

Economy Borough Council
Council Minutes
November 14, 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.

ABSENT: R.J. Burns (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.

HEAR THE PUBLIC: None.

MINUTES of the Regular Meeting held on October 24, 2017, were presented to Council. **After some review, the motion of Mr. Morrone, seconded by Mrs. Mutschler to approve the Regular Meeting Minutes of October 24, 2017 as presented was unanimously carried.**

FINANCE COMMITTEE: Mr. Bucuren, Chairperson of the Finance Committee, presented Council with updates regarding the following issue(s):

1. **Budget Report** for the month of October 2017, was presented to Council. After some review and discussion this report was ordered received and filed.
2. **Treasurer's Report** for the month of October 2017 was presented to Council. After some review, this report was ordered received and filed.
3. **Bills Payable** for the period of October 11, 2017 through November 14, 2017, in the amount of \$318,029.79 from the General Fund and in the amount of \$1,232.97 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 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 and the exception of Mrs. Skonieczny regarding charges (if applicable) submitted on the Borough Solicitor's bill regarding litigation matters for the Skonieczny lawsuit.**

General

10/13/2017	26145	Knepper Press	2017 Fall/Winter Newsletter Printing	1,475.00
10/13/2017	26146	U.S. Postmaster	2017 Fall/Winter Newsletter Postage	1,592.03
10/13/2017	26147	Fidelity Investments-Non-Uniform	2017 Pension MMO	32,428.00
10/13/2017	26148	Fidelity Investments-Police	2017 Pension MMO	100,511.64

10/17/2017	26149	Reserve Account-Pitney Bowes	Replenish Postage Meter	410.00
11/02/2017	26150	Bitting Recreation Inc.	2017 Game Time Playground Equipment	57,634.24
11/14/2017	26151	ADT Security Services	Monthly Security Service	89.16
11/14/2017	26152	Aflac	Employee ACC Insurance	253.50
11/14/2017	26153	AMBP-Mayors Assoc.	2018 Assoc. of Mayors Dues	70.00
11/14/2017	26154	Ambridge Wholesale Tire Inc.	Tire Purchases-Pol	4,294.96
11/14/2017	26155	Amcom Office Systems, Inc.	Monthly Copier Maintenance/Overage	240.58
11/14/2017	26156	Animal Control Services	Animal Control Service Fee	550.00
11/14/2017	26157	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	247.50
11/14/2017	26158	Bauman Office Plus	Misc. Office Supplies	524.55
11/14/2017	26159	Beaver Cty Dept. Waste Management	2017 Recycling Brush-Grass	450.00
11/14/2017	26160	Beaver Cty Times-Newspapers Inc.	Legal Ad-Zoning-Pub. Hearing Spec Exception	232.70
11/14/2017	26161	Bob Sumerel Tire Co., Inc.	Tire Repair Services	554.16
11/14/2017	26162	Building Insp. Underwriters of PA	Building Permit Inspections	862.40
11/14/2017	26163	Burns, Daniel	Mileage Reimbursement-Asst. CEO	122.14
11/14/2017	26164	Butler Gas Products Co, Inc.	Monthly Cylinder Rental	43.60
11/14/2017	26165	C & K Wholesale, Inc.	Equipment Repair Parts	461.74
11/14/2017	26166	Clean Care, Inc.	Floor Mat Service	197.29
11/14/2017	26167	Columbia Gas	Monthly Gas Service	1,224.00
11/14/2017	26168	Comcast 0029740	Monthly Internet/Phone Service	459.18
11/14/2017	26169	Comcast 0029955	Monthly Internet/Phone Service	105.75
11/14/2017	26170	Coverall North America, Inc.	Monthly Cleaning Services	739.00
11/14/2017	26171	Duquesne Light Company	Monthly Electric Service	1,001.94
11/14/2017	26172	Economy Metals, Inc.	Sheet Metal-Recycling Dumpster	22.00
11/14/2017	26173	Economy Plumbing & Heating Co.	Misc. Operating Supplies	248.42
11/14/2017	26174	Economy Volunteer Fire Dept.	2017 Fire Prevention (Child Activities)	1,000.00
11/14/2017	26175	Economy Welding/Industrial Supply	Misc. Operating Supplies	87.25
11/14/2017	26176	Flint Trading, Inc.	Roadway Warning Markings	1,569.36
11/14/2017	26177	FNB Commercial Credit Card	Misc. Purchases	247.74
11/14/2017	26178	Galls LLC	Uniform Expenses	176.92
11/14/2017	26179	Hanson Aggregates BMC, Inc.	Asphalt	20,203.84
11/14/2017	26180	Herzog Truck Service, Inc.	Vehicle Inspection/Maint. Service	90.00
11/14/2017	26181	ICMA Membership Renewals	2018 ICMA Membership Dues	580.00
11/14/2017	26182	Iron City Workplace Services	Uniform/Rug Services	610.45
11/14/2017	26183	JC Ehrlich Co., Inc.	Pest Control Services	133.98
11/14/2017	26184	LCA-Lease Corporation of America	Telephone Leasing	209.81
11/14/2017	26185	Marsilio Court Reporting Service	2017 Stenographer Services	227.50
11/14/2017	26186	McClymonds Supply Transit Co. Inc.	Limestone	3,931.76
11/14/2017	26187	MDIA	Building Permit Inspections	3,676.64
11/14/2017	26188	MGSofNet, Inc.	Battery Backup/Sonic Wall Installations	275.00
11/14/2017	26189	Michael Baker International, Inc.	Planning Commission Consultant Fees	2,237.50
11/14/2017	26190	Mitel Cloud Services	Monthly Telephone Service	568.77
11/14/2017	26191	Napa-Station Auto Parts	Vehicle Repair Parts	104.44
11/14/2017	26192	Occidental Life Insurance Co of NC	Employee Paid Life Insurance	79.14

11/14/2017	26193	PA One Call System, Inc.	PA One Call Services	45.72
11/14/2017	26194	PA State Association of Boroughs	2018 Borough/Council Assoc. Dues	1,515.00
11/14/2017	26195	PGH Networks	Telephone Maintenance	119.00
11/14/2017	26196	Pittsburgh Public Safety Supply	Uniform Expenses	168.99
11/14/2017	26197	Point Spring Company	Equipment Maint. Parts	85.07
11/14/2017	26198	Prof. Graphic Communications Inc.	Embroidery Shirts-CEO	92.00
11/14/2017	26199	Reed Oil Company	Diesel Fuel	1,382.98
11/14/2017	26200	Reliance Standard Life Insurance	Group Life Insurance Coverage	343.20
11/14/2017	26201	S & D Calibration Services, Inc.	Acutrak, Enrad-Vascar Certs.	215.00
11/14/2017	26202	S & S Fasteners, Inc	Equipment Repair Parts	24.00
11/14/2017	26203	Safety-Kleen	Misc. Operating Supplies	261.50
11/14/2017	26204	Sewickley Construction Products Inc.	Storm Drain/Pipe Repair Parts	27.50
11/14/2017	26205	Shoup Engineering Inc.	Engineering Services	26,688.00
11/14/2017	26206	Smitty's Service.	Vehicle Inspection/Maint. Services	1,392.49
11/14/2017	26207	Spectrum Medical Corp, LLC	Pre-employment Drug Testing	45.00
11/14/2017	26208	Sprint Communications	Mthly Cellphone Service	422.66
11/14/2017	26209	Staley Communication-BearCom	2017 Radio Service Contract	248.30
11/14/2017	26210	Staples Advantage	Misc. Office Supplies	240.68
11/14/2017	26211	SunSetz Lawncare	2017 Contracted Lawn Maint. Service	220.00
11/14/2017	26212	SWIF-State Worker's Insurance Fund	SWIF Workers Comp Ins. Commission	1,998.00
11/14/2017	26213	Teamsters Local Union 250	Union Dues	360.00
11/14/2017	26214	Terry Smith	2017 Fall/Winter Consultant Services	1,945.00
11/14/2017	26215	The Sherwin-Williams Co.	Paint/Supplies-Recycling Dumpster	49.36
11/14/2017	26216	Three Rivers Marine & RV Center	Vehicle Maint. Services	3,433.38
11/14/2017	26217	Traffic Control Equip/Supplies Co. Inc.	Pedestrian Pole Repair Service	636.27
11/14/2017	26218	Vi-HAUS	2017 Monthly Hosting Agreement Fees	875.50
11/14/2017	26219	W. PA Teamsters Emp. Welfare Fund	Monthly Health Insurance	27,357.96
11/14/2017	26220	Wex Bank-Sunoco	Monthly Gasoline Usage	2,081.86
11/14/2017	26221	Wright Automotive Group	Vehicle Repair Services	206.04
11/14/2017	26222	Joseph A. Askar Law Offices	2017 Solicitor Services & Retainer	2,493.75
				<u>318,029.79</u>

Highway Aid Fund

11/14/2017	135	Duquesne Light Company	Mthly Electric Service-Street Lights/Traffic Signals	<u>1,232.97</u>
				1,232.97

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: Mr. Fetkovich, Chairperson of the Parks and Recreation Committee, thanked everyone for working together in pursuing the playground equipment. The Borough Manager informed Council that there may be an issue with storing the playground equipment once it is shipped. Members of Council discussed acquiring the dimensions of the boxes, possibly renting a storage trailer or maybe storage space with the Economy Borough Municipal Authority.

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. Mrs. Mutschler discussed an issue with a leak in the garage roof and it was determined that the Public Works Foreman and Mr. Morrone, Chairperson of the Property and Buildings, will get in touch to discuss repair options.
2. Christmas Holiday Observation – Mrs. Mutschler presented Council with a written request from the Public Works Department regarding the possibility of observing Christmas Eve on Friday, December 22nd instead of Tuesday, December 26th. The Borough Manager stated that the office would observe the same if there are no objections from Council. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Fetkovich for this year only the Christmas Holiday will be observed on December 22nd and Monday, December 25th being Christmas Day per request by the bargaining unit was unanimously carried.** The Borough Solicitor requested a signed written request for the files.
3. Public Works Grievance – Mrs. Mutschler asked how the grievance process works for this department. The Borough Manager stated that he responded to the grievance informing the employee that he was required to contact Mrs. Mutschler within five (5) days or it would be closed. The grievance was closed because the deadline lapsed.
4. Unemployment Request Status – Mrs. Mutschler asked what the status was on this matter. The Borough Manager stated that he does not have the paperwork, that it was turned over to the Borough Solicitor after the discussion in executive session at the last meeting. Members of Council discussed the expiration dates, if these dates were missed, who is responsible to respond and that if the deadline(s) were missed then someone should/will be held responsible because the Borough should not be liable for this request.
5. Part-time Public Works Department Applications – Mrs. Mutschler stated that quite a few applications have been received and asked how Council would like to handle this. Members of Council discussed if there should be one or more hired in the event one isn't available, whether having a CDL or not regarding which trucks can be driven, the Public Works Department being shorthanded due to vacations and the verbiage in the contract regarding scheduled vacations regarding personnel shortage(s). This matter will be discussed in executive session.
6. Public Works Contract – This matter will be discussed in executive session.

Mrs. Mutschler requested an executive session to discuss two (2) personnel matters.

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

1. Mayor's Monthly Police Department Report for October 2017 – After some review, this report was ordered received and filed.
2. Knox Boxes – The Mayor presented Council with an overview of a request for Knox Boxes in the Borough. The Borough Solicitor did prepare a draft ordinance that was distributed to Council for review. Members of Council discussed concerns regarding the Ordinance Committee not having time

to review an ordinance, whether the Borough has the authority to require a business to enter into a contract with a private corporation, this being a public safety related issue, commercial properties would be mandatory and residential would be voluntary. This matter has been brought to Council's attention for approximately one and a half (1 ½) years and it was determined that this matter should be further reviewed by the Ordinance Committee and Council.

3. Volunteer Firefighter Tax Credit Guidance (Act 172-2016) – The Mayor requested that this matter be held until 2018 because it is more involved than anticipated and would include time constraints for advertising. Members of Council discussed concerns regarding whether other organizations or departments could participate, the criteria that must be met to qualify and concerns regarding the financial impact it would have for the Borough. This matter will be addressed again in 2018 by the Mayor and the Public Safety Committee.

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

1. Skonieczny Lawsuit – No update at this time.
2. Economy Borough Volunteer Fire Department Tax Exoneration Request – The Borough Solicitor stated that the policy of Beaver County is to not act on an exoneration until they hear from both the municipality and the school district. Fire Chief Thomas stated that the Economy Volunteer Fire Department received letters from both Beaver County and the Ambridge Area School District approving the exoneration. Fire Chief Thomas will forward a copy of the letters to the Borough Manager for Council's review.
3. Repository Purchase Consent – A request for the consent to purchase an abandoned trailer located at the Ellis Miller Park, Lot/Block 60-194-0150.998, was received from Mr. Todd Alan Miller. The Borough Solicitor explained what a repository purchase is and that in consenting to this purchase it would benefit the Borough by placing it back on the tax records. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Morrone to approve the repository purchase for Lot/Block 60-194-0150.998 was unanimously carried.**

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

1. Traffic Calming Study (Harmony Road)– The Borough Engineer presented Council with an update regarding the speed humps on Harmony Road. Mrs. Mutschler stated that the 3rd one was installed today and weather permitting the 4th would be worked on tomorrow.
2. Stormwater Management Ordinance – An Ordinance amending the Code of the Borough of Economy by repealing and replacing Chapter 155 entitled “Stormwater Management” with an updated Chapter 155 was presented to Council. The Borough Engineer presented Council with the background regarding the Borough's stormwater discharge permit (MS4 Permit) and DEP regulations. The Borough Manager and the Borough Solicitor reviewed the ordinance and recommend advertising based on the Clean Water Act of 1970. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Bucuren to authorize advertising of an ordinance to updating the Stormwater Management Ordinance pursuant to the Act of October 1978, P.L. 86A, as amended, known as the “Stormwater Management Act” was unanimously carried.**

OLD BUSINESS:

1. Fee Resolution – This matter is still on hold while waiting for input from the Planning Commission.
2. Petty Cash Policy – This was forwarded to the Finance Committee for review, no update at this time.
3. Piano Disposal – This matter is on hold while waiting for a reply from the interested party.

NEW BUSINESS:

1. Discretionary Trading Authorization (Vescio Asset Management, LLC) – The Borough Manager presented Council with the background regarding the Securities and Exchange Commission’s (SEC) request for an authorization form permitting Vescio Asset Management, LLC to make investment decisions on behalf of the Borough. Members of Council discussed the current plan document outlining the duties/policy for investing and the time frame of for this document. The Borough Manager stated that he would look into the time frame and wait for new signatories to execute the document.
2. Semonik-Daugherty Plan of Lots Subdivision/Consolidation - This subdivision and lot consolidation, located on Conway Wallrose Road, is revising property lines between three (3) existing lots. Lot/Block 60-185-127.001 (proposed Lot 1) will gain an additional 0.211 acres (parcel B) Lot/Block 60-185-128 (proposed Lot 2). Lot 2 will gain 0.308 acres (parcel A) from Lot/Block 60-185-125-001 (proposed Lot 3.) After the consolidation(s), Lot 1 will be 0.893 acres, Lot 2 will be 11.052 acres and Lot 3 will be 2.617 acres. The Borough Manager stated that Borough Planning Commission has recommended approval and the Beaver County Planning Commission will be meeting next week. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Mutschler to approve the Planning Commission’s recommendation was unanimously carried.**
3. Nonconforming Lot Size Zoning Ordinance Amendment - A proposed ordinance to amend Chapter 180 of the Borough Code entitled “Zoning” to include regulations for nonconforming lot size(s) was presented to Council for review. Members of Council discussed examples of where this amendment would have helped in recent zoning matters, the language of Section 1-C and that the Planning Commission has reviewed the amendment. The Borough Engineer stated that he would contact Michael Baker International to get a better explanation of the amendment.
4. 2018 Proposed Budget - A proposed budget for the year 2018 was presented to Council for review. There were questions regarding the proposed budget vs. the monthly Budget Report, which included possible missing income/expense data and income/expense line item discrepancies. Mr. Googins explained that the proposed budget is not the same as the Monthly Budget Report but a plan to follow and asked whether QuickBooks offers a proposed budget. The Borough Manager stated it would be looked into and that the proposed budget needs advertised for public inspection for a minimum ten (10) calendar days prior to approval subject to the changes discussed and reviewed. **After some review, the motion of Mr. Fetkovich, seconded by Mr. Morrone to authorize advertising of the proposed 2018 Budget with the changes discussed and reviewed was unanimously carried.**
5. 2018 Tax Ordinance - A proposed Ordinance establishing a tax rate of 13.5 mills for the year 2018 was presented to Council. The Borough Manager recommended advertising the proposed 2018 Tax Ordinance. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mrs. Mutschler to authorize the advertising of the 2018 Tax Ordinance was unanimously carried.**

OTHER BUSINESS:

1. Committee Re-appointments – The Borough Manager presented Council with a list of seats that will expire on December 31, 2017, and asked how Council would like to proceed in filling them. The Borough Solicitor advised Council to formalize a policy for this matter. The following actions were taken by all members of Council present:
 - a. Economy Borough Municipal Authority (5 yr. term) – A letter, dated November 7, 2017, was received from Mr. Richard Mattern expressing his interest in being re-appointed to the EBMA Board. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mr. Morrone to re-appoint Mr. Richard Mattern to the Economy Borough Municipal Authority Board for a five-year (5 yr.) term was unanimously carried.**
 - b. Planning Commission (4 yr. term) – A letter, dated November 14, 2017, was received from Mr. Steve Borato expressing his interest in being appointed to the Planning Commission. An email was received from both Mr. Richard J. Loedding, dated November 14, 2017 and Mrs. Audrey Mutschler, dated November 13, 2017, expressing their interest in being re-appointed to the Planning Commission. Members of Council discussed that there are three (3) positions and four (4) applicants (Mr. Kowal has not submitted a letter as of this date). **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mrs. Mutschler to re-appoint Mrs. Audrey Mutschler, Mr. Richard J. Loedding and Mr. Roger Kowal pending the receipt of his letter to the Planning Commission Board for a four-year (4 yr.) term was unanimously carried.**
 - c. Zoning Hearing Board (3 yr. term) – A letter was received from Ms. Elizabeth Hawkins expressing her interest in being appointed to the Zoning Hearing Board. Members of Council discussed Mr. George Stewart’s expiring term, the vacancy for an Alternate and whether Ms. Hawkins could sit on both the Zoning Hearing Board and the Recreation Board. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to re-appoint Mr. George Stewart pending the receipt his letter and to appoint Ms. Elizabeth Hawkins as the Alternate to the Zoning Hearing Board for a three-year (3 yr.) term was unanimously carried.** Mrs. Mutschler asked how hard it would be to expand the Zoning Hearing Board to five (5) members. Members of Council discussed the bylaws from the Municipal Planning Code addressed this matter and the reasoning for an increase. The Borough Solicitor was asked to research this matter and have information for the next regular scheduled Council meeting.
 - d. Recreation Board – A letter was received from Ms. Elizabeth Hawkins expressing her interest in being appointed to the Recreation Board. Members of Council discussed that Mrs. Laurel Westrom and Mr. Tony Blum’s (non-active member) terms are expiring. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mr. Morrone to re-appoint Mrs. Laurel Westrom pending her interest and to appoint Mrs. Elizabeth Hawkins to the Recreation Board for five-year (5 yr.) term was unanimously carried.**

Mrs. Skonieczny thanked Mr. Googins for all service.

EXECUTIVE SESSION: Mr. Googins requested Council go into Executive Session regarding a contractual matter and personnel matters at 8:59 p.m., as per the motion of Mrs. Mutschler, seconded by Mr. Morrone.

On the motion of Mrs. Skonieczny, seconded by Mr. Bucuren to reconvene at 9:50 p.m. was unanimously carried.

Upon re-entering the public meeting, the following item was reviewed:

1. Probationary Employment Position - **A motion was made by Mrs. Mutchler, seconded by Mr. Bucuren, to terminate the employment of probationary employee Doug Hiltz, all voted aye.**
2. Public Works Seasonal Part-time Position(s) - After discussing the shortages of employees in the Public Works Department (Mr. Fitzgerald and Maker have departed, a part-timer and probationary employee were let go, and employees have vacation to use before the end of the year) **a motion made by Mrs. Mutschler, seconded by Mr. Googins, to offer part-time seasonal employment to Ben Fuchs and Alexander Deitz for \$17.00/hour for snow removal and other work as needed for up to 28 hours per week unless weather or other emergency conditions necessitate more hours, at the earliest feasible date, all voted aye.**

There being no further business, the motion of Mr. Bucuren, seconded by Mr. Morrone to adjourn the meeting at 10:15 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 October 24, 2017.
2. Approve Bills Payable for November 2017.
3. Approval of observed Christmas Holiday closings.
4. Approve the Repository Purchase of Lot/Block 60-194-0150.998.
5. Approval to advertise an Ordinance updating the Stormwater Management Ordinance.
6. Approval of Planning Commission's recommendation for Semonik-Daugherty Plan of Lots.
7. Approval to advertise the proposed 2018 Budget.
8. Approval to advertise the 2018 Tax Ordinance.
9. Re-appoint Mr. Richard Mattern to the Economy Borough Municipal Authority.
10. Re-appoint Mrs. Audrey Mutschler, Mr. Richard J. Loedding and Mr. Kowal (pending a letter) to the Planning Commission.
11. Re-appoint Mr. George Stewart and appoint Ms. Elizabeth Hawkins (Alternate) to the Zoning Hearing Board.
12. Re-appoint Mrs. Laurel Westrom (pending an interest) and appoint Mrs. Elizabeth Hawkins to the Recreation Board.
13. Motion to terminate Mr. Doug Hiltz.
14. Motion to offer part-time seasonal employment to Mr. Ben Fuch and Mr. Alexander Deitz.