

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** MAY 25, 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. Googins requested the letter, read at the last meeting from Economy Youth Baseball Association (EYBA) thanking us for rolling the baseball field with the Public Works Department old roller; an antique; the EYBA is asking if Council would donate it to them; be added to the agenda.

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.

Cindy Carlson, 87 Firethorn Road, asked the status on proposed leaf burning ordinance amendments. Mr. Bucuren reported he has provided the draft ordinance to Council for review; to eliminate the burning of leaves, green and dry leaves or anything with any type of treated lumber; possibly talking about it tonight; possibly advertising tonight.

Butch Thompson, 115 First Street, reported more complaints against the code enforcement officer, Joe Luff; wanted to know when Council will finally do something about this gentleman. Mr. Rock reported he is in receipt of a letter from an attorney; the second letter, people have acquired an attorney; with that in mind everything that we do concerning that from now on goes to Mr. Fouse; my advice is for you to work through your attorney and Council will work through Mr. Fouse. Mr. Thompson reported he does not have an attorney, just would like to talk about it. Mr. Rock reported Council will not entertain anything about it because people do have an attorney and we have been told there will be possible litigation; with that in mind it is best for Mr. Thompson and for Council not to enter into any kind of discussion that may hinder either party; so as mentioned anything that people have should go through their attorney to Mr. Fouse. Mr. Thompson reported he put in a request for Mr. Luff to be here tonight and can see that he can't talk for himself. Mr. Rock reported that Mr. Luff did want to come tonight and was told no, he will not be at the meeting tonight, because Council does not deal with employees at the public session; if Council would have an Executive Session, Council would deal with the situation; if the people involved that received the letter, they were told at the end that they were invited to come and talked to Mr. Luff about the problems concerning the situation and Mr. Luff has hours that appointments can be made with him; so if he, as a resident has a problem with Mr. Luff, naturally he would not come to a public meeting he would go and see Mr. Luff and deal with it there; we have a borough manager who would be there, Mr. Rock could be at the meeting if requested; basically for a public session, it is no longer to that point; legal advice is being given, so everything has to go through Mr. Fouse. Mr. Thompson asked what

is the proper procedure for a code enforcement officer to enter your property. Mr. Rock reported the proper procedures are given, listed, you have to go through Mr. Fouse, through the attorney involved. Mr. Thompson asked Mr. Rock to take a look around the room and see the people, Mr. Kenny, Mrs. Trimbur, Mr. Morrone, now Mr. & Mrs. Gnarra; does he see some type of teensy weensy pattern developing and there might be a tiny problem going on with Mr. Joe Luff. Mr. Rock repeated that there is a possible litigation involved; anything he could say could possibly be used, maybe against Mr. or Mrs. Gnarra; am in no position to make a comment; would have been in a position to make it if the residents would have come and sat down and talked about it in house; the complaints could have been made and could have been worked out either pro or con. Mr. Thompson reported you can't work nothing out with Mr. Joe Luff; you just don't work with that man. Mr. Rock reported it could have been at a meeting that he and other Council members and the borough manager. Mr. Thompson reported they don't want a private meeting they want it done in public. Mr. Rock reported he would not put his worst enemy in a situation at a public meeting where (doesn't want to use the word witch hunt or anything like that) it could be very unfair; would like to move on. Mr. Thompson asked if this is a democracy or what? Mr. Rock reported this is a democracy and that is how Council is working as a democratic society; we are not going to entertain this again; the people have an attorney and that is their right, legal counsel. Mr. Thompson reported Mr. Rock is hiding behind Council and Joe Luff is hiding behind his attorneys; asked how much it costs every time Mr. Fouse has to go to defend that man at a hearing; what does that cost Economy Borough, what does he get paid to do that. Mr. Rock repeated he can not answer that question. Mr. Thompson reported the borough manager should be able to answer that. Mr. Rock reported he will not answer that question either. Mr. Thompson reported he has a right to know what it costs to defend that man. Mr. Fouse reported he charges \$100 per hour. Mr. Thompson asked how many times have we spent money on Mr. Joe Luff. Mr. Fouse reported Mr. Rock has taken a lot of hits here; Mr. Rock's comments are based on his advice; to be perfectly honest. Mr. Thompson reported he does not mean to get upset, but he knows how long this has been going on. Mr. Fouse reported he wants Mr. Thompson to understand why he has advised Council that they can't debate this matter in public session; Mr. Fouse represents Economy Borough, he does not represent Luff, does not represent Council individually, represents the Borough of Economy; when Luff is working for the Borough of Economy he is an agent for the Borough of Economy; upon his advise Council has taken this position; it is only because he has had to recognize there is a real threat of litigation here; for him to allow individuals to speak to Economy Borough without his advise in a forum that is not appropriate for that would be wrong for him; it is his position that Council should not enter into a debate on this issue. Mr. Thompson asked why Council can't turn the code enforcement office to an outside agency and take politics completely out of it; let an outside firm handle it and Economy Borough would not have to worry about what is going on; what would be wrong with that; a lot of municipalities do that, they use an outside agency that does their code enforcement and a lot of this would go away; what would be wrong with that; this has been going on for too long; has been coming to Council meetings for four years and had heard this mans name at almost every meeting for four years; enough is enough. Mr. Rock reported he can not directly answer the question; Council has considered several different alternatives when the last code enforcement officer left; one reason Council decided to stay in house is because, with a third party, Council would not have to worry about residents ever coming to Council meetings, because the resident would have to call the third party; does have friends who are on Councils in other communities where they have third parties; the people come to meetings concerned because they call the third party and they never called back; they like it because they simply tell the residents to call the third party; understand it can be frustrating on both ends; something Council has considered in the past and something Council may consider in the future. Mr. Thompson reported that could be a solution to this problem; it can't keep going on like this.

