

Economy Borough Council
Council Minutes
July 11, 2017

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. Gary Bucuren, Mr. Larry Googins, Mrs. Audrey Mutschler, Mrs. Pat Skonieczny, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, representing the Borough Solicitor, Mr. Joshua Kail, Esq. and representing the Borough Engineer, Mrs. Sandra Nelko.

ABSENT: Mr. Frank Morrone (Excused)

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS: Mr. Googins 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:

Mr. & Mrs. David Horn of 1395 Harmony Road, Baden
Roger Kowal of 479 Amsler Ridge Road, Sewickley

HEAR THE PUBLIC: As requested via email by Mrs. Mutschler and Mr. Burns, this section of the minutes are verbatim.

Roger Kowal - 479 Amsler Road, ah, a couple of things I gotta ask, ah number one, just somethings that need clarified. Last week there was an article in the paper about an ethics violation possibility, I would like our attorney to explain what the ethics policy is, as far as, like being able to bid on jobs if, your if your involved in the a, ah... Mr. Burns – What ethics violation would that be?

Mr. Kowal – Well, ah, you said, not going to say a name, but say you're on a board we are not allowed to bid on jobs or do anything as long as we are in official business.

Mr. Burns – How is that, that ah, my business has nothing to do with the Borough and it's a private job so how does that interact with this Borough.

Mr. Kowal – Because, you are not supposed to put yourself, it's just it's just an ethical thing because... Mr. Burns – Ok, ok, um... Mr. Kowal – That's number one.

Mr. Burns – No, no, now you asked a question, no let me go back. You have other council members here who have cleaning businesses, electrical and different businesses... Mr. Kowal – Right.

Mr. Burns – Now, tell me the difference between cleaning a house, this indiv, a council person here, cleaning a house here in the Borough or another person doing construction work in the Borough.

Mr. Kowal – If um, I'll give you a prime example, being on the school board for Ambridge, I am not allowed to bid on any work affiliated with Ambridge Area School District. It's an ethical violation, I am not allowed to do it. Now, I want to know what the difference is because if you're allowed to do it here then maybe I can do it there because I have a business also, that's number one.

Mr. Burns – Well now see, now you just contradicted yourself because you said Ambridge Area School District, it doesn't include you from working in Ambridge Borough does it?

Mr. Kowal – I can't do any work for Ambridge Area School District, the same as you... Mr. Burns

– Ok, ok, wait a minute, wait a minute you.... Mr. Kowal – You are, you are...

Mr. Burns – I am just answering your question.

Mr. Kowal – Go ahead.

Mr. Burns – You just said Ambridge Area School District.

Mr. Kowal – I am asking... Mr. Burns – You can work in Ambridge Borough.

Mr. Kowal – You're right, I can work for Ambridge Borough, yes.

Mrs. Mutschler – I think what he is trying to explain and ask the question is, the votes that were made here on Council whether we one of them was to cite Northern Lights or not to cite Northern Lights that you, ah, didn't recuse yourself or you made it known that you work for them.

Mr. Burns – I didn't have to.

Mrs. Mutschler – And why did you not have to?

Mr. Burns – Because... Mrs. Mutschler – Ah I think it's a conflict of interest because anything that might help them is helping you. You're making an income from them.

Mr. Burns – Well, let's back up... Solicitor – Wait, wait a second... Mr. Googins – Hold on, first of all, I'll do it right now, I don't want to, ah, interrupt what you're saying but Mr. Kowal had a question and that's not wasn't his question... Mrs. Mutschler – Ah.

Mr. Googins - Its Mr. Kowal right now... Mrs. Mutschler – Ok.

Mr. Googins – If you have an issue you can bring that... Mrs. Mutschler – Ok, oh I will.

Mr. Googins - up sometime later.

Mr. Kowal – Well it, there was a lot of things I went to the Zoning Hearing Board Meeting last two, a couple weeks ago and one of the people on the board should have not voted because they are employed by somebody that has an influence on that Zoning that took place.

Mr. Burns – Who was that?

Mr. Kowal – One of your, one of the people on the board, it's up to you to, I am just giving you guys the information... Mr. Burns – No, who does he work for... Mr. Kowal - You guys go ahead and do the investigation. Mr. Burns – Who does he work for? Mr. Kowal - Last night we had a meeting of the Planning Commission and one of the people there recused himself from the vote, which he should have and I commend him for that.

Mr. Robert Meegan – But I didn't have to because he... Mr. Burns – Wait, whoa, whoa, but who does he work for?

Mr. Kowal – You.

Mr. Burns – What, what company is that?

Mr. Kowal – What do you mean, what company, your company.

Mr. Burns – What company?

Mr. Kowal – Your company.

Mr. Burns – Ok.

Mr. Kowal – Alright, now I am just asking those questions, the last thing, last question I have is, I want to get some trees cut down on Compton Road because Compton Road the trees are all hanging over and you can't drive up and down there without tearing off the top of my motorhome. So, I need that taken care of too. In the meantime, you guys should be able to sit around and discuss and your attorney should be able to come up with something... Mr. Burns – Well um I am going to refer this to the Solicitor then.

Borough Solicitor – As far as, the ethics policy?

Mr. Burns – Yea.

Borough Solicitor – I am not sure what the ethics policy is at this point. However, I think what you're referring to is the violation, and I am not completely familiar with all the facts that are going on here, but a violation of the ethics code is when an individual contracts with the Borough. Ah, as far as... Mr. Kowal – But you're using your political influence to to get other jobs because of your political influence, that is a ethics violation.

Mr. Burns – No wait, you're making a statement, do you, do you know the facts?

Mr. Kowal – That's, I am asking... Mr. Burns – No, you're making a statement, you just made a statement do you know the facts? You just made a statement that I was using... Mr. Kowal – No, I said... Mr. Burns – No, no, yes you did, yes you did... Mr. Kowal – No I said you can use... Mr. Burns – No, no, you just made a statement that I used my political subdivisions... Mr. Kowal – I didn't say that.

Mr. Burns – Yes you did.

Mr. Kowal – I didn't say that.

Mr. Burns – Well we'll find out it's going to be on record.

Mr. Kowal – I said that you can use it, if you had the opportunity to use it.

Mr. Burns – How, how would that be, its private, it's a private.

Mr. Kowal – I don't know how it could be.

Mr. Burns – Ok.

Mr. Kowal – That's up to you guys on Council to discuss it and try to figure out if it that was/is a breach of it.

Mr. Burns – Alright, moving on. Anyone else?

Mr. Googins stated that the Borough Manager noted the concerns on Compton Road and that they will be looked into.

MINUTES of the Regular Meeting held on June 27, 2017, were presented to Council. **After some review, the motion of Mr. Googins, seconded by Mrs. Mutschler to approve the Regular Meeting Minutes of June 27, 2017 as presented was unanimously carried with the exception Mr. Burns due to he was not at the meeting.** Mrs. Mutschler stated that there is an ethics form (from the ethics website) that is to be completed every time you abstain and it is to be attached to the minutes.

FINANCE COMMITTEE: Mr. Bucuren, Chairperson of the Finance Committee, reviewed the Bills Payable entered June 14, 2017 through July 11, 2017, in the amount of \$72,376.01 from the General Fund and in the amount of \$1,207.98 from the Highway Aid (Liquid Fuels) Fund were presented to Council for review.

Mrs. Mutschler questioned the Borough Manager on check number 25880 for 2017 Mileage Reimbursement (01 - 06/2017). Mrs. Mutschler asked for the time frame of the reimbursement and asked if he was keeping a log of where he went. The Borough Manager stated that this is a six (6) month reimbursement and yes there is a log to document the traveling.

Mrs. Mutschler questioned the Borough Secretary on check number 25876, payable to Kalahari Resort, for the 2017 PAMA Conference-Nelko (08/16 – 08/19/2017). Mrs. Mutschler asked if this is the same conference as last year and where it is taken place. The Borough Secretary stated this is for the 2017 PAMA Conference and it is in the Pocono Mountains. Mrs. Mutschler requested a sheet on what it involves. Mrs. Mutschler stated that we know the road department is going out and it would be nice to know where you are going and what's involved with it. The Borough Secretary stated she would send the information out. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to approve the List of Bills Payable was unanimously carried.** Mr. Bucuren requested that the minutes note that he approves the bills with the exception to the Public Works bills, due to his brother works in the department.

General Fund

06/14/2017	25841	Sukup Steel Structures	Transom Aluminum Storefront Door	2,498.00
07/11/2017	25842	ADT Security Services	Monthly Security Service	90.16
07/11/2017	25843	Aflac	Employee ACC Insurance	309.40
07/11/2017	25844	Ambridge Water Authority	2017 2nd Qtr. Water Service	622.19
07/11/2017	25845	Amcom Office Systems, Inc.	Monthly Copier Maintenance/Overage	19.39
07/11/2017	25846	Animal Control Services	Animal Control Service Fee	550.00
07/11/2017	25847	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	330.00
07/11/2017	25848	Baierl Automotive-Ford	Vehicle Diagnostic Service	189.95

07/11/2017	25849	Barristers Land Abstract Company	2017 Real Estate Tax Refunds	494.81
07/11/2017	25850	Bauman Office Plus	Misc Office Supplies/Binding Machine	793.66
07/11/2017	25851	Beaver Cty Dept. of Waste Mgmt.	2017 Recycling Brush-Grass	427.50
07/11/2017	25852	Beaver Cty Times-Newspapers Inc.	Legal Ad-Zoning-Public Hrng-2017 Roadway Imp Proj	1,277.20
07/11/2017	25853	Bender, Kathy & Emily (Etal.)	2017 Real Estate Tax Refund	18.90
07/11/2017	25854	Bob Sumerel Tire Co., Inc.	Tire Repair Services	521.02
07/11/2017	25855	Building Insp Underwriters of PA	Building Permit Inspections	648.00
07/11/2017	25856	Columbia Gas	Monthly Gas Service	1,732.00
07/11/2017	25857	Comcast 0029740	Monthly Internet/Phone Service	467.41
07/11/2017	25858	Corelogic Real Estate Tax Service	2017 Real Estate Tax Refund	264.60
07/11/2017	25859	Coverall North America, Inc.	Monthly Cleaning Services	739.00
07/11/2017	25860	Crimestar	RMS Annual Support Fees	1,500.00
07/11/2017	25861	Crivelli Ford, Inc.	Vehicle Diagnostic Service	366.72
07/11/2017	25862	Cummins Inc.	2017 Generator Maintenance Agreement	1,921.68
07/11/2017	25863	DCED UCC Fees	2017 2nd Qtr UCC Fees	188.00
07/11/2017	25864	Duquesne Light Company	Monthly Electric Service	1,400.17
07/11/2017	25865	Economy Borough Senior Citizens	2017 Economy Boro Senior Citizens Allocation	1,000.00
07/11/2017	25866	Economy Electric Supply Co.	Misc. Electrical Operating Supplies	80.50
07/11/2017	25867	Economy Plumbing & Heating Co.	Misc. Operating Supplies	49.57
07/11/2017	25868	FNB Commercial Credit Card	Misc. Purchases	370.46
07/11/2017	25869	General Code	2017 Ordin. Codification ECode360 Maint. Fee	1,195.00
07/11/2017	25870	H. A. Thomson Co.	Property, Equipment & Auto Insurance	123.40
07/11/2017	25871	Herzog Truck Service, Inc.	Vehicle Inspection Service	95.00
07/11/2017	25872	Iron City Workplace Services	Uniform/Rug Services	368.56
07/11/2017	25873	JC Ehrlich Co., Inc.	Pest Control Services	132.98
07/11/2017	25874	Joseph A. Askar Law Offices	2017 Solicitor Services & Retainer	2,913.75
07/11/2017	25875	Jovanovich, Daniel & Linda	2017 Real Estate Tax Refund	62.85
07/11/2017	25876	Kalahari Resort	2017 PAMA Conference	519.93
07/11/2017	25877	Keymax Settlement Service LLC	2017 Real Estate Tax Refunds	1,384.53
07/11/2017	25878	Keystone Closing Service, LLC	2017 Real Estate Tax Refund	701.86
07/11/2017	25879	Knighthawk Alarm Services	Electronic Lock Service/Repair	595.00
07/11/2017	25880	Kunkle, Randy S.	2017 Mileage Reimbursement (Jan-June)	235.35
07/11/2017	25881	LCA-Lease Corporation of America	Telephone Leasing	209.81
07/11/2017	25882	Shoup Engineering Inc.	Engineering Services	530.25
07/11/2017	25883	Sewickley Construction Products Inc.	Storm Drain/Pipe Repair Parts	1,045.44
07/11/2017	25884	S & D Calibration Services, Inc.	Acutrak, Enrad-Vascar Certs.	200.00
07/11/2017	25885	Russell Standard Corp.	Cold Patch	902.00
07/11/2017	25886	Reliance Standard Life Insurance	Group Life Insurance Coverage	442.40
07/11/2017	25887	Reed Oil Company	Diesel Fuel	1,546.31
07/11/2017	25888	Prof. Graphic Communications Inc.	Building Permit Printing	86.14
07/11/2017	25889	PGH Networks	Telephone Maintenance	99.00
07/11/2017	25890	Petty Cash	Replenish Petty Cash	131.18

07/11/2017	25891	PAMA	2017 PAMA Conference Reservation	300.00
07/11/2017	25892	Occidental Life Insurance Co of NC	Employee Paid Life Insurance	79.14
07/11/2017	25893	Nationwide Employee Benefits	Group Life Insurance Coverage	376.66
07/11/2017	25894	National Fire Safety Co.	Annual Fire Extinguisher Service	519.50
07/11/2017	25895	Napa-Station Auto Parts	Vehicle Repair Parts	921.75
07/11/2017	25896	Mitel Cloud Services	Monthly Telephone Service	279.05
07/11/2017	25897	Michael Baker International, Inc.	Planning Commission Consultant Fees	800.00
07/11/2017	25898	MDIA	Building Permit Inspections	1,089.24
07/11/2017	25899	Marsilio Court Reporting Service	2017 Stenographer Services	668.30
07/11/2017	25900	MAGLOCLEN	2017-2018 Middle Atl. Grt Lakes Org Network Fees	400.00
07/11/2017	25901	Lereta	2017 Real Estate Tax Refunds	709.13
07/11/2017	25902	Spectrum Medical Corp, LLC	Pre-employment Drug Testing	70.00
07/11/2017	25903	Sprint Communications	Mthly Cellphone Service	421.44
07/11/2017	25904	Staley Communication-BearCom-	2017 Radio Service Contract	200.00
07/11/2017	25905	Stanley's Economy Auto Supply Inc.	Vehicle Repair Service	218.75
07/11/2017	25906	SunSetz Lawncare	2017 Contracted Lawn Maint. Service	280.00
07/11/2017	25907	SWIF-State Worker's Insurance Fund	Wrkrs Comp Ins Payment	1,516.00
07/11/2017	25908	Taylor & Alsko	Zoning Hearing Consultant Fees	712.50
07/11/2017	25909	Teamsters Local Union 250	Union Dues	360.00
07/11/2017	25910	The Sherwin-Williams Co.	Paint Supplies-Dumpsters	39.99
07/11/2017	25911	Tomaszewski, Raymond	Mileage Reimbursement-CEO	45.64
07/11/2017	25912	Verizon S0007576-Business	Monthly Telephone Service	71.66
07/11/2017	25913	Vi-HAUS	2017 Monthly Hosting Agreement Fees	875.50
07/11/2017	25914	W. PA Teamsters Emp Welfare Fund	Monthly Health Insurance	26,055.20
07/11/2017	25915	Wex Bank-Sunoco	Monthly Gasoline Usage	2,512.28
07/11/2017	25916	Wine Concrete Products, Inc.	Catch Basin/Knockout Box Base	190.00
07/11/2017	25917	Wright Automotive Group	Vehicle Repair Parts	273.25
				<u>72,376.01</u>

Highway Aid Fund

07/11/2017	131	Duquesne Light Company	Mthly Electric Service-Street Lights/Traffic Signals	<u>1,207.98</u>
				1,207.98

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: No Report.

PROPERTY and BUILDING COMMITTEE: No Report.

PUBLIC SAFETY COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: Mrs. Mutschler, Chairperson of the Public Works Committee, presented Council with updates regarding the following issue(s) and requested an executive session to review the contract.

1. Public Works Bi-monthly Report – After some review and discussion, this report was ordered received and filed.
2. Class A CDL – Mrs. Mutschler stated that some of the public works department employees would like to upgrade their license from Class B CDL's to Class A CDL's. Members of Council discussed the process in which this would happen which included the use of a Borough owned truck with a trailer and that another Class A CDL employee would need to accompany them. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to allow road department employees who want to obtain a Class A CDL to move forward using Borough owned property was unanimously carried.**

MAYOR'S REPORT: Mayor Borato commended our police force for bringing closure to the family of the missing resident. Mayor Borato also noted that Beaver County is sponsoring a "Barn Bash" on July 21, 2017, from 6 p.m. to 9 p.m. at the barn in Economy Park. This event is free to the public and will include a performance by National Recording Artist Dawn Savage.

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

1. Skonieczny Lawsuit – No update at this time.
2. Sewage Enforcement Officer (SEO) Re-appointment – The Borough Manager is waiting for a response to the agreement recommendations that were made.
3. Public Works Contract – This matter will be discussed in executive session with no vote.
4. E. Fitzgerald Retirement – This matter will be discussed in executive session.
5. Police Pension Ordinance (Amendment) – The Borough Solicitor explained that the police contract changed the Drop Plan from a 2 year to a 3 year plan. This change needs to be reflected in the Ordinances and a draft will be reviewed with the Ordinance Committee for a recommendation for advertising.

ENGINEER'S REPORT – The Borough Engineer presented Council with updates regarding the following issue(s):

1. Traffic Calming Study (Harmony Road) – Mrs. Sandra Nelko presented Council with an update regarding the meeting of The Borough Engineer, Borough Manager and some of the Harmony Road Residents. The Borough Engineer will need to do further research to determine which option will be the best by checking sight distances and roadway grades in order to comply with PennDot. Members of Council discussed the various options available and the options that were discussed at the above mentioned meeting. Mrs. Nelko stated that speeds and topography will limit the options available for this road.

OLD BUSINESS:

1. Fee Resolution – This matter is still on hold while waiting for input from the Planning Commission.
2. New F350 Pickup Truck – The Public Works Forman is researching information for this matter.
3. Ambridge Water Authority Agreements (AWA) – This matter is pending.
4. Petty Cash Policy – This was forwarded to the Finance Committee for review, no update at this time.
5. Bonding for Borough/Employee Dishonesty Rider – The required paperwork is being worked on and will be sent to PIRMA.
6. Summer Help Position – No applications were received.

NEW BUSINESS:

1. Economy Senior Citizens Donation – A letter, dated May 4, 2017, was received from Mrs. JoAnn Smith, President and Mrs. Carmen Petroff, Treasurer of the Economy Senior Citizens regarding the annual donation from the Borough of Economy. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mr. Bucuren to approve this year's donation to the Economy Senior Citizens was unanimously carried with the exception of Mr. Googins, who abstained due to he is a member of the group.**
2. Refuse (Garbage) Contract Bids – The Borough Manager reviewed the documents received from Brighton Township and Baden Borough regarding their recent refuse bids. The Borough Manager explained that his intent is to use these four (4) documents to prepare bid specs for Council's review. The Borough Manager pointed out that Baden Borough has an option with Waste Management, Inc., who is licensed by the state, to pick up household waste and electronics. Baden Borough residents pay \$1.00 more a month for this beneficial service. Members of Council discussed billing concerns and reviewed how other municipalities are billed/bill for refuse service. The Borough Manager stated that the Brighton Township specs included billing the residents directly.

OTHER BUSINESS: As requested via email by Mrs. Mutschler and Mr. Burns, this section of the minutes are verbatim.

Mr. Burns – I got a question and I don't know who to direct this at, I don't know if it would be you Mr. Kunkle or you Mr. Kail. I recused myself on a job that has nothing to do with this Borough. Ok, and my question is we have council members here on this council that sit, that have family members that work for this Borough and one of their family members is on the police bargaining unit and they voted on the contract and another member works for the road department. Now I recuse myself from a job that has nothing, taking votes on a job that has nothing to do with this Borough. I would like to know if we can call Harrisburg and find out if these other council members were in the wrong or in the wrong because there is financial gain to family members. Mr. Kail.

Mr. Bucuren – That was brought up before and that was... Mr. Burns – we never heard...

Mr. Bucuren – Before Mr. Kail or Mr. Askar was brought up before because I recused myself because my brother being with the road department ok and it was said that only if there was a gain some way that there was a gain for him on a vote that I was doing and that's the reason... Borough

Solicitor – There... Mr. Bucuren – That's what I was told... Borough Solicitor – My, my

understanding... Mr. Bucuren...(Inaudible)... Borough Solicitor - the situation with the bargaining unit is there is a provision within the ethics act regarding, ah, members, family members in particular of the bargaining unit. Other than that I really don't feel comfortable answering knee jerking questions whether its relating to this situation or another one without one (1) having some time to actually look into everything understanding the facts and two (2) ah, making sure that I don't cross any lines speaking on behalf of anybody other than the Borough and I, you know I don't want to say something and someone take it as personal advice relating to the ethics commission and stuff like that so as far as these questions I can absolutely take a look at it, I can get you an answer as far as our ethics policy and I think it's a good idea to take a look at it and absolutely do that. But I am not inclined to really start giving knee jerk opinions on very serious issues... Mr. Burns – Na, I understand that and I understand that, but certain council members are grilling me over my private business that has nothing to do with this Borough but on the other end there is a family financial gain and these individuals have not recused themselves.

Mrs. Skonieczny – Well, wait... (Inaudible)

Mr. Bucuren – Where are you coming up with financial gain, what... Mr. Burns – Did they get raises, did they get raises... Mr. Bucuren – First of all that... Mr. Burns – Benefits... Mr. Bucuren – That... Mr. Burns – Benefits that's financial gain.

Mrs. Mutschler – And you're not getting a financial gain from Northern Lights?

Mayor Borato – Now wait a minute that is a private, two private businesses... Mr. Burns – Private corporations... Mayor Borato – Doing business together, right.

Mrs. Mutschler – Wait, wait, wait, I just want to bring up about the article because apparently maybe you outta call the Times cause it said you were quoted in here that you started working for them what five years before you came on Council... Mr. Burns – Yea... Mrs. Mutschler – When was that because I thought five years before I thought it was Dave Poling that had that had job down there, that you didn't come to work down there until 19, 2013 or 2014... Mayor Borato – He is... Mr. Burns – I am not saying that I work for the... Mayor Borato – He's... Mr. Burns – corporation all over... Mayor Borato – Yea, yea... Mr. Burns - They have properties... Mrs. Mutschler – I know they have properties... Mr. Burns –In other states... Mrs. Mutschler – It's the one down there that was mentioned down there that you did the snow maintenance... Mr. Burns – That's not the question... Mayor Borato – Read the whole sentence again, read the whole sentence.

Borough Solicitor – We are kinda getting out... Mr. Burns – Yea, we are litigating something that... Mrs. Mutschler – But I just think that if you have a financial gain and you're voting on something that your corporation is dealing with down there... Mr. Burns – Well, can we call Harrisburg and find out about these other stuff, cause I will be in Harrisburg next week and I will be in the ethics office... Borough Solicitor – so you can get an ethics... (Inaudible)

Mrs. Skonieczny – I would like to address because you intimated my position on Council. I have called Harrisburg several times and spoke to the ethics commission and I also explained if you go back in the minutes I full explained my conversation with the ethics commission and what I was told and there is case law on there that specifically that, ah, addresses my issue and what you don't seem to understand is there is no financial gain. I was able to vote on the police contract because it was a contract for the whole police department not for my son.

Borough Solicitor – Part of a bargaining unit... Mrs. Skonieczny – Yes and so it was, I checked before I voted.

Mr. Burns – Well it seems kinda fishy, it seems fishy... Mrs. Skonieczny – I checked before I voted and it's also in the minutes in detail what I they, what I was told.

Mr. Burns - That was your opinion, we did not... Mrs. Skonieczny – It wasn't my opinion, it was the ethics commission... Mr. Burns – Do we have a letter, do we have a letter on file from them... Mrs. Skonieczny – You don't need a letter on file from them, if you don't believe me call them and you'll find out... Mr. Burns – I will be there, I will be there next week... Mrs. Skonieczny – Well good then, I then we will expect an apology the following meeting.

Mr. Burns – I am asking a question, you ask many questions, I am asking a question... Mrs. Skonieczny – You're accusatory... Mr. Burns – I didn't accuse anyone, did I say your name... Mrs. Skonieczny – Yes, you accused us of having financial gain... Mr. Burns – Did I say your name, do you feel guilty... Mrs. Skonieczny – You said council members... Mr. Burns – Council members, members... (Inaudible-several people talking at once)

Borough Solicitor – We had, we had two items for executive session... Mrs. Mutschler – Whoa, whoa, whoa... Borough Solicitor – the Earl Fitzgerald letter and the other item... Mrs. Mutschler – Wait, we have an update... Mr. Bucuren – We, we even got... Mrs. Mutschler – We have an update on the agenda... Borough Solicitor – I thought this went around and said we were pushing cause I the, Joe and I hadn't seen any documents... Mr. Burns – Yea, when did this come, cause I didn't receive it... Mrs. Mutschler – Agenda update... Mr. Burns – When did that come... Borough Solicitor – It came about 4:30 today... Mr. Burns – We can't talk about this... Mrs. Skonieczny – Yea we can... Mrs. Mutschler – Well, why not... Mr. Burns – No we can't... Mr. Skonieczny – Yes we can, it's on the agenda... Mrs. Mutschler – It's not on the agenda and it's put on there, you need to read your emails... Mr. Burns – At 4:30... Mrs. Mutschler – Well, yea... Mrs. Skonieczny – It's on the agenda lets...

Borough Solicitor – I, from a legal stand point I have to say we have not had an opportunity to review the recommendation the documentation or any other matter to legally approve or disapprove this situation... Mrs. Mutschler – Of which one... Borough Solicitor – Either of them... Mrs. Skonieczny – Then why was it on the agenda... Borough Solicitor – I don't know why... Mr. Bucuren – Can we ask Randy why it was put on the agenda.

Borough Manager – The Chairman of the Planning Commission requested that I do it. I told him that I would but that it may or may not be taken up... Mrs. Mutschler – Well... Borough Solicitor – I can't make a recommendation either way... Borough Manager – I told him we normally have the agenda done on Thursday prior to the council meeting... (Inaudible)... Mrs. Mutschler – Ah about a subdivision of McNamara-Beatty subdivision that was down at Planning Commission last night and the Northern Lights subdivision... Borough Solicitor – I told you I have not seen any documentation I saw that and that's it and that's about it. I haven't seen any recommendation, I haven't seen anything from the county, I haven't seen any of the documentation that relates, from my standpoint I cannot render an opinion either way.

Mrs. Mutschler – Has the Zoning Hearing Board signed off on the letter?

Borough Manager – Not all three members, no.

Mr. Burns – So how can we vote on it... Mrs. Mutschler – Well you went through last night and it pushed through on planning and said they could based on their signature so when you go and re-read these documents please get the transcript from the Zoning Hearing Board and please read them and

please read when you apply for a zoning variance the criteria, because it says that the, that the property can't be, ah um, what do I want to say... Mrs. Skonieczny – Subdivided... Mrs. Mutschler – Not subdivided... Mrs. Skonieczny – A variance... Mrs. Mutschler – No, no... Mrs. Skonieczny – A section... Mrs. Mutschler – Ah, no, this is like doing charades... (Inaudible-laughing) Mrs. Mutschler – First word... Mrs. Skonieczny – It's a movie... Unknown – Sounds like.

Borough Solicitor – I will take a look at all the relevant documentation and I'll be prepared certainly at the next meeting but I got an email and Randy just got it himself this afternoon... Mrs. Mutschler – It says a property... Borough Solicitor – especially now that I... Mrs. Mutschler – It can't be, um... Borough Solicitor – understand the dispute... Mrs. Mutschler – It can't be developed... Borough Solicitor – There is no way... Mrs. Mutschler – Its undevelopable that's one of the criteria... Mayor Borato – Isn't that, it developed... Mrs. Skonieczny – Yea... Mrs. Mutschler – It's developed down there, it has buildings on it, so how can it be undeveloped... Mayor Borato – I thought they, that's why they were grandfathered in many, many, many moons ago... Mrs. Mutschler – So you go in for a variance because I, um, I can't develop this property it's undevelopable.

Borough Solicitor – Did the Zoning Hearing Board approve it?

Mrs. Mutschler – Yes, they did.

Borough Solicitor – What did they say about it?

Unknown – No

Mrs. Mutschler – Um, they didn't, well you, first of all... Borough Solicitor – Let me go and review... Mrs. Mutschler – Please read the transcript... Borough Solicitor – the transcript, I am not going to knee jerk here too.

Mrs. Mutschler – Ok

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session regarding a personnel matter and a contractual matter at 7:40 p.m., as per the motion of Mrs. Mutschler, seconded by Mr. Googins.

Mr. Tom Fetkovich entered the meeting at this time (7:42 p.m.)

There being no further business, the motion of Mrs. Mutschler, seconded by Mr. Googins to adjourn the meeting at 8:48 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 June 27, 2017 as presented.
2. Approve Bills Payable for July 2017.
3. Approve the road department to upgrade CDL's using Borough owned property.
4. Approval 2017 donation to the Economy Senior Citizens.