together and they are all recommending Trans Associates; technically we own that road; that is a roadway that we own now; we don't necessarily possess it yet, but because we own it we can make application for the HOP and we are ultimately going to possess it; that is why Council has to retain Trans Associates; that is his recommendation.

***MOTION by Mr. Sivy, seconded by Mr. Googins – to retain the services of Trans Associates to perform a HOP study at SR 65 and a road to be named later. CARRIED UNANIMOUSLY***

Mr. Googins asked if this road will be a public road or a state road. Mr. Fouse reported it will be a borough road; it will not be a state road. Mr. Bucuren asked if the road is going up through to Tevebaugh Hollow. Mr. Fouse reported it is designed to go to Tevebaugh; to connect with another borough road.

10:10 PM – Mayor Poling exits the meeting.

**HEAR THE PUBLIC II:**

Mr. Rock reported he would open up the Hear the Public Park II at this time for any items discussed during the meeting.

Elizabeth Burns, asked Mr. Sivy the status of the door replacement. Mr. Sivy reported it has not been replaced, obviously due to the weather and other issues; the doors have been ordered. Mrs. Burns commented that she feels bad that Council did not select her son for the Municipal Authority; thought he could be a big help; hopes that his behavior tonight didn't have a thing to do about it, but he is very knowledgeable and thinks he would have been an asset to the Municipal Authority.

JoAnn Borato, reported that road is not in the greatest condition; since we now own it are we now responsible for maintaining it from this point on. Mr. Fouse reported we own a right-of-way; we have liability coverage; hopefully the circumstance does not exist for a lot longer. Mrs. Borato thanked the group that she interviewed for the Municipal Authority and she hopes she does a good job for Economy Borough; thanked Council for her confidence in her; hopes she proves Council right that they chose a good candidate.

**ADJOURNMENT:**

***MOTION by Mrs. Mutschler, seconded by Mrs. Sovich-Lapinski – to adjourn the meeting. Time: 10:12 PM  
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum  
Borough Secretary  
March 9, 2010