R. J. Burns, 112 Almond Way, asked Mr. Fouse if Council could be sued personally when they know there is a problem and the bond would not pick that up; there obviously is a problem with Mr. Luff; feels the borough bond would not pick that up. Mr. Fouse reported individually he doubts it; does not recall what the vote was, but is sure it was the majority of Council (may have been unanimous) to hire him in the first place; most of this Council was not here at the time; in terms of an individual cause of action against this Council with the facts as he knows them, no. Mr. Burns asked if the borough bond would pick it up and if they are all bonded. Mr. Fouse reported yes they are covered under the Errors and Omissions Insurance, Council is covered.

Elizabeth Burns, 100 Stange Road, reported she had problem with Joe Luff and was told to come to Council; came to Council; everybody here came to Council; when you wanted their votes you came to them and wanted votes you came on to her property and said you would do everything for her, bla, bla, bla; feels it a sorry state of affairs; all of Council sitting there; want voted in; promised everything; we'll help, work and do for you; what she has seen here is a sorry state of affairs; several good ones yet; several she thinks they forgot their promises when they wanted their vote; would like them to start to think about what you said to the people of Economy Borough; we have people moving in; want to be proud of Economy Borough; loves it here; don't like the people she voted for and it won't happen again; would like to see Council start to work for the people and not for themselves; sorry she has to go to legal source to try to get a resolution here; an outside source would be much better because they would not be told to go to Council and would have to get in touch with the outside source.

Mike Lucia, 416 Golden Grove Road, read two weeks ago after the last meeting about the proposed gun ordinance was going to be published; it was published; both he and his neighbor read the way it was published; very confusing to both of them as to what the actual ordinance was; the beginning of the section said 150 yards and down below it said almost the same thing, but made it 50 yards. Mr. Sivy reported the wrong ordinance was advertising. Mr. Kunkle reported the ordinance that appeared in the paper was the wrong ordinance; he obtained the wrong version; it will reappear.

Matt Morrone, 208 Foxglove, reported about a year ago Mr. Rock told him at his restaurant to come to the meeting, come to the meeting; came to the meeting; nothing is done about it; shows up at the meetings all the time; we had a private meeting, Mr. Rock called him on his cell phone and included the borough manager; we have to get this taken care of; want to help him out; Mr. Rock dragged him up here (has two witnesses and on tape) said nothing to him; nothing, not once saying he is wrong, which he was wrong at the time; we had the private meeting; told him the same thing and swept it under a rug; has two witnesses and it didn't come to anything; he did not ever apologize, did not do nothing; keep promising people Council will take care of it; thinks Joe Luff has him on the speed dial when it calls him; as soon as something happens everybody knows then he calls the people. Mr. Rock reported we are getting off the discussion; we had a meeting; did invite Mr. Morrone; Mr. Thomas, Mr. Rock and Mr. Kunkle were here; Mr. Rock came up with a solution that since Mr. Thomas was retired if you have a problem with Mr. Luff, Mr. Thomas would go with you; if he could not go with you Mr. Rock would try to go with him; did give Mr. Morrone a solution and he rejected it completely; Mr. Morrone's only solution was to fire Joe Luff. Mr. Morrone reported when anybody comes to inspect he should know right then and there, not go to a book. Mr. Rock reported Council has heard this over and over again; will not disagree with him; he is not adding anything new to the subject; would like to move on; did give him a solution to his problem, it was unacceptable to you; Mr. Thomas was there, Mr. Kunkle was there, we gave you a solution.

Dotty Gnarra, 116 First Street, reported she has a budget question; asked how much money does the Economy Borough CEO bring in and what is that office budgeted for. Mr. Rock reported he does not know if Council could give that right now, Mr. Kunkle and Mrs. Blum could give it. Mrs. Gnarra reported she asked so the public could know that Economy Borough is losing money on that office; she was told on the phone that he brought in \$25,000 last year; his salary is more than that; the expense of an assistant, a car, attorney fees; even if we give him credit for the \$20,000 for the difference between last year what we are going to collect in real estate to this; why do we keep this going if we are losing money; all this nit picking to the Economy Borough residents; these are residents that have lived here hundreds of years, if you add them all together; she will be 62 years in Economy Borough in July; this is not how she has ever been treated like before throughout all the years of living here; her family has never been treated like this; the Kenny family; any of the residents here; the residents deserve some respect; most of the Economy Borough building permits are an automatic thing because

we have building going on in Economy Borough; this means the contractors automatically come, get their permits and pay \$700 or \$800 dollars; the other little bit that Economy Borough is getting in, is it worth all of this against your residents of this community; don't understand this; would like to know exactly how much money we are losing. Mr. Rock reported Mr. Kunkle could get back to her with exact numbers.

Attorney John Cermak, 1009 Merchant Street, asked Mr. Fouse if he would like to have a meeting. Mr. Fouse reported certainly he is always available. Mr. Cermak asked if Council would like to be present or not. Mr. Fouse reported he usually has a representative with him when meeting on litigation; Mr. Kunkle or someone. Mr. Cermak reported he would send a letter to set up a meeting and talk about the issues. Mr. Fouse reported he would be available. Mr. Rock reported Mr. Cermak and Mr. Fouse will meet with Economy Borough representation.

Meagan Trimbur, 3225 Ridge Road Ext., reported enough is enough; he wants residents to come to the meetings; freedom of speech. Mr. Rock reported there is possible litigation and he does not want her to say anything that may hurt her stand. Mrs. Trimbur reported she is not worried about that; the issue right now is once again the residents are all here; he has asked them to come to Council and present our cases against Mr. Luff; we came nothing happens; has been coming for about a year now; once again she is back here again still fighting; filled out another formal complaint in regards to her neighbors property; last Wednesday; where is the follow up with Mr. Luff; if he is doing his job; why hasn't he called; he drives by that property every day; nothing happens; yet he can go walk on other peoples property for little things that don't even correspond to a permit or an ordinance; something needs to be done; enough is enough.

Butch Thompson, 115 First Street, reported all they are asking for is for some relief from this man; asking for some respect; asking Council for some help; how much longer is Council going to permit this to go on; how much longer; asking for Council to help the residents; if Council can't see that there is a problem here by now, what else are the residents suppose to do to get relief from this man; he is out of control.

Elizabeth Burns, 100 Stange Road, commented she read in the Beaver County Times that Beaver Falls Council had one person attend their meeting; if Economy Borough would send them Joe Luff, she is sure they will have a roomful.

MINUTES:

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Thomas – to approve the Minutes of the May 11, 2010, Regular Session of Council, as written. CARRIED UNANIMOUSLY

MAYOR'S REPORT:

Mayor Poling reported residents at the polls reported to him the Mary Reed Road manhole; he got a big hug from Mr. Vild; there are still speeders on Woodcroft; they are making an effort to putting an officer down there putting a speed sign up; Mr. Vild appreciates it.

Mayor Poling reported the Memorial Day Service will be at 11:30 AM at the new Memorial; needs help for some clean up; asked Mr. Sivy and Mr. Kunkle that the summer help be worked a little extra this week for weed whacking around the benches and light posts; mow over the field again; bag the grass. Mr. Kunkle reported the summer help will be working a five day work week; Monday, Wednesday and Friday with Mark.

Mr. Kunkle will leave a note for Mark to stop up and see Mayor Poling. Mayor Poling reported Earl Fitzgerald helped out today with getting a water buffalo; will be planting flowers up there; needed due to the water outlet on the police department froze over the winter; will use this until the irrigation is hooked up; the Women's Club will be planting flowers; David DeMarco will be singing; the service will be from 11:30 AM to 12:30 PM; needs volunteers to plant grass and mulching; would appreciate any help. Mr. Rock verified that the service would be at 11:30 AM. Mayor Poling reported Economy Borough is going to start competing with Conway and Baden; Economy Borough's was usually at 9:00 AM; a 30 minute ordeal and everybody has to go everywhere else; start trying to make this a nice event for Economy Borough and bring the public in.

MANAGER'S REPORT:

1. Fees Resolution No. 729: Mr. Kunkle reported this goes back to the juke box ordinance adopted in 1958; speak with Mrs. States who was the last collector; she did not have a list of how many machines there might be in Economy Borough; does not think we will know until we get somebody out there looking for them. Mr. Rock verified that Mr. Kunkle is recommending a charge of \$100 per mechanical device machine and \$200 for poker machines to be passed this evening, or something for Council to consider. Mr. Kunkle reported he would like to get started with it to see if it is something worth while; whatever are Council's wishes. Mr. Rock asked Council their feelings with the rate change. Mrs. Sovich-Lapinski was ok with the change. Mr. Thomas verified the last change was in 1958. Mr. Sivy asked how it relates to other boroughs. Mr. Kunkle reported Baden is \$500 for poker machines, Conway has a split fee like he is suggesting, only higher; Economy Borough's is behind the times. Mr. Thomas reported if this is the recommendation, feels Council should vote on it.

MOTION by Mr. Thomas, seconded by Mr. Googins – to adopt Resolution No. 729 amending the Fees Resolution to increase the jukeboxes/mechanical devices from \$50.00 per machine to \$100.00 per machine and the poker machines from \$50.00 per machine to \$200.00 per machine. CARRIED UNANIMOUSLY

2. Resolution – Non Organized Employee Benefits Policy: Mr. Kunkle reported this is a resolution for the non organized employee benefits policy as prepared by Mr. Fouse. Mr. Fouse reported this is a resolution relating to benefits for Economy Borough non bargaining unit employment positions; this was first initiated in 1999; at that time Economy Borough had four non bargaining unit at will employees; since that time Council has entered into a contract with the chief of police and a contract with the police secretary (civil service); those contracts speak to those benefits; we are left with the borough manager and the borough secretary who were part of this benefits package many years ago; it is attached with the changes incorporated; in 1999 Council felt it was necessary and appropriate to establish this benefit policy; this is simply a revision or amendment to that policy. Mrs. Mutschler reported she saw a couple changes were made; asked if there was money in the budget; the borough secretary work hours are changed from 35 to 40; cutting back the sick days from 15 to 12. Mr. Kunkle reported the 35 hours to 40 hours reflects what we have been doing; the 35 hours was a number from when Marie Hagg was the borough secretary; this was first being put together when Marie was still here; Sue has always been 40 hours so it will not have any financial impact. Mrs. Mutschler reported the longevity pay has been changed. Mr. Kunkle reported that reflects the recent road contract. Mrs. Mutschler agreed it does reflect it; but goes back again to the wording (an additional three dollars); does not sit well with her; when something is said to be additional, it is over and above; knows this was left in the police contract after the fact; if Council does not have a problem with it, years from now when someone is looking at additional, that is over and above what they are getting, in her opinion; does not like the wording. Mr. Rock asked if it could be reworded somehow to make it palatable. Mrs. Mutschler reported she does not want it to come back to bite Council that it was not changed from three dollars additional to just three dollars a month, which is what it is. Mr. Sivy asked if this could be tabled until Mr. Fouse looks at this; mainly for what Mrs. Mutschler is referring to, the longevity pay. Mrs. Mutschler read "Employees shall receive an additional three dollars (\$3.00) per month longevity pay for each and every month starting after five (5) years of service"; it is the same verbiage

that was in the police contract that was brought up after the fact; additional seems over and above what you are currently getting. Mr. Bucuren reported it was in the public works contract; it went from \$2.75 to \$3.00. Mr. Fouse reported the same language was transferred; delete "an additional". Mrs. Mutschler reported you can't delete it because you change what you are getting; you would go back to what you originally got; \$3.00 per month for five years is more than the \$150. Mr. Sivy agreed and would like Mr. Fouse to re look at that. Mr. Googins reported he does not understand the problem, the word additional. Mrs. Mutschler feels if Council takes that word out it will be back to what they were getting previously as longevity amount. Mr. Sivy is suggesting it be tabled and look at it again; obviously Council is uncomfortable with the language and would like Mr. Fouse to look at it. Mr. Googins felt the problem with the wording was talked about the last time and they knew the intent; they do get an additional \$3.00 per month longevity pay. Mr. Bucuren reported they get an additional \$.25; it was \$2.75 and it was written up as an additional. Mr. Googins reported it was an additional \$3.00 per month over their hourly pay; maybe that's the problem, it is additional over their hourly pay. Mrs. Mutschler reported it is not. Mr. Googins reported Council needs to talk about it. Mrs. Mutschler reported it is \$3.00 per month and has nothing to do with their hourly rate. Mr. Googins suggested talking about it again. Mr. Rock reported there is more than one interpretation of the language; sees what Mrs. Mutschler and Mr. Bucuren are saying. Mr. Bucuren reported it was \$2.75 and was suppose to be raised up \$.25; it was written as an additional \$3.00; if you tell me you are going to give me an additional \$3.00 on top of the \$5.00 you are going to give me, it is \$8.00; no matter how you look at it, it could be a problem. Mr. Rock reported this needed clarified and asked if the road department has been clarified. Mr. Googins reported they understand what they are getting paid. Mr. Bucuren reported nobody has filed any grievance; Council could always have somebody file a grievance until the wording is taken out; if you file a grievance against it Council could have a problem. Mr. Googins reported it would be sufficed to say Council does not agree on the wording and it needs clarified. Mr. Rock reported this would be tabled.

3. Economy Youth Baseball Association (EYBA) Roller Request: Mr. Googins read from the EYBA letter received May 3, 2010, "If Economy Borough decides to part ways with an older roller that they are not using and would like to donate it to the EYBA organization, we would gladly accept it."; Earl Fitzgerald discussed that with the EYBA; they would like to have it; it is not serviceable to the best of his knowledge; it is not used; it is just collecting dust and rust; it is stilling behind the building; Mr. Fitzgerald is in agreement that if EYBA could use it to roll their baseball fields it would be a benefit for Economy Borough that they would not have to do it anymore and a good gesture to the EYBA. Mr. Rock reported they have always been good neighbors. Mr. Sivy reported he thought Earl mentioned to him today that they wanted it where it would run; concerned it may require some kind of service. Mr. Googins reported it has a dead battery; they would put a battery in it; have them come down and check it out to make sure it would run before they would take it; right now it is as is. Mr. Sivy reported his concern is he does not want to put man hours and time in it, to try to get it running to donate it. Mr. Rock reported EYBA probably has members who could take care of that. Mayor Poling reported he doesn't know why Economy Borough can't just help these guys out; not just donate a roller, but for them to roll the field, or the fire department, or the Memorial; Economy Borough has the capability to roll the fields; we have operators to operate the equipment. Mr. Sivy reported that is true, but he believes EYBA did express they would like to have the roller. Mayor Poling reported we have the manpower to help these guys out. Mrs. Mutschler questioned giving them the roller and doing the work for them. Mayor Poling reported he likes it that way because it shows unity in Economy Borough; Franklin Park does everything, the soccer fields, the community center, etc. Mr. Rock reported years ago when he was involved with EYBA, they had people there that wanted to do it a certain way; as coaches they wanted the field to look a certain way; they knew how they wanted it; it's great to have Economy Borough come in, but Council will find that the coaches who worked with EYBA wanted it done a certain way and were more than happy to do it themselves; give them the equipment and they were happy to do it themselves; that was their philosophy years ago; sure it hasn't changed. Mrs. Sovich-Lapinski reported why doesn't Council give it to EYBA with the understanding that if they would like Economy Borough help, to feel free to call us. Mr. Rock thought that was a good idea. Mr. Googins reported they already have; they are asking for the roller, it's not like we are trying to give it to them; they are asking if they could have it. Mr. Rock reported these are baseball people who want that field done a certain way to meet

pony league and meet WPIAL specifications; they know what the specifications are; they would prefer to do their own; but if they need Economy Borough help, we are available. Mrs. Mutschler asked how the roller was paid for; how was it purchased to begin with; what fund was it paid from. Mr. Kunkle reported it is a 1969; not sure if they had Liquid Fuels in 1969; Council does have an ordinance on the books that allows the Property Committee to dispose of property that the deem worth less than \$200; does not know if that would override or not. Mr. Fouse reported he has seen grants that would limit conveyance of any piece of junk that you may have; if it was Liquid Fuels funds it is not a problem; we don't know that. Mr. Rock asked Mr. Kunkle to check that out for the next meeting; this will be pending.

COMMITTEE REPORTS and OTHER BUSINESS:

PUBLIC UTILITIES:

No Report

PROPERTY and BUILDING:

Mr. Sivy reported the sign has been started. Mayor Poling reported a nice job. Mr. Sivy reported he is not doing it like he is suppose to; it is suppose to have split faced block on it; he actually is doing a nicer job, he is bricking it; he is doing a more expensive job; Mr. Sivy approved the damaged sidewalk out front and he did it for free; broke it out; materials and labor; he is doing a super job out there; the sign is going to be something Economy Borough will be proud of. Mayor Poling verified that the sign will be lit; good job. Mr. Sivy reported the sidewalk has been poured and he has been working on the sign.

Mr. Sivy reported he was not notified on the police frozen water line; requested to be filled in on that issue or he can call the chief. Mayor Poling reported the pipe froze in the concrete wall and does not know if it is repairable; does not know if it would be worth fixing; when the furnace broke in the winter; there is an outlet on the far side of the department. Mr. Sivy asked if there was a separate valve on the inside. Mayor Poling will have to look into it more and call or email Mr. Sivy.

Mr. Sivy reported Mr. Kunkle has the light fixtures ordered and we should be getting the bid together for the lighting program.

FINANCE COMMITTEE:

No Report

PUBLIC SAFETY:

Mrs. Mutschler reported Gary Bucuren's son approached Chief Harrington wishing to do an internship; he is a senior at the University of Pittsburgh with a major in Administration of Justice; he needs to do an internship; required to do 150 hours of field work to fulfill the credits needed to graduate; Chief Harrington does not have a problem; we have done this before with Officer Carney's son; we have a formal letter; there will be no payment; it is the recommendation of Chief Harrington and Public Safety to permit this; we have the same insurance and he would be covered. Mrs. Sovich-Lapinski asked if there would be any liability. Mrs. Mutschler reported he will follow the officers around with their day to day routine; if they have a court hearing he will travel there; if it comes to something wild and crazy, he will not go along; just informational; will give

the letter to the borough secretary to make up a file; he will not be paid; some internships you get paid; her son is getting paid; this is free.

PUBLIC WORKS DEPARTMENT:

Mr. Googins reported two of the workers are out sick; possibly for an extended period of time; may have to talk about that at a future meeting; no helping with summer road repairs.

ORDINANCE and RECREATION:

Mr. Bucuren reported this is the last week to purchase the Fun Fore All family passes; need to be purchased by Memorial Day; Tennis Camp and Volleyball Camp is June 21-25; Basketball Camp is June 28-July 2; 2 hour session at Bounce You in Warrendale will be July 22; possibility of group rates for Pirate games, if interested; probably hard to get a group of people for the Pirates; Golf Outing is September 11th at Harmony Ridge; talked about and a possibility of a Residents Day for golfing at Harmony Ridge; they will give a \$7.00 discount for residents; golf carts will still be the same price; that will be in August or early October; talking about maybe a flag football league in late fall; possible basketball camp and basketball league in the winter; might be talked about in the future; Breakfast with Santa will be December 4th.

Mr. Bucuren reported he is talking with Roger Kowal through the Ambridge Area School District School Board (AASD); mentioned before talking about things didn't fly when they went through AASD about tennis courts; talked about possibly putting tennis courts in the area out front where the master plans calls for; there would be a lot of excavation; costs would be higher; only showing 2 courts here; right now looking at possibly putting 5 courts in on the one soccer field on the left side of the Jr. High School; will be on AASD grounds; good thing about it being on AASD grounds is there will be plenty of parking area; probably cost a lot less than the excavation because the area is level; wanted to ask Council if this is something that Council could possibly approve on splitting costs (half) with the AASD on doing this. Mrs. Sovich-Lapinski asked where the Economy Borough residents would be in the pecking order as far as using the facility. Mr. Bucuren reported as far as the residents he would say the first thing Council would have to do with the AASD would have to set up a time where the AASD would use for their tournaments, their tennis on certain school hours, after school; not exactly sure how it would be maybe somewhere between two, five or six o'clock; the AASD would have preference on the use during the week; the Economy Borough residents would have a lot of use at any other time; we could set up other times that the residents could come in and use the courts. Mr. Rock reported during tennis season, they would want the time for so many tennis matches; they would want practice time also leading up to the tennis season; tennis season is 8-10 weeks long in the spring; outside of those 10 weeks, basically the Economy Borough residents would have access to the courts; they play tennis Tuesdays and Thursdays; they are home and away; if they practice it will be right after school (2:30 – 4:00); talking maybe 10-12-14 weeks in the spring. Mr. Bucuren reported sometimes they will put tournaments on where they will have to have it set up for the tournaments; thinks there will be a lot of time for Economy Borough residents at different times. Mr. Sivy reported Ambridge Borough Park has tennis courts; why are they not utilizing the property there; there have several schools (Economy, Ridge Road School); why aren't they using the school instead of taxpayer's dollars. Mr. Bucuren reported they are looking at it here for the simple reason that if Economy Borough has money to throw into it and the AASD has money to throw into it, it will keep it on Economy Borough soil; will be in Economy Borough. Mr. Rock advised Mr. Bucuren reported the tennis courts would be at the Jr. High. Mr. Sivy reported at the back of the Economy Elementary School is a huge field. Mr. Rock reported that is not a good place for tennis courts; it is swampy. Mr. Bucuren reported the problem here is if we get into something here, we will have to redo this tennis court here; if we got into the master plan out here; we would have to build a parking lot; a two tier system would require walls; will be a lot of money involved; what was measured out at the Jr. High site was enough area to put five courts; it is level now; will still have to do some excavation, putting

