

Economy Borough Council  
Regular Meeting Minutes  
May 13, 2014

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**MEETING** was called to order at 7:00 p.m. with Mr. R.J. Burns presiding and the following members of Council and officials of the Borough present: Mr. R.J. Burns, Mrs. Courtney Barthelemy, Mr. Gary Bucuren, Mr. Larry Googins, Mr. Frank Morrone, Mrs. Pat Skonieczny, Mayor David Poling, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Borough Solicitor Joseph Askar, and Borough Engineer Mr. Norman Shoup.

**PLEDGE OF ALLEGIANCE**

**POLICE PENSION and NON-UNIFORMED PENSION REVIEWS.** Mr. William Vescio, of Vescio Asset Management LLC., presented Council with an update and a market commentary of Police Pension Fund and the Non-Uniformed Pension Fund for the First Quarter of 2014.

**PUBLIC HEARING – PETITION TO RE-ZONE (Mr. and Mrs. Larry Janicki, of 2462 Herr Road)**

– A Public Hearing of Economy Borough was advertised in the Beaver County Times on April 18, 2014 and the proper required notifications were completed. The property is located off of Rt. 989 and Zehnder Road. The cul-de-sac is Borough owned with the remaining road being privately owned (the road along Zehnder Road is zoned R2). The property currently has two (2) houses, a garage and a barn erected on it. The houses, garage and barn are currently zoned Agricultural/Rural Residential (RA), with the remaining acres currently zoned Suburban Residential (R2). The Borough Manager reported that a letter, dated March 11, 2014, was received from the Planning Commission's Consultant recommending approval of the re-zoning.

Mayor Poling entered the meeting at this time (7:12 p.m.).

Mr. Andrew Janicki presented Council with an over-view of the re-zoning request on behalf of his mother, Nancy Janicki. Mrs. Nancy Janicki was also present and stated that she is the owner of 2462 Herr Road and approves of the re-zoning request. Mr. Janicki stated that the property was purchased with the intent of family living with subdivisions and livestock. Currently his mother and sister are living on the property and he intends to erect another dwelling for himself. Mr. Janicki explained that the property is currently zoned two (2) different zones and that the family would like to have the entire parcel re-zoned to RA, which will permit an expansion for more pasture(s). The Borough Solicitor inquired if the Janicki family was fully aware of the restrictions involved with the RA Zoning District. Mr. Janicki stated yes. There was some discussion regarding the map presented to Council was small/hard to read and if this would affect any neighboring properties.

Mr. Larry Walter, of 2464 Herr Road, was present to express his concerns regarding the re-zoning of this parcel. Mr. Walter stated that he owns approximately one (1) acre of land along this parcel (to the right of the cul-de-sac) and he does not remember this ever being a farm, nor was he aware that a portion of the parcel was re-zoned from R2 to RA. Mr. Walter's concerns are horse smells, flies and lack of peace, the wooded area is not a grazing area, and currently the horse manure is being dumped approximately one-hundred feet (100 ft.) from his property. Mr. Walter also stated that his property could be destroyed if the animals were to get loose.

Mr. Walter requested the date of when the parcel was partially zoned RA and a clarification of where the RA Zoning District is and how it will affect him.

The Borough Solicitor stated that there is an Ordinance that was enacted and that both the Planning Commission and the Beaver County Planning Commission reviewed the zoning, which concluded that the parcel conformed to the RA Zoning District. The Borough Manager stated that the Beaver County Planning Commission had no comments regarding the re-zoning. There was some discussion regarding zoning regulations of the amount of property needed to permit horse(s) and the minimum distance from a dwelling for permitting the piling of manure. Mrs. Nancy Janicki stated that she is willing to have the pile of horse manure moved.

Ms. Debbie Cercone, of 2464 Herr Road, was present to express her concerns regarding the re-zoning of this parcel and that there is not enough property to have two (2) horses according to the Zoning Ordinance. Ms. Cercone stated that Mr. Mutchler (previous owner of 2462 Herr Road) had the property re-zoned so that he could sell it. Ms. Cercone asked why the neighbors were not notified of the change and when was this change done. Ms. Cercone feels that there are some legal issues and requested another hearing in order to permit her to have an attorney present.

Mr. Richard Ray, of 1776 Overlook Drive, was present to express his concerns regarding the property being RA and the smell of animals. Mr. Ray's backyard abuts the backyard of the parcel in question. Mrs. Skonieczny stated that the property where the animals are is currently RA and will not change with the re-zoning request. Mr. Googins stated that all of Overlook Drive is zoned R2 and the abutting portion of the properties is all zoned R2, which is a wooded area.

Ms. July Hribar, of 2459 Herr Road, was present to express her concerns regarding a possible increase in noise and odor and to state she is against re-zoning of the parcel. Ms. Hribar stated that she has lived at this property since 1966 and that it does not abut up to the parcel in question. Ms. Hribar does feel that more animals will create more noise and odor.

There was some discussion regarding if the odor would change for the residents on Herr Road and Overlook Drive should the parcel in question be re-zoned to RA. It was determined that the odor would not change for the residents on Herr Road, due to that area is already zoned RA, however, for the residents on Overlook Drive it would change.

Mr. Googins feels that a decision cannot be made without more information and a better map that shows the dividing lines clearly. Mrs. Skonieczny disagreed. Mr. Shoup stated that the Zoning Map was done by Shoup Engineering and that the map on the wall in the Council Chambers is dated 1990. Mr. Shoup stated that Shoup Engineering was able to overlay two (2) maps to provide more detail. The Borough Solicitor stated that if the decision is postponed, then the Borough would have to re-advertise a Public Hearing, post the property and notify the neighbors again. Mrs. Skonieczny inquired if a postponement would legally affect the Janicki's. Mr. Janicki stated that it would, due to his intent is to sell his existing home and erect a new home on the parcel in question for himself. Mrs. Skonieczny requested Shoup Engineering to provide copies of the maps discussed above for Council's review.

**After some review and discussion, the motion of Mr. Googins, seconded by Mr. Bucuren to postpone the re-zoning decision, to authorize re-advertising for a Public Hearing for this matter and authorize Shoup Engineering to attend this hearing, was unanimously carried.**

**FIRE REPORT** – None

**POLICE REPORT** – Chief O’Brien presented Council with updates regarding the following items:

1. Police Website – The website (economyboroughpd.com) is published and should be ready within 72 hours and will be continually updated.
2. Dog Law Complaints – Triangle Pet no longer picks up loose animals. The Police Department’s current two (2) kennels are not state certified and there are concerns of where to put the animals. Mrs. Barthelemy stated that she has made a contact but is not sure where it stands and that the Humane Society was unable to help due to they were going through a transition. The Chief stated that the Humane Society has in the past helped with keys and volunteers to help with animals when taken there. The Borough Manager stated that he was researching pricing for structures and will acquire an update. The Borough Manager was instructed to meet with the Public Safety Committee to review options.
3. Police Department Policies and Procedures – A Policy and Procedure Manual was presented to Council for review and approval.
4. Emergency Response Plan – An Emergency Response Plan was presented to Council for review. This plan has been designed for the Walmart located at Northern Lights Shopping Center. There are concerns with an increase in call outs for this location based on reports received from Cranberry Township and Center Township (51% of calls are theft related). Mrs. Barthelemy inquired if the plan was available electronically. The Chief stated yes or it can be copied for distribution.
5. School Emergency Response Plan – The Chief is currently working with the schools to create an Emergency Response Plan which will include a digital layout of the schools.
6. Full-time Police Officers – The Chief presented Council with an update regarding Officer Richard Woznicki who is working out well. The Chief requested Council to consider voting on making an offer of full-time employment to the next available officer in line. The Borough Manager will need to request an updated letter of available candidates. The Chief stated that the department has been short-handed for quite some time and with the large business being added more call outs are expected. Mrs. Barthelemy inquired if a part-time officer would be able to fill the schedule to decrease the expense of a full-time officer’s benefits. The Chief stated that the Collective Bargaining Agreement prohibits the use of part-time officers to work a full-time officer’s over-time schedule. Mr. Bucuren stated that part-time officers are trained and they move on to other departments. The Chief agreed and stated that part-time officers are restricted to 32 hours, so they work for other municipalities and their schedules are not a guarantee. The Borough pays for their uniforms and equipment. Mrs. Skonieczny inquired if the Chief had any recommendations. The Chief recommended Officer Christopher Ferragonio, who has been working with the department long enough that he will not require training. The Borough Solicitor stated that hiring younger officers will strengthen the pension plan because they will not be retiring in near future. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Bucuren to authorize a Letter of Intent for a Full-time Position to Officer Ferragonio was unanimously carried.**

7. Police Bullet Proof Vests – Mr. Burns presented Council with an invoice for the purchase of bullet proof vests for the police department. This purchase was not a budgeted item, at no fault to the current Chief. The Chief has applied for a grant to help with the costs, but it will not arrive until September or October 2014. The invoice is due at this time and needs to be coded for an expense. **After some discussion, it was the consensus of Council to deduct the expense from the 2014 Budget and make an adjustment to the expense account at the time the grant is received.**

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

The following visitors were present:

Robie Barkley of 120 Oliver Avenue, Freedom  
Mr. & Mrs. George Batykefer of 180 Oliver Avenue, Freedom  
Mr. & Mrs. Barry Beitsinger of 488 Amsler Ridge Road, Sewickley  
Joe Bertucci of 318 Central Drive, Cranberry Township  
B. Burns of 100 Stange Road, Freedom  
Debbie Cercone of 2464 Herr Road, Ambridge  
Bob Cipriani of 145 Oliver Avenue, Freedom  
Kathy Ennis of 94 Firethorn Road, Baden  
Mr. & Mrs. Buzz Gradek of 623 Old Glory Lane, Freedom  
Julie Hribar of 2459 Herr Road, Ambridge  
Andrew Janicki of 109 Albine Drive, Glenshaw, PA 15116  
Nancy Janicki of 2462 Herr Road, Ambridge  
Linda Kamzelski of 404 Golden Grove Road, Baden  
Ray McClellan of 196 Shaffer Road, Sewickley  
Rosemary Nicoletti of 117 Heidcrest Drive, Pittsburgh, PA 15237  
Mr. & Mrs. Tom Panek of 2862 Conway Wallrose Road, Baden  
Larry Walter of 2464 Herr Road, Ambridge  
Marie Walter of 2464 Herr Road, Ambridge

**HEAR THE PUBLIC:**

Elizabeth Burns inquired if the Police Department would have use of the emergency road to Walmart. The Chief stated the department would not generally use but the Fire Department will. There was some discussion regarding the Police Department receiving a key and whether or not the gate will be electronic. The Borough Manager was instructed to contact the Public Safety Committee for review.

Robie Barkley expressed concerns regarding speeding traffic on a connecting piece of property between Oliver Avenue and Sproat Avenue. This is an unmarked roadway that may or may not be part of Elizabeth Street that has no homes or mailboxes and it abuts up to private property. Mr. Barkley and Mrs. Batykefer, as owners of the private abutting properties, are expressing their desire to gate off this portion of the roadway to only be used by the owners of the private road and stated that they had contacted Shoup Engineering. Mr. Barkley stated the Borough does not maintain the roadway and recent repairs to this roadway cost approximately \$800.00. Mrs. Batykefer stated that they were told this roadway was two (2) yards that over the years became a drive area, which does not get plowed during the winter. This causes traffic to drive approximately fifteen feet (15 ft.) into our yard to get through and there are children who play in these yards. The Borough Solicitor stated that a

barrier may be erected if the property is private and the Borough does not maintain. The Borough Solicitor also stated that if the property has a right-of-way or easements then a barrier could not be erected. The Borough Solicitor suggested the owners of abutting property contact an attorney and have a letter submitted to Council.

Jeanne Kennedy-Lucia of 416 Golden Grove inquired if the local veterinarians or kennels had been contacted for helping with the placing of loose/stray dogs.

Laurel Beitsinger presented Council with a written overview of the outdoor game Pickleball. Mrs. Beitsinger commended Council and the Parks & Recreation Department for allowing the use of the basketball court and the game boundary line painting. Pickleball is a fast growing sport in the U.S. and can be played by all ages. Mrs. Beitsinger stated that she has already approached the Recreation Board and it has funding available to help with the request of making two (2) more Pickleball courts with optional fencing. A Pickleball court is twenty feet by forty-four feet (20 ft. by 44 ft.) with the total overall playing surface at least thirty feet by sixty feet (30 ft. by 60 ft.). A tennis court would accommodate four (4) Pickleball courts. Mr. Burns stated that the Recreation Board is looking at the property; however, there is a long term plan in place which needs to be considered. There was some discussion regarding the possible location of these courts and where the fence would need to be. Mr. Panek stated that the nets are privately owned and if there isn't one available you are unable to play. Mr. Panek also stated that Economy Borough was mentioned on the national Pickleball website.

Patti Panek expressed her concerns regarding the paper recycling dumpster. The dumpster is broke and the paper is flying everywhere. The Borough Manager stated that the company has been called and we are on the list to have it removed. Mr. Burns requested the Public Works Department to move the dumpster to another location until such time the company removes it.

The Mayor left the meeting at this time (9:20 p.m.).

**MINUTES** of the Organization Meetings held on January 06, 2014 were presented to Council. Mrs. Skonieczny presented Council with the amendments to minutes presented and requested the page numbers be updated as needed. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Barthelemy to approve the Organization Meeting Minutes of January 06, 2014 as amended below was unanimously carried.** Mr. Googins requested a final copy of the approved minutes be distributed to Council.

1. On page 447, the Vice President nomination paragraph, the word Someone was amended to *Mr. Bucuren nominates Pat Skonieczny.*
2. On page 448, the Vacancy Board Chair nomination paragraph, the sentence was amended from Someone nominates Paul Thompson, someone seconds the nomination to *Mr. Morrone nominates Paul Thompson, Mr. Bucuren seconds the nomination.*
3. On page 449, last paragraph, a portion of the first sentence was amended from seconded by someone; question regarding to *seconded by Mr. Morrone; Mrs. Barthelemy questioned Mr. Lang's qualifications.*
4. On page 450, the Pension Trustees paragraph, Mrs. Barthelemy's No vote was amended to state *for only to Mr. Burns.*

5. On page 450, a portion of the last sentence was amended from Someone seconds to *Mr. Morrone seconds*.
6. One page 451, the Road Foreman paragraph, the sentence of Someone nominates Rich Dunn was amended to *Mr. Morrone nominates Rich Dun*.

**MINUTES** of the Regular Meeting held on January 14, 2014 were presented to Council. Mrs. Skonieczny presented Council with the amendments to minutes presented and requested the page numbers be updated as needed. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Barthelemy to approve the Regular Meeting Minutes of January 14, 2014 as amended below was unanimously carried.** Mr. Googins requested a final copy of the approved minutes be distributed to Council.

1. On page 456, the Minutes motion portion was amended to include *The motion was made due to Mr. Fouse made a comment that was unintelligible on audio and was not present to finalize.*
2. On page 456, the Committee Reports portion, third sentence, was amended from Solicitor Askar notes this will be discussed in executive session to *Solicitor Askar will meet with Chief O'Brien to discuss terms of contract.*
3. On page 456, the third motion was amended from Motion by Mrs. Skonieczny to have the council packages ready prior to the meeting dates to *Motion by Mrs. Skonieczny to have the council packages ready prior to the meeting dates, (agenda and bills) and to email packages.*

**MINUTES** of the Regular Meeting held on January 28, 2014 were presented to Council. Mrs. Skonieczny presented Council with the amendments to minutes presented and requested the page numbers be updated as needed. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Barthelemy to approve the Regular Meeting Minutes of January 28, 2014 as amended below was unanimously carried.** Mr. Googins requested a final copy of the approved minutes be distributed to Council.

1. On page 458, the Hear the Public portion, the first sentence as amended to include the proper terminology of *Code Enforcement Officer (CEO)*.
2. On page 458, the fourth motion was amended to include *A roll call vote was taken and the motion was not carried.*
3. On page 459, the first motion as amended from all voted aye to *all voted aye with Mrs. Barthelemy voting no, due to the Finance Committee has not met to discuss this purchase.*

**MINUTES** of the Regular Meeting held on April 8, 2014 were presented to Council. Mrs. Skonieczny presented Council with a request for the page numbers to be updated as needed. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Barthelemy to approve the Regular Meeting Minutes of April 8, 2014 as updated was unanimously carried.** Mr. Googins requested a final copy of the approved minutes be distributed to Council.

**MINUTES** of the Regular Meeting held on April 22, 2014 were presented to Council. Mrs. Skonieczny presented Council with an amendment to page 482, the last motion, the last sentence to change Solicitor Askar states they would retain the full fees for those services to *Solicitor Askar states that BIU would retain the full fees for code violation enforcements* and requested the page numbers be updated as needed. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Barthelemy to approve the Regular Meeting Minutes of April 22, 2014 as amended was unanimously carried.** Mr. Googins requested a final copy of the approved minutes be distributed to Council.

**PARKS and RECREATION COMMITTEE:** On behalf of Mr. Fetkovich, Mrs. Barthelemy presented Council with an update regarding the following issues and reminded Council that the 3<sup>rd</sup> Annual Community Day is scheduled for June 14, 2014.

1. **Recreation Funding** – The Recreation Board Checking and Savings accounts are now held by the Borough. There was a brief update on the Whispering Pines Recreation Fund, which is funded by a portion of the sale of each dwelling.
2. **Sunset Hills Park** – There has been a request for a way to dispose of trash at the park. There was some discussion regarding trash cans for this area.
3. **Recreation Drive (Maddock Park)** – The basketball courts need repaved and repainted.
4. **Pickleball Court** – There was some discussion regarding the approximate cost of two (2) Pickleball Courts being \$6,500.00 and the possibility of using Maronda funding for this project.
5. **Economy Municipal Park** – There was some discussion regarding playground equipment for this area at an approximate minimal cost of \$15,000.00. Mr. Burns inquired what type of equipment could be purchase for this price and if there was a need for special flooring.

Mrs. Barthelemy stated she would request Mr. Fetkovich to present a more detailed report at the next regular scheduled meeting.

**PUBLIC UTILITIES COMMITTEE** – No Report.

**PROPERTY and BUILDING COMMITTEE** - No Report.

**PUBLIC SAFETY COMMITTEE** – No Report.

**FINANCE COMMITTEE** – A list of Bills Payable for the period of April 09, 2014 through May 08, 2014 in the amount of \$119,910.74 was presented to Council for review. **After some review and discussion, the motion of Mr. Googins, seconded by Mrs. Barthelemy to approve the list of Bills Payable was unanimously carried, with the exception of Mrs. Skonieczny regarding the Public Safety bills, due to her son works in the department and the exception of Mr. Bucuren regarding the Public Works bills, due to his brother works in the department.**

**PUBLIC WORKS COMMITTEE** – Mr. Bucuren presented Council with an update regarding the Public Works Department having patched pot holes, started chipping brush for residents and has made various repairs to the truck and equipment. On behalf of Richard Dunn, the Public Works Forman, Mr. Bucuren thanked Council for approving the Chainsaw Class that the department participated in.

**MAYOR’S REPORT** – No Report.

**MANAGER’S REPORT** – No Report.

**OLD BUSINESS** – None

**REPORTS** – None

**SOLICITOR’S REPORT** – No Report.

**ENGINEER’S REPORT** – No Report.

**NEW BUSINESS:**

**ACTION CONCERNING PRAYER AND PLEDGE OF ALLEGIANCE** – Mrs. Skonieczny presented Council with a request that the meetings now include a Prayer followed by the Pledge of Allegiance at the beginning of each meeting. There was some discussion regarding the type of prayer that is permitted, it was determined that a non-secular prayer is permitted. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mr. Bucuren to approve a Prayer with the Pledge of Allegiance at the beginning of each meeting was unanimously carried.**

**DISCUSSION CONCERNING SALT PURCHASES** – Mr. Googins presented Council with an update regarding the salt purchases and back orders. Mr. Googins stated that he has discussed the salt purchase issues with the COG and the COG Solicitor. Mr. Googins feels that this matter should still be reviewed.

**EXECUTIVE SESSION:** Mr. Burns requested Council go into Executive Session in regard to a personnel contract negotiation matter at 10:06 p.m.

There being no further business, the motion of Mr. Morrone, seconded by Mrs. Skonieczny to adjourn the meeting at 10:47 p.m. was unanimously carried.

Margie L. Nelko  
Borough Secretary

Randy Kunkle  
Borough Manager

List of Bills attached to the Minute Book