

Economy Borough Council
Council Minutes
September 26, 2017

MEETING was called to order at 7:00 p.m. with Mr. Larry Googins presiding and the following members of Council and officials of the Borough present: Mr. Larry Googins, Mr. Gary Bucuren, Mr. Tom Fetkovich, Mr. Frank Morrone, Mrs. Audrey Mutschler, Mrs. Pat Skonieczny, Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, representing the Borough Solicitor Mr. Joshua Kail, Esq., and Borough Engineer Mr. Scott Shoup.

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.

HEAR THE PUBLIC:

Mitchell Shahan, candidate for Judge, (not signed in) was present and stated that he was visiting all the municipalities in Beaver County to get a better feel of the area.

Jake Thomas (not signed in) was present, on behalf of the Economy Borough Volunteer Fire Department, to request an update regarding Knox Boxes for the commercial areas of the Borough. The Borough Solicitor responded that the Knox Boxes were deemed invasive and it was dismissed. Members of Council discussed the boxes being mandated or voluntary, concerns regarding them having been mandatory and if there is enough interest from the public to revisit the matter. Mr. Thomas will forward a copy of the application and other information to the Borough Manager to add to the existing information and resend it all to Council for review.

Jim Constanza (not signed in) was present to request an update regarding the McCormick/Constanza Plan of Lots. Mr. Googins stated that this item is on the agenda and will be discussed tonight.

MINUTES of the Regular Meeting held on July 25, 2017, were presented to Council. Mrs. Skonieczny presented Council with an addition and an amendment to the minutes. It was the consensus of Council to postpone the minutes until the corrections have been made.

Mrs. Mutschler expressed concerns regarding the Council Minutes of July 11, 2017 not being approved according to her records. Members of Council discussed the probability of these minutes having been approved at the August 22, 2017, Council Meeting because the August 8, 2017, Council Meeting was cancelled. The Borough Secretary will research this matter.

MINUTES of the Regular Meeting held on August 22, 2017, were postponed due to the minutes were not ready for review.

FINANCE COMMITTEE: Mr. Bucuren, Chairperson of the Finance Committee, reviewed the following:

1. **Budget Report** for the month of August 2017, was presented to Council. After some review and discussion this report was ordered received and filed. Mrs. Mutschler expressed concerns regarding

line item 410.260 Minor Equipment (Police) being over budget and what expenses were applied to it. The Borough Secretary stated that when there is a question on a line item, a report can be run listing everything that is in that account.

2. Treasurer's Report for the month of August 2017 was presented to Council. After some review, this report was ordered received and filed.
3. Bills Payable for the period of August 09, 2017 through September 25, 2017, in the amount of \$736,502.18 from the General Fund and a voucher in the amount of \$1,221.99 from the Highway Aid (Liquid Fuels) Fund were presented to Council for review. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mrs. Mutschler 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 and the exception of Mrs. Skonieczny regarding the Borough Solicitor's bill regarding litigation matters.**

General Fund

09/12/2017	25987	ADT Security Services	Monthly Security Service	89.16
09/12/2017	25988	Aflac	Employee ACC Insurance	309.40
09/12/2017	25989	Allegheny. Cty Med Exam. Office	Crime Lab User Fees	340.00
09/12/2017	25990	Amcom Office Systems, Inc.	Monthly Copier Maintenance/Overage	21.01
09/12/2017	25991	American Arbitration Association	Grievance Fees	275.00
09/12/2017	25992	Animal Control Services	Animal Control Service Fee	550.00
09/12/2017	25993	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	330.00
09/12/2017	25994	Bauman Office Plus	Misc. Office Supplies	85.80
09/12/2017	25995	Beaver Agway	Grass Seed	199.98
09/12/2017	25996	Beaver Cty Dept. of Waste Mgmt.	2017 Recycling Brush-Grass	315.00
09/12/2017	25997	Voided	Voided	0.00
09/12/2017	25998	Beaver Cty Times-Newspapers Inc.	Legal Ad-Zoning-Ordinance-Refuse Bid	908.54
09/12/2017	25999	Building Insp. Underwriters of PA	Building Permit Inspections	160.00
09/12/2017	26000	Burns, Daniel	Mileage Reimbursement-Asst. CEO	83.19
09/12/2017	26001	Butler Gas Products Co, Inc.	Monthly Cylinder Rental	44.20
09/12/2017	26002	Chalupiak's Country Pumpkins	Straw	30.00
09/12/2017	26003	Clean Care, Inc.	Floor Mat Service	291.01
09/12/2017	26004	Columbia Gas	Monthly Gas Service	1,453.00
09/12/2017	26005	Comcast 0029740	Monthly Internet/Phone Service	934.84
09/12/2017	26006	Comcast 0029955	Monthly Internet/Phone Service	230.50
09/12/2017	26007	Coverall North America, Inc.	Monthly Cleaning Services	739.00
09/12/2017	26008	Crivelli Ford, Inc.	Vehicle Repair Service	207.14
09/12/2017	26009	DCED Loan Acct-Cmmnwth of PA	2017 3rd Qtr. DCED Loan-Salt Shed	2,780.64
09/12/2017	26010	Duquesne Light Company	Monthly Electric Service	2,382.96
09/12/2017	26011	Economy Vol. Fire Department	2017 3rd Qtr. EVFD Fire Allocation	58,250.00
09/12/2017	26012	Econ. Welding & Industrial Supply	Misc. Operating Supplies	32.86
09/12/2017	26013	FNB Commercial Credit Card	Misc. Purchases	847.25
09/12/2017	26014	Galls LLC	Uniform Expenses	653.49
09/12/2017	26015	Glatz Auto Detailing	Vehicle Cleaning Service	40.00

09/12/2017	26016	Grainger	Misc. Operating Supplies	241.20
09/12/2017	26017	H. A. Thomson Co.	Public Officials Bond	1,349.00
09/12/2017	26018	Hanson Aggregates BMC, Inc.	Asphalt	2,997.28
09/12/2017	26019	Hernandez, Frank	Boot Allowance	100.00
09/12/2017	26020	Herzog Truck Service, Inc.	Vehicle Inspection/Maint. Service	615.00
09/12/2017	26021	Home Depot Credit Services	Misc. Operating Supplies	94.94
09/12/2017	26022	Hunter Truck Sales & Service, Inc.	Vehicle Maintenance Service	216.93
09/12/2017	26023	Incom Supply of Pittsburgh	Late Fee	4.83
09/12/2017	26024	Iron City Workplace Services	Uniform/Rug Services	526.12
09/12/2017	26025	JC Ehrlich Co., Inc.	Pest Control Services	138.28
09/12/2017	26026	Joseph A. Askar Law Offices	2017 Solicitor Services & Retainer	6,055.50
09/12/2017	26027	Lacal Equipment Inc.	Equipment Maintenance Parts	187.02
09/12/2017	26028	LCA-Lease Corp. of America	Telephone Leasing	209.81
09/12/2017	26029	M & M Uniforms, Inc.	Uniform Expenses	36.40
09/12/2017	26030	Markl Supply Company, Inc.	Uniform Expenses	310.00
09/12/2017	26031	Marsilio Court Reporting Service	2017 Stenographer Services	452.50
09/12/2017	26032	MDIA	Building Permit Inspections	3,183.60
09/12/2017	26033	MGSof-Net, Inc.	Computer/Cloud Maint. Services	1,309.00
09/12/2017	26034	Michael Baker International, Inc.	Planning Commission Consultant Fees	1,537.50
09/12/2017	26035	Mitel Cloud Services	Monthly Telephone Service	279.40
09/12/2017	26036	MRM Workers' Comp Fund	2017 Worker's Comp Policies-CEO, Admin, Pol, PW	24,704.42
09/12/2017	26037	Voided	Voided	0.00
09/12/2017	26038	Napa-Station Auto Parts	Misc. Operating Supplies/Veh. Repair Parts	400.29
09/12/2017	26039	Nationwide Employee Benefits	Group Life Insurance Coverage	268.76
09/12/2017	26040	Nelko, Margie	2017 PAMA Conference Expenses/Mileage	404.12
09/12/2017	26041	Occidental Life Ins. Co of NC	Employee Paid Life Insurance	158.28
09/12/2017	26042	Optimus Risk Services	Flagger Certifications	245.00
09/12/2017	26043	PA DEP	2017-2018 UGT Diesel Permit	50.00
09/12/2017	26044	PA One Call System, Inc.	PA One Call Services	161.29
09/12/2017	26045	PGH Networks	Telephone Maintenance	99.00
09/12/2017	26046	PIRMA	Insurance Services-Boro, Pol, PW	90,018.00
09/12/2017	26047	Point Spring Company	Vehicle Maintenance Parts	328.69
09/12/2017	26048	Reed Oil Company	Diesel Fuel	715.91
09/12/2017	26049	Reliance Standard Life Insurance	Group Life Insurance Coverage	138.40
09/12/2017	26050	Sewickley Construction Prod. Inc.	Storm Drain/Pipe Repair Parts	1,594.15
09/12/2017	26051	Shields Asphalt Paving, Inc.	2017 Roadway Improvement Prj. Payment	486,442.87
09/12/2017	26052	Shoup Engineering Inc.	Engineering Services	555.00
09/12/2017	26053	Smitty's Service.	Vehicle Repair/Parts Service	72.50
09/12/2017	26054	Soil Screeners Inc.	Top Soil	737.50
09/12/2017	26054	Stanley's Economy Auto Supply Inc.	Vehicle Repair/Parts Service	157.95
09/12/2017	26055	Sprint Communications	Mthly Cellphone Service	421.69
09/12/2017	26056	Staley Communication-BearCom	2017 Radio Service Contract	400.00
09/12/2017	26058	SunSetz Lawncare	2017 Contracted Lawn Maint. Service	200.00
09/12/2017	26059	SWIF-State Worker's Ins. Fund	Workers Comp Ins. Payment	4,505.00

09/12/2017	26060	Teamsters Local Union 250	Union Dues	360.00
09/12/2017	26061	Tomaszewski, Raymond	Mileage Reimbursement-CEO	7.70
09/12/2017	26062	Tri-State Hose & Supply Company	Equipment Maintenance Parts	84.74
09/12/2017	26063	Veterans Service Center	2017 Veteran's Allocation	500.00
09/12/2017	26064	Vi-HAUS	2017 Monthly Hosting Agreement Fees	875.50
09/12/2017	26065	W. PA Teamsters Emp. Welfare Fund	Monthly Health Insurance	24,752.44
09/12/2017	26066	Walsh Equipment	Street Signs/Parts	128.10
09/12/2017	26067	West Central Equipment, LLC	Equipment Maintenance Parts	424.08
09/12/2017	26068	Wex Bank-Sunoco	Monthly Gasoline Usage	2,885.52
09/12/2017	26069	Wine Concrete Products, Inc.	Catch Basin/Knockout Box Base	777.00
09/25/2017	26073	Commonwealth of PA-MS4	2017 MS4 Permit Renewal	500.00
				736,502.18

Highway Aid Fund

09/12/2017	133	Duquesne Light Company	Mthly Electric Service-Street Lights/Traffic Signals	1,221.99
				1,221.99

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: No Report.

The Borough Manager presented Council with information from a meeting he had recently regarding Pittsburgh Area Game Time Playgrounds. The company participates in a grant program that will match a percentage of the monies spent. The Borough Manager would like to meet with Mr. Fetkovich and the Recreation Committee to review this option and then bring back to Council. A decision must be made by November 15, 2017, to participate in this opportunity. Members of Council discussed funding.

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):

1. Public Works Bi-monthly Reports – After some review and discussion, these reports were ordered received and filed.
2. Paving of Merriman Road – Mrs. Mutschler stated that the Public Works Foreman reviewed the budget, which has a remaining balance of approximately \$43,000.00 under the paving line item, and recommends paving a 1500-foot section of the bottom portion of Mary Reed Road with hot asphalt for approximately \$25,000.00. The Borough Engineer was asked to look into this matter and make a recommendation.
3. Public Works Contract – Mrs. Mutschler presented Council with an update regarding the upcoming meeting on October 4, 2017 at 6 p.m.

Mr. Burns entered the meeting at this time (7:46 p.m.)

MAYOR'S REPORT: Mayor Borato presented Council with information and/or updates regarding the following issues:

1. Mayor's Monthly Police Department Report for August 2017 – After some review, this report was ordered received and filed.
2. Police Department Hiring Issues – A letter, dated September 8, 2017, was received from Chief O'Brien regarding a request to hire another officer to help keep overtime down. Members of Council discussed the twelve (12) hour shifts having helped with overtime expenses within the last year and concerns regarding the added expenses of hiring another full-time officer. Mr. Googins stated that this has been the same discussion for the last twelve (12) years and that this should be based on a percentage of revenues or a metric base. It was determined that more information is needed and maybe Chief O'Brien could meet with Council to review this matter.
3. Video Camera/DVR Replacements – The Mayor presented Council with an overview of two (2) proposals received from Knighthawk Alarm Services, who handles the key pads, to replace the DVR for the security cameras. The recommendation is to accept the bid for the (16) Channel 2U Tribrid Recorder. Members of Council discussed how bad the equipment is working, receiving other bids for a comparison and the budget line item to be used for the expense (410.372 or 410.740). The Mayor stated that she would get more information.
4. Police Secretary Agreement – The agreement will expire December 31, 2017 and a new agreement would be needed for 2018. Mr. Googins stated that the Borough Manager added a nominal increase in the proposed budget for this and that a draft agreement could be proposed to the new Council for action at their discretion.

Mrs. Mutschler asked if everyone received their brown envelope, if it was read and what is their take on it. The information received in the manila envelope is regarding a request for reimbursement to the Police Association for expenses incurred from the reprimand grievance arbitration. The Borough Solicitor stated that there is no obligation to reimburse these expenses and that the contract clearly states the arbitration expenses are split. Mr. Googins stated that this matter is not on the agenda, but needs to be addressed and asked everyone to read the information and add it to the next agenda. The Borough Solicitor stated that the Borough lost the arbitration and does not recommend appealing. The reprimand has been removed from the employee's file and a meeting with the employee was completed.

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

1. Skonieczny Lawsuit – No update at this time.
2. Ambridge Water Authority Agreements (AWA) and Releasing of Funds – The Borough Solicitor presented Council with an overview of the proposed agreement and the hydrant fees being held in escrow. Members of Council reviewed and discussed the issue of paying for hydrant maintenance services and the lack of a maintenance report for the hydrants for the past three (3) years. The Borough Solicitor explained that there are two (2) separate issues that need addressed and a threat of litigation is imminent if there are more delays. AWA has made a good faith effort by servicing the hydrants and completing/submitting a hydrant maintenance report which will continue

quarterly. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Burns to release the funds in escrow to Ambridge Water Authority was unanimously carried.** Members

of Council reviewed and discussed concerns regarding why a maintenance fee should be paid on equipment that is owned by AWA and if a hydrant fee is not paid then it would then trickle down to the residents. The agreement applies to all existing and new fire hydrants within the Borough covering proper installation, maintenance and operation. The agreement will expire June 30, 2020. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Burns to accept the Ambridge Water Authority Fire Hydrant Agreement was unanimously carried.**

ENGINEER'S REPORT – The Borough Engineer presented Council with an update regarding the Traffic Calming Study for Harmony Road. The Borough Engineer stated that going to three (3) speed humps from two (2) would impact the homes at either end of the road. Members of Council discussed concerns regarding placing a speed hump at the sharp curve, visual concerns, safety concerns with plowing in the winter and spacing between the speed humps. The Borough Engineer explained the PennDot Traffic Calming requirements for putting a speed hump at a curve of less than 300 (three hundred) feet and the limiting of a space with grades of less than eight percent (8%). Further discussions included adding a fourth (4th) speed hump, a resident's opinion of going to two (2) speed humps and the time frame needed for approval and completion. The Borough Engineer stated he would mark Harmony Road with pink paint to new areas so that everyone can see where the speed humps could potentially be placed.

OLD BUSINESS:

1. **Ordinance No. 463- Deferred Retirement Option Plan (DROP)** – An Ordinance amending the codified Ordinances of the Borough to increase the length of time eligible police officers can enter into a DROP as provided in the Police Pension Fund was presented to Council. The Borough Manager verified that Ordinance No. 463 was adequately advertised as required. **After some review, the motion of Mr. Morrone, seconded by Mrs. Skonieczny to approve Ordinance No. 463 was unanimously carried.**
2. **Piano Disposal** – The piano has been placed on Craig's List.
3. **James Jeschke, Jr. Request** – An email, dated August 16, 2017, was received regarding a request for the Concord Church Road berm to be backfilled. Mrs. Skonieczny stated that she has researched this matter more and found that Concord Church Road is a private road and expressed concerns regarding spending monies on private road(s). Members of Council and the Borough Solicitor discussed the matter of Concord Church Road being a public or private road according to the research done and that backfilling the berm is a safety issue that could be a liability issue now that the Borough has been put on notice. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Fetkovich to backfill the berm for safety issues was made.** A roll call vote was requested. **A roll call vote was taken of the members of Council present. The motion passed after receiving five (5) affirmative votes and two (2) negative votes.**

Mr. Bucuren – Yes	Mr. Fetkovich – Yes	Mr. Googins – Yes	Mr. Burns – Yes
Mr. Morrone – Yes	Mrs. Mutschler – No	Mrs. Skonieczny – No	

At the time of voting, the following comments were made for the record:

Mr. Bucuren voted yes because of safety issues, and stated that he would like to see this issue taken care of whether this road is a private road or whether it is a Borough road.

Mrs. Mutschler voted yes because it's a safety issue and it needs to be done, but stated once we do the research and we find out this road was paved wrong and this is done then we are going to proceed with someone taking care of returning the money. After some disagreement, Mrs. Mutschler changed her vote to no and requested more information.

Mrs. Skonieczny voted no and stated that she would like more information before giving an informed educated vote.

4. McCormick/Constanza Plan of Lots – The Borough Manager presented Council with the background of the plan of lots. The plan of lots proposes subdividing a vacant lot located at Edgewood Road and consolidating a portion to each of the abutting lots. Members of Council discussed the fact that the lots are zoned commercial and require a minimum of 1 acre that the existing lots do not meet. These lots were developed prior to Zoning regulations. The Borough Manager stated that the Zoning Hearing Board approved the variance and the Planning Commission and Beaver County Planning Commission recommended approval. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mr. Morrone to approve the recommendation of the Planning Commission regarding the McCormick/Constanza Plan of Lots was unanimously carried.**
5. Prior Zoning Issues – Mrs. Mutschler expressed concerns regarding the number of Zoning Hearing Board Members, the fees possibly not meeting the actual costs for hearings and how the decisions are made. Mr. Gogins recommended reviewing the Municipal Planning Code to determine how Zoning Boards are established. Mrs. Mutschler questioned how the Northern Lights Shopping Center Sign was denied by the Zoning Hearing Board but granted by Council without an appeal. Members of Council and the Borough Solicitor reviewed and discussed the sign concerns and the concerns regarding who paid for the sign, the building permit for the sign and who signed off on the building permit. Members of Council discussed the email given to them regarding the sewer line capping at Northern Lights Shopping Center being informational only and that this topic is between the owner and contractor(s).
6. Public Works Contract – This matter was discussed under Public Works Committee portion of the meeting.
7. Refuse (Garbage) Contract Bids – The Borough Manager stated that bids were received and that he was inviting representatives from Valley Waste Service, Inc. to the next regular scheduled meeting to answer any questions or concerns Council may have.
8. Fee Resolution – This matter is still on hold while waiting for input from the Planning Commission.
9. New F350 Pickup Truck – This matter is on hold while waiting for information from the dealerships.
10. Petty Cash Policy – This was forwarded to the Finance Committee for review, no update at this time.

NEW BUSINESS:

1. Boy Scout Newspaper Recycling Bin Request – The Borough Manger stated that a quote was received from Thompson Fab and that a decision would need to be made by Council. Members of Council discussed safety concerns and the possibility of other bids. The Borough Manager was asked to contact E. Reid Powell Refuse to see if they have an equivalent bin available and if not then to contact Bucks Fabrication for another bid.
2. Economy Borough Volunteer Fire Department Tax Exoneration Request – The lot in question is a vacant lot that is not in use by the fire department. The fire department’s request to the county was declined and they have not reached out to the school district. The Borough Solicitor will research this matter.
3. 2018 Minimum Municipal Obligation (MMO) - The MMO outlines the required funding amounts due to the pension plans to remain qualified for state aid. The obligation due for the Police Pension Plan is in the amount of \$287,534.00 and the obligation due for the Non-Uniform Pension Plan is in the amount of \$14,405.00. **After some review and discussion, it was the consensus of Council to accept the 2018 Minimum Municipal Obligation as submitted by Hallett Associates, Inc.**
4. Veteran’s Center – A letter dated September 1, 2017, was received from Ms. Ann Baran, Executive Director of the Veteran’s Service Center, requesting the yearly donation of \$500.00 and to be included on the 2018 Budget.
5. Beaver County Municipal Winter Traffic Services Agreement – Resolution No. 465 –The Borough Manager presented Council with a background of the Winter Maintenance Agreement with PennDot. This is a five (5) year agreement and in the event a problem develops, the agreement can be canceled prior to September 15th for any year that the agreement is in effect. A Resolution of the Borough of Economy authorizing and directing the President of Council to sign a five (5) year Winter Traffic Service Agreement with the Commonwealth of Pennsylvania Department of Transportation was presented to Council for review. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mrs. Skonieczny to accept the five (5) year agreement and approve the adoption of Resolution No. 465 was unanimously carried.**
6. Economy Ambulance Request – A letter was received from Mr. Kevin Joy, of the Economy Ambulance Service, Inc., requesting a donation from the Borough. Members of Council reviewed and discussed the reasoning behind their increasing expenses and whether the ambulance service is a non-profit corporation 501(c)(3) or 501(c)(4). The Borough Solicitor will research this matter.

OTHER BUSINESS:

1. The Economy Borough Municipal Authority Minutes of August 15, 2017, and August 31, 2017 were distributed to Council.
2. Mrs. Mutschler directed her inquiry regarding if the police department is legally permitted to enforce traffic issues at Northern Lights Shopping Center (NLSC) to the Mayor. (Mr. Burns excused himself at this time.) Mrs. Mutschler stated that according to the state law, in order for police to patrol a private parking lot it must be at least ten (10) acres of continuous parking lot and with Economy Way going through the middle of the parking lot it may not meet the requirement.

Members of Council reviewed and discussed the existing contract to patrol NLSC, the size of the parking lot and that the existing signage/pavement markings does not meet our Ordinances. The Borough Solicitor will research this matter. (Mr. Burns re-entered the meeting at this time.)

There being no further business, the motion of Mr. Fetkovich, seconded by Mr. Morrone to adjourn the meeting at 9:45 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 Bills Payable for September 2017.
2. Approval to release funds in escrow to the Ambridge Water Authority.
3. Approval to accept the Ambridge Water Authority Fire Hydrant Agreement.
4. Adoption of Ordinance No. 463.
5. Approval to backfill Concord Church Road berm for safety issues, included a roll call vote.
6. Approve the McCormick/Constanza Plan of Lots.
7. Acceptance of 2018 Minimal Municipal Obligation (MMO).
8. Approval to accept the (5 yr.) Winter Maintenance Agreement and Approval of Resolution No. 465.