

Economy Borough Council
Council Minutes
January 23, 2018

MEETING was called to order at 7:00 p.m. with Mr. Brian Westrom presiding and the following members of Council and officials of the Borough present: Mr. Brian Westrom, Mr. Gary Bucuren, Mr. R.J. Burns, Mrs. Audrey Mutschler, Mrs. Pat Skonieczny, Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, representing the Borough Solicitor Mr. Joshua Kail, Esq.

ABSENT: Mr. Fetkovich (Excused)

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Mr. Frank Morrone entered the meeting at this time (7:03 p.m.)

RECOGNITION OF VISITORS: Mr. Westrom welcomed everyone to the meeting and requested the discussion(s) regarding Borough business be kept to 3 – 5 minutes in length.

Don Lang of 105 Grove Hill Road, Baden
Ray McClellan of 196 Shaffer Road, Sewickley
Adam Coakley of 4810 Dutch Ridge Road, Brighton Township
Mr. & Mrs. Brian Bonner of Seven Fields (Owners of 373 Golden Grove Road, Baden)

HEAR THE PUBLIC:

Don Lang was present to distribute to Council the Emergency Personnel Notification Information Forms that need to be completed to keep the Borough in compliance and eligible to receive PEMA / FEMA funding in the event of a crises or disaster. Mr. Lang will try to get a Beaver County Emergency Management Training Class here for Council Members which is a compliance requirement.

Mr. & Mrs. Brian Bonner and their contractor, Mr. Adam Coakley, were present to address the water run-off issues from Pineview Road and several other lots along Pineview Road. Mr. Coakley explained that the drains are not connected to anything and has filled the foundation of the home being built. The Borough Manager was asked to have the Borough Engineer review this matter before the next meeting.

Mike Lucia (not signed in) was present and stated that the Golden Grove drainage issues have been going on for ten (10) years and the problem continues to exist.

MINUTES of the Reorganization Meeting held on January 09, 2018, were presented to Council. Mrs. Mutschler presented an amendment to page 463, removing the Public Safety Committee: No Report portion, due to the committee no longer exists as of the 2018 Borough Council Committee Appointment portion of the January 9, 2018 Council Meeting. **After some review the motion of Mr. Burns, seconded by Mr. Morrone to approve the Meeting Minutes of January 09, 2018, as amended was unanimously carried.**

FINANCE COMMITTEE: Mr. Bucuren, Chairperson of the Finance Committee, reviewed the following:

1. Budget Report for the month of December 2017, was presented to Council. After some review and discussion this report was ordered received and filed.
2. Treasurer's Report for the month of December 2017 was presented to Council. After some review, this report was ordered received and filed.

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: Mr. Westrom, on behalf of the Parks and Recreation Committee, presented Council with updates regarding the following issues:

1. Bridger Baseball Association Grant – Bridger Baseball, formerly known as ABE Baseball, has applied for a yearly grant through the Pittsburgh Pirates and would like help from Economy Borough with this year's application. Mr. Westrom stated that once the paperwork is ready, the association will make a presentation to Council. The Borough Solicitor will need to review the paperwork.
2. Community Days Celebration – This year will be the Borough of Economy's 60th Anniversary and there are some ideas being discussed to help celebrate the anniversary.
3. Recreation Board – A letter was received from Ms. Stacy Dempsey expressing her interest in being appointed to the Recreation Board. The Borough Manager was asked to supply Council with appointment information. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to appoint Ms. Stacy Dempsey to the Recreation Board term was unanimously carried.**

Mrs. Mutschler expressed concerns regarding the members of the Recreation Board having their clearances to work with children. Members of Council discussed this matter and the Borough Solicitor will research the issue.

PROPERTY and BUILDING COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: Mr. Burns, Chairperson of the Public Works Committee, presented Council with the Public Works Bi-monthly Report. After some review and discussion, this report was ordered received and filed. Mr. Burns requested an executive session to discuss an employment matter.

