

Economy Borough Council
Regular Meeting Minutes
November 25, 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, Mayor David Poling, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Mr. Joshua Kail, