

Economy Borough Council
Regular Meeting Minutes
August 11, 2015

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. Tom Fetkovich, Mr. Larry Googins, Mr. Frank Morrone, Borough Manager Randy Kunkle and Borough Secretary Margie Nelko, Borough Solicitor Mr. Joseph Askar, Joshua Kail, Esq. and Borough Engineer Mr. Scott Shoup.

ABSENT: Mrs. Pat Skonieczny (Excused)
Mayor David Poling (Excused)

OPENING PRAYER

PLEDGE OF ALLEGIANCE

FIRE REPORT: Fire Chief John Thomas presented Council with updates regarding the Economy Volunteer Fire Department (EVFD). Chief Thomas reviewed the following issues:

1. Parking Lot Maintenance – In the past Council has approved the Public Works Department (PW) to tar and chip the lot, which has not been done within the last three or four (3 or 4) years. At this time, the EVFD is requesting Council to approve maintenance to the lot this year. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Bucuren to approve the PW to tar and chip the EVFD lot was unanimously carried.**
2. Hazardous Mitigation Representative – Chief Thomas was contacted by the Beaver County Borough's Emergency Services to update their contact information. The Borough Manager will be the Beaver County Hazardous Mitigation Representative. Chief Thomas stated that he is willing to help the Borough Manager with anything that may be needed.
3. Commercial Inspections – Chief Thomas, as the Fire Marshall, stated that he has put off the commercial fire inspections due to proposed construction work within Northern Lights Shopping Center that has not happened. Chief Thomas stated that he will begin these inspections September 2015. There was some discussion regarding the empty store fronts and fire hydrants.

POLICE REPORT: No Report

PUBLIC WORKS (PW) REPORT: Rich Dunn, PW Foreman, presented Council with an update report, which is on file in the Borough Office for review. The PW Department has worked on repairs to the trucks/equipment, brush chipping, boom mowing and did the necessary clean up after recent rain storms.

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:

Celia Janosik of 305 Hoenig Road, Sewickley
Ray McClellan of 196 Shaffer Road, Sewickley
Mark Kolakowski of 375 Center Street (Baden Resident)
Rev. James Hamilton of 1134 Maplewood Avenue (Ambridge Resident)
Adam Benford, Landman for Penn Energy

HEAR THE PUBLIC:

Mark Kolakowski was present on behalf of Baden Borough Residents to discuss concerns regarding the talk of a police consolidation between Baden Borough and Economy Borough. There was a meeting of two (2) Baden Council Members (Mr. Michael Stuban, Mrs. Kim Villella), Mayor Poling and Mr. Burns regarding a possible police consolidation between the Boroughs. Mr. Kolakowski stated that there is a text message being circulated describing a price and length of service for the consolidation. Mr. Burns stated that at the meeting Mr. Stuban and Mrs. Villella were told that a letter from the majority of their Council would need to be submitted and discussed by the Economy Borough Council. Mr. Fetkovich stated he was uncomfortable not knowing anything about this issue when he was approached by citizens from both Municipalities. Mr. Fetkovich reviewed a letter, dated August 11, 2015, implying that Baden Borough wishes to engage in discussion, but there were discussions prior to this letter. There was some discussion regarding the majority of our Council not knowing anything about this subject and the lack of transparency. Mrs. Barthelemy asked how Mr. Burns was invited to the meeting and if the Borough Solicitor attended. Mr. Burns stated that Mayor Poling asked him to attend. The Borough Solicitor stated he did not attend and feels that this type of meeting is not out of the ordinary. The Borough Solicitor also added that it appears Baden Borough has some internal issues and it seems as if members of our Council was led to believe they may need to provide a service to a neighboring community. Mr. Kolakowski agreed and reviewed his opinion as to how and why this has happened. The Borough Solicitor advised Council not to respond any further until a written document from Baden Borough Council as a whole is received.

Celia Janosik was present to discuss her concerns regarding a notification she received from PennDot about a gas well permit for Hoenig Road. Mrs. Janosik stated that it is Council's responsibility to do diligence to the residents and she is requesting Council address the permit and update Ordinance No. 440. Mr. Burns stated that the Borough has no control over this situation and that there are state laws in effect which Council needs to be abide by.

Rev. James Hamilton was present, on behalf of Celia Janosik, to review a document that was published in 1960 by Vernon E. Swanson regarding Uranium in carbonaceous rocks. Mr. Googins stated that these issues are at a state level and should be addressed with DEP and Council does not have any control over these issues which are regulated by the state.

Adam Benford, representing Penn Energy, was present to give Council an update regarding the gas drilling activities within the Borough and stated that Penn Energy is currently working with at least twelve (12) municipalities that have Ordinances.

Ray McClellan was present and stated that he is glad to see gas drilling in our area.

MINUTES of the Regular Meeting held on July 14, 2015, were presented to Council. **After some review, the motion of Mr. Googins, seconded by Mr. Bucuren to approve the Regular Meeting Minutes of July 14, 2015, was unanimously carried.**

FINANCE COMMITTEE: Mr. Googins, Chairperson of the Finance Committee, presented Council with an update regarding the following items:

1. Treasurer's Report for the month of July 2015, was presented to Council. After some review, this report was ordered received and filed.
2. Budget Report for the month of July 2015, was presented to Council. After some review, this report was ordered received and filed.
3. Bills Payable entered for the period of July 11, 2015, through August 11, 2015, in the amount of \$118,590.69 from the General Fund and in the amount of \$1,149.97 from the Highway Aid (Liquid

Fuels) Fund was presented to Council for review. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Morrone to approve the list of Bills Payable was unanimously carried, with the exception of Mr. Bucuren regarding the Public Works bills, due to his brother works in the department.**

General Fund

08/06/2015	23961	Sherbondy, William	2015 Easement Compensation	1,035.00
08/11/2015	23962	ADT Security Services	Monthly Security Service-Boro/PW	161.47
08/11/2015	23963	Aflac	Employee ACC Insurance	87.88
08/11/2015	23964	Albert's Heating/Air Conditioning, Inc.	Hydro Scrub/Camera Inspection-Boro Bldg.	325.00
08/11/2015	23965	Ambridge Lumber Company	Misc. Repair Supplies-Catch Basin-PW	52.10
08/11/2015	23966	Amcom Office Systems, Inc.	Xerox 7225PT Copier - 6600 Printer w/Maint-Pol	7,127.75
08/11/2015	23967	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	285.00
08/11/2015	23968	Beaver County Times-4-7248694779	Classified Ad-Office Assistant Position	288.84
08/11/2015	23969	Beaver County Times-Newspapers Inc.	Legal Ad-Floodplain Ordinance No. 449	272.75
08/11/2015	23970	Building Inspection Underwriters of PA	Monthly Building Permit Inspections	44.00
08/11/2015	23971	Butler Gas Products Co, Inc.	Monthly Cylinder Rental-PW	21.17
08/11/2015	23972	Clean Care, Inc.	Monthly Floor Mat Service-Pol	85.40
08/11/2015	23973	Columbia Gas	Monthly Gas Service	668.36
08/11/2015	23974	Comcast 0029740	Monthly Internet Service-Pol	183.13
08/11/2015	23975	Comcast 0029955	Monthly Internet Service-Admin/CEO/PW	103.63
08/11/2015	23976	Crivelli Ford, Inc.	Vehicle Repair Service-Pol	1,131.22
08/11/2015	23977	Culverts, Inc.	Pipe, Steel Type M Basin Grate-PW	5,792.00
08/11/2015	23978	Duquesne Light Company	Monthly Electric Service	1,439.16
08/11/2015	23979	E. Reid Powell Refuse, LLC	Roll-off Box Swaps (11) & Orange Refuse Bags (2)	2,455.00
08/11/2015	23980	Economy Electric Supply Co.	Misc. Maintenance Supplies-Boro Bldg.	19.02
08/11/2015	23981	Economy Plumbing & Heating Co.	Misc. Maintenance Supplies-Boro/Pol/PW	62.53
08/11/2015	23982	Economy Welding & Industrial Supply	Misc. Welding Supplies-PW	119.09
08/11/2015	23983	FNB Commercial Credit Card	Misc. Purchases-Admin/Pol/Veteran's Memorial	1,023.00
08/11/2015	23984	Grainger	Misc. Operating Supplies-Custodian/PW	430.88
08/11/2015	23985	Guth Laboratories, Inc.	DATA Master Repairs-Pol	209.90
08/11/2015	23986	Herzog Truck Service, Inc.	Vehicle State Inspections-PW	120.00
08/11/2015	23987	Home Depot Credit Services	Misc. Small Tool(s)-PW	99.69
08/11/2015	23988	Hunter Truck Sales & Service, Inc.	Vehicle Repair Parts-PW	281.86
08/11/2015	23989	IBIS Tek Specialized Vehicles	Accessory Installations (2015 Explorer)-Pol	9,255.50
08/11/2015	23990	Iron City Workplace Services	Monthly Uniform Services-PW, Custodian	586.88
08/11/2015	23991	JC Ehrlich Co., Inc.	Pest Control Services-Borough/Pol	416.56
08/11/2015	23992	Kunkle, Randy S.	2015 Mileage Reimbursement	117.70
08/11/2015	23993	M & M Uniforms, Inc.	Uniform Expenses-Pol	88.90
08/11/2015	23994	Maker, Michael	2015 Boot Allowance	100.00
08/11/2015	23995	Marsilio Court Reporting Service	2015 Stenographer Services-Zoning Hearing	437.50
08/11/2015	23996	McClymonds Supply & Transit Co. Inc.	1B Limestone-PW	2,336.24
08/11/2015	23997	MDIA	Monthly Building Permit Inspections	4,128.28
08/11/2015	23998	Michael Baker Jr., Inc.	Planning Commission Consultant Fees	425.00
08/11/2015	23999	Milham Ford-Toyota-Scion	2015 Ford Explorer-Pol	26,930.00
08/11/2015	24000	Mobile Radio Service, Inc.	2015 Radio Service Contract-Pol	171.00
08/11/2015	24001	Occidental Life Insurance Co of NC	Employee Paid Life Insurance	79.14

08/11/2015	24002	PA One Call System, Inc.	Monthly PA One Call Services	59.69
08/11/2015	24003	Partsmaster	Misc Shop Supplies-PW	84.24
08/11/2015	24004	Point Spring Company	Vehicle Repair Parts-PW	2,181.34
08/11/2015	24005	Powerplan	Equipment Repair Parts-PW	98.40
08/11/2015	24006	Prof. Graphic Communications Inc.	EBMA Printing-Council	131.98
08/11/2015	24007	Record Printing Company	Printing Expenses-Real Estate Tax	1,697.00
08/11/2015	24008	Reed Oil Company	Diesel Fuel-PW	1,611.73
08/11/2015	24009	Reliance Standard Life Insurance	Group Life Insurance Coverage-Pol	343.20
08/11/2015	24010	Russell Standard Corp.	Cold Patch-PW	823.00
08/11/2015	24011	S & D Calibration Services, Inc.	Acutrak, Enrad & Vascar Certifications-Pol	228.00
08/11/2015	24012	Shoup Engineering Inc.	Engineering Services	294.00
08/11/2015	24013	Stanley's Economy Auto Supply	Vehicle State Inspection/LOF/Repairs-Pol	746.25
08/11/2015	24014	Staples Advantage	Misc. Office Supplies-Admin/CEO	78.53
08/11/2015	24015	Station Auto Parts-Napa	Equip/Vehicle Maint. Supplies-PW	33.09
08/11/2015	24016	Stringer, Ronnie	2012, 2013 & 2014 Per Capita Refund	14.70
08/11/2015	24017	SunSetz Lawncare	2015 Contracted Lawn Maint. Service	220.00
08/11/2015	24018	SWIF-State Worker's Insurance Fund	Wrkrs Comp Ins Payment-Fire	1,541.00
08/11/2015	24019	Taylor & Alsko	Zoning Hearing Legal Services	1,050.00
08/11/2015	24020	Teamsters Local Union 250	Union Dues-PW	481.00
08/11/2015	24021	Tomaszewski, Raymond	CEO Mileage Reimbursement	36.34
08/11/2015	24022	Trans Associates Engineering, Inc.	2015 Signal Warrant Study Service-Dunlap Hill	255.00
08/11/2015	24023	Verizon 0207-Pol	Monthly Telephone Service-Pol	112.87
08/11/2015	24024	Verizon 7877-Pol	Monthly Telephone Service-Pol	591.88
08/11/2015	24025	Verizon 838283708-Admin (4779)	Monthly Telephone Service (Long Dist.)-Admin	54.64
08/11/2015	24026	Verizon S0007576-Business	Monthly Telephone Service-Admin	137.71
08/11/2015	24027	Verizon Wireless-220027085-Laptop	Monthly Telephone Service (Laptop)-Pol	497.96
08/11/2015	24028	Verizon Wireless-902786759-MainCell	Mthly Cellphone Service-Admin,PW,CEO,Fire	189.80
08/11/2015	24029	Vi-HAUS	2015 Mthly Hosting Agreement Fees-Pol	850.00
08/11/2015	24030	W. PA Teamsters - COBRA	Monthly COBRA Health Ins. Pmt	774.16
08/11/2015	24031	W. PA Teamsters Emp Welfare Fund	Monthly Health Insurance-Admin, PW, Pol	24,810.03
08/11/2015	24032	Walsh Equipment	Misc. Sign & Vehicle Parts-PW	625.37
08/11/2015	24033	West Central Equipment, LLC	Equipment Repair Parts-PW	558.26
08/11/2015	24034	Wex Bank-Sunoco	Monthly Gasoline Usage-Pol/PW	2,457.84
08/11/2015	24035	Wine Concrete Products, Inc.	Catch Basin Riser/Manhole Casting/Knockout BoxPW	1,790.00
08/11/2015	24036	Zee Medical, Inc.	Misc. Medical Supplies-Pol	52.90
08/11/2015	24037	Allegh. Cty Medical Examiner Office	Crime Lab User Fees (3)-Pol	590.00
08/11/2015	24038	Joseph A. Askar Law Offices	2015 Solicitor Services/Retainer	3,491.25
				118,590.69

Highway Aid Fund

08/06/2015	108	Duquesne Light Company	Mthly Electric Service-Celestial Dr./Satellite Dr.	1,149.97
				1,149.97

PARKS and RECREATION COMMITTEE: No Report.

PROPERTY and BUILDING COMMITTEE: No Report.

PUBLIC SAFETY COMMITTEE: No Report.

PUBLIC UTILITIES and ORDINANCE COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: No Report.

MAYOR'S REPORT: No Report.

MANAGER'S REPORT: The Borough Manager presented Council with updates regarding the following issues:

1. Trans Associates Inc. Proposal – A proposal, dated June 23, 2015, was received from Trans Associates to design and oversee the construction of the traffic light at the intersection of Dunlap Hill and Conway Wallrose Road (not to exceed \$20,000.00). The Borough Engineer stated that the proposal is standard and recommends approval. **After some discussion, the motion of Mr. Googins, seconded by Mr. Burns to approve the Trans Associates Inc. proposal (not to exceed \$20,000.00) for the traffic light at the intersection of Dunlap Hill and Conway Wallrose Road was unanimously carried.**
2. Shoup Engineering Proposal – The Trans Associates Inc. proposal states that an updated field survey and digital mapping are needed for the area of the traffic light at the intersection of Dunlap Hill and Conway Wallrose Road. Shoup Engineering has submitted a proposal, dated July 15, 2015, for field surveying and mapping in the amount of \$3,875.00, which will allow Trans Associates to perform their design. **After some review, the motion of Mr. Burns, seconded by Mr. Fetkovich to approve the Shoup Engineering proposal in the amount of \$3,875.00 for field surveying and mapping of the Dunlap Hill and Conway Wallrose Road traffic light area was unanimously carried.**
3. M. O'Brien Pension Payment – While the pension actuary, Ms. Linda White of Hallett Associates, was conducting the valuation report for the pension plans, it was found that a payable, in the amount of \$125.47, from the last report had not been paid. During the payroll of February 15, 2012, it was determined that there was an error on M. O'Brien's pension contribution. The actuary and Borough Solicitor concur that a refund should be made to M. O'Brien from the Police Pension Fund. There was some discussion regarding procedures in place to ensure this does not happen in the future. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mr. Fetkovich to approve a reimbursement of \$125.47 to M. O'Brien, which resulted from an error on his pension contribution was unanimously carried.**
4. Woodside Drive Lots – During the time this area was being developed, the developer concluded that there were two (2) lots that were not developable, at which time the Borough obtained ownership of the lots. There was an agreement with the neighbor(s) that if they maintained the grass then they were permitted to personally use the lots. The family no longer wishes to maintain the grass, therefore, the Borough is responsible for maintaining them as per the Ordinance(s) as owners of the lots. The Borough Manager stated that it would take the Public Works Department approximately two to three (2 to 3) hours to maintain the lots and currently SunSetz Lawncare (contracted grass cutting company) is maintaining the lots at a cost of \$40.00 each cutting. The Borough Manager recommended disposing of the real property with the Borough Solicitor's help. There was some discussion regarding the assessment value of the lots. Council requested the Borough Manager to provide the assessment value(s) and a parcel map of the two (2) lots on Woodside Drive for the next regular scheduled meeting of Council.
5. Flood Plain Ordinance No. 449 – An Ordinance setting forth certain minimum requirements for new construction and development within areas of the Borough of Economy which are subject to flooding

was presented to Council for review. The Borough Solicitor has reviewed the Ordinance and recommends adoption. **After some discussion, the motion of Mr. Googins, seconded by Mr. Bucuren to adopt Ordinance No. 449 was unanimously carried, with the exception of Mr. Burns who abstained due to he did not read it.**