Mrs. Mutschler asked if there was any word on the contract and if an executive session is needed to get the new Council Member up to date. Mr. Burns stated that he reached out to the Union Steward but would do so again because he has not heard from him. Mrs. Skonieczny recommended putting the contact in writing, so it would show a good faith effort.

MAYOR'S REPORT: Mayor Borato presented Council with information and/or updates regarding the following issues:

1. Breathalyzer/Intoxilyzer Purchase – Mayor Borato updated Council on the requested information for the purchase of the Intox DMT Breathalyzer. The purchase will be applied to the Police Minor Equipment budget line item (410.260). **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Burns to authorize the purchase of a Intox DMT Breathalyzer in the amount of \$8,784.50 was unanimously carried.**
2. Borough Building and Public Works Department Video Cameras – Mayor Borato presented Council with an overview of concerns Chief O'Brien has regarding the camera surveillance being sent to the police department. The Borough Manger is responsible for the departments under surveillance and

there could be Right-to-Know (RTK) policy issue(s). Members of Council discussed if the pictures would be public information, that the surveillance information should not be used as a fishing expedition and that Chief O'Brien recommends that the Borough Manager handle the surveillance if the information is available with a RTK request. The Borough Solicitor will research the RTK policy issue(s).

3. Police Department Remodeling – Mayor Borato presented Council with an update regarding the remodeling proposal for the police department. When the representative comes in to go over the proposal again, there will be a meeting with Mr. Morrone and the Borough Manager to review possible updates to the Borough Building.

SOLICITOR'S REPORT: The Borough Solicitor presented Council with updates regarding the following issue(s):

1. Skonieczny Lawsuit – No update at this time.
2. Refuse Collection Exemptions – This matter will be discussed in executive due to a possible litigation matter.

OLD BUSINESS:

1. Wireless Phone Service – The Borough Manager recommended switching back to Verizon because the minimal expense increase and service benefit will be better for the police department. The current equipment can be used with Verizon, but a new SIMS card will be needed (free of charge) and there is no early termination deadline or penalties to switch. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mr. Morrone to approve switching the wireless phone service back to Verizon was unanimously carried.**

The following statements are verbatim from Mrs. Mutschler's email, dated 01/30/2018, regarding her comments directed to Mr. Westrom and are entered here in the minutes as per her request:

“I did not realize your speech regarding the seating was Boro. business and would be placed in the minutes or I would have addressed this issue then. I for one will not be treated like a child being moved and given an assigned seat or have to play musical chairs at every meeting. What made you think we sit divided that maybe you need to practice what you preach and take a look at the committees that you made. If that is not divided I don't know what is. I questioned.. How can you remove the public Safety committee when it is referenced in an ordinance (Handicap Parking) and our Traffic Calming Policy . Mayor Borato stated ..We thought it would be redundant to have this committee since she is the mayor. At which time I stated that the mayor has no power to negotiate contracts. Mr Kail acknowledged that he would research this as he was unaware that this committee was referenced in an ordinance. I stated that since I was not chair of a committee that I would like to be appointed to Public Safety.”

Mr. Westrom explained, as he did in the prior meeting, that his intent is to get the committees meeting again on a regular basis which has not happened the last few years. The Borough Solicitor stated that he believes the Borough Code gives the President of Council control over the establishing of the committees and that he would research the ordinance issue. Members of Council discussed why the change of seating, and that it has been done in the past. Mrs. Mutschler asked the Borough Manager to make sure her comments are in the minutes. While addressing Mr. Westrom, Mr. Bucuren expressed his concerns regarding the setup of the committees and asked

how his work background would qualify him to be head of the Finance Committee. Mr. Bucuren asked Mr. Westrom who told him what committees to put members on. Mr. Westrom stated that he established the committees on his own and asked if anyone reached out to him requesting to be placed on a committee. At this point in the meeting, members of Council were arguing. Mr. Westrom stated that if the arguing did not stop the meeting would be adjourned, some members of Council said to adjourn then. Mr. Bucuren stated that Mr. Burns and Mr. Morrone were not separated which was making us out to be the divided Council Members. Mr. Bucuren stated that he would like his seat kept here for the next meeting.

The following statements are verbatim from Mrs. Skonieczny's email, dated 02/07/2018, regarding her comments and are entered here in the minutes as per her request:

“I stated that we are council members of a municipality of over thirteen thousand residents and to assign us seats is first grade stuff and that I find it offensive. I then later stated that: “When I came on board, I chose a seat that was vacated by a member who was not reelected.”

Mr. Westrom stated he would re-consider the seating chart.

NEW BUSINESS:

1. Discretionary Trading Authorization (Vescio Asset Management, LLC) – The Borough Manager presented Council with information regarding the need for two (2) members of Council (typically the President and Vice-President) to be Trustees. This will authorize Vescio Asset Management, LLC to make investment decisions on behalf of the Borough for the Non-Uniform and Police Pension Funds. **After some review and discussion, the motion of Mr. Morrone, seconded by Mrs. Mutschler to appoint the President and Vice-President of Council as the Trustees was unanimously carried.**
2. Check Signatories – The Borough Manager presented Council with the policy background of signatories for checks and recommended adding a third signer to serve as a backup if another signer is unavailable. Members of Council discussed concerns regarding the expense of another bond, how checks are handled when someone is unavailable and if anyone is planning on being unavailable in the future. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to appoint the President of Council and Borough Manager as check signatories was unanimously carried.**
3. Non-organized Employee Resolution – Mrs. Mutschler stated that she wanted to discuss this matter in executive session with Council only.

OTHER BUSINESS:

Mayor Borato, on behalf of the Economy Borough Municipal Authority (EBMA), stated that Mr. Glen Sylvester is the new Sewer Authority Chair, that the Ridgewood Plan remediation work is moving forward and that a grant is being applied for to help with these costs and to do remediation work at Sunset Hills. Council congratulated Mr. Sylvester on his appointment as EBMA Chair.

Mayor Borato presented everyone with information regarding the annual “Rockin Rachel’s” Spaghetti Dinner for a Down Syndrome Fund Raiser. The dinner is scheduled for Saturday, March 24, 2018 from 11:00 to 7:00 at the Baden United Methodist Church.

Mr. Westrom asked the Borough Manger to inform the Borough Engineer that there is another drainage issue on Frederick Avenue that needs reviewed.

The Borough Manager requested an executive session to discuss a personnel issue.

Mrs. Skonieczny inquired about the status of the citations for Northern Lights Shopping Center (NLSC). Members of Council discussed the nine (9) written citations being dismissed because those items were addressed but there were originally seventeen (17), and if the Fire Marshall can finish helping review the rest of the fire issues. The Borough Manager stated that no fire citations have been given. Mrs. Skonieczny asked the Borough Manager to reach out to the Fire Marshall and the Assistant Code Enforcement Officer to help move it along.

EXECUTIVE SESSION: Mr. Westrom requested Council go into Executive Session regarding a contractual matter, three (3) personnel matters and a potential litigation matter regarding refuse collection at 8:13 p.m., as per the motion of Mr. Bucuren, seconded by Mr. Burns.

On the motion of Mrs. Skonieczny, seconded by Mr. Morrone to reconvene at 10:14 p.m. was unanimously carried.

There being no further business, the motion of Mrs. Skonieczny, seconded by Mr. Bucuren to adjourn the meeting at 10:15 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager

Motion(s) made and/or Council consensus decision(s):

1. Approve the Minutes of January 09, 2018 as amended.
2. Appoint Stacy Dempsey to the Recreation Board.
3. Approve the purchase of a Intox DMT Breathalyzer.
4. Approve switching the wireless phone service to Verizon.
5. Appoint the President and Vice-President of Council as Trustees.
6. Appoint the President of Council and the Borough Manager as check signatories.