

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** MAY 11, 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, Michelle Sovich-Lapinski, John C. Thomas, Ronald R. Rock

ABSENT: Donald Sivy, Out of Town for Business

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

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.

Jason Jasinski, 2759 Ridge Road Ext., requested Council's approval of an acceptance to the flag lots for construction of additional homes on property that he owns; owns 8 acres on Ridge Road Ext.; has been working with the Economy Borough Planning Commission over the last four or five months to figure out how to parcel the lots so that his two daughters can build homes on the land; the constraints of the topography of the land made it physically impossible to go forward and do the parceling with a private road; it appeared that the only solution was the approach with the flag lots; worked with Roberta Sarraf and the EB Planning Commission; the recommendation is to go ahead and draw up the subdivision with that in mind; based on their recommendations at the Planning Meeting last Monday, he was given the go ahead and is asking for Council's concurrence on that. Mr. Kunkle added that he has a copy of the letter from Roberta Sarraf to the Planning Commission in part saying "after a site visit, I recommended that the applicant request a modification to the prohibition against flag lots."; like said, that is the recommendation from Roberta. Mr. Rock asked if we have anything from the Planning Commission in writing. Mr. Kunkle reported the Planning Commission is recommending approval of the plan contingent upon this request; they are in favor of the plan; they feel that this step would be necessary first. Mr. Rock asked for questions. Mr. Shoup clarified that the Planning Commission made the recommendation to Council that the waiver be granted and they also made the recommendation that the plan be approved. Mr. Kunkle reported yes to both. Mr. Shoup verified that both the approval of the waiver and the approval of the subdivision would be tonight. Mr. Kunkle reported he felt that would be appropriate. Mr. Googins asked if Council would be able to do that tonight. Mr. Rock reported it is not on the agenda. Mrs. Mutschler requested to make this an additional item on the agenda for tonight; called and she can do that. Mr. Fouse advised Mrs. Mutschler can add this; certain that Planning has had discussion on this matter at some length. Mr. Jasinski reported monthly. Mrs. Mutschler reported discussed during several monthly meetings. Mr. Rock reported this would be added to the agenda and Council will act under action items.

Ruth Helsel, 119 Gross Drive, inquired about the grass being cut at the empty house behind her house; reported the one behind her is where all the cats are. Mr. Rock reported we have spoken about this and we will probably have to do this again. Mr. Kunkle reported this should also be added as a subject tonight. Mr. Rock verified grass cutting. Mr. Kunkle reported we have at least two from last year, carryovers. Mr. Rock reported Mrs. Helsel's is from last year with the cats; add this to the agenda; asked Mrs. Helsel if the house is for sale. Mrs. Helsel reported the lady died before they moved in; there was a person up there in the summer working on it; has not seen anybody for months; nice house; shame; they tried to find out who has it and why they don't put it up for sale; tied up in the courts or something.

MINUTES:

MOTION by Mrs. Mutschler seconded by Mr. Thomas – to approve the Minutes of the April 27, 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 April, 2010, as prepared by Chief Harrington, which will be on file for review in the borough secretary's office.

Mayor Poling reported he received his spring letter from Mr. Vild on Woodcroft referring to the speeders; requested the speed monitoring device on Woodcroft. Mr. Googins reported it is currently on Harmony Road. Mayor Poling verified that it is out; requested it be moved to Woodcroft. Mr. Googins reported it is scheduled for Ridge Road Ext.; probably after that.

Mayor Poling commended the Recreation Board for their work on the 5K; nice event; residents don't realize the amount of work the board does; thinks they did a fine job.

MANAGER'S REPORT:

1. Jasinski Modification Request: Mr. Kunkle reported this is a request from Jason Jasinski for a modification to the requirement that there be no flag lots created. Mr. Googins asked for an explanation of what a flag lot is. Mr. Kunkle reported typically if you look at a plot map it will resemble a flag; it is when you have, relatively narrow lots that are very deep; you subdivide in the back; in order to get to it there would be a driveway on the one side of the property; at some point the property line cuts across creating what appears to be a flag in the back; the ordinance was initially primarily due to the R-1 zoning district; there are lots in R-1 susceptible to that; this is out in the R-2 area off the Ridge; the lay of the land where we are talking about would not have the same impact as it would in a R-1 zone. Mr. Fouse advised Council should have two separate motions.

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Googins – to authorize the modification to the requirements of the subdivision ordinance as it relates to flag lots with regards to the Jason Jasinski request. CARRIED UNANIMOUSLY

MOTION by Mr. Bucuren, seconded by Mr. Thomas – to approve the Jasinski Subdivision conditioned upon the following: comply with the BCPC review comments received, comply with the Planning Consultants recommendations of April 30, 2010, Shoup Engineer's recommendations of April 30, 2010, and comply with all borough ordinances and regulations. CARRIED UNANIMOUSLY

2. Grass Cutting: Mr. Kunkle reported he did contact Economy Landscaping and they have offered to maintain their prices from last year to cut the grass that is not being cut; for the two put on notice last year, feels we can continue to do that at Council's direction; any new ones that would come in would have to go through the notification process; sure if there are others that are not being cut, we will be notified soon or we will come across them soon. Mrs. Mutschler asked if liens have been filed against these people to recoup this money back; when Economy Landscaping came in the grass was high, now it was done all year long, coming in shorter grass like everyone else's, cut maybe once or twice so far; last year to Economy Landscaping was quite a chunk of change for landscaping rather than having maybe someone cut the grass; no guarantee that we are going to get that money back. Mr. Fouse asked if they are repeaters. Mr. Kunkle reported the two houses he is aware of are repeats from last year. Mr. Fouse reported he did not file any liens this year; asked Mr. Kunkle to contact him regarding the two repeaters. Mrs. Mutschler reported that is not a guarantee; in the meantime could Council possibly have someone in house cut the grass rather than a landscaper; paying more for a landscaper than maybe someone who would do it. Mr. Thomas asked how much was paid last year. Mr. Kunkle reported he does not have that with him. Mr. Rock reported the grass was high the first time last year. Mrs. Mutschler reported one was like \$500.00. Mayor Poling reported that was the initial amount. Mrs. Mutschler reported if Council had someone who was interested; a high school kid or college kid to make some money cutting grass; what we are paying a house she would cut the grass. Mr. Rock reported Council talked about this last year; even mentioned our guys going in and cutting the grass. Mrs. Mutschler reported ours were short for time and we did not have time to put it out for bid; we had a mess there, had complaints; could see they jumped on it and did it; one was by John Campbell's house; there were twigs, etc. Mr. Googins recalled the discussion was you needed more than a lawn mower. Mrs. Mutschler reported at that time. Mr. Thomas reported that was the first time it was cut. Mrs. Mutschler reported it was very high; if it was done all year long, it should have ended up with a lawn service, we are starting out with a new lawn. Mr. Kunkle reported one thing to consider with a lawn service, they will be insured; there has got to be some kind of liability going on to private property cutting grass; exactly what the liability is, not sure; with a service they will have insurance and for the employees they will have workers comp. Mr. Mutschler reported she felt it was high when she had the figures at the end of the year and possibly not recouping the money. Mr. Fouse reported it is probably because as Mr. Kunkle points out they pay workers comp premiums and liability. Mr. Googins reported if it needs to be done now and this is the easiest way to do it and get it complete; next time look at it. Mrs. Mutschler reported get it and usually a lawn service comes rain or shine; they are on schedule every 2 week mowing even in the rain; are we monitoring the cutting schedule; we want it looking nice but not manicured. Mr. Kunkle reported they understand that. Mr. Rock reported we went through the process last year and asked Mr. Fouse if a motion is needed. Mr. Fouse advised not to just do it. Mr. Rock directed Mr. Kunkle to move ahead.

3. Fees Resolution Proposal: Mr. Rock reported this was talked about at the last meeting and asked for questions and concerns from Council; reported the last time the jukebox and amusement devices was dealt with was 1958; some of the current prices for other areas Harmony Township, Baden, Conway (local municipalities) what they are charging compared to what Economy Borough is charging. Mrs. Mutschler felt a count on how many machines Economy Borough would be dealing with before changing the fee. Mrs. Sovich-Lapinski asked if there was a master list. Mr. Kunkle reported we are starting from scratch. Mrs. Mutschler suggested to do a count first and then determine what Council would like to raise them to; asked if we have been collecting any money. Mr. Thomas asked when the last time any money was collected. Mr. Kunkle reported Joan States was the collector for many years and it has been 3-4 years. Mr. Thomas verified that Economy Borough has not gotten anything in 3-4 years. Mr. Rock asked Mr. States (audience member) if he recalls the last time his wife collected fees. Mr. States reported a few years ago. Mrs. Mutschler asked Mr. States if he knew how many were on the books then. Mr. Kunkle reported he thinks we were bringing in about \$500. Mr. States named some businesses, but there wasn't really a lot. Mr. Rock asked Mr. States if his wife has a list. Mr. States would have to ask her. Mr. Rock asked Mr. Kunkle to contact Mrs. States to see if she has a list and we will go from there; may not be a great number. Mr. Thomas reported it might be a little more or a little less. Mr. States reported if the borough was in the red, this would not put it in the black. Mrs. Mutschler reported Council doesn't want to sticker shock someone who is paying \$30 and now Council would jack it up to \$300; that would

not be very nice. Mr. Rock reported there is a possibility we have not collected it in 3-4 years; it is not anything expected; these machines probably bring in a few dollars for these people or they would not have them; considering what the original fee was, don't see them giving them up. Mr. Googins asked if Council would change the fee structure; is that what is being suggested. Mrs. Mutschler reported this is just telling us what the other municipalities have. Mr. Thomas asked if a fee structure of any specific amount is being recommended. Mr. Kunkle reported he doesn't know if there are poker machines in Economy Borough; won't know until we look for them. Mr. States reported poker machines are legal if they have a small games of change license and don't pay out on them. Mr. Kunkle reported if those machines exist, they make the most money and probably can be charged a higher rate; regular machines, compared to other places, it would be realistic to go higher than the current \$50; would not go to the \$500 max, maybe \$100 or \$200. Mr. Thomas suggested averaging it out; see what the rest of the municipalities are doing; does not want to go \$500. Mr. Rock reported jumping up to \$500 would be sticker shock; maybe increase gradually over the years; from what he is hearing, have Mr. Kunkle talk to Mrs. States and get Ray go out and come up with some kind of list of what is out there and go from there; Mr. Thomas put out a number that is fair; at least get a ballpark figure of what is out there. Mr. Rock asked Council about the Memorial Flag Program. Mr. Thomas agrees with the change from \$30 to \$40 per 3 year period. Mr. Googins reported it is only \$10 and the last time it was changed was 5 plus years ago. Mr. Rock reported #3 the maintenance fee for the pavilion and community room. Mrs. Mutschler reported this would pay for the broken chairs. Mr. Rock reported Council seems to be comfortable with #1 (Memorial Flag Fee) and #3 (Maintenance Fee); asked Council if they wanted to wait to act on them when information on the machines is gathered. Mr. Googins reported he prefers to act on #1 and #3 now and act on #3 when information is gathered. Mr. Fouse verified with Mr. Kunkle that it is one fee schedule.

MOTION by Mr. Googins, seconded by Mrs. Sovich-Lapinski – to authorize changing the fee for the Memorial Flag Program from \$30.00 to \$40.00 for each 3 year period and to create a \$25.00 Maintenance Fee for the pavilion and the community room (to be used for the facilities), effective May 12, 2010.
CARRIED UNANIMOUSLY

4. FEMA DAP 2 Resolution No. 728 – Designation of Agent: Mr. Kunkle reported he is working with FEMA to try to recover some of Economy Borough costs related to the Federal disaster declared regarding the February snow falls; a lot of paperwork involved; one is this resolution designating an agent; has acted in that capacity in the past; authorizes him to fill out the paperwork, which he is doing. Mr. Rock reported money has already been allocated for each county. Mr. Kunkle reported Beaver County has been approved. Mr. Rock asked who is going to determine exactly how much each municipality will get. Mr. Kunkle reported FEMA makes the ultimate decision; they are able to pay up to 75% of our highest 48 hour cost, which with Earls input he is able to put that information together; it will be submitted to FEMA; has been to 2 meetings already; now it is time to finish up paperwork. Mr. Thomas reported there is a pool of money approved. Mr. Kunkle reported FEMA will send the money to PEMA; PEMA used to have the ability to provide up to 3% administrative costs to us; the state now keeps that; not sure if PEMA will send the check to Economy Borough or to Beaver County; it goes from the Federal to the State. Mr. Thomas reported usually it goes to the county; we are in Region 13; when this is filed in Pennsylvania, each region gets a pool of money; it will come from FEMA to Beaver County to Economy Borough; that is how it usually works; might get the full amount or we might get $\frac{3}{4}$ of what you put in for; does not what Mr. Kunkle has been told at the meetings he has been attending. Mr. Kunkle reported Economy Borough is eligible for up to 75%; 75% at this point would be approximately \$30,000; the number will not go up and after they look at your numbers, thinks they tend to go down; they scrutinize what you give them and they will do it again; we should get a sizeable amount back. Mr. Thomas reported Economy Borough is lucky we are getting money back, usually it gets turned down; the way it has been this past winter, everybody is getting money back. Mr. Kunkle reported Economy Borough spent over \$48, 000 during one of the snow events; this counts over time and the vehicle costs, which is a significant portion of the total amount; over time hours is all that can be counted as far as wages go; the rest are vehicle and equipment (spreaders, plows) components used. Mr. Bucuren reported they are allowing break downs too. Mr. Kunkle reported if you had break downs you can apply for it; Economy Borough did not have any; they

want you to try to establish that you had it because of that storm; feels it would be scrutinized closely; break down, damages of that nature. Mr. Rock verified with Mr. Kunkle that the resolution needs adopted.

MOTION by Mr. Thomas, seconded by Mr. Googins – to accept Resolution 428 (Form FEMA DAP 2) Designation of Agent Resolution, naming Randy S. Kunkle as the Applicant Agent.
CARRIED UNANIMOUSLY

5. Non Organized Employee Wages for 2010: Mrs. Sovich-Lapinski requested an Executive Session on this topic. Mr. Rock asked if it mattered when the Executive Session occurs, now or later. Mrs. Sovich-Lapinski requested after Council goes over everything. Mr. Rock reported this will be tabled now and have the Executive Session at the end of the meeting, with a vote.

6. Summer Help: Mr. Kunkle reported interviews for the Summer Help have been scheduled for tomorrow; hope to make a selection based on those interviews. Mr. Rock verified with Mr. Kunkle that there are 3 interviews scheduled and possibly a fourth one; all Economy Borough residents. Mrs. Mutschler asked how many hours they will be working. Mr. Kunkle reported right now it is scheduled for approximately 25 hours per week.

7. Martelli – Small Flow Sewage Treatment Facility (SFSTF): Mr. Kunkle reported at the last meeting Council adopted Resolution No. 427, amending the Economy Borough Act 537 Plan for the Martelli subdivision; they will be installing what is referred to as a Small Flow Sewage Treatment Facility; last time one of these were installed was in 1998 by Martin Diel, Green Forrest; they still have their system in place; Economy Borough still has money in escrow for that system; part of the set up (presumes it is a requirement under the state law) the system in order to work property has to be maintained properly; that is why when people propose putting them in DEP requires them to enter into an agreement with the municipality that establishes how the continual maintenance will be taken care of in case for some reason the property can't or decides not to maintain the system; we do have an agreement as mentioned at the last meeting that we will be entering into; we will be establishing an escrow account, which Economy Borough will be holding money indefinitely; we will have our second SFSTF; this is information; a copy of the agreement has been passed out this evening; Mr. Fouse has reviewed the agreement.

PRESIDENT'S REPORT:

Mr. Rock reported Mr. Fitzgerald received a letter from the Economy Youth Baseball Association; thanking Mr. Fitzgerald and staff for rolling the baseball field last month; provides our kids with a great playing surface and also eliminates the possibility of them spraining an ankle; EYBA is fortune enough to be located within a great community that always provides assistance to the local non-profit organization; glad that they do appreciate what Economy Borough can do for them; this is from the EYBA President, Sam Cercone; will give the borough secretary a copy for the file.

COMMITTEE REPORTS and OTHER BUSINESS:

PROPERTY and BUILDING:

Mr. Kunkle reported we are getting closer to the sign construction out front.

PUBLIC SAFETY: No Report

FINANCE COMMITTEE:

MOTION by Mrs. Sovich-Lapinski, seconded by Mrs. Mutschler – to ratify the payment of all bills listed on the statement from April 15, 2010 to May 11, 2010, properly signed off and approved by the appropriate supervisor of that department. CARRIED UNANIMOUSLY

PUBLIC WORKS DEPARTMENT:

Mr. Googins read the following from the Public Works Department Report as prepared by Earl Fitzgerald:

- A catch basin and 20ft. section of pipe was installed at the intersection of Rose St. and Roberts Ln.
- A retaining wall was built to stabilize the hillside of the driveway leading to the recreation area behind the borough buildings.
- The speed monitor has been placed on Harmony Rd. and will be moved to the area of 2311 Ridge Road Ext.
- Drainage work was completed on Orchard Ln per our easement. The area will be seeded and backfilled when the weather permits.
- Andrus Dr. and Laurel Rd. were backfilled and seeded from last years paving.
- We moved our pipe to the public works yard and we also cleaned up the area behind the garage.
- Crack sealing was started in the Miller Plans and will be working towards the Lynnwood Plan.
- We worked on trucks and equipment as needed.
- Various signs throughout the borough were repaired or replaced.
- Talked to Mr. Fitzgerald and Mr. Kunkle today on a Road Improvement Plan for summer.

ORDINANCE and RECREATION:

Mr. Bucuren thanked Mrs. Mutschler for doing a great job for the 5K Race; all the time and effort she puts in to the race; they had a good turn out.

Mr. Bucuren reported Tennis Camp is June 21-25; Volleyball Camp is June 21-25; Basketball Camp is June 28-July 2; 2 hour session at Bounce You in Warrendale, July 22nd. Golf Outing at Harmony Ridge, September 11th; Fun Fore All Family Passes can be purchased before Memorial Day; the passes are good until September 6, 2010.

Mr. Bucuren reported the proposed firearms ordinance will be advertised within the next day or two.

Mr. Bucuren reported he handed out some papers to Council for review on the burning ordinance; a few paragraphs to put in to possibly change our ordinance as read at this time; requests Council review this; if everything goes good with it, it could possibly be put out for advertisement. Mr. Rock verified that all Council had the draft "Open Fires Restricted"; asked Council to please read over this. Mr. Bucuren reported the draft is just the first page.

PUBLIC UTILITIES: No Report

REPORTS:

SECRETARY: No Report

ENGINEER:

Mr. Shoup reported at the last meeting (discussion with Randy) and reading the minutes; Council apparently had a resident from 222 Woodcroft who filed a written request and was at the meeting explaining a problem they have been having with their gas meter; did go and look at the site; reviewed it against what PennDOT terms as guidelines for the use of guiderail; they do not have stringent requirements, but they do have guidelines as to when they recommend and allow the use; the PennDOT guidelines are just that, there are caveats throughout that say there are individual circumstances that may dictate the use of guiderails; PennDOT does not address the issue of gas meters; they address issues such as retaining walls, embankments, slopes, things of that sorts; the majority of their guidelines are geared towards embankments; they do have a series of criteria for when it is appropriate to install guiderail; that particular site does not fall into the categories that PennDOT has provided to recommend the use of the guiderails; PennDOT does say guiderail should only be used for if the result striking the object or leaving the roadway would be more severe than the consequence of striking the guiderail; pretty much common sense; PennDOT does recommend that 5 or 6 steps be looked at before you use the installation of guiderail: 1) Remove the obstruction; 2) Redesign the obstruction so it can be traversed safely; 3) relocate the obstruction to a point where it is less likely to be struck; 4) Reduce impact severity by using an appropriate breakaway device or impact attenuator; 5) Shield the obstruction with a longitudinal traffic barrier if it can not be eliminate, relocated or redesigned; in addition to the gas meter there are other obstructions he assumes were put up to prevent cars from hitting the gas meter; don't know how anchored those structures are; they look like parts of utility poles, small wooden structures, posts; assuming cars went through them at least the latest incident where they struck the gas meter; have not had a chance to contact Columbia Gas; at the last meeting insurance issues were mentioned; would behoove everyone before we contemplate doing something that is not necessarily recommended by PennDOT; can something be done with that meter; willing to make that call; can have something for Council next meeting; ideally to move the meter would be to move it back to the house; that would solve his problem; would further suggest that he remove the barriers that he has put up to protect the gas meter; apparently there were 3 recent accidents there; he said there were multiple in the past; to the best of his knowledge does not think anybody has been hurt in the accidents; obviously shearing off a gas meter has a potential for issues; if the gas meter was moved, the barriers/obstruction were moved, there is no need for guiderail; has one recommendation; there are chevron signs going around that particular curve; thinks it would be helpful to install one additional chevron sign down closer to the gas meter; what happens is at that curve, you see the chevrons, then the chevrons stop, but the curve is still going; thinks it would be helpful to motorists to be able to see that sign to let them know that the curve is still continuing. Mr. Rock reported the main thing would probably be for the homeowner to get the gas meter closer to the house; surprised Columbia Gas has not gotten involved with that problem. Mr. Thomas reported he doesn't have insurance on it. Mr. Googins questioned if replacement of the meter would be the responsibility of the homeowner; if the meter is by the house, you would still be responsible for the line going to the tap in. Mr. Bucuren reported normally if the meter is at the road you would pay from the road to the house; that would be your line, from the road to the house; if it comes from the house, you pay for that; from the meter to the road should be the gas company. Mr. Googins questioned everything up to the meter. Mayor Poling reported he does not think it works that way, thinks the homeowner pays for the line from the meter to the curb cut; his Dad has the gas line put in and it was his responsibility to put the line up to the road. Mr. Rock reported Council would need clarification of that. Mr. Googins reported he gets the advertisements in the mail to buy insurance for the gas line. Mr. Shoup reported he would talk to Earl concerning the chevron sign; to follow up directly with Columbia Gas; requested to have authorization to say Economy Borough Council is requesting assistance be given to this issue. Mr. Rock reported yes. Mr. Googins reported the 6" poles someone put in there with the chain are dangerous. Mr. Shoup reported remembering seeing that years ago; somebody plowed through there at some point in the past; since then he has put up the barriers; if those go 5' in the ground, they are dangerous.

Mr. Shoup reported he has Council's request to look at potential curbing on Rose Street; has not done that yet; will be doing that and get back to Council.

SOLICITOR:

Mr. Fouse advised Council has all received the draft for the amendment to the Subdivision and Land Development Ordinance; reported it is fairly involved; received an email from Roberta Sarraf asking for his review; he has reviewed it and it is appropriate for Economy Borough Councils consideration; this revises some of the procedures we do and changes some definitions; really updates the Subdivision and Land Development Ordinance; perhaps it is time for Council to consider this; a public hearing will have to be advertised and held; would be a good idea to have Roberta come to the actual public hearing since she had a lot to do with the changes; sure there will be some questions; once the hearing is decided it will be sent to Beaver County; the hearing should be in the next month or so. Mr. Blumling reported there were a few minor changes Scott wanted which have been done.

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Googins – to authorize the scheduling of a public hearing to consider the changes to the Economy Borough Subdivision and Land Development Ordinance. CARRIED UNANIMOUSLY

Mr. Fouse reported several months ago he was asked to formalize the transfer of the property on Ridge Road Extension from the Economy Volunteer Fire Department (EVFD) to Economy Borough; that property was originally owned or controlled by the Ridge Road Community Civic Club, aka, Economy Borough Civic Club; they conveyed it to the EVFD with covenants in the deed for fire department purposes; now it is being utilized by Economy Borough for Public Works storage; has prepared resolutions (one for the Civic Club and one for the EVFD) to authorize the executions of the necessary deed to Economy Borough; those have been sent out.

MOTION by Mrs. Mutschler, seconded by Mr. Thomas – to enter into Executive Session to discuss the non-organized employee wages, with a vote to be taken tonight. Time: 7:55 PM CARRIED UNANIMOUSLY

MOTION by Mrs. Mutschler, seconded by Mr. Googins – to return to the regular order of business. Time: 8:45 PM CARRIED UNANIMOUSLY

Mr. Fouse reported during the Executive Session Council discussed the non-bargaining unit employees pay raises and are ready to make motions.

MOTION by Mr. Rock, seconded by Mrs. Mutschler – to authorize the following pay raises to non-organized employees 2010, effective January 1, 2010:

Assistant Code Enforcement Officer – Continues at \$15.00 per hour.

Custodian from \$10.00 to \$11.00 per hour.

Part time Police from \$12.88 to \$13.50 per hour

Borough Secretary from \$17.25 to \$17.80 per hour

Office Assistant from \$9.25 to \$9.55 per hour

Code Enforcement Officer-Continues at \$21.50 per hour

Borough Manager from \$56,500 to \$58,200 per year

CARRIED UNANIMOUSLY

MOTION by Mr. Rock, seconded by Mrs. Mutschler – to authorize the police secretary pay rate to go from \$13.56 per hour and \$200 stipend/month; to \$15.00/ hour in lieu of separate stipend, effective January 1, 2010. MOTION CARRIED – 4 Yes, 2 No, 1 Absent

MOTION by Mrs. Mutschler, seconded by Mr. Thomas – to authorize the preparation of a police secretary contract reflecting the terms as well as other terms specific to the bargaining unit. CARRIED UNANIMOUSLY

HEAR THE PUBLIC II:

Mr. Rock reported he would open up the Hear the Public Part II at this time for any items discussed this evening or on the agenda.

JoAnn Borato, 2001 Conway Wallrose Road, asked Mr. Kunkle/Mrs. Sovich-Lapinski, if the money that Economy Borough will get back from FEMA, does it get percentaged out to the budget for wages, equipment, etc.; what happens to that one lump sum; how does it affect the bottom line, what happens to that. Mr. Kunkle reported typically what happens, whether it is that money or other money, occasionally over the years we may come across found money; Council has basically two options, one is that money automatically has to be accounted for in the revenue line item; we do have a line item we could plug that into, which increases our revenues; if Council chose to they could, at that point or any point thereafter during the year, say ok we have \$30,000 we didn't expect, we didn't have plans to use it; assuming that everything else is staying the same, the revenues are coming in as they are suppose to, the expenditures are in line as they are suppose to; they theoretically have \$30,000 extra to spend; by way of motion at a public meeting, Council could allocate that money however they want, unless there are stipulations; under the FEMA money, it is his understanding at this point, it is just a reimbursement for our extraordinary winter snow removal costs; a way to reimburse what Council has already spent; does not think there is any restriction on how Council uses that money. Mrs. Borato reported she sees it from the standpoint, since this particular emergency affected mostly the public works department that it would go back to the department it affected; i.e. if there was an emergency with the police department where they have police out round the clock and there was a national emergency declared, that it would go back to the department that was most affected. Mr. Kunkle reported there is times where Council has followed that line of thinking. Mrs. Mutschler reported she saying it is not mandatory; if it were needed that is where she would say it should go. Mrs. Borato suggested if there were gaps other places, it should be used other places. Mr. Kunkle reported it is not mandatory; a lot of times Council has waited until the end of the year to see how other things shake out; even though it is \$30,000 in the plus, we could have other issues come up; would not suggest to dedicate that towards new snow plows, because that is where the cause came from; but at the end of the year if they have the flexibility to reallocate it, that is when he would suggest to look at it. Mayor Poling suggested an example would be a road slide or a helatious winter in November or December. Mrs. Borato extrapolated along with that, she did not know if any decision was made with the underground fuel storage facility that is here or if there was an issue with the fuel tanks. Mr. Kunkle reported that is one of the issues Council has in front of them that this money could help to address; again, this early in the year; won't know how much we will be reimbursed for weeks or months.

Andy Melnick, 416 Friel Road, asked if the entire proposed gun ordinance would be advertised; would it be advertised for 30 days. Mr. Kunkle reported yes; he believes Economy Borough has to hold another public hearing because there have been changes to it; asked if Kathy has the gun ordinance in her computer; will make it a lot easier to get it to the Beaver County Times (BCT). Mr. Fouse reported he does not have it in his computer, someone in his office has it. Mr. Kunkle asked Mr. Fouse to have them send it to either the borough

secretary or himself as it will be easier to get it to the BCT that way; the plan is to advertise the entire ordinance. Mr. Melnick reported he was curious of the time table; how it would go for the next few meetings. Mr. Kunkle reported he would have to see when it could hit the paper and when our required waiting period lands; if it is 30 days it will probably be the third meeting out from here. Mr. Fouse will check on the requirement.

Elizabeth Burns, 100 Stand Road, wondered, questioned, before Council passed the budget in the fall, the police secretary wages were cut; how are we with our budget, are we in line; not against anybody getting wages, wondering about the budget; are we in line with the cost; are we going to have to institute a tax increase; do we have enough money in the budget to do this; in November, everybody was taking cuts; we were cutting, are we ok with the budget. Mr. Rock reported he would say so; don't know what will happen. Mrs. Burns asked if we have enough cushion there to afford all of these. Mr. Rock reported she spoke on one specific salary and based on that one specific salary. Mrs. Burns reported she is asking on all of the salaries; in November we did cut the borough police secretary; now we are giving back a raise and that is fine. Mr. Rock reported Council did not cut her salary, it was a stipend involved and there was discussion concerning that stipend compared to an hourly wage; basically the stipend is gone and the police secretary will have an hourly wage. Mrs. Burns asked if the budget is cushioned to accept all the raises; are we in line; remembers in November how tight it was; Council took a cut. Mr. Rock reported yes Council took a pay cut. Mrs. Burns reported she is not saying she is against the raises, just worried about the budget and there is enough cushion in it. Mayor Poling reported he thinks those were so minute in a 3.8 million budget; we are talking pittance; \$4,000 with Councils and the Mayors cut and Kathy's stipend; does not think that has much effect on the budget overall; it was so minor; seemed to be a major issue, like coins in the couch; just pennies compared to the overall budget. Mr. Rock reported there were many areas Council did cut in the police department and the public works department; felt Council taking a cut was more symbolic than anything; if the public works department, police department, administration department were cut, symbolically Council would be cut a little also, which was done; it was more symbolic than anything. Mrs. Burns reported she was of the understanding that we were on a real tight stringent budget and there was not room for anything; not against anybody getting raises; worried that there was enough cushion there. Mr. Rock reported like Mayor Poling said we have a 3.8 million dollar budget; we have to be careful. Mrs. Burns reported Mr. Sivy is not here tonight, but suggested that since the doors on the side of the building are so nice; might think about putting new doors on the front of the building if we can afford it. Mr. Rock reported he would mention that to Mr. Sivy; he worries about everything.

ADJOURNMENT:

***MOTION by Mrs. Mutschler, seconded by Mrs. Sovich-Lapinski - to adjourn the meeting. Time: 9:05 PM
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum
Borough Secretary
May 24, 2010

List of Bills attached to the Minute Book.