

Economy Borough Council
Regular Meeting Minutes
September 08, 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, Mr. Gary Bucuren, Mr. Tom Fetkovich, Mr. Larry Googins, Mrs. Pat Skonieczny, Mayor David Poling, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Borough Solicitor Mr. Joseph Askar, Joshua Kail, Esq., and Borough Engineer Mr. Scott Shoup.

ABSENT: Mrs. Courtney Barthelemy (Excused)

OPENING PRAYER

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

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 six months (6 mths.) of the year 2015.

FIRE REPORT: Fire Chief John Thomas presented Council with updates regarding the Economy Volunteer Fire Department (EVFD). The annual EVFD Big Raffle is scheduled for October 3, 2015.

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, cold patched various roads and removed three (3) fallen trees. The PW Department installed the drainage system on Walnut Drive and repaired a catch basin on Leaf Court.

Mayor Poling stated that he drove by Walnut Drive after one of the recent heavy rains and it was working well. He thanked Council for making the decision to fix this problem.

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:

JoAnn Borato of 2001 Conway Wallrose Road, Freedom
Celia Janosik of 305 Hoenig Road, Sewickley
Audrey Mutschler of 2820 Ridge Road Ext., Baden
Ray McClellan of 196 Shaffer Road, Sewickley

HEAR THE PUBLIC:

Mike Lucia (not signed in) was present to express his opposition to reducing the Council Meetings to once a month. Mr. Lucia stated that the Sunshine Law states that residents are permitted to voice their concerns and requested Council to revisit/reconsider their decision.

Ray McClellan was present and stated that at the last meeting there was a suggestion to hear the public at the beginning of the meeting and again at the end of the meeting. Mr. Burns stated that Council had reviewed this suggestion and decided against it due to late evenings.

Paul Thompson (not signed in) was present to express his disappointment with only having one (1) meeting a month. Mr. Thompson stated that the Council before this one suggested it and was shot down. There was some discussion regarding how residents could contact the Borough Office and Council Members with any issues that arise before the next meeting.

Audrey Mutschler was present and was looking for some clarification of the two (2) Council Meetings each month on behalf of the Planning Commission in the instance of deadlines that need met. The Borough Solicitor responded, the public is able to attend but not speak at the second meeting and Council is able to vote if it's a pressing matter. Mrs. Mutschler expressed concerns regarding the Beaver County Transit Authority (BCTA) not having a bus route to Walmart. Mrs. Mutschler suggested a petition and asked if Council is able to help. There was some discussion regarding a written letter to the BCTA with copies to the state representative office(s) explaining the need to help with the consumers/employees who have to walk up the hill to Walmart. The Borough Manager stated that there was a meeting with the BCTA in the past in regard to this issue and the conclusion was the BCTA did not have the time in the schedule to make a loop up to Walmart. **After some review and discussion, it was the consensus of Council to authorize the Borough Manager to write a letter to the BCTA regarding this issue.**

Celia Janosik was present to express concerns regarding seismic testing throughout the area and to inquire as to the reason the residents have not been notified. The Borough Manager stated that he is unaware of any notification requirements. The company did offer to notify residents on two (2) Borough owned roads and notification is not necessary for state owned roads. The Borough Solicitor reviewed the Hopewell Township case suit trying to stop seismic testing on their roads. The Commonwealth Court determined that Hopewell Township has no authority to stop the testing and Hopewell Township had to notify its residents that it was a criminal offense to remove or disturb the markers. There was discussion regarding the Ordinance(s) accepting roads for highway use and who has the authority to approve seismic testing on the roads due to it is not a highway use. Mrs. Janosik inquired if there are any concerns for the sewage lines resulting from the vibration trucks. There was some discussion regarding the company being bonded for the roads and the procedure damage claims by residents.

Regis Leindecker (not signed in) was present to inquire as to why the flags are not being flown on the poles as done in the past. There was discussion regarding the Flag Program offered in the Borough which was started approximately ten years (10 yrs.) ago. Borough residents are able to purchase a memorial flag to be flown on a pole located near their residence or a pole of their choice for a three year (3 yr.) period. There was discussion regarding leaving the flags out for the duration of Memorial Day, Fourth of July and Labor Day. Mr. Dunn explained that when the flags are out for that long of a period they would most likely need replaced sooner due to damages. The Borough Manager was requested to place the Flag Program into the upcoming Fall Newsletter. The flags are purchased in bulk by the Borough through our federal representative's office and website. The federal representative's office has flags that are available to individuals who wish to purchase a flag for themselves. Mr. Leindecker inquired about the small orange flags along the roads in the Borough. The Borough Manager stated that they are part of the seismic testing being conducted.

Elizabeth Burns (not signed in) was present to discuss her opinion on the changing of the second Council Meeting of the month to a Work Shop Meeting. Mrs. Burns stated that Ambridge Borough, Baden Borough and Conway Borough all have one Council Meeting a month. Mrs. Burns also stated that she knows she is able to write a letter to Council or contact the Borough Manager if a problem should come up.

JoAnn Borato was present to request an update regarding the paving. The Borough Engineer stated that Shields Asphalt Paving, Inc. will be contacting the Ambridge Area School District to attempt to work around the bus traffic and that they are hoping to begin within two (2) weeks. Mrs. Borato inquired if

Council is allowed to vote on an issue if the public has not had an opportunity to express its opinion. The Borough Solicitor stated that Council is permitted to vote on any issue providing it is in a public setting (which is described as an advertised meeting) and there is a motion, discussion, action on the motion and nowhere in the law does it state that the public has the ability or right to voice their opinion. Mrs. Borato asked what opportunity does the public have to readdress Council's vote(s). The Borough Solicitor stated that the public can voice their opinion as it is currently being given, during the Hear the Public Session. Mrs. Borato stated that when Council was elected to their seats they were aware of the long meeting hours and the two (2) Hear the Public Sessions. The Borough Solicitor stated that Council making the decision(s) or changing the patterns of what has occurred in the past shows that they are not puppets of the Council(s) of the past.

MINUTES of the Regular Meeting held on August 25, 2015, were presented to Council. **After some review, the motion of Mrs. Skonieczny, seconded by Mr. Morrone to approve the Regular Meeting Minutes of August 25, 2015, was unanimously carried.**

FINANCE COMMITTEE: Mr. Googins, Chairperson of the Finance Committee, reviewed the Bills Payable entered for the period of August 12, 2015, through September 08, 2015, in the amount of \$104,589.56 from the General Fund and a voucher in the amount of \$1,149.97 from the Highway Aid (Liquid Fuels) Fund were presented to Council for review. There was some discussion regarding the two (2) checks payable to Earl Fitzgerald. These checks were paid as part of the arbitration to re-employ Mr. Fitzgerald, one was an unemployment calculation repayment and the other is for out of pocket health insurance expenses. Mr. Fitzgerald is responsible for repaying the unemployment compensation that he received. **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 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.**

General Fund

08/14/2015	24039	Fitzgerald, Earl R.	Re-employment Unemployment Calculation	14,768.00
08/14/2015	24040	Fitzgerald, Earl R.	Re-employment Health Insurance Calculation	1,753.05
09/08/2015	24041	ADT Security Services	Monthly Security Service-Boro, PW	119.97
09/08/2015	24042	Aflac	Employee ACC Insurance	87.88
09/08/2015	24043	Ambridge Lumber Company	Misc. Operating Supplies-PW	424.19
09/08/2015	24044	Amcom Office Systems, Inc.	Monthly Copier Maintenance-Pol	17.95
09/08/2015	24045	American Express-COSTCO	Misc. Operating Supplies-Cust, Pol, PW, Rec.	110.10
09/08/2015	24046	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	285.00
09/08/2015	24047	Barzen, Bernard R.	2015 Real Estate Tax Refund	580.14
09/08/2015	24048	Bauman Office Plus	Misc Office Supplies/Chair-Pol	914.21
09/08/2015	24049	Beaver Agway	Misc. Operating Supplies-PW	179.98
09/08/2015	24050	Beaver County Dept.-Waste Management	Recycling-Brush (30 cy.)-Grass (150 yd.)	337.50
09/08/2015	24051	Beaver Valley Sheet Metal Co.	Air Conditioner Repairs (3)-Pol	1,340.00
09/08/2015	24052	Butler Gas Products Co, Inc.	Monthly Cylinder Rental-PW	21.17
09/08/2015	24053	Clean Care, Inc.	Floor Mat Service-Pol	85.40
09/08/2015	24054	Columbia Gas	Monthly Gas Service	1,279.10
09/08/2015	24055	Comcast 0029740	Monthly Internet Service-Pol	183.13
09/08/2015	24056	Comcast 0029955	Monthly Internet Service-Admin, CEO, PW	103.63
09/08/2015	24057	Culverts, Inc.	Smooth Pipe-PW	3,352.00
09/08/2015	24058	Custer, Mark T. Jr.	2015 Mileage Reimbursement	38.32
09/08/2015	24059	Daniel C. Baker Associates, Inc.	2014 SEO Services	295.00
09/08/2015	24060	Duquesne Light Company	Monthly Electric Service	1,475.72

09/08/2015	24061	Economy Welding/Industrial Supply	Propane Cylinder-PW	25.00
09/08/2015	24062	Elder AG & Turf Equipment Co, Inc.	Equipment Repair Parts-Mowers	350.32
09/08/2015	24063	FNB Commercial Credit Card	Misc. Purchases-Admin, Pol, Veteran's Memorial	117.93
09/08/2015	24064	Global Equipment Company Inc.	White Striper Paint-Pol	95.42
09/08/2015	24065	Grainger	Misc Shop Supplies-PW	246.92
09/08/2015	24066	Hanson Aggregates BMC, Inc.	Asphalt-PW	1,008.33
09/08/2015	24067	Home Depot Credit Services	Misc. Small Tool(s)-PW	50.32
09/08/2015	24068	Hunter Truck Sales & Service, Inc.	Vehicle Repair Service-PW	169.89
09/08/2015	24069	Identi-Kit Solutions	2015 Annual Software License (2)	495.00
09/08/2015	24070	Iron City Workplace Services	Uniform Services-PW, Custodian	636.58
09/08/2015	24071	JC Ehrlich Co., Inc.	Pest Control Services-Boro, Pol	122.56
09/08/2015	24072	Joseph A. Askar Law Offices	2015 Solicitor Services/Retainer	3,990.00
09/08/2015	24073	McClymonds Supply & Transit Co. Inc.	2A Limestone-PW	405.60
09/08/2015	24074	MDIA	Building Permit Inspections	3,577.72
09/08/2015	24075	MGSoft-Net, Inc.	MozyPro Online Backup-Admin	15.00
09/08/2015	24076	MRM Workers' Comp Fund	2016 Worker's Comp Policies-CEO, Admin, Pol, PW	21,493.62
09/08/2015	24077	Napa-Station Auto Parts	Misc. Shop Supplies/Vehicle Repair Parts-PW	81.45
09/08/2015	24078	National Fire Safety Co.	2015 Fire Extinguisher Inspections-Admin, Pol, PW	1,169.00
09/08/2015	24079	National Public Safety Info. Bureau	2015 National Directory-Law Enforcement-Pol	144.00
09/08/2015	24080	Nationwide Employee Benefits	Group Life Insurance Coverage-Admin, PW	744.92
09/08/2015	24081	Nelko, Margie	2015 PAMA Conference Exp. Reimbursement	490.41
09/08/2015	24082	Occidental Life Insurance Co of NC	Employee Paid Life Insurance	79.14
09/08/2015	24083	PA DEP	2015-2016 UGT Diesel Tank Permit	50.00
09/08/2015	24084	PENN Power Group	Vehicle Repair Parts-PW	44.12
09/08/2015	24085	PGH Networks	Monthly Telephone Maintenance-Pol	79.99
09/08/2015	24086	Powerplan	Equipment Repair Parts-PW	337.81
09/08/2015	24087	Reed Oil Company	Diesel Fuel-PW	670.66
09/08/2015	24088	Reliance Standard Life Insurance	Group Life Insurance Coverage-Pol	316.80
09/08/2015	24089	Russell Standard Corp.	Liquid Asphalt-PW	373.65
09/08/2015	24090	Sewickley Construction Products Inc.	Misc. Pipe/Storm Drain Repair Parts-PW	2,374.17
09/08/2015	24091	Shoup Engineering Inc.	Engineering Services	550.00
09/08/2015	24092	Soil Screeners Inc.	Screened Top Soil-PW	1,062.00
09/08/2015	24093	Spectrum Medical Corp, LLC	2015 Mobil Random Drug Testing	245.00
09/08/2015	24094	Stanley's Economy Auto Supply	Vehicle Repair Parts/Services-Pol	96.73
09/08/2015	24095	Staples Advantage	Misc. Office Supplies-Admin	67.84
09/08/2015	24096	SunSetz Lawncare	2015 Contracted Lawn Maint. Service	160.00
09/08/2015	24097	SWIF-State Worker's Insurance Fund	Wrkrs Comp Ins Payment-Fire	3,306.00
09/08/2015	24098	Teamsters Local Union 250	Union Dues-PW	617.00
09/08/2015	24099	Tomaszewski, Raymond	CEO Mileage Reimbursement	41.29
09/08/2015	24100	TransAxle LLC	Equipment Repair Parts-PW	178.73
09/08/2015	24101	Tri-State Hose & Supply Company	Equipment Repair Parts-PW	62.72
09/08/2015	24102	Verizon 0207-Pol	Monthly Telephone Service-Pol	114.93
09/08/2015	24103	Verizon 7877-Pol	Monthly Telephone Service-Pol	602.01
09/08/2015	24104	Verizon 838283708-Admin (4779)	Monthly Telephone Service (Long Dist.)-Admin	58.77
09/08/2015	24105	Verizon S0007576-Business	Monthly Telephone Service-Admin	71.66
09/08/2015	24106	Verizon Wireless-220027085-Laptop	Monthly Telephone Service (Laptop)-Pol	501.88
09/08/2015	24107	Verizon Wireless-902786759-MainCell	Mthly Cellphone Service-Admin, PW, CEO, Fire	192.10

09/08/2015	24108	Vi-HAUS	2015 Mthly Hosting Agreement Fees-Pol	850.00
09/08/2015	24109	W. PA Teamsters - COBRA	Monthly COBRA Health Ins. Pmt	774.16
09/08/2015	24110	W. PA Teamsters Emp Welfare Fund	Monthly Health Insurance-Admin, PW, Pol	24,810.03
09/08/2015	24111	Westrom, Laurel	Replace Ck 23688-'15 Breakfast w/Easter Bunny Exp	99.74
09/08/2015	24112	Wex Bank-Sunoco	Monthly Gasoline Usage-Pol, PW	2,229.20
09/08/2015	24113	Wine Concrete Products, Inc.	Catch Basin Risers/Bicycle Grate-PW	340.00
09/08/2015	24114	Woods, Jason M.	2015 PA Crime Prevention Training Exp. Reimb.	50.00
				104,589.56

Highway Aid Fund

09/08/2015	109	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: Mr. Morrone, Chairperson of the Public Safety Committee, presented Council with an issue regarding the pedestrian crosswalk pole at the intersection of Economy Way and Beaver Road. This pole is continuously hit and knocked over, which poses a tripping hazard. The Borough Engineer stated that he has contacted Trans Associates and a meeting has been scheduled with Trans Associates and PennDot to review this issue. There was some discussion regarding what could be done to alert pedestrians that the pole is there, it was determined that an orange cone would be placed there as a warning.

Mr. Burns stated that he has received two (2) complaints from residents in his area regarding the possibility of transits living in the round house, located on the corner of Compton Road and Amsler Road, which has been vacant. The Borough Manager stated that he was unaware of this issue. Mr. Burns instructed the residents to contact the police department.

PUBLIC UTILITIES and ORDINANCE COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: No Report.

MAYOR'S REPORT: The Mayor presented concerns regarding employees who were paid one hundred percent (100 %) of their wages while on workers compensation. The employees received their full wages and turned in their workers compensation checks to the Borough, which is not part of the policy and procedures manual. There was some discussion regarding when and how this practice started. Mrs. Skonieczny inquired as to why employees who were on workers compensation received retroactive pay for that time period. The Borough Manager stated that Council had voted to pay the employees and the employees were paid the amount that was supposed to be paid as per the contract, which does not address this issue. Mrs. Skonieczny would like to have error corrected and monies refunded. The Borough Solicitor recommended reviewing the contract prior to taking any vote.

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

1. Orchard Estates Subdivision – This parcel consists of approximately a hundred-thirty acres (130 ac.) located on Amsler Ridge Road. The owner is proposing to subdivide approximately fifteen acres (15 ac.) from the wooded southern end of the property for a proposed mineral lease. **After some review**

and discussion, the motion of Mr. Burns, seconded by Mr. Googins to approve the Orchard Estates Subdivision, as presented, subject to the Beaver County Planning Commission review letter being received, was unanimously carried.

2. **Russell Lot Consolidation** – The proposed two (2) lots are located on the private end of 3rd Avenue. The proposed lot consolidation is consisting of one (1) 2.3 acre lot and one (1) .4 acre lot. The .4 acre lot is a non-buildable lot due the current zoning setback requirements. The Planning Commission recommends approval and the Beaver County Planning Commission review letter has been received. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mr. Bucuren to approve the Russell Lot Consolidation, was unanimously carried.**

3. **2016 Minimum Municipal Obligations (MMO's)** - The 2016 MMO was presented to Council as submitted by Hallett Associates, Inc. The MMO's outline the required funding amounts due to the pension plans in order to remain qualified for state aid. The obligation due for the Police Pension Plan is in the amount of \$210,574.00 and the obligation due for the Non-Uniform Pension Plan is in the amount of \$85,468.00. Mrs. Skonieczny inquired if the cashed in life insurance policies reduced the Borough's responsibility of payment. The Borough Manager stated that anytime a deposit is made to the pension plan, it would affect the MMO's. The Borough Manager reviewed that the MMO calculation is based on the benefit payout(s). Mrs. Skonieczny reminded Council that a decision needs to be made regarding the police pension life insurance policies as per the Ordinance.

Mr. Burns requested an update regarding an injury report that he had received for the Borough Manager and asked for a copy to be given to all members of Council. It was determined that the President of Council or the Public Safety Chairperson would need to sign the injury report.

SOLICITOR'S REPORT: No Report.

ENGINEER'S REPORT – The Borough Engineer presented Council with updates regarding the 2015 Road Improvement Project and the Dunlap Hill Traffic Signal. The Borough Engineer stated that an updated colorized draft of the Zoning Map has been prepared. An upcoming meeting with the Borough Engineer, Borough Manager and the Planning Commission Chairperson, Jim Blumling, to review the draft and discuss a few grey areas prior to presenting the draft to Council for review.

OLD BUSINESS: None

Mr. Googins inquired if action is needed on the information received by Council regarding the re-appointment of Mr. Sylvester to the Ambridge Water Authority Board Member. The Borough Manager explained that this information was not intended for any action; was for informational purposes only. The Borough Manager stated he was asked to pass along the information. There was some discussion regarding advertising for all upcoming board member vacancies, which was determined that the Borough Manager will prepare an upcoming vacancy list.

NEW BUSINESS:

Mr. Burns stated that several complaints have been received regarding the Economy Borough Municipal Authority (EBMA). There was some discussion regarding the collection of information on the financial status of the EBMA, the rumors of the sewage rates going up and the possibility of disbanding the EBMA. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to authorize the Borough Solicitor to collect the financial information from Economy Borough Municipal Authority and to authorize the Borough Solicitor to explore the process and timeline for disbanding a municipal authority, was unanimously carried.**

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session in regard to personnel and litigation matters at 8:39 p.m., as per the motion of Mrs. Skonieczny, seconded by Mr. Bucuren.

There being no further business, the motion of Mr. Fetkovich, seconded by Mr. Morrone to return to the regular session and adjourn the meeting at 9:22 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager

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

1. Authorize Borough Manager to write a letter to the BCTA.
2. Approval of Minutes for August 25, 2015.
3. Approval of Bills Payable for September 2015.
4. Approval of Orchard Estates Subdivision.
5. Approval of Russell Lot Consolidation.
6. Authorize Borough Solicitor to collect financial information on EBMA and explore the process/timeline for disbanding a municipal authority.