

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** MARCH 9, 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: Larry Googins, Audrey Mutschler, Donald Sivy, John C. Thomas, Ronald R. Rock

ABSENT: Gary Bucuren, Out of Town; Michelle Sovich-Lapinski, Out of Town

ALSO PRESENT: Mayor David N. Poling, Dale M. Fouse, Esq., Scott A. Shoup, P.E., P.L.S., Randy S. Kunkle, Borough Manager

James J. Sas, Chairman, Economy Borough Municipal Authority (EBMA) came before Council with the following annual summaries regard the status of the Economy Borough Municipal Authority:

**Economy Borough Municipal Authority
Summary of Financial Operations
2009 and
2010**

	2009 Budget	2009 Actual	2010 Budget
Income			
4100 - Sewer Billing Charges	\$ \$ (2,572,276)	\$ (2,601,778)	\$ (2,612,634)
4200 - Manual Billings	\$ \$ (316,316)	\$ (199,439)	\$ (444,577) (A)
4300 - Miscellaneous Charges	\$ \$ (21,183)	\$ (17,175)	\$ (2,450)
4400 - Extraordinary Income	\$ \$ (40,000)	\$ (1,249)	\$ (250)
Total Income	\$ \$ (2,949,775)	\$ (2,819,641)	\$ (3,059,911)
4500 - Interfund Transfers	\$ 2,121,193	\$ 1,793,763	\$ 2,240,376
Income Available for Operations	\$ \$ (828,582)	\$ (1,025,878)	\$ (819,535)
Expenses			
5000 Operations & Maintenance			
5100 - General Operations	\$ 206,760	\$ 225,882	\$ 218,300
5200 - Personnel - Operations	\$ 145,132	\$ 136,232	\$ 110,473 (B)
5300 - Treatment & Maintenance	\$ 139,384	\$ 192,069	\$ 172,969 (C)
5400 - Damages Expenses	\$ -	\$ -	\$ -
Total 5000 Operations & Maintenance	\$ 491,276	\$ 554,183	\$ 501,742
Total 5500 - Administrative Expenses	\$ 326,991	\$ 383,303	\$ 317,792
Total 5800 - Extraordinary Expenses		\$ -	
Total Operating Expenses	\$ 818,267	\$ 937,486	\$ 819,534

Net Ordinary (Income)/Expense	\$ \$	(88,392)	\$	(1)
	(10,315)			
Interest and Developer Fee Income	\$	-	\$ (393,108)	\$ (46,350) (D)
Capital Expenditures	\$	136,315	\$ 165,794	\$ - (E)
Net Debt Service	\$	2,115,193	\$ 2,186,871	\$ 2,286,726
Interfund Transfers			\$ \$ (1,793,763)	\$ (2,240,376)
		(2,121,193)		
Total Capital (Income)/Expense	\$	130,315	\$ 165,794	\$ -
Net Cash (Surplus)/ Deficit	\$	120,000	\$ 77,402	\$ (1)

	<u>2008 Actual</u>	<u>2009 Budget</u>	<u>2009 Actual</u>	<u>2010 Budget</u>
Estimated EDU's as of December 31	3,575	3,580	3,623	3,672

Notes:

- (A) Reflects the budget assumption of approximately 49 new EDU's in 2010
- (B) Reflects the retirement of Operations Manager and removal of duplication of FTE in during transition
- (C) Reflects credit received on audit of Baden reimbursable cost
- (D) Reflects one time earnings from derivative contracts and subsequent early termination
- (E) No capital expenditures budgeted pending H2O grant application

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.

Patricia Kosarych, 1240 Tevebaugh Road, reported she was here last October about the speeding, reckless drivers and tailgaters on Tevebaugh Road; has not seen any change in that behavior. Mayor Poling reported when the weather clears up they can start setting up vascar again. Mrs. Kosarych asked who determined what trees need trimmed away from the utility lines; there are big dead trees hanging over the roadway; around 1110 Tevebaugh the phone and cable lines (coming from Conway Wallrose Road, they are on the right side, electric is on the left) are drooping down. Mr. Thomas reported the utility company. Mr. Rock asked Mr. Kunkle to contact Verizon and Comcast and let them know there is a problem on Tevebaugh Road with wires through the trees along the road. Mayor Poling reported someone called him Saturday evening about the trees at the end of Conway Wallrose Road towards Big Sewickley Creek Road; trees hanging out on the road. Mayor Poling asked Mrs. Kosarych what time the speeders on are Tevebaugh. Mrs. Kosarych reported from Friday to Monday, late afternoon; around quitting time; speeders and tailgaters anytime of the day.

Mike Wilson, 201 Foxglove Drive, wondered who is in charge of this road crew; who is in charge of the men; understands that this winter snow fall was abundant, but whoever was in his area, this guy needs his vision tested; it was horrible; Foxglove, Nettlecreek; sent pictures to Mayor Poling and he forwarded them to Mr. Kunkle and he sent him an email; they were so bad the other day the stop sign was actually leaning over far enough he tore it out of the ground and laid it down; somebody came back over and put it back up the other day; they plowed five feet into his yard; send the pictures to Mayor Poling. Mr. Kunkle reported the attachment did not come through, but he did get the email. Mr. Wilson reported if you are coming up Nettlecreek, both rear tires are in the yards; has been driving trucks for twenty-five years, can tell where his rear tires are; there is no reason that the driver should have been in the neighbors yard with both sets of tires; the whole length of the road; the plow sticks out past the truck; no reason that the driver needs to plow into the yard; this is not Conway Wallrose Road, this is just Nettlecreek and Foxglove. Mr. Wilson asked if we are ever going to buy salt in

Economy Borough; the ashes are horrible; like a coal town. Mr. Rock reported Council has gone through that in the last couple years; knows the residents are very concerned; as soon as they understand the price of the salt as compared to salt and ashes; would like to go straight salt, but the cost is prohibitive; asked Mr. Googins what the current price for salt and ashes; we are getting less and less with ashes, believe it or not. Mr. Googins reported salt is a little under \$60 per ton and the ashes are \$10.50 per ton. Mr. Wilson reported the money Council is saving on salt Council could buy another street sweeper; it is terrible; they have not been around all winter and who knows when they are gonna get around; as soon as this stuff dries out you can't open the windows in your house; cars going by, it is terrible; it is actually a disgrace; just came up Bock Lane. Mayor Poling reported it is like Baghdad. Mr. Wilson reported it is like living in West Virginia. Mr. Rock reported Council is providing a service in Economy Borough; services can be very expensive; personally he thinks the road crew does a fantastic job; goes through the same thing with his yard; the driver comes up around where he lives, around the bend and in his yard every year a good two, three feet in; is appreciative we have a road crew that will go out, especially in extremely bad weather; come springtime will go buy some topsoil, throw the seeds out and by fall the grass looks great again; come winter again, the snow melts and it is several feet back; it is one of those things that as a resident of Economy Borough, he will accept the good with the bad; same with the ashes; they take their dog for a walk every morning; she gets covered with that stuff and she hates it; will take the good with the bad; Council provides a service and the services are very costly; Council tries to do the best they can to try to stay within a certain amount of money for that service and if we could go to all salt, Council would, Council would not hesitate; about the drivers, Council will talk to them and that particular driver (whoever he is) about Foxglove and Nettlecreek; the point is Council provides a service, we do the best job we can; the men do a fantastic job; reported at the last meeting that they were out during the storm that hit February 6th at 4 PM (had just gone home at 3 PM); they were out until 7:00 PM the next night; he being a truck driver should appreciate that snow was falling; looking at the roads, it was just white; it's a shame they go off the roads, but it was just white; you get to a point when you are driving 7, 8, 10 hours that it all looks the same; that is no excuse for not being on the road. Mayor Poling thinks (and may do this just to satisfy his own curiosity) it would be cheaper to use pure salt, due to the clean up costs. Mrs. Mutschler asked what pure salt would do to cement driveways. Mr. Rock reported if you have pure salt chances are it will rust cars; would like to go all salt; would have problems with people complaining we put too much salt and it is going to effect driveways; has a colored brick driveway; where he parks one car can see where the salt eats away at the color. Mr. Wilson reported Economy Borough has six or eight guys on the road crew; are they out sweeping the streets currently or are they sitting over there; there hasn't been any snow for two weeks; according to the forecast it is probably done; why aren't they out there every day. Mr. Rock reported they have other responsibilities besides that; they are out there in certain areas sweeping; we have had that problem for the last several years; they have been out earlier and then the weather has been beautiful, then all of a sudden there comes another snow storm; they did his road one year three times; they got it earlier, then there was a snow storm around St. Patrick's Day (several inches); then they had to come back again in April. Mr. Wilson reported Council is paying them everyday, what's the difference if they go out every week. Mr. Rock reported they do have other responsibilities; they are out there with the sweeper; likes the point if all salt is used, we could save on the sweeper, possibly. Mayor Poling reported he thinks we could save money, period. Mr. Rock reported this is something that can be looked into; has been talked about before. Mr. Wilson suggested using half; reported it is almost a competition of who can throw the most crap on the road; unbelievable; not just on the roads, it's on the driveway, cars and into the house; feels it's terrible. Mr. Rock reported we provide a service and try to do the best job we can at the best price we can give our residents; thinks the good far outweighs the negatives; unfortunately we do hear the negatives; appreciates it; he has heard many times and Mayor Poling has heard many times, has heard from Mayor Poling many times; a problem we have this time every year; maybe we will look into the idea of the price of salt; a year ago salt was over \$100 per ton. Mr. Googins reported in some places; we didn't have to pay that. Mr. Rock reported we have a large shed to store the salt; we are lucky there we can get a lot more; where communities were running out of salt during the big storm, we had a large amount there; maybe one day we can get to all salt; would not count on it right now. Mr. Sivy reported on the list of bills is listed over 1,300 tons just purchased to replace what we had. Mayor Poling asked what we went through for the season. Mr. Googins reported he would get that information; probably over 3,000 tons.

Mr. Googins reported they are looking at the salt constantly; has the same problem he does; are looking at this constantly to try to weigh the cost effectiveness of pure salt; if they could switch it to all salt, brine is another option (change the trucks over to that) in the future they probably will do that; that would be a transition they would have to go through; we are not putting down the black stuff just for fun; it is a question of costs. Mr. Wilson reported there should be a more attempt to try to clean it up a little bit faster. Mr. Googins reported it will be cleaned up; the sweeper has already been through Bradford Park Square once; that was about a month and a half ago when we had a break; he lives there, it was. Mr. Wilson reported he does not live in Bradford Park Square, they were not past his house. Mr. Googins reported Bradford Park area; Foxglove and Firethorn; they are sweeping and they will be out sweeping again; we had another blast of snow that filled it up again and we will have to go out and sweep again; it is being done; there is another issue with salt; you can salt Conway Wallrose Road, with all the traffic, it spreads out and the road turns clear; on Foxglove, Firethorn and those roads with the amount of traffic there, if you put salt down, a lot of times it just sits there unless you put a vast amount of salt to melt all the snow; the anti skid (or whatever you want to call it) is traction so it is temporary, it gives traction around the intersections without putting all the salt down to keep these roads clear; if you continue to do it, you get an inch of snow, you salt it, it melts it, get another inch or two of snow and it is white again; if you put down the anti skid (he tracks it into his house, too) you get some traction in between the ability to clear the road and put down salt; they are constantly looking at it; will keep working at it.

MINUTES:

MOTION by Mr. Thomas seconded by Mr. Sivy – to approve the Minutes of the February 9, 2010 (cancelled due to weather conditions) and February 23, 2010, Regular Session of Council, as written.

CARRIED UNANIMOUSLY

MAYOR’S REPORT:

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

Mayor Poling reported Roger Kowal called him that he was never notified for the interviews. Mr. Kunkle reported he got an answering machine and left a message. Mayor Poling asked if it was his cell or home machine. Mr. Kunkle reported he would have to check. Mr. Thomas reported he apparently did not get it because he stopped him at the Superette and asked him when the interviewing was going to take place; told him they already did and a candidate was picked; said he did not get a call or was not notified. Mr. Rock asked if we had done research to find a number. Mr. Kunkle reported the number was on the letter that he had sent in; he did find it and called the number on the letter; will call it again to see what he gets; distinctly remembers calling the number on the letter. Mr. Rock reported he remembers asking Mr. Kunkle about all the candidates and he said they were informed, he left a message. Mayor Poling asked Mr. Kunkle to call Roger again.

MANAGER’S REPORT:

1. Ordinance No. 426 – Slappo-Amending Zoning Map: Mr. Kunkle reported this was previously distributed; the public hearing was held on January 26, 2010; and it is ready for adoption. Mr. Fouse reported Council had the hearing and Council approved the decision, as the statute requires, now is the time to adopt the ordinance.

MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to adopt Ordinance No. 426 Amending Chapter 180 of the Code of the Borough entitled “Zoning”, to Rezone property owned by John and Mary Slappo (both

deceased) and Gerald W. and Roxeen D. Slappo from the R-2, Suburban Residential District to the R-A Agricultural/Rural Residential District (Parcels 60-185-0222-000-01-1; 60-185-0222-001-01-1; and 60-185-0222-002-01-1). CARRIED UNANIMOUSLY

2. Police Contract: Mr. Kunkle reported at the last meeting there were questions on costs; has provided estimates on those costs. Mrs. Mutschler reported if all potential cost savings are realized the net effect will be: 2010 (-\$285.00); 2011 (-\$1,093.00); 2012 (\$5,011.00); may possibly be additional savings, another officer looking to maybe opt out on the health care; does not have that in writing yet. Mrs. Mutschler reported there are two people missing on Council; held it up last meeting until we had the additional information; now missing two. Mr. Rock asked Mrs. Mutschler to make the call. Mrs. Mutschler reported Michelle is not here; Gary is in Arizona; would like to hold this for the next meeting. Mr. Sivy reported he had some corrections on the contract that should be straightened out; some are typographical errors; some need removed and don't need to be in there; has not reflection on the contract at all: Page 4, 4.2 c. change to \$.60 per hour for the evening shift and remove "beginning January 1, 2008, \$0.60 for the evening shift". Mr. Fouse reported this is just clutter. Mrs. Mutschler said we could clutter it out and send it back to the police department; can't take something out of the contract that they already looked at. Mr. Googins reported it says the same thing; does not change it. Mr. Rock reported Council knows and understand that, but the bargaining unit needs to understand that also. Mr. Sivy reported if it is a big deal, leave it in there. Mr. Rock reported it is not significant at all. Mrs. Mutschler reported if it is not significant, what's next. Mr. Sivy reported Page 6, under clothing allowance. Mrs. Mutschler reported it has already been done at the last meeting. Mr. Sivy reported Page 7 at the top (line 2), just a typo, remove "is in" to read (If on vacation...); Page 8, 11.4 a. , correct spelling from even to event; Page 8, 12.1 should it be employ or employment. Mr. Fouse reported employ is correct. Mr. Sivy reported Page 9, Line 5 replace \$50 with Sixty dollars (\$60.00); remove "and for 2005 and 2006 sixty dollars (\$60.00) per unused day at the end of each year of the Agreement."; Mr. Sivy reported this is not changing it, just getting rid of old wording; Page 10 15.1, 1. spelling replace yeas with years; Page 10, 15.1, 5. spelling replace day with days; Page 11, 7. line 3 spelling replace thought with though; Page 12, 18.2, spelling replace schedule with scheduled. Mr. Googins reported on Page 13, 19.5 (last sentence, 5th line down) ; replace should with shall; that's all. Mrs. Mutschler asked the borough secretary to correct this; give her a copy and one to the bargaining unit. Mr. Sivy offered his hi lighted copy to the secretary to work from. Mrs. Mutschler reported this is tabled until the next meeting.

3. Public Works Contract:

MOTION by Mr. Googins – to approve the Public Works Contract.

Discussion on the motion. Mr. Googins reported he thinks Council has talked about this contract enough. Mrs. Mutschler reported the cost analysis given to Council the last time (the financial summary); asked if that was an overall for the three year contract; not one year, three year; the total cost. Mr. Googins reported it was per year; he did this one, Mr. Kunkle did another one; they came out close; this is just the obvious cost savings; it does not take into account anything like how it effects retirement or other things talked about; it does not show any long term savings Council will have; this is just looking at the additional cost for pay increase, longevity pay and savings that have to do with a couple changes in there; you will see there without going into how it effects other parts of the contract and how it will change it, but it just shows an approximate \$9,000 per year increase, but with the savings we could gain (but you can't promise) it comes out to \$18,000 per year savings, but you never know that is going to happen until there is a retirement or something like that. Mrs. Mutschler reported or a hire and we are not hiring. Mr. Googins agreed and reported none of that is figured in; that is why the two things; upfront cost of \$9,000 per year and a potential saving of \$18,000; could be somewhere in between there depending on what they do. Mrs. Mutschler repeated approximately \$9,000 per year increase. Mr. Googins reported, yes; there is a potential savings just as shown with the police department with early retirements and things like that; if nobody takes advantage of it, we won't save. Mrs. Mutschler reported she does not think with this contract there is anybody who would even think of going out; not close to it. Mr.

Kunkle reported one employee turns sixty next year; he is one of the newer employees. Mr. Rock reported he felt Mr. Bucuren would abstain; does not know if he was or not to avoid a conflict of interest as his brother is on the road crew. Mr. Fouse reported he does not think it would be a conflict. Mr. Googins reported this has been discussed at the last two meetings without any objections; after the last meeting it was typed out; hates to delay their increase; it will be retroactive to January 1st; would like to start now; nothing is going to be changed. Mr. Rock reported Council is waiting on one, why not wait on the two; it is up to Mr. Googins. Mr. Googins reported it is up to the Council; it has not changed in the last two meetings. Mayor Poling reported maybe they want to be here to vote on it. Mrs. Mutschler reported Mr. Bucuren would like to be here to vote on it. Mr. Googins reported he is just one of five. Mr. Rock reported Council would wait; hopefully get them all out of the way next meeting. The secretary asked Mr. Rock if Mr. Googins would rescind his motion. Mr. Googins reported no; he makes the motion to approve the contract as stated; if there is no second it will just die; he is making that motion.

MOTION by Mr. Googins, seconded by Mr. Sivy – to approve the Public Works contract.

Roll Call Vote:

Mr. Bucuren – Absent

Mr. Googins – Yes

Mrs. Mutschler – Yes

Mr. Sivy – Yes

Mrs. Sovich-Lapinski – Absent

Mr. Thomas – Yes

Mr. Rock – Yes

MOTION CARRIED – 5 Yes, 2 Absent

Mr. Googins reported for the Public Works employees, this has been a difficult negotiation for some of them; does not think they need to wait two weeks longer to have a contract; they deserve a contract.

4. Ordinance No. 427 - Cable Franchise: Mr. Kunkle reported this was distributed previously. Mr. Rock reported Council has had this since the first of the year; called for questions of Council; basically Council is concerned about the numbers and percentages involved; the allowances. Mr. Fouse reported he has reviewed it and feels it was adequately negotiated.

MOTION by Mr. Thomas, seconded by Mr. Sivy – to Adopt Ordinance No. 427 and to accept and execute the Franchise Agreement with Comcast. CARRIED UNANIMOUSLY

COMMITTEE REPORTS and OTHER BUSINESS:

FINANCE COMMITTEE:

Motion by Mr. Googins, seconded by Mr. Sivy – to approve the list of bills as stated, from February 11, 2010 to March 9, 2010. CARRIED UNANIMOUSLY

ROAD DEPARTMENT:

Mr. Googins reported snow removal has been talked about; the issue with the plowing on Foxglove is being addressed (thanked Mr. Wilson for bringing it up) it is being addressed and will make some corrections for plowing into peoples yards; reported he has a list of things, but they basically have been plowing for the last two months; there are a few other calls about plowing into peoples yards, signs that need replaced, a few mailboxes that were damaged (will be taken care of); the guys were out fixing potholes with cold patch; trying to keep the roads passable; some base repair on several roads; bad news is Roberts Lane has heaved again this year, but has settled back down; may have to go back in there and take a look at that; water coming down off the side of the hill goes underneath the road; hasn't driven out there yet. Mr. Shoup reported some sections have heaved. Mr. Googins reported that may have to be patched up again; cleaned some drains that were plugged up and some other things; numerous letters complimenting the road crew; and of course a few complaints that they will take a look at.

Mr. Googins reported Bell Acres Borough is interested in the old paver that we have; they are still planning on purchasing the paver but it has not transpired yet. Mr. Shoup reported they made the motion last night. Mr. Googins reported we should be hearing something soon. Mrs. Mutschler asked if it has been determined where it was bought from. Mr. Kunkle reported Liquid Fuels Funds were used to purchase it. Mr. Googins verified that that money would go back into Liquid Fuels.

Mrs. Mutschler reported in regards to the Road Department; at the last meeting Council did make a motion to thank the Road Department for a job well done which they did and Council indicated they would give them a lunch, which they did last Thursday; made a motion which at the time did not think Council needed to do a motion, because Council did give them a fund; but in the meantime she did find out they were sent home early on two occasions; asked Randy to pull up how much that cost Economy Borough; they were sent home for approximately six hours; looking at almost a thousand dollars, that Council basically gave away without even a vote being made; sat for three hours last year on a budget meeting on how tight the budget was; did cuts and money given back and you did this; they did a job well done, which they got paid well for it; it was hard, it doesn't snow all the time, we don't plow all the time; they do get paid accordingly whether it's straight time or time and a half; close to \$40 per hour; here is six hours without anybody being there; \$1,000; at this time all employees it was a tough time to deal with; had phone calls streaming in; people praising and complaining; extra work; more accidents and so forth; it's a job; who did the call. Mr. Rock asked Mr. Kunkle to answer this. Mr. Kunkle reported the first time it was Mr. Rock, Mr. Googins and himself who talked about it; wasn't too long after they did the Friday regular work hours, were called back out less than two hours after going home, worked until 7:00 PM Saturday night; the following week they were called out at 2:00 AM, worked to get Economy Borough passable; got the job done and had a couple hours left on their shift with at that point basically not a whole lot to do; they had been out all night, they were already tired previously to that from all the plowing that had to be done; they discussed sending them home, which they did; two days later, the same scenario happened; one night they were called out at 2:00 AM and the next time at 3:00 AM; as in the report, it was about six hours. Mrs. Mutschler reported she thinks it should have been brought up and done with a vote; you vote on a lunch, but then you let employees sit there and go home. Mr. Rock reported he does not know how it could be brought up and voted on when it happens on a Friday night. Mrs. Mutschler reported nobody knew about it either. Mr. Googins asked Mr. Rock permission to address this. Mrs. Mutschler reported she walked in the door and did not know about it until she looked down and saw no vehicles. Mr. Rock reported he knew about it, Mr. Googins knew about it; it was action taken; they felt it was acceptable action at the time taken by Mr. Kunkle with his permission and Mr. Googins permission; because of the very, very extenuating circumstances; this is not something that is done all the time; felt it was worth doing what they did; to put it to a vote, how could you put something like that to a vote; start making phone calls; start making decisions and trying to get a hold of people; it is something that he feels as President of Council he can take that undertaking; gave Mr. Googins authority, as he would her as head of Public Safety to make decisions. Mrs. Mutschler asked that she could send them home early. Mr. Rock reported if extenuating circumstances were like that. Mrs.

Mutschler reported she could never do that because you have to have officers on duty. Mr. Rock reported exactly, she is in a different situation. Mrs. Mutschler asked if she could just make the motion and say since they worked hard, they could get six hours in their pay check. Mr. Rock reported no; they are talking about an inch of snow and hour; several inches of snow in a couple of hours; couldn't see the road in front of you; the men were out there; they came back in at 1-1:30 in the afternoon; they had an hour or an hour and a half left; thought it was feasible to simply allow them to go home; they had been up, many of them, for eighteen hours straight; basically it was felt we did not know if they would be back out again in a few more hours as they continued to predict snow; the broadcasters in Pittsburgh want us to watch them and tell us it is on the way; they may have been back out four hours later; deferred back to Mr. Googins. Mayor Poling asked if it was on the clock or off the clock. Mrs. Mutschler reported they got paid; there is no more to explain; Mr. Rock explained the situation; didn't feel it was right to take it upon his self to send them home. Mr. Googins reported since he was the one involved in the decision to allow them to go home he wished to respond; the individuals who worked on the road department worked hours on end; he went and talked to a lot of them; Mr. Kunkle talked to them; Mr. Fitzgerald, our road foreman manages them; they were not sent home as a benefit or a reward; they were sent home because they were tired and it was unsafe to allow them to work; continuously work any longer; they were subject to being called out hours later; it was a decision made and it was a good decision to send them home at the time; people can't work 15, 16, 20 hours straight, come back in three hours later and perform; we are looking at them having a problem, an accident, residents having accidents; this was done for the safety of the workers, and the safety of the residents of Economy Borough; Mr. Fitzgerald called and talked to the manager, he talked to me, he talked to Mr. Sivy and he talked to Mr. Thomas; and everyone agreed that it was in their best judgment that they be allowed to go home a couple hours early on those days; does not recall, because he was not ready for this today; does not recall if they went back to work those same days; know that he will find out; in the future Mr. Rock, he would prefer, if we have issues that have to do with different departments that it be taken up before these meetings and we can have the information for the members in the back of the room; he has no intention ever to come to a Council meeting and talk about something that is going on with the Police Department; would have the courtesy to talk to him and to talk to Mrs. Mutschler or if need be the mayor and the chief if it is something with the police department that he is not satisfied with; there is a valid explanation why this occurred; bringing it up at this time he does not appreciate at all, as a member of this Council; was going to do this in Executive Session, but thinks the people in the back of the room need to know this; this was a logical and safe decision for the workers in this borough and the residents in this borough; will stand behind that anytime; Mr. Kunkle agreed, the road foreman agreed, he agreed, Mr. Sivy agreed, Mr. Thomas agreed and he informed Mr. Rock they were doing this; will do it again if need be. Mr. Sivy reported he also talked with Earl and was told the men were extremely fatigued; to him it was a dangerous situation; on those days they were plowing twenty hours straight from the previous day. Mr. Googins asked what time they left. Mr. Kunkle reported around eleven one day and one o'clock one day. Mr. Googins reported it was one o'clock one day and eleven o'clock the other day; and yes Council is required to pay them by contract; they are supposed to be working until three o'clock on regular hours; we could not take their pay away; that would not be right either.

ORDINANCE and RECREATION:

Mr. Rock asked if Mr. Bucuren gave Mr. Kunkle a report on the proposed firearms ordinance. Mr. Kunkle reported he has no update on the proposed firearms ordinance.

PUBLIC UTILITIES

No Report

PROPERTY and BUILDING:

No Report

PUBLIC SAFETY:

No Report

REPORTS:

SECRETARY:

No Report

ENGINEER:

Mr. Shoup reported he would make the revisions to the zoning map. Mr. Fouse reported there is a 30 day appeal period.

SOLICITOR:

No Report

Mr. Rock congratulated Mr. Fouse for being elected into the Hopewell Area Hall of Fame for his academic abilities; Hopewell Area School District has individuals that they do have a Hall of Fame for; congratulations; honor well deserved.

HEAR THE PUBLIC II:

Mr. Rock reported he would open up the Hear the Public Park II at this time for anything talked about on the agenda that there may be a concern about.

Mike Wilson, 201 Foxglove Drive, asked if the truck drivers are DOT certified; because DOT has regulations on how they have to work. Mrs. Mutschler reported they have to keep a book and are allowed only so many hours. Mr. Wilson reported sixty hours in a seven day period; that means if these guys are working twenty hours per day they can only work forty more hours in the week; on duty; truck over twenty six thousand and one pounds; as long as they have a CDL. Mrs. Mutschler reported they don't have to have a CDL. Mr. Wilson reported if they have air brakes, then they have to have a CDL; they can't work after sixty hours a week.

Elizabeth Burns, 100 Stange Road, asked the status of the doors; when are they going to be installed; we made the recommendation to replace them at the end of October, November; it is now March; the doors aren't installed; wondered if they were paid for; is this a responsible contractor. Mr. Sivy reported they won't be paid for until the job is completed; money is budgeted for it. Mrs. Burns asked if this was a responsible contractor; has he been contacted; do we know when they will be installed. Mr. Sivy reported the doors are ordered; will check on it for the next meeting for her.

Mike Lucia, Golden Grove Road, reported he listened to Mr. Sas and this is a question for him; did he indicate the rates are going up; thought he heard sixty-five, but he went by it so fast. Mr. Rock reported he heard sixty-seven. Mr. Thomas reported he heard that eventually it may be sixty-seven.

Mr. Googins reported it has nothing to do with what was just talked about, but requested a one minute Executive Session to talk about a personnel issue with no vote; wishes to tell Council about something that come up.

ADJOURNMENT:

MOTION by Mr. Googins, seconded by Mr. Sivy– to adjourn the meeting to Executive Session to discuss a personnel issue, with no vote. Time: 8:25 PM CARRIED UNANIMOUSLY

Respectfully submitted,

Susan A. Blum
Borough Secretary
March 17, 2010

List of Bills attached to the Minute Book.