

Economy Borough Council
Regular Meeting Minutes
September 09, 2014

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, Mrs. Pat Skonieczny, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Mr. Joshua Kail, Esq., representing Borough Solicitor Joseph Askar and Borough Engineer Mr. Scott Shoup.

ABSENT: Mr. Joseph Askar, Esq. (Excused)

OPENING PRAYER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Stenographer minutes will be attached to the Minute Book.

Mayor David Poling entered the meeting at this time (7:20) p.m.

FIRE REPORT: Fire Chief John Thomas presented Council with updates regarding the Economy Volunteer Fire Department and updates regarding trips to the elementary school(s) and the annual Fall Raffle.

POLICE REPORT: Chief O'Brien presented Council with updates regarding the Economy Borough Police Department. Chief O'Brien informed Council that there is a computer security issue with the current router system. Chief O'Brien stated that the router is over ten years old and is notifying Council that this is a potential liability. Sargent Farah was present to discuss and answer any questions regarding the router and the failing server. Chief O'Brien handed out a bid that was received from Vi-Haus (via email) for immediate corrections to the router and server problems. The bid is in the amount of \$8,230.00 and a monthly fee of \$850.00 for a three (3) year contract. There was some discussion regarding the differences between the "Cloud" system and "On-site" system with off-site backups and if there is money in the budget for this expense. **Mr. Morrone made a motion to approve the bid received from Vi-Haus. The motion failed due to the lack of a second.** There was some discussion regarding the incoming bid from Universal Information Systems (UIS), which will be received the week of September 15, 2014. Mrs. Barthelemy asked for disclosure from anyone who is familiar with Vi-Haus or its employees. The "Cloud" is an offsite system that does not require in house computer towers and is accessible from anywhere with a Wi-Fi signal. The bid from UIS, MGSofnet and CompuGig are for offsite backup with the need for in house computer towers and is not accessible from outside of the office. There was some discussion regarding the possibility of a one (1) year contract instead of the three (3) year contract for the Vi-Haus bid and if it is possible to receive another bid for "Cloud" service to compare prices. **After some review and discussion, the motion of R.J. Burns, seconded by Mr. Morrone to accept the Vi-Haus "Cloud" service bid for the police department subject to legal review with the Borough Solicitor addressing a one (1) year contract was unanimously carried with the exception of Mrs. Barthelemy (who did not want hurried into a decision) and Mrs. Skonieczny (who abstained due to her son works in the department).**

PUBLIC WORKS REPORT: Rich Dunn, PW Foreman, presented Council with an update report, which is on file in the Borough Office for review. The Public Works Department hung the flags for Labor Day and has worked on repairs to the trucks/equipment, removal of fallen trees from roadways, grass trimming, brush trimming, stockpiled salt/limestone and cleaned/repaired/installed catch basins and inlets.

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:

Andrew Janicki of 109 Albine Drive, Glenshaw, PA 15116
Anthony Petalino, 80 Bock Lane, Baden
JoAnn Borato of 2001 Conway Wallrose Road, Freedom
Mr. & Mrs. Brian Padgett of 2445/2440 Herr Road, Ambridge
Mr. & Mrs. Chris Kimball of 2452 Herr Road, Ambridge
Carmella Hribar of 2459 Herr Road, Ambridge
Evelyn Kuny of 2459 Herr Road, Ambridge
Sally Rinaldi of 2460 Herr Road, Ambridge
Nancy Janicki of 2462 Herr Road, Ambridge
Debbie Cercone of 2464 Herr Road, Ambridge
Larry Walter of 2464 Herr Road, Ambridge
Marie Walter of 2464 Herr Road, Ambridge
Frederick Charlton of 1821 Lynn Drive, Baden
Mr. & Mrs. John Smith of 1792 Overlook Drive, Ambridge
Ray McClellan of 196 Shaffer Road, Sewickley

HEAR THE PUBLIC:

Robert Mecchia, of 211 Fernwood Drive, was present to inform Council that the residents of Bradford Park area have an attorney to help with the education of gas drilling and gas leases. The residents in this area will receive a postcard in the mail giving them information and encouraging participation. The meeting is scheduled for September 16, 2014, at 6 p.m. There was some discussion regarding if the Zoning Ordinances protect the residents. Mr. Googins stated that Penn Energy gave the Borough an online map that has 500 ft. circles drawn around each dwelling that leaves a small area of the Borough that is able to be drilled. There was some discussion regarding the possibility of amending the Zoning Ordinance to address horizontal drilling.

Michael Lucia, of 416 Golden Grove, was present to ask what is the cost of the computer forensic study and if it includes legal fees. Mr. Burns stated that \$10,058.18 is the amount that has been billed. Mr. Lucia stated that this money could have paid for the new computers.

Regis Leindecker, 418 of Golden Grove, was present to inquire if the Public Works Department could add asphalt to a hole near his driveway. Mr. Dunn stated that this is a state road and that this could not be done.

Meagan Trimbur, of 3225 Ridge Road Ext., was present to comment on all of the monies that was spent on the search for a new police chief and asked if there was a violation to the Sunshine Act.

Brian Padgett, of 2045 Herr Road, was present to request repairs to Herr Road where the grass is growing up through the cracks. There was some discussion regarding the Rosenberg property which is for sale and could pose another similar problem as in the Janicki issue.

MINUTES of the Regular Meeting held on August 26, 2014, will be presented to Council at the September 23, 2014, meeting for review.

PUBLIC SAFETY COMMITTEE: – No Report.

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 August 2014 was presented to Council. After some review and discussion, this report was ordered received and filed.
2. Bills Payable entered for the period of August 08, 2014, through September 08, 2014, in the amount of \$147,327.78 from the General Fund was presented to Council for review. Mrs. Barthelemy stated that she feels the amount of \$10,058.18 that was billed by Bit-x-Bit, LLC for the email forensic audit should have included some type of report and she is not willing to approve this payment. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Fetkovich 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 and Mrs. Barthelemy opposing the invoice from Bit-x-Bit, LLC.**

PUBLIC WORKS COMMITTEE – Mr. Bucuren, Chairperson of the Public Works Committee, stated that updates regarding contract negotiations will be discussed in executive session.

PARKS and RECREATION COMMITTEE – Mr. Fetkovich, Chairperson of the Property and Building Committee, asked the Borough Engineer for an update regarding the tennis courts. Mr. Shoup stated that the approval letter has been sent and the contractor was informed that the work needed to be done before next spring.

PUBLIC UTILITIES COMMITTEE – No Report.

PROPERTY and BUILDING COMMITTEE – No Report.

MAYOR'S REPORT – The Mayor's Monthly Police Department Report for August 2014 was presented to Council. After some review, this report was ordered received and filed.

The Mayor stated that he has been receiving complaints regarding zoning violations that have not been taken care of. The Mayor discussed using the two (2) companies we have inspection contracts with to help with the zoning violations due to Ray Tomaszewski, Code Enforcement Officer, only works part-time. There was some discussion regarding the possibility of this costing the residents more in fines. The Borough Manager stated he would look into this as a possibility and if there would be a higher fine associated with it. There was some discussion regarding if it would be cheaper to hire another part-time person. Mrs. Barthelemy inquired if these two (2) companies have ever been advised that any of their inspectors were not permitted within the Borough. Mr. Burns stated that BUI was informed that Mr. Joe Luff, who is now their employee, would not be recommended for the Borough. Mrs. Barthelemy requested proof of this being handled in a public meeting.

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

1. Resolution No. 448 – Mr. Kail, Esq., reviewed the Resolution reflecting the name of Borough Secretary being changed to Margie L. Nelko. There was some discussion regarding the name of Borough Secretary was inserted to avoid having to re-do the Resolution in the event that Mrs. Nelko is no longer employed and another Borough Secretary is in place. Mrs. Skonieczny stated that the issue brought up was the broad terminology could enable the Borough access to residents' confidential information and/or records. Mr. Kail stated he would review this section of the Resolution again.
2. Professional Code Services, Inc. (PCS) 3rd Party Agreement – Mr. Kail, Esq., is working with PCS to ensure the proper terminology is added to the agreement.
3. West View Water Treatment Plant – The Borough Manager presented Council with an update regarding the West View Water Treatment Plant progress. West View Water is going through the Planning Commission process and making adjustments to their plans to comply with the Zoning Ordinances, which will not be completed by the deadline date. West View Water at this time is requesting a ninety (90) day extension to allow time to complete these adjustments. The Borough Manager stated that the Planning Commission recommends granting the extension. **After some review and discussion, the motion of Mr. Googins, seconded by Mrs. Barthelemy to grant West View Water a ninety (90) day extension was unanimously carried.**

SOLICITOR'S REPORT – Mr. Kail, Esq., representing the Borough Solicitor presented Council with updates regarding the following issues:

1. Remaining Bond Proceeds – A bond from 1994 was received for the purpose of paving roads and installing water lines. There was some discussion regarding the ability to legally move the remaining monies to the General Fund and the legal types of items that it may be used for. The Borough Manager recommended transferring the amount of \$62,005.64 from the Capital Project Bond account to the General Fund and then closing the Capital Project Bond account. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Fetkovich to approve the transfer of \$62,005.64, including any other accumulated interest, from the Capital Project Bond account to the General Fund to go exclusively toward payment of principal and interest and to authorize the closing of this account as recommended above was unanimously carried.**
2. Walmart Policies and Procedures – The implementation of this document will be held until the next regular scheduled meeting of Council to permit the Borough Solicitor time to review the document with Chief O'Brien.
3. Borough Solicitor's Retainer and Fees – It was determined that there was not a vote taken by Council regarding the dollar amount of the retainer and fees for the services of the Borough Solicitor. There was some discussion regarding this being brought up in prior meetings. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Bucuren to approve the Borough Solicitor's Retainer in the amount of \$600.00 and the Borough Solicitor's Fees in the amount of \$105.00 per hour was unanimously carried.**

ENGINEER'S REPORT – The Borough Engineer presented Council with updates regarding the following issues:

1. Beaver Road Culvert – The Borough Engineer stated that bonds have been received for El Grande, who was the low bidder for the scheduled repaving and drainage repairs on Beaver Road.
2. Drainage Problem for 80 Bock Lane (Petalino) – This property and the two (2) neighboring properties require an Easement Agreement (for each) in order to move forward with potential repairs. These agreements will need signed by the owner(s) and notarized prior to receiving Council approval.
3. Water Run-off Problem for Clover Road (Mack) – The Borough Engineer presented an update regarding the water run-off problem for the Mack property on Clover Road.

NEW BUSINESS

Mrs. Barthelemy expressed concerns regarding texting during Council meetings, it was asked that should a need arise to text to please excuse yourself from the meeting.

Mrs. Skonieczny stated that a Resolution is required to approve the Police Policy and Procedure Manual for the next regular scheduled Council Meeting. The Borough Manager was asked to draft a Resolution and forward it to the Borough Solicitor for review.

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session in regard to personnel matters consisting of contract negotiations, labor department issue(s) and the email forensic study at 10:25 p.m.

There being no further business, the motion of Mrs. Skonieczny, seconded by Mr. Morrone to adjourn the meeting at 10:46 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager

List of Bills attached to the Minute Book