

Economy Borough Council
Regular Meeting Minutes
May 24, 2016

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, Mr. Tom Fetkovich, Mr. Larry Googins, Mr. Frank Morrone, Mrs. Audrey Mutschler, Mrs. Pat Skonieczny, Mayor David Poling, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Borough Solicitor Mr. Joseph Askar, Joshua Kail, Esq., and Police Chief O'Brien.

ABSENT: Mr. Gary Bucuren (Excused)

OPENING PRAYER

PLEDGE OF ALLEGIANCE

NON-UNIFORMED PENSION and POLICE PENSION REVIEWS: Mr. William Vescio, of Vescio Asset Management LLC., presented Council with an update and a market commentary of Non-Uniformed Pension Fund and the Police Pension Fund for the First Quarter of 2016. It was noted that the Trustee Names have been updated and the correct names will appear on the next set of reports.

PUBLIC HEARING FOR SOLAR PANEL ORDINANCE NO. 456: The Borough Solicitor announced to those in attendance that the public hearing is intended to afford the public an opportunity to comment on the proposed Ordinance No. 456. The Borough Manager verified that the public hearing and Ordinance No. 456 were advertised as required. Ordinance No. 456 is amending Chapter 180 of the Borough Code entitled "Zoning" to establish regulations regarding solar photovoltaic systems. Having satisfied all questions and comments, the Borough Solicitor requested a vote be taken to approve Ordinance No. 454. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Fetkovich to approve Ordinance No. 456 was unanimously carried.** The stenographer minutes will be attached to the Minute Book.

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:

Okey Matthews of 335 Springer Road, Freedom
Mr. Kevin Szakelyhidi of Bankson Engineering, representing the West View Water Authority

HEAR THE PUBLIC:

Okey Matthews was present to request an update regarding 345 Springer Road. There was discussion regarding this property not making it on the list for the Beaver County Community Development Program, for dwellings that need demolished. The Borough Manager stated that starting last week this property owner is being cited daily for the condition(s) of the property. The Borough Solicitor requested time to research this more and would prepare a report for the next regular scheduled meeting of Council.

Mary Ann Berosh (not signed in) was present to express her displeasure and concerns regarding Northern Lights Shopping Center's unsightly buildings and the poor shape of the parking lot and to inquire about the steps necessary to ban burning within the Borough. There was discussion regarding the new sign installation and the status of Taco Bell in Northern Lights Shopping Center. There was also discussion regarding burning

within the Borough and the process of a petition. Mrs. Berosh was instructed to call Fire Chief Thomas to issue a complaint and to circulate a petition if she so chose. The Borough Manager was asked to forward a copy of the Burning Ordinance to Council for review.

Mr. Kevin Szakelyhidi was present to review items that have been updated since the last meeting of Council and to ask what is needed to proceed in acquiring a street opening permit. There was discussion regarding the paving of the Economy Borough portion of Tevebaugh Road (approx. 2,000 linear feet), the request to move the trench location to off center of the road and the provisions of closing the road during the project. Mr. Szakelyhidi stated that the road would be closed during working hours with emergency vehicles and residents having access. The roadway would also be open during the evenings and/or non-working hours. There was some discussion about offering an exception to Ordinance No. 217 and if the exception would violate the ordinance. The Borough Solicitor noted that Council could approve the exception with the understanding that an amendment change to the ordinance would need some language clarification that all situations will be looked at on a case by case scenario, which would require a vote. This will require a memorandum of understanding between West View Water and the Borough. There was further discussion that Council should have the latitude to make these types of decisions. Mr. Burns stated that authorization should be given to West View Water to move forward in obtaining a street opening permit, it was determined that a vote was not required for this. Section 160-25.F. (last sentence) states that the bond shall be approved by the Borough Council, Mrs. Skonieczny inquired if this was done. Mr. Szakelyhidi stated that the application has been submitted but they have not received the bond amount. Mr. Szakelyhidi stated that a bond will be submitted at the time an amount is established. The Borough Solicitor recommended Mr. Szakelyhidi contact both the Borough Engineer and Borough Manager to include everything in a letter to Council for approval. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Fetkovich to amend Ordinance No. 217 giving Council the latitude of a case by case scenario to determine if it is appropriate to close a road(s) with an effective date encompassing this project date was unanimously carried with the exception of Mrs. Skonieczny who opposed.**

MINUTES of the Regular Meeting held on May 10, 2016, were presented to Council. There was some discussion regarding the three to six months (3-6 mths) wording in the fifth (5th) sentence of the first (1st) paragraph on page 230. **After some review, the motion of Mr. Fetkovich, seconded by Mr. Morrone to approve the Council Minutes of May 10, 2016, was unanimously carried.**

FINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: No Report.

PROPERTY and BUILDING COMMITTEE: No Report.

PUBLIC SAFETY COMMITTEE: Mr. Googins, Chairperson of the Public Safety Committee, presented Council with an update regarding the contract negotiations for the Economy Borough Police Department and requested executive session to discuss a memorandum of understanding.

ORDINANCE COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: Mr. Fetkovich, Chairperson of the Public Works Committee, stated that he has received several complaints regarding high grass and hoarding issues at a house located near his home. The Borough Manager stated that the grass complaint was received on Thursday and the property was posted on Friday giving the owner five (5) days to correct the issue. If the grass is not cut then the Borough will have the grass cut and a lien will be placed against the property. There was discussion regarding the hoarding and the safety concerns it poses. The Borough Manager stated that the District Magistrate has instructed the Borough to issue daily citations in order to give him the ability to act on them more.

MAYOR'S REPORT: No Report. The Mayor expressed his concerns regarding the state of Northern Lights Shopping Center (NLSC) and that he has been receiving complaints regarding such. There was discussion regarding transients and the police policy on handling them. There was some discussion regarding the Borough having no control over the parking lot maintenance and that all of the issues would need to be reviewed. There was discussion regarding whether the Code Enforcement Officer or an outside Code Enforcement Officer could cite NLSC for the dilapidated buildings and other safety concerns. There was some discussion regarding asking NLSC to update the Borough with its intentions for the shopping center. The Borough Manager stated that the NLSC Management has responded to and corrected specific issues that were brought to their attention. The Borough Manager was instructed to write a letter to the NLSC Management (with a carbon copy to the owners) informing them that the Borough is receiving complaints and the Borough's intentions.

SOLICITOR'S REPORT: No Report.

OLD BUSINESS:

1. **Animal Control** – The Borough Solicitor has reviewed the agreement and has found it to be a solid legal document with a typographical error changing the word Township to Borough. There was some discussion regarding worker's compensation insurance for any employees. Chief O'Brien explained that this is a family operated business and that she has agreed to handle the Borough herself. The Borough Solicitor requested that the Borough be included on the insurance certificate. The Borough Manager requested Council to take action on this issue which will help with animal removal. There was some review of the dead deer fees of \$50.00 each. **After some review and discussion the motion of Mrs. Mutschler, seconded by Mr. Morrone to accept the agreement with Animal Control Services (Kymberly A. Seccret) effective until December 31, 2018 was unanimously carried.**
2. **Prior Employee Letter** – Mrs. Mutschler inquired about the status of the letter received from a prior employee regarding contractual terminology. The Borough Manager stated that the letter was forwarded to the Borough Solicitor for review.

Mrs. Mutschler stated that she would like to discuss personnel issues regarding overtime and contract items during executive session.

NEW BUSINESS:

1. **2016 Spring/Summer Beaver County Regional COG (BCRCOG) Commodities** – The Borough Manager presented Council with a list of low bidders for the 2016 Spring/Summer BCRCOG Commodities. The Borough Manager recommends accepting the low bids and authorizing the execution of the agreements. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Googins to accept the 2016 Spring/Summer BCRCOG Commodities was unanimously carried.**
2. **Taco Bell** – The Borough Manager presented Council with an update regarding the proposed construction of a Taco Bell located at the Northern Lights Shopping Center. This project is in the planning process and could possibly be on the agenda for the next regular scheduled meeting of Council. There was some discussion regarding the planning process and the time frame of such.

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session regarding contractual and personnel matters at 8:14 p.m., as per the motion of Mr. Morrone, seconded by Mr. Googins.

On the motion of Mr. Fetkovich, seconded by Mr. Googins to reconvene at 9:26 p.m. was unanimously carried.

Mrs. Skonieczny left the meeting at this time. (9:26 p.m.)

12 Hour Work Shift Memorandum of Understanding (MOU) – After some review, the motion of Mr. Googins, seconded by Mr. Burns to accept the MOU for the Economy Borough Police Officers Association was unanimously carried by all members of Council present.

There being no further business, the motion of Mrs. Mutschler, seconded by Mr. Morrone to adjourn the meeting at 9:28 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager

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

1. Approval of Solar Panel Ordinance No. 456 (as per stenographer minutes).
2. Approval to amend Ordinance No. 217.
3. Approve Minutes of May 10, 2016.
4. Approval of Animal Control Services Agreement.
5. Approval 2016 Spring/Summer Beaver County Regional COG Commodities.
6. Accept a Memorandum of Understanding for the Economy Borough Police Officers Association.