6. **Zoning Map Update(s)** – The Planning Commission has requested and recommended having the Zoning Map updated to prevent future property issues. The Borough Engineer stated that the last update was done during the 1990's. The original map was done during the 1970's and if you overlay them they do not match. There was some discussion regarding how complicated and time consuming this project would be. Mr. Googins requested that the North arrow be placed pointing North (top of map). **After some discussion the motion of Mr. Fetkovich, seconded by Mr. Morrone to authorize the Borough Engineer to update the Zoning Map was unanimously carried.**
7. **Council Meeting Dates** – There was some discussion regarding reducing the Council Meetings from two (2) a month to one (1) a month. The Borough Solicitor stated that if needed a Special Meeting of Council could be scheduled to conduct any business needed between regular scheduled meetings. The new meeting dates will need to be advertised if approved. The Borough Secretary reviewed how it would make it easier on the office in regard to preparing for the meetings. **After some review and discussion, the motion of Morrone, seconded by Mr. Googins to approve the scheduling of Council Meetings beginning at 7 p.m. on the second (2nd) Tuesday evening of each month effective September 2015 and to authorize advertising the same was unanimously carried.**

SOLICITOR'S REPORT: The Borough Solicitor presented Council with an update regarding the following issues:

1. **Employment Matter (Fitzgerald)** – The Borough Solicitor stated that depositions were conducted this past week and there is some information that may warrant some sort of adverse employment decision(s) that may need made due to testimonies given at that time.
2. **Non-Uniform Pension Ordinance** – The Borough Solicitor stated that upon approval from Mrs. Skonieczny, the Ordinance will be distributed to Council for review and approval for advertising.
3. **Dwelling Demolition(s)** – The Borough Solicitor is awaiting for a response from the Beaver County Community Development Program.
4. **Ambridge Water Authority Agreements (AWA)** – The Borough Solicitor has not received a response from the AWA Solicitor.
5. **PZ Northern Condemnation** – The Borough Solicitor has not received a response from their Solicitor.
6. **Resolution No. 430** – The resolution has been distributed to Council for review.

ENGINEER'S REPORT – No Report

OLD BUSINESS:

Mrs. Barthelemy inquired if the Office Assistant position has been discussed. The Borough Manager stated that the deadline for applicants to apply with the office is August 14, 2015. The applications will be screened and distributed to Council or to a Committee for review.

Mr. Googins inquired if Code Enforcement Officer's letter of April 2015, regarding the deplorable conditions of Northern Lights Shopping Center was addressed. The Borough Manager stated they have addressed the concerns within the letter.

Mrs. Barthelemy inquired if Earl Fitzgerald has received payment as per the union arbitrator's decision. The Borough Solicitor stated no, it requires a vote by Council. There was some discussion regarding several pieces of information being received and forwarded to the auditors to add to their review. The Borough Solicitor recommended payment subject to a possible difference in the amount owed due to a final calculation. **After some review and discussion, the motion of Mrs. Barthelemy, seconded by Mr. Googins to approve payment to Earl Fitzgerald the amount of monies owed as per the audit calculation with the understanding there may be a deviation upward or downward in the final calculation and made no later than Thursday, August 13, 2015, was unanimously carried.**

NEW BUSINESS:

Mr. Burns inquired about the custodial service quotes. The Borough Manager reviewed the three (3) quotes received. Cover All was the lowest quote and seemed to have the best service. Mr. Burns requested a copy of the three (3) quotes be given to Council for review prior to the next regular scheduled meeting.

There was some brief discussion regarding a proposed Code Enforcement Officer contract. The Borough Manager stated that it was sent to the Borough Solicitor for review and comments prior to being distributed to Council.

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session in regard to possible litigation matters at 8:16 p.m.

There being no further business, the motion of Mr. Googins, seconded by Mr. Bucuren to adjourn the meeting at 9:15 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager