

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** JUNE 8, 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 (7:08 PM), Dale M. Fouse, Esq., Norman Shoup, P.E., P.L.S., Randy S. Kunkle, Borough Manager

HEAR THE PUBLIC:

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

Cathy Preuhs, 91 Firethorn Road, thanked Council for consideration to amend the current burning ordinance; here with neighbors from Firethorn to speak in support of amending the ordinance to ban burning leaves; provided Council with a question and answer document on the health hazards of burning leaves; suggested alternatives would be individual composting leaves; shredding their leaves with their tractors or putting them in the woods in addition to the current Economy Borough leaf collection program; thanked Council for their consideration.

Debbie Jeanette, 89 Firethorn Road, wanted to follow up on Kathy's concern; some people say they have a right to burn; concerned about the right to breath; looked up the US Constitution Bill of Rights, Fifth Amendment; commentary from the Future of Freedom Foundation, talks mostly about engaging in activities; you can engage in hundreds upon thousand of activities; the key concern is to not do harm to others; their concern is the right to breath vs. the right to burn because of the harm that is being done when the smoke goes off an individuals property and onto another individuals property; the Cato Institute for Public Policy reports your Fifth Amendments are protected, but you have to be careful when the rights of active use end when they encroach on the property rights of others; raising the concern that smoke isn't contained and it encroaches onto the property rights of others and they end up breathing it even though the neighbor might be burning it; the concern about Fifth Amendment rights is when there is definable harm to another person's health or property value in effect could be demonstrated; the concern about burning is individuals have property rights, but it has been demonstrated that smoke crosses those boundaries and produces harm to other individuals; wanted to pass that information on as Council considers the amendment. Mr. Rock reported basically if he would tell her it is his Constructional right to burn; he would be as long as he could keep the smoke on his property and he can't. Mrs. Jeanette reported there is also data that it does harm when it crosses over.

JoAnn Borato, 2001 Conway Wallrose Road, reported she wished to point out that this is the Fifth Amendment Law; these are somebody's interpretations of the Fifth Amendment; it is not applied by law; for a certain amount of restrictions as to when and how; but always think, be careful of the rights you take away; soon you won't like the fish fry smell coming from the fire halls; just a concern. Mr. Thomas reported they would just raise the taxes and take more money from Economy Borough. Mrs. Borato reported she is saying it starts small and it is a valid concern, however, be careful what you wish for.

7:08 – Mayor Poling enters the meeting.

Mike Lucia, 416 Golden Grove Road, reported he has a concern; knows these ladies have a legitimate complaint; quite often there are other environmental hazards that have existed around our community, such as residents who spray their lawns with chemicals; the chemicals bother some people and certainly bothers other animals, small rodents and birds; there is no ban on that; it can be an air borne problem for some people who have severe allergies; don't know if they use that type of chemical lawn treatment to keep the dandelions down; agrees that leaf burning should probably be curtailed; but as Mrs. Borato reported, what is the next thing down the road; i.e. noise, some people make a lot of noise, maybe they have a loud car in their driveway. Mr. Rock reported Economy Borough does have a noise ordinance. Mr. Lucia reported exactly, this is only leaf burning; there are a lot of other issues that can be brought up; doesn't know if it should be voted on because 3 people complained or if it should be put on some type of ballot or in the newsletter and let other people make known their feelings on the subject.

Bob Mecchia, 211 Fernwood Drive, reported he is in agreement with the residents that there is a problem with the leaf burning in Economy Borough, because of the way the smoke sits in the valleys; question is, is Council or Economy Borough going to be able to ramp up for people to take their leaves somewhere to dispose of them; what if you don't have room to compost; what if you don't have a place to do that or a shredder to do it; Edgeworth picks up all the leaves; Economy Borough does not have the money to do that; is Economy Borough going to do something with the one dumpster we have to increase that so we can handle the capacity of the leaves the people want to get rid of that are willing not to burn them; what else will you do with them; if the landfills don't take them, what do you do, pile them in your yard; agrees sometimes that smoke is obnoxious; we will have to prepare ourselves as to what Economy Borough will do to help the residents get rid of the leaves if they can't burn them. Mr. Rock verified with Mr. Kunkle that Economy Borough does have a leaf pick up program available. Mrs. Mutschler asked where the leaves go. Mr. Kunkle reported if the truck is filled we can take it to the site ourselves; if we don't fill a truck we have the option of just leaving them until we are prepared to take them; we did go from a 20 to 30 yard container this year; has been emptied twice, getting close to a third time; first time was primarily an accumulation from last year over the winter months; really only filled it twice with new material this summer; leaf pick up is scheduled in the fall; now that it is available for drop off, it is nearly year round; like we have done over the past several years, as different things occur or different things we find work or don't work, we can make adjustments; entering into a new time if Council does adopt this ordinance, sure there will be adjustments that will have to be made that are not seen until we get there; we can try to plan for it, obviously there will be an increase in leaves; how much, what we need to do to accommodate that, we won't get a better handle on until later. Mr. Sivy asked what the cost of the bags, etc. to residents will be. Mr. Kunkle reported present cost for Economy Borough to pick up a bag of leaves, the sticker is \$1.00 per bag; the resident has to obtain bags one way or another; we usually have bags on hand to sell or they can buy their own bag, but it has to have the Economy Borough sticker on it. Mr. Thomas verified that the \$1.00 per sticker still has to be paid. Mr. Kunkle reported the \$1.00 per sticker is if you want Economy Borough to pick up at the curb; the residents can bag the leaves and bring it here; the Yard Waste Permit is \$25.00. Mr. Sivy reported he has heard remarks from a resident who has enough trees to fill 25 to 30 bags. Mr. Kunkle reported we have some residents who have actually filled 25 to 30 bags for Economy Borough to come and pick up. Mrs. Mutschler verified those are the recyclable 30 gallon paper bags. Mr. Rock reported with

that many trees hopefully he had enough property to compost. Mr. Thomas verified Economy Borough does have a program in place, plus they can bag them and bring them here; they have an alternative. Mr. Kunkle reported the program may not be adequate; we will find out, just have to make adjustments; it may not be the best right now, but it is something; there are alternatives there. Mr. Bucuren reported Council should look into beefing up the one we have; only done once a month right now. Mr. Kunkle reported it was not scheduled this spring; what Mr. Bucuren is referring to is the once a month chipping service which is geared towards branches and bushes; if you have the permit and call ahead of time, you can put the branches out at the curb, we bring a machine and chop them up; it is different from the leaves. Mr. Thomas reported this was done on Monday of this week. Mr. Kunkle reported it is scheduled for the first Monday of each month. Mr. Rock reported the idea is going to a new ordinance that hopefully Council will be adding a new subsection which is going to go into the banning of burning leaves and different materials that can cause health problems that are out there; when he first got on Council ten years ago this was talked about; we were involved with sewage and other things; it got dropped; this is 2010, most communities, even rural communities have adopted programs; environmentally sound; you can be democrat, republican, independent; one thing all agrees on is the environment and what are we doing to improve the environment; going green; something Council has to seriously look at; Council may be a little behind the times on this; look around at other communities have already adopted and have programs; if Council does adopt this, we will have to have some kind of program for the residents; possibly could be costly; might be grants out there; something new for Council, will have to feel our way around. Mr. Thomas reported probably 50% of all his complaint calls he gets are from people burning; he goes out and checks. Mr. Rock asked Mr. Thomas how he would handle it if he comes to his house because a neighbor complained; what is his course of action. Mr. Thomas reported his stance has been, put it out. Mayor Poling reported a small burn barrel with leaves could cause the whole valley to be filled with smog. Mr. Rock thanked the residents and asked Mr. Bucuren if he had anything to add. Mr. Bucuren reported he would like to see upping the program on picking up the leaves for the residents; feels if Council is going to tell them they can't burn leaves, Council will have to start doing something for the residents to take care of the leaves; his opinion is still that Council needs to find a way to do this for nothing for the residents; would like to see that; would like to see it be no cost, that way the residents can do this and have the bags, do this and get rid of the leaves and recycling items; thinks somewhere along the line need to see what Council can do about getting that service done for the residents.

Mike Lucia, 416 Golden Grove Road, reported he read the second ordinance that was published in the Beaver County Times (BCT); the first ordinance was the wrong ordinance; the second ordinance seemed three times as lengthy as the first ordinance and just as confusing; read the entire thing from top to bottom; took up a whole page; what did it cost to publish the ad. Mr. Kunkle reported just about everything published is in the hundreds of dollars these days; the second one is the same length as the first one. Mr. Lucia reported the second one seems three times as long and it didn't really clarify what he was looking for; there were three different sections about the 150 yards, 75 yards, 50 yards; weaponry was very confusing; calling an air gun a deadly weapon, which it probably could be. Mr. Kunkle reported he was told to change some numbers, which was his involvement. Mr. Bucuren reported Mr. Lucia has to go through the definitions along with the reference, i.e. air gun, it gave yardage on that, deadly weapon, it gave yardage on that; there was a definition for each one, you go back through each part and it would fit you in with the yardage allowed per weapon you were using; not every weapon was the same; i.e. a compound bow would be different than a high power rifle; have to read the definitions. Mr. Lucia reported he thinks it should have been a lot more simpler than what was published; hopes this gets done with soon; verified the public hearing will be July 13th.

Patrick Scranton, 205 Foxglove, reported he has a water issue; lives at the bottom of Foxglove; when it rains he gets water in his yard, gets ponding, down the driveway and flowers were washed out; spoke to Mr. Fitzgerald today, said something about digging a ditch; there is a small gully in front of his residence where the water catches and goes down to a drainage ditch between the property lines; lived there 4 ½, 5 years; former owner has 6 X 6 timbers there; they are all rotted out now; at the point where he has to do something; does not want to

incur the cost of the timbers; Mr. Fitzgerald had explained to him that he could come over with the backhoe and dig a ditch out for the water to drain; initial question was why he couldn't get curbing built up on the road to keep the water from even coming down that far; it is going to take away from his property esthetics; everywhere around Economy Borough he sees curbing used to divert water; not acquainted with people on Council; gave him the name and number of Council but did not want to call him at home; basically he is here to find out what he has to do. Mr. Googins reported he also lives in Bradford Park also; he went by and looked at it and again today with Mr. Fitzgerald; wishes he could explain the engineering problem with curbing; if you just put curbing in front of your house it will cause a problem later; what he is talking about doing in front of the house between those rail road ties and the curb which is the borough right of way of building a deeper ditch; then the water will go down to the catch basin at the end of his driveway. Mr. Scranton reported it would be mud compacted in mud. Mr. Googins reported they talked about it today; it will probably be aggregate in the bottom; usually gets with the engineer to find the best way to keep that water from going down there; then it will go in the catch basin of the driveway and down that lower area at the front of his house to the right hand side; then continues to flow down eventually to Big Sewickley Creek; that is what is talked about doing; if you curb it then it will just hold the water up on the street and not get into the catch basin; would probably have to curb it all the way from the corner up at the corner and bring it all the way down, then water starts to hold in the middle of the street instead of getting rid of it. Mr. Scranton reported everywhere in Economy Borough is curbing, curbing, curbing; he gets water ponding; particularly does not want a ditch in front of his house; nice neighborhood and it will look like hell. Mr. Googins reported he is not debating it with him, has been watching this and thinking about it; we live in a rural area, not in the city where they have catch basins and be able to divert all the street water into so we can't see it ever; that is some of the problems if Council could start all over again 50 years ago, we could put drainage lines all over Economy Borough; expense precludes that; we are patching to keep up with things; in some areas curbs work; usually always get with Shoup Engineering to see the best way to solve a particular problem especially for a particular home. Mayor Poling asked if Shoup could look at it; verified Mr. Scranton lives on the bend at Foxglove, on the low side. Mr. Shoup indicated he knows where the property is. Mr. Scranton reported there is a vacant lot between he and Mr. Wilson; reported there is curbing all the way down and it ends on the one side; gets the water from the lot; had to put in a French drain all the way down; thinks it is a spring. Mr. Rock asked if Mr. Shoup could look at it. Mr. Googins reported Council can overrule what Mr. Fitzgerald wants to do; can have the engineer look at it. Mr. Rock reported to confirm Mr. Fitzgerald; unless Mr. Googins thinks that is as far as Council can go; has not seen it; up to Mr. Googins. Mr. Googins reported it is up to Council; will ask the engineer to take a look at it and see if he agrees with Mr. Fitzgerald. Mr. Shoup confirmed the address. Mr. Googins reported he is the only house with the timbers along the edge. Mr. Scranton reported that is the other issue; afraid the water is eroding and coming down; does not know the concept of how he is going to make that, but digging into the property, the water coming in; does not want to have to incur the cost of putting the timbers back in there; if Council could keep the water back on the road and divert it down. Mr. Googins reported obviously hopefully the timbers won't need to be there anymore. Mr. Scranton reported they have to come out, they are gone; what happened in the winter too is the anti skid builds up over and he get everything over that; then now it is even with the yard and the water rushes down in there; comes down at the corner, down and runs off his driveway. Mr. Googins reported they will take another look at it.

Nick Gnarra, 116 First Street, reported at the last meeting his wife asked a question on the code enforcement office cost of operation; received the information from the borough manager to Dotty; his question is, the information given shows that last year Economy Borough did actually show a small profit in that office; turned around almost \$2,000 to the good; income vs. expenses; does not include any type legal fees than might have been there; to his understanding they were relatively small, but it still would have reduced it a little bit; real question is as looking at the 2010 budget, Council has planned for this year to lose \$13,000 out of that office; that doesn't make sense why Council would plan to lose that kind of money; the income is down and that probably makes sense because building is down, with the economy people are not building as much; the expenses went up almost \$9,000; does not understand how Council could pass a budget showing planning on

losing \$13,000 up front and that is a concern; was here at the end of the year when Council was passing the budget and Council was having a hard time balancing the budget so that Council could not raise taxes; here we are running an office knowing up front that Council would probably be better than ten thousand dollars loss; does not make sense; Council is spending taxpayers money; thinks Council needs to look at that; from his standpoint it is not a very good return on investment; if Council is going to spend taxpayers money Council should try to get a decent return; asked if there were any thoughts as to why Council budgeted that way; everything always goes up; if the expense went up that much this year; the expense for next year will probably be higher; if the economy stays soft and building does not enhance itself where there is a lot of money being brought in with building permits and that, then the gap will get bigger. Mr. Rock reported in June, 2010, he can not comment on what the budget is going to be for six months; Mr. Gnarra was able to do that; Mr. Gnarra is a business person; not going to sit and make comments on what will happen in the next six months. Mr. Gnarra asked what Council thought last year when the budget was passed knowing Council went into this year and would lose money in that office. Mr. Rock reported Council could look at basically going to a third party, the cost would be prohibitive to residents; the fees Council has set are very low as compared to third party fees; Council felt in the long run over the course of the year, two years, ten years, Council would be saving the residents quite a bit of money; instead of \$100 for a particular fee, they may pay several hundred dollars, because Council would not set the fees; the fees would be set by the third party; they would tell Council they fees they set; Council can't tell them the fees Council wants them to set; they don't work that way; this is how business works; in the long run saving money for the residents was a key issue; Council felt when dealing with the budget that it was one area that Council could save them substantially; that the fee that they would pay through having a code enforcement office in Economy Borough would be a lot less than having a third party; that is one area; there were several areas; does not feel Council is in a position, because of the situation that has occurred, to be talking about that specifically; feels Mr. Fouse would agree with that; appreciates the information given to Council; very informative; very eye opening; and in the next few months will be meeting to start the 2011 budget; one of the facets Council will be considering; Council has to protect all the residents in the long run; the fact that someone would have to pay \$700 to put a deck up as a fee to a third party, whereas the Economy Borough fee might be \$250; that is substantial savings to the residents; that is one thing to look at; there are other circumstances also for Council to look at; what Mr. Gnarra has done is very interesting and he appreciates it.

Robert Mueller, 104 Roberts Lane, reported at the last meeting Mr. Scott Shoup brought to Council's attention that he was suppose to meet with Mr. Fitzgerald concerning the curbing issue on Rose Street concerning his fathers property; said at that meeting he did not have the chance to meet with Mr. Fitzgerald; wondered the status at this point; did they meet; is there any information he can retrieve today. Mr. Kunkle reported they did look at it and believes the determination was made that no curbs would be added. Mr. Rock verified that curb would not be added there. Mr. Kunkle reported that is the decision when talked about. Mr. Googins reported putting a curb on Rose Street would simply cause the ditch (the thing Mr. Mueller is going to put the pipe in); putting a curb on Rose Street is going to cause the water on Rose Street top go further down the street to somebody else's property; about the same issue as talked about on Foxglove; will have to look at it; when you start putting curbs in, you divert water from one spot to somewhere else. Mr. Rock reported it does not solve the problem. Mr. Googins reported it solves the problem for one spot and creates a greater problem at another spot; this way it is just going to go right over (from the engineer and Mr. Fitzgerald) the hill and into the area where the piping is and flow all the way down depending on what he did. Mr. Mueller reported that is the issue brought to his attention; Mr. Fitzgerald said he believed the erosion off this side of the road was due to people driving off the side of the road; feels it is clearly from the crowning of the road; driving off the side does not tear up the whole length of the property line like it is; going down into the ditch, that's what created the ditch to be where it is at; that's the problem with him fighting to get the whole culver piped; the rain that just hit us, clearly brought in more problems because the piping that was put in with the catch basin, the fill was washed out over the top; the curb put on Roberts Lane to divert down to the catch basin, then the water went up over there and took out the dirt and everything; just a big mess. Mr. Googins reported they talked about this already;

that is going to be filled in. Mr. Mueller asked if every rain storm are we going to have to fix it or fix it once and final. Mr. Googins reported to answer his question, they are going to fix that catch basin; fill it in more with asphalt to bring the level of the asphalt higher than the catch basin so the catch basin will then catch the water; when they first put the asphalt in, it sunk down; they will put another layer on top; then the catch basin will catch it going right down into the pipe Economy Borough put in and flow down depending on what Mr. Mueller decided to do with the remainder of the pipe. Mr. Mueller reported with the last rain storm the pipe that Economy Borough attached to Rose Street pipe underneath Rose Street over; the pipe that they attached to the pipe to get it to the catch basin had collapsed under that rain storm and there is a sink hole down there; feels it is a sizable hazard they may want to look at for correction; it's probably a 24" diameter that goes down to the pipe; it's on his property side, but right where they did the piping; the pipe that comes under the road they had to get to the catch basin, but where the two pipes connect at the Rose Street is where they collapsed. Mr. Googins reported Mr. Kunkle is taking notes and we will take a look at that. Mr. Rock reported the weather situations has been very unusual; we have had several of them recently; other communities have also had problems with the extreme deluge of water; they had to cancel the baseball game last week at PNC Park; they bragged they would never cancel a game because of rain because that field, the pumps can drain the water; then they cancelled the games because there was just so much water that even though they could drain 12" of water an hour, the pumps were working so hard it could not clear the field at PNC; that is very unusually circumstances, we have had some unusual weather the last several months; we try to handle the situations the best as possible; no matter what Council does we will still have problems; maybe this will clear up but Council will still have problems. Mr. Mueller reported Council has worked with him; his issue is he is still not getting through other agencies (DEP), Army CORP of Engineers also, to due to the fact that this is a personal property and trying to correct the situation for his father's health and he doesn't believe it has even been looked at and addressed really that the concern for the neighborhood children; the concerns for their safety that go down there and play in that creek and possibly get injured; the insects that come after there is no rain for weeks, it ends up becoming stagnant water in there so now there are insects, mosquitoes, West Nile virus, etc.; does not know if that would be possible; reported Mr. Rock is not a biologist so he is not going to know that either; being personal property does not understand why he can't just go in and fix the entire thing himself; reported Economy Borough does not want to come down and maintain it every week or two weeks to keep the weeds down; so why can't we solve the problem once and for all; this is an agency problem with the Clean Water Act; he is all for clean water, but what is to stop the water being clean at one end, whether he pipes it 200' and it being clean at the end of that pipe; it is not relevant in his eyes; he has a 70 year old father who likes to keep his property; at least twice a week cutting his grass; the ground is actually collapsing by the rain fall and normal sedimentation; he goes to close to the edge at one point in time he is looking at a dead father, because he had to go through this bureaucratic BS; would like the support from Council for whatever can be done to get him permission to do the 200'; it was brought to his attention that a neighbor raised concerns with the water possibly flooding him out; spoke with the neighbor; he did not understand his full intentions; his full intentions are not to run it straight towards his property; he would have diverted it away from along the property line at the end to go and coincide with the proper flow that it has right now; he is in full support also of it; if Council could do anything to help he would appreciate it. Mr. Googins reported that Economy Borough already approved the purchase of the pipe and Mr. Mueller agreed to install it; what is it Mr. Muller is asking for now. Mr. Mueller reported he is asking for to do the whole thing; when he first approached the subject he was told he had to go through DEP. Mr. Googins verified that that is DEPs requirement, not Councils. Mr. Mueller reported he contacted DEP; DEP told him he had to use 36" pipe; he by passed getting pipe that he could have gotten; DEP told him it had to be 36" pipe; second time DEP came out he said he never said that, that would have to come from an engineer; reported Mr. Scott Shoup turned around and deemed it 18", fine; that is what comes out of the catch basin; DEP said they could waive up to 100'; turned around 100' only gets up to the medium of the real dangerous part that he is talking about needed to correct the situation; going 200' he has to go through an engineer out there to deem what to pipe in to lay the pipe; he is asking Council to help; have the borough engineer come out there and deem 200'; do whatever he has to do to submit to the Army CORE of Engineers; whatever he has to do to get the permission to put the thing in; then he will buy the pipe and Council has no more problem with it. Mr. Googins reported he does not know the rules; Mr. Shoup could help out with

this; everything Mr. Mueller is saying still sounds to him as a DEP issue he is fighting. Mr. Mueller guesses it is the regulations to the Clean Water Act; believes it is run off water, clearly shows from the sink hole, through the rain, they deem it as a creek; you got a creek at the highest level here; the run off water you have water coming from Dippolito's yard, coming down Frederick Lane; three different drainage he has looked at, one from the ball park that the water comes through one yard that is not piped, that is at the base of Dean; everywhere else it is piped and he can't pipe his. Mr. Googins reported it sounds like it is a DEP problem; asked Mr. Shoup if Council has any control over this. Mr. Mueller reported if Economy Borough would get involved he would be able to get the action to help him. Mr. Shoup verified with Mr. Googins that DEP has deemed this a stream; you can not pipe a stream more than 100' without a permit. Mr. Googins reported Economy Borough has put in 20' and offered to Mr. Mueller 80' more to equal the 100'; we have the pipe here for Mr. Mueller to pick up and purchase whenever he wants to do that. Mr. Mueller reported DEP told him it had to be 36" pipe; they did the paperwork with 36" pipe in it; now they come back and say they never said that; it is in writing when he did the paperwork, 36" pipe. Mr. Shoup reported it does not need 36" pipe. Mr. Mueller reported Scott Shoup told him this and he was suppose to be working on this also to get with the DEP officer to say no this only requires 18", but he has never heard anything back; that is what he is also trying to find out tonight. Mr. Googins understands as talking with Scott, it's DEP. Mr. Shoup reported DEP regulations say you can't pipe a stream more than 100' without a permit. Mr. Sivy asked Mr. Shoup if he could contact DEP and explain this to them; might be able to explain it better. Mr. Shoup reported it still is over the 100', according to what Mr. Mueller is saying; if it is over 100' you have to get a permit; in order to get the permit you have to hire an engineer; the engineer has to design it. Mr. Rock reported Mr. Mueller will have to hire an engineer; 100' is as far as Council can take it; would have to hire an engineer if he wants another 100' to get the permit; Council can not get the permit for Mr. Mueller. Mr. Shoup reported he can talk to DEP, but that is their regulations. Mr. Rock reported DEP will want to see an engineers report/study. Mr. Mueller reported he has been to the Army CORP of Engineers in Pittsburgh also; based on that, a permit is needed; parents do not have \$5,000 to \$7,000 to throw away to an engineer; it would be towards basically looking at the basin and the other end of the property; the house below this stream was piped under the table and they said submit the paperwork the way he wants and that is something that could possibly go through; that is something possibly the borough engineer confirming this is what the intention of doing; waiting for Mr. Shoup; that is why he brought his concern about the curb; they were suppose to meet with him and he wanted to talk to him about what was said in Pittsburgh; have not been down or call to meet about the curb issue. Mr. Rock reported Council could go along with Mr. Mueller and confirm what he wants as Economy Borough's point of view. Mr. Googins asked Mr. Shoup to talk to Scott. Mr. Mueller reported he took drafting; asked Mr. Shoup to have Scott meet with him for a 15 minute meeting. Mr. Shoup reported he would probably be handling it.

Resident with a neighborhood concern. Mr. Rock reported Council would approach this diplomatically.

Elizabeth Burns, 100 Stange Road, wished the resident luck; it took her daughter two years with the code enforcement officer and they are still fighting with the code enforcement officer to get the property on Ridge Road Extension cleaned up; since it is a borough employee, it's aok; asked since last year Mr. Gnarra brought up we lost \$7,000 in the code enforcement office and Council says they don't know if we are losing money yet; doesn't Council think they should keep an eye on that since the budget is really tight and we don't want to raise taxes at the end of this year; thinks Council should do periodic checks on that department to see how that department is running. Mr. Rock reported Council does checks on every department; Council has the first quarter report; Council does check every department. Mrs. Burns asked how the audit came out. Mr. Rock reported it is not an audit; it simply shows where we are at financially with every department; how much we have spent, how much is there. Mrs. Burns asked if it is in there where Mr. Fouse has to go to defend the Economy Borough Code Enforcement Officer; is his wages included in that. Mr. Rock reported the report deals with the budget. Mrs. Burns would think that would be in the budget too; the price of Mr. Fouse to go to all these hearings because that is not cheap at \$100 per hour; that would make us go over budget. Mrs. Burns reported at the end of last year Council talked about tax collection and how Economy Borough was behind; how are we now, have we caught up, are tax collection up; we had the tax bureau collecting taxes; wants to know

what the status on tax collections are. Mr. Rock reported Mr. Kunkle just sent him an email on the status. Mr. Kunkle reported earned income tax collections are \$72,000 ahead of where we were last year at the end of May. Mr. Rock verified Economy Borough is \$72,000 ahead this year from where we were last May with the tax collector, CENTAX; Council did talk to them; they got more aggressive.

Butch Thompson, First Street, asked if Council would be willing to look into forming something called a citizens review board; it could be made up of a Council Member, a borough resident and a private outside contractor; if the situation arises, like they do with our code enforcement officer, maybe that would give the residents somewhere to turn to; they would not have any power, but they could make recommendations; right now as a borough resident, if you run into a problem, you have no where to turn in Economy Borough; you run into a situation with the code enforcement officer, who do you turn to; there is no where to go. Mr. Rock reported having a review board Mr. Thompson feels it would give him some place to go and to receive your complaint. Mr. Thompson reported a resident could sit down with those three people and maybe work out a solution; Council would have the final say; maybe they could see where something isn't right and they could make a recommendation to Council; i.e. maybe this man is wrong; instead of everything being one person. Mrs. Mutschler reported if you are not in agreement of what he is doing, we have a Board of Appeals a resident could go to; Council voted on it; Beaver County Labor Council. Mr. Thompson suggested here in Economy Borough, itself. Mrs. Mutschler reported what he is wanting to do is say you have a personality conflict, there is an avenue to go to; you should be told there is a place to go; through Beaver County. Mr. Fouse reported Council chose to have Beaver County Labor Council act as our Appeals Board; if you have a challenge to something the code enforcement officer has decided you can go directly to the UCC Appeals Board and argue that he is wrong. Mr. Thompson requested information on this because he doesn't think anybody is aware of it. Mr. Fouse reported it is in the ordinance itself; different municipalities in Beaver County have utilized the Labor Council; some municipalities actually have their own; they appoint individuals from their municipality to act on the appeals board. Mr. Thompson asked if we could do something like that in Economy Borough. Mr. Rock reported Economy Borough already has one through Beaver County. Mrs. Mutschler reported Council did this October 12, 2004; done by Resolution No. 388, UCC Appeals Board. Mr. Rock reported there is something in existence. Mr. Fouse reported to his knowledge there has never been a challenge in the last 6 years to the appeals board. Mrs. Mutschler reported basically if you come and Joe tells you or whoever is in that position tells you that if you don't agree with him, then here is your avenue you can go to; if he is not telling you that, we have a problem there; here is an avenue. Mr. Thompson reported the Economy Borough code enforcement officer tells you nothing. Mr. Rock asked Mrs. Blum to get the information for Mr. Thompson. Mr. Kunkle reported the information will be put on the permits. Mr. Googins reported Mr. Kunkle will find a way to put that information on the permit so that anybody in the future has the information. Mr. Thompson suggested it be put on the webpage.

George Fitzgerald, 189 Wallrose Heights Road, reported he has a resolution to Council's problem with Joe Luff and the problem with the residents; thinks maybe have the seven member Council do once a month; once a quarter, get in the vehicle and go through Economy Borough; see the bad spots; Council file the complaint; Council straighten it out; the residents don't have to be a problem; Joe Luff doesn't have to be a problem; it is done by Council; that is something to be considered; Council is the people the residents voted for; Council should enforce the laws; don't blame Luff, don't blame the residents; Council do it.

Bob Mecchia, 211 Fernwood, reported he is confused with this whole situation; if Economy Borough has an ordinance/law that says you are not allowed to have an abandoned vehicle on the property; not taking sides in any issue; if Economy Borough has this in writing that you can't have this vehicle on property, why do we need a complaint to get it off the property; if it is something that is a grey area this resident brought up and says we have a problem there and don't know if it fits our ordinance or not; ok the resident needs to file a complaint; but

if the issue is already in ink that you can't have that, why does the code enforcement officer have to have a complaint from the resident; why can't he just go down that and say they are in violation of the ordinance and get it off of there. Mr. Rock reported he is not an attorney; we might be getting into semantics; definitions. Mr. Fouse asked what's the definition of an abandoned vehicle; our ordinance defines that; there also is a mountain of case law that talks about enforcement of these kinds of ordinances relating to abandoned vehicles; one persons abandoned vehicle definitely is not another persons abandoned vehicle; when is it truly abandoned and how do you know i.e. that they have insurance coverage on it; it's gets very personal; it is very much private; those are very difficult cases to make; just picking out one of the number of issues here; that is the difficult case. Mr. Mecchia asked if that then clarifies that issue when the resident files a complaint. Mr. Fouse reported if he were looking to convict somebody of having an abandoned vehicle he would probably be searching for each and every piece of evidence he could find to help make the case better; by the time you end up in court, if you haven't uncovered every stone and looked under every rock you may lose; would probably investigate to get what he could get; and that would probably include that statement. Mr. Mecchia reported the complaint is more of a help than it is anything else. Mr. Fouse reported the complaint is an investigative tool.

Mr. Rock reported under action items will be added the bids for the selling of the 2003 Ford Crown Victoria as something that Council may act on this evening.

MINUTES:

May 25, 2010 – Tabled until next meeting as they are not finished.

MAYOR'S REPORT:

Mr. Rock congratulated and thanked Mayor Poling for the beautiful Memorial Day Service that Economy Borough had here last week; if you weren't here, you missed a beautiful service; David DeMarco, a fantastic soloist, sang 3 songs; immense amount of talent; great job done by everyone involved in putting that together; Mayor Poling and his group did a good job; a very beautiful service; anticipating what he will do next year to match it. Mayor Poling reported it will be bigger. Mr. Thomas agreed it was a very impressive Memorial Day Service; made him proud to be a resident of Economy Borough; congratulated Mayor Poling and whoever put it together; they did a hell of a job. Mayor Poling reported doves were released; the Vets came up to the Monument; David DeMarco sang Raise Me Up when they released the doves; Steve Borato is a committee member; it was just beautiful.

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

MANAGER'S REPORT:

1. 2003 Ford Crown Victoria VIN: 2FAFP71W23X209768: Mr. Kunkle reported the following bids have been received for the retired police car:

\$1,909.00 – Bay Ridge Motors, Inc., Staten Island, NY

\$1,658.00 – Grace Quality Used Cars

\$1,007.00 – Chicago Motors, Inc.

Mr. Kunkle reported all three bidders specialize in or regularly purchase and resell used police cars; that is what they are in the business of doing; included in the ad was a minimum bid of \$1,900; only one bid was for the minimum; this number is consistent with what Economy Borough has been getting in the past with cars with that much mileage on them; recommends Council award the bid to Bay Ridge Motors. Mrs. Sovich-Lapinski asked if the \$1,900 is based on salvage value. Mr. Kunkle reported it is loosely based on the Blue Book value; the Blue Book gives you an idea but because police cars are different vehicles, you can't compare a police Crown Victoria to a family Crown Victoria; gives you an idea of the value; used the Blue Book value for a used, well worn vehicle; did not go with mint condition; that is where we got that number from. Mr. Sivy verified with Mr. Kunkle that this is the vehicle sent to Smitty's to see if it was actually better than the one Joe is driving and it wasn't.

MOTION by Mr. Thomas, seconded by Mr. Sivy – to accept the bid from Bay Ridge Motors, inc., Staten Island, NY, in the amount of \$1,909.00 for the 2003 Ford Crown Victoria VIN: 2FAFP71W23X209768, as is, where is. CARRIED UNANIMOUSLY

2. Resolution No. 430- Non-Organized Employee Benefits Policy: Mr. Kunkle reported this is the resolution for Non-Organized Employee Benefits; at the last meeting a question regarding longevity pay on page 7 was asked; if you look at the very bottom, words deleted are “and additional”; checked with the solicitor and he feels that would solve any question on that language. Mrs. Mutschler reported a correction on page 6, under Vacation, “A week’s vacation shall consist of seven (7) consecutive days, Monday through Sunday with **forty (40)** hours of pay at straight time.”

MOTION by Mrs. Mutschler, seconded by Mr. Sivy – to accept Resolution No. 430 Non-Organized Employee Benefits Policy, based on the two corrections. CARRIED UNANIMOUSLY

COMMITTEE REPORTS and OTHER BUSINESS:

ORDINANCE and RECREATION:

Mr. Bucuren reported he handed out a draft on the burning ordinance; talked about last meeting was removing the green and dry leaves; the wording was not removed; he would say green leaves are live leaves; tree leaves that are still living; will have the wording “green and dry leaves” taken out. Mr. Rock verified with Mr. Bucuren that it will read “all leaves is prohibited”. Mr. Bucuren reported to eliminate the words green and dry and everything else should be taken care of on that. Mr. Rock verified that that is the only change on the proposed amending ordinance. Mr. Kunkle requested authorization to advertise the ordinance; make the change and advertise. Mrs. Mutschler asked if Council would be advertising the whole thing or just the change to the ordinance. Mr. Kunkle reported Council has two options when they adopt an ordinance; they can either advertise the entire thing, which was done with the gun ordinance because it seemed to be high profile; that way everybody gets a chance to see everything; the other option is Council can summarize your changes and then make the entire ordinance available; this is just one change to a bigger ordinance so just the change would be advertised.

MOTION by Mr. Thomas, seconded by Mrs. Sovich-Lapinski – to authorize advertising the amendment to the burning ordinance. CARRIED UNANIMOUSLY

Mr. Bucuren reported the firearms ordinance was advertised and will be ready for consideration for July 13th.

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 asked if Council could possible get some free estimates on the tennis courts on this property; on getting repairs or doing some different ways to get them back into shape to be used again as tennis courts; sure everybody heard about the tennis courts through the school board; about the school board getting rid of their tennis program; talked with Mr. Kowal; there is money that is in their Capital Improvements that had to go into different things like recreation, etc.; Mr. Kowal tells him he is still pushing for doing tennis courts over at the Jr. High School; that is what he talked about at the last meeting was taking half of Economy Borough's money and investing it and the school board doing half of their money; Mr. Kowal said the monies will still be there and he is going to push the issue to try to get this through; said they could use this for school activities for gym classes; borough residents could use it; still a possibility.

PUBLIC UTILITIES:

Mr. Thomas reported there is a water break on Mary Reed Road; Ambridge Water Authority is out there repairing it over in that area tonight; couple of hydrants out of service. Mayor Poling reported he heard it made a mess on the road too. Mr. Googins reported he saw it and everybody should avoid Mary Reed Road until it is cleaned up.

Mr. Thomas reported that at the last meeting it was talked about letters for the vehicles; has them ready; they are black for both vehicles and say Economy Borough; will put them on in the next few days. Mrs. Mutschler asked if it will be hard or a big expense to get them off when Council gets rid of the cars. Mr. Thomas reported them come off with heat. Mrs. Mutschler reported Council doesn't want a freebie costing money in the end.

PROPERTY and BUILDING:

Mr. Sivy reported the new sign is in place; feels he did an outstanding job on it; went over and above what he was suppose to do; put designer bricks on it; he also did the sidewalk as well; would like to know if Mr. Kunkle could call the Scouts to see if they could do a small project and put something like flowers around it. Mr. Thomas suggested the Women's Club. Mayor Poling suggested 4H; beautiful sign. Mr. Sivy reported the bid called for cement block; he reported he had more pride than that and that is why he put the brick that matched this building.

PUBLIC SAFETY:

No Report

FINANCE COMMITTEE:

Mrs. Sovich-Lapinski asked for questions on the list of bills provided. Mr. Sivy verified with Mr. Kunkle that the grant lighting fixtures were on the list of bills; asked Mr. Kunkle when he expects to get the grant money. Mr. Kunkle reported it is a reimbursement type grant; still has to go out for bid; scheduled for June 18th; bid award is scheduled for June 29th; required completion date is August 30th; probably won't be able to seek

reimbursement until the project is complete; sometime between now and the end of August; then it will be processed and would expect to get that money this year. Mr. Bucuren asked is the bill for advertising the firearm ordinance is the price for both advertisings. Mr. Kunkle reported one; that is why Council normally does not publish the entire ordinance when ordinances are done. Mr. Bucuren asked why Council rented an excavator when Economy Borough has a four wheel drive backhoe. Mr. Kunkle reported it was determined we needed something heavier duty than the backhoe to do the work better and quicker. Mr. Bucuren reported he was under the understanding that the backhoe was doing the same job the day before that the excavator did; wanted to question why Council spent \$703 to rent an excavator when we have a four wheel drive backhoe. Mr. Googins reported Cooney Hollow Road after the storm was a mess; they needed to do anything they could to open up that road; it was determined and talked about with Mr. Rock, the borough manager, Earl Fitzgerald, that we needed more equipment to open up that road as soon as possible. Mr. Kunkle reported they were calling for additional rain and those houses down there flood and the concern was to get that open as quickly as we could. Mr. Googins reported the excavator was rented to assist what they were doing; the workers at the road department worked lengthy hours during the storm under very difficult conditions to reopen that road; it was a mess; the hillside came down on the road and washed up the road; it was not the road itself that gave out; it did because of the hill coming down; to rent the piece of equipment to get that project completed to allow that road to be functional for the residents was a small price to pay for what they did to open that road; it was determined to get an additional piece of equipment. Mr. Thomas reported the fire department was out all night; public works was out all night with them; knows they put in long hours; they were a big help for the fire department; opened up drains and places that were flooded; give them credit; they did a hell of a job for us; four roads were shut down; Big Sewickley Creek Road got completely flooded; Cooney Hollow was flooded; they did a good job; commends them.

MOTION by Mrs. Sovich-Lapinski, seconded by Mrs. Mutschler – to ratify the payment of all bills listed on the list of bills that are properly signed off and approved by the appropriate supervisor of that department. CARRIED UNANIMOUSLY

ROAD DEPARTMENT:

Mr. Googins reported there is still a lot of work in Economy Borough from the rain storm we had on Memorial Day afternoon; was out of town and missed the Memorial Day service; still a lot of damage to personal property, sides of roads that are washed out, ditches; everybody should be careful; it will take a long time to get the work done; Mr. Fitzgerald has a list of items when people call in; a list of items he has noticed or that the borough manager has found and are prioritizing fixing those problems; a little overwhelming now with the amount of damage that that rain did mostly on one side of Economy Borough, not so much on the Conway side. Mr. Thomas reported mostly on the Big Sewickley Creek area, Conway Wallrose Road at the lower end; the fire department banquet hall got completely flooded. Mr. Googins reported there is a lot of work to be done; asking the residents to try to be a little patient with the personal property problems they may have with maybe wash out in front of their house and assist Economy Borough in doing what they can do to help out, because it is obviously to many for them to take care of; have to get the bigger ones taken care of; also trees have been loosened from the rain; the bottom of the trees have washed out and some of those have been taken down before they come across the road or close the road; this has caused wash out in a lot of areas in Economy Borough; it was a fast quick storm that did a lot of damage. Mrs. Mutschler reported that she knows Mason Road and Hoenig Road are state roads, the ditches are bad; coming down Mason Road on the right it is almost a sink hole. Mr. Kunkle reported he contacted PennDOT, East Rochester on that. Mrs. Mutschler reported they are dark, desolate roads; if you go off you are not coming back on; do we have to make them aware or not. Mr. Kunkle reported he has been in contact with Tracy Abrams in East Rochester; they have been very responsive; on Hoenig they have written on the road and pointed towards some of the problems. Mrs. Mutschler reported they need to ride all of Hoenig Road. Mr. Kunkle reported Mason Road has a big hole in it also. Mrs. Mutschler reported towards the top; they went down Mason, hung a left to get to Big Sewickley Creek/Conway Wallrose

Road and the hillside there is, you'll lose your car. Mr. Googins reported they have more work to do and they are out doing it; it will take a while.

REPORTS:

SECRETARY:

No Report

ENGINEER:

Mr. Shoup reported 222 Woodcroft, the gas meter; the gas company said that meter can be moved anywhere from the shut off to the house; of course, it would be at the expense of the homeowner; if you have the gas meter at the house you are still responsible for the line from the curb box to the house. Mr. Shoup reported Earl and Shoup Engineering are going to look at adding another chevron sign. Mr. Kunkle reported Mr. Benko sent another letter that he will respond to; his original request was for the installation of guiderail. Mr. Shoup reported it does not warrant guiderail. Mr. Rock reported Mr. Benko was under the impression he could not move the meter back. Mr. Kunkle reported he said his homeowners would not pay for it. Mr. Rock reported he would have to work it out with his homeowners insurance.

SOLICITOR:

No Report

HEAR THE PUBLIC II:

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

George Fitzgerald, 189 Wallrose Heights, reported he is all for the tennis courts and asked if Mr. Kowal went to Harmony Township and Baden Borough Council members also to get money from them or just Economy Borough. Mr. Bucuren reported it will be for Economy Borough residents; that is why they are planning on putting it at the Jr. High School; it will be in Economy Borough for Economy Borough residents. Mr. Rock reported he has heard it before and Mr. Bucuren will hear it, if it is going to be at the Jr. High School; only Economy Borough residents go to that school; that is what you will hear from people; are the kids from Harmony Twp., Baden, Ambridge in gym class, are they going to use it for recreation also. Mr. George Fitzgerald said he is tired of hearing people from Ambridge and other boroughs saying Economy Borough is controlling everything; this is a community of Baden, Economy Borough, Harmony, Ambridge; we are all together in the school district; when it comes to tennis courts or anything for the kids it should be a collective effort also. Mayor Poling reported he tried to get the ball field out here in Economy Borough and they put it in Harmony Township; they stuffed it in a corner; we'll pay for that; if we can get some tennis courts, we'll take them. Mr. Bucuren reported that was the thought he had when it was originally being set up; as far as the residents from Ambridge, Harmony Township and the others; until it was actually set up to go through, we figured if there was a way to possibly say that this as far as the residents of Economy Borough would have a priority over; have permits somehow for use; to go in there and permit it; if you were an Economy Borough resident you would have priority over it on the public side of usage; nothing is set. Mr. George Fitzgerald reported that won't happen; won't work; will have people from Ambridge, Harmony Township and Baden saying they pay taxes and their kids go to the school, that's their tennis court also; you can't do that with

Economy Borough saying they have priority. Mr. Bucuren reported they can look into it and possibly get other municipalities to go for it also. Mr. George Fitzgerald reported he felt that is the best way to do it; whatever dollars you get from other municipalities would be less from Economy Borough and save Economy Borough money; then everyone is involved with it; they can't say you can't use it, you didn't put any money into it. Mrs. Mutschler reported Council would have to look at if we put \$30,000 and Harmony Township put \$2,000 in or Baden \$2,000; it has to be equal amounts; to have control you have to have them back here. Mayor Poling reported it is far down the road. Mrs. Mutschler reported Mr. Kowal is looking and working; he is one person on that board who is going to make a vote; hopefully he can get something; they are interested.

Elizabeth Burns, Stange Road, wondered why Economy Borough does not utilize the tennis courts here; we have the paver; road department would do it; rip out the fence, can put the fence back up; pave over top of it or take it out; it would be a big savings to utilize the same fence, just reinstall it; don't we have a machine that grinds that blacktop up and dispenses of it, we take the paver in there and repave it and we are good to go, put the fence back up. Mr. Rock reported tennis courts require a certain type of macadam; asked the same question several years ago when Council looked at that; thought the same thing, rip it up, put a new surface down; it is not quite that way; there are certain things you have to do to make it a tennis court; Council could throw some macadam down; it won't be a tennis court; tennis courts are made in a certain way with the bottom layer, base layer, etc.; has learned that it is a certain type of macadam they use on tennis courts; not the same stuff they use on roads; sounds like it would be very easy; wish it would be; not that easy; good question; would do it if Council had the finances, would do it in house.

Debbie Jeanette, Firethorn Road, asked where are the ordinances published and what happens after the ordinances are published. Mr. Kunkle reported they are advertised in the Beaver County Times; in the advertisement it will tell when Council will be considering the ordinance; usually that follows through consistently; Council has to advertise them so many days away from the meeting and not too many days from the meeting; ordinances like these is usually no less than 7 days and no more than 30 days; we try to get them in for the 30 days; then Council discussed it and takes a vote; if it is adopted; eventually during the year or later on it will be printed into the code book itself.

Joanne Borato, 2001 Conway Wallrose Road, asked Mr. Shoup if Economy Borough makes a fix (like a problem with the road) for this gentlemen and you help with a water run off situation, at what point does Economy Borough's responsibility end; i.e. if you go any further it could cause Council legal action. Mr. Shoup reported he feels this is more of a legal question. Mr. Fouse reported that is always an issue; especially with storm water; seems to him it has become more of an issue these days in municipalities than it was in the past; maybe it is just from development, more storm water problems; sure that is the case; has seen municipalities spend a lot of money attempting to prove that they are not responsible for a particular stream or stream expansion or storm water; has seen individuals spend a lot of money trying to prove that the municipality is responsible; it is a constant struggle; talk about municipalities having to spend more money in certain areas; his experience has been most municipalities in the last five years are spending more time, money and energy on storm water issues; maybe it is just the municipalities he represents, not sure, but it is a real difficult situation; you ask the engineer and the borough manager, but really it is a legal question; where do you draw the line; if called with a storm water question, will ask, is it our water; did we put that water; did we cause the increase for expansion water; can they prove it. Mrs. Borato asked if Economy Borough (digs out trenches in front of peoples yards or remove timbers in yards) goes in trying to be helpful and considerate to the neighbors, now we remove the timbers, dig a ditch, now the guy down the road says now we have; at what point do you go from being helpful to actually hindering and causing a bigger problem in the long run for the borough in general. Mr. Fouse says the question is a good one and impossible to answer. Mr. Kunkle reported these drainage problems and issues take a long time to resolve, because Economy Borough wants to be sure they are

not just shifting the problem from one to another; every drainage issue is unique; there is something different about it; they all involve water on the low side; that we do know; that is where it tends to go; wherever the low side is, that is where the water goes; because they are residents and they have a problem; generally they feel it is entirely a borough problem or at least partially a borough problem, we do respond to all of them; they look at all of them; have the engineer look at them; usually a lot of the issues will be looked at half a dozen times; realize they can set precedence by what they do; don't generally go on to private property; that is not what they are meant to do; but they do try to make an effort to help improve the situation; what they are getting at; don't always get the results people want; hard to answer the question, each one is a little different; have one they have been wrestling with since a year ago that they just (from their perspective) resolved this week; it involved a problem of erosion down in the woods; it is not on the road; decided we have so many other issue with drainage that is either causing a safety hazard or real property damage that a little bit of erosion in the woods 50' off the right of way isn't our concern; we don't have the time or resources to deal with that level of problem.

Mrs. Borato asked Mr. Kunkle if the office of the code enforcement the only office in Economy Borough that has a revenue stream tied to it. Mr. Kunkle reported obviously the property tax collector's office is an elected office so it is treated differently than the code enforcement office; the police department brings in relative to their budget a small amount; the borough office brings in a relative small amount; we sell yard waste permits, etc., issue no lien letters. Mrs. Borato wondered if every department is justified in the budget by the revenue they produce. Mr. Kunkle reported no; when Economy Borough had the earned income tax located here, they would have been one of the biggest revenue producers; in relative terms the code enforcement office is a small piece of the overall budget; it is one that we do have good control over costs and expenses and what the revenues are; we have adjusted the permit prices twice in the last ten to fifteen years; do take a look at that; thinks our permit prices are lower than when third parties do it; try not to gouge the residents, but try to keep up or close to others; with the entire 3.8 million budget; looking at what the police department brings in vs. what the police department costs Economy Borough, there is no way that they would even come close; it is not really a consideration; for the \$40,000 or \$50,000 that the code enforcement office costs Economy Borough, if we made an adjustment in the permit prices we could probably make sure that it breaks even; it is usually what governments try to do, break even; we don't have a profit motive here; we don't operate essentially that way; if we know that the police can't fund their budget, we have to account for it and make up for it somewhere else; with the economy the way it was and permits dropping off the way it was; to be on the safe side we tried to reflect that in the budget that we would have less revenue coming in, expenses are going to go up incrementally and that is what the budget reflects; already through May, it's too early to say we have turned around; looked at the numbers recently; earned income tax is \$72,000 higher than it was last year at this point; real estate taxes are up \$36,000; does not know readily what the change in the real estate transfer tax is; it was also showing improvement; that is the one that you could tell that houses were not selling last year because we get a portion of the transfer tax which is directly related to the number of houses being sold and the value of those houses; to answer the question in a short answer, no.

Mrs. Borato asked if Council is saying that all equipment was used in concert along with the one rented or did the four wheel drive backhoe go somewhere else and do something else. Mr. Googins reported he does not know; there was so much going on; he will get that answer for her; doesn't know what equipment was used at what time; knows everybody was out working; does not know if everybody was driving every piece of equipment; what they needed was to dig stuff up which is why they rented the excavator. Mr. Kunkle reported when flooding happens, borough elected officials have the authority to declare emergencies; it relaxes some of the restrictions that we normally have to operate under; especially when it comes to spending money; if it was determined that we needed the excavator for two weeks and it would cost \$4,000 or \$5,000, normally we would have to go through a process to get that excavator; had asked Mr. Rock and Mr. Googins, as President and Vice President, to be prepared to declare an emergency just in case we hit that level; we never hit that level, but we knew from past experience going into these kind of things that is one of the things you have to do; thinks the

three of them discussed with Earl that he was assessing the situation here, there and everywhere else; at the end of it what he decided he needed is what he would get; that is what he did.

Mr. Scranton, 205 Foxglove, reported his issue is more of an infrastructure issue; there is a catch basin on the opposite side of the road from his residence; he is not requesting the timbers be removed or replaced; if they probably had been done right in the first place, he wouldn't be here; not asking for anything that isn't done else where.

ADJOURNMENT:

***MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Sivy – to adjourn the meeting. Time: 8:50 PM
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum
Borough Secretary
June 18, 2010

List of Bills attached to the Minute Book.