in under drain, sub base, etc; some cost there; this would be a level piece of ground; it would cut cost way down; plus they have the parking area; we would not have to worry about putting in the parking; this would give Economy Borough more courts; if we put two in here, maybe the time would be limited, cut way down as far as residents using it if we have less courts; we are looking into this; trying to find out what it will cost to do. Mayor Poling suggested the Jr. High courts and possibly re doing the court on this property also; does not think it would be that costly. Mr. Sivy reported he would like to have a long term contract written up to make sure the Economy Borough residents would have use. Mr. Bucuren reported Council would have to because Council would not want the AASD coming in and saying you can't use it any more; when you have half the money in you would have to have a contract, something written up. Mrs. Sovich-Lapinski reported that has happened in other districts. Mr. Bucuren reported Council could do it like we did with the water; do a life time contract. Mr. Rock reported Mr. Bucuren could tell Mr. Kowal Council is interested in anything that would be advantageous to Economy Borough residents; we would be more than willing to work with the AASD; the bottom line is as the AASD is going to find out is going to be the price; Economy Borough is interested. Mr. Bucuren reported Mr. Kowal sounds real interested in putting it in the budget; talked to him and he knows what Economy Borough has in the budget; he is going to try to get what Economy Borough has to match it; whatever we can do to match funds both ways that amount of money; maybe somewhere along the line we could put in the 5 courts out here and have enough money saved where we can rejuvenate the two here; maybe there will be enough money to do all that. Mrs. Sovich-Lapinski asked Mr. Bucuren if he has looked into the cost effectiveness of Council even fixing these; what it would cost versus new. Mr. Thomas reported Council has done that already. Mr. Kunkle reported it was approximately \$60,000. Mr. Bucuren reported they were talking different ways; panel style courts, etc. Mr. Thomas reported Council looked at that a few years ago. Mr. Bucuren reported he is looking as long as Council agrees that we could possibly go forward splitting this with the AASD and doing this. Mrs. Mutschler reported if the price is right; if we can do it. Mr. Bucuren reported there is \$14,000 set for Whispering Pines; does that money have to go on this property; maybe the \$14,000 could go to rejuvenate the courts we have here. Mr. Rock reported always a possibility.

Mr. Bucuren reported the proposed gun ordinance will be re advertised.

Mr. Bucuren reported he handed the copies out on the burning ordinance; if Council is in accordance we could advertise that as well. Mr. Thomas asked if this was the entire ordinance or just the changes. Mr. Bucuren reported it was just the changes; that was a sheet he was adding on the front with wording; the few other pages were on the complete burning ordinance; nothing has changed on the regular part of the ordinance, just the draft front page he handed out; front page indicated 62-1 "Open Fire Restricted"; this will be added to the burning ordinance. Mr. Sivy asked if under letter B if it might be too specific (or green or dry leaves). Mr. Bucuren reported if Council said no burning of leaves; he put burning of green or dry leaves; the rest is for construction wood that is chemically treated, which is not suppose to be burned. Mr. Sivy reported he is talking specifically where it says "which may smolder or leave an offensive odor is prohibited"; i.e. he would burn leaves because he doesn't think it leaves an offensive odor; what is the definition; just suggesting leaving that out and leaving it as green or dry leaves. Mr. Bucuren reported it could be left out; it was added to it. Mr. Fouse reported it probably would be less challenging. Mr. Bucuren reported it could be left out and finish it off with burning of green and dry leaves is prohibited and shall be a violation of this ordinance. Mr. Rock asked if it was ready to be advertised. Mr. Bucuren yes, if it is agreeable with Council. Mrs. Sovich-Lapinski requested a copy of the final form. Mr. Thomas reported he would like to see something where it is all put together; where it is going in so Council could take a good look at it. Mr. Rock asked if this could be ready for the next meeting. Mr. Bucuren reported yes. Mr. Rock reported the bulk of the burning is in the fall. Mayor Poling reported he had a burning complaint two days ago. Mr. Thomas reported he is starting to get burning calls; people are cleaning up from the winter; trees, limbs, etc. Mr. Rock reported Council will get this proposed ordinance in final form for the next meeting.

REPORTS:

SECRETARY:

No Report

ENGINEER:

No Report

SOLICITOR:

Mr. Fouse reported this was talked about already; he received a copy of a letter from Mr. Cermak on behalf of Dorothy and Nick Gnarra; would like to discuss this in Executive Session, with no vote. Mr. Rock reported he would open the meeting up to hear the public now and end the meeting with the Executive Session since there will be no vote taken.

HEAR THE PUBLIC II:

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

Butch Thompson, First Street, reported before he leaves tonight he asked Mr. Rock again to please help with the Joe Luff situation; this man is a menace and something has to be done; that is all they are asking Council to do; Mr. Rock chose to be leader of this Council; asking him as the leader to find a solution to this problem; all these years this has been going on is long enough; got to find a solution to this; it is a shame what he has to go through to protect his rights in Economy Borough now; not the Economy Borough he used to know; can say that; not the Economy Borough he is used to.

R. J. Burns, Almond Way, asked what roads are going to be paved this year. Mr. Googins reported he is getting with Earl next week to put together a pavement plan for Economy Borough; what we have financially available, how much it will cost to do in house paving and what roads; has some roads designated; they were out this week putting in catch basins and crack sealing to save the roads we are not going to work on; will come up with more of a formal plan. Mr. Burns reported in the minutes a couple years ago Council bought a computer program to put data into; asked the status. Mr. Googins reported it is slow; time consuming program; what that will potentially do for Economy Borough in future years. Mr. Burns reported he understands; it's only as good as the data put into it. Mr. Googins reported the answer is it is time consuming; some of the data is entered; not near complete. Mr. Burns reported the computer is only as good as what you put into it. Mr. Googins reported it is only as good as the time available; it is a problem, but it is still there; working on it. Mr. Burns asked if Council donates the roller and if the roller by Economy Borough had any safety devices altered and if donated to EYBA, if someone gets hurt on it, could potentially they come back after Economy Borough. Mr. Fouse reported no; Council is giving it to them as is. Mr. Sivy not sure if they would have them on a 1969; good point. Mr. Burns reported he sees law suits pending now on stuff like that; reported Economy Borough is trying to put tennis courts in; understands to help the kids out; the roller should be sold for scrap; could use the money for tennis courts or something in Economy Borough; we are already helping EYBA with manpower, with the road department, with equipment, wear and tear; thinks they are asking a lot here.

Sal Boboth, 105 Timberridge Drive, asked Mr. Bucuren if he ever burned green leaves; they sound like bacon frying and don't put out much smoke. Mr. Bucuren reported he has seen green leaves he has burnt put smoke out. Mr. Boboth reported he cleared his entire property by himself; cut the trees down, burned the limbs with

leaves on them; the only thing that smoldered was the wood from the trees; it was not the green leaves; granted dry leaves do smolder and put out a lot of smoke. Mayor Poling reported he thinks it depends on the fire too; if it is a hot fire they will burn. Mr. Boboth reported even a small fire, green leaves sound like bacon frying. Mr. Bucuren reported he put that in so people wouldn't burn green leaves too. Mr. Thomas suggested putting in banning of all leaves; no grey area. Mr. Boboth asked if you cut a tree down, what do you expect residents to do, strip all the leaves off it before they burn the wood; residents don't have wood chippers; can't afford them. Mayor Poling reported Economy Borough has a wood chipping program. Mr. Boboth reported he would talk to the Mayor about that. Mr. Rock reported he agrees with Mr. Thomas; if it is going to have all leaves; that's how he feels; all leaves.

Elizabeth Burns, Stange Road, asked Mr. Sivy if there was an added cost for the block and brick. Mr. Sivy reported he is doing it for free; he is doing an exceptional job on it; he is a resident as well; mentioned numerous times; he doesn't want his taxes to go up either. Mrs. Burns reported when Mr. Sivy was not here last meeting she mentioned the back doors looked so nice, we need to get them for the front, if we can afford them. Mr. Sivy reported Council's plan was to do all the doors in this building and the community building; Mr. Kunkle is looking into a grant; hopefully for windows as well. Mrs. Burns reported she does not want her taxes to go up. Mr. Sivy reported he does not want his taxes to go up either. Mayor Poling reported the school will make up for that; 3.5 mills.

Ruth Helsel, Gross Drive, commented she thinks we waste so much time on fighting; there are people in this community who really need help; the neighbor next doors daughter has been in the hospital for 11 months; she got new lungs; those people are struggling keeping the kids and we fight on stuff that is so ridiculous; the time spent on fighting could be spent on helping people in Economy Borough; commends Mayor Poling for bringing up about being a community because that's not what we are at this point; we need to do some soul searching on that and get back to what life is really about and it is helping each other out; when she was a kid people helped each other out; they didn't fight; they helped each other; they got together and helped people for what needed done; thanked Mayor Poling.

MOTION by Mr. Thomas, seconded by Mr. Sivy – to enter into Executive Session to discuss potential litigation, with no vote to be taken tonight. Time: 8:12 PM CARRIED UNANIMOUSLY

MOTION by Mr. Sivy, seconded by Mr. Googins – to return to the regular order of business. Time: 9:23 PM CARRIED UNANIMOUSLY

Mr. Fouse reported Council discussed potential or threatened litigation from Mr. Cermak regarding Dorothy and Nick Gnarra; Council authorized the borough solicitor and borough manager to take appropriate action.

ADJOURNMENT:

MOTION by Mr. Sivy, seconded by Mr. Googins – to adjourn the meeting. Time: 9:25 PM CARRIED UNANIMOUSLY

Respectfully submitted,

Susan A. Blum
Borough Secretary
June 14, 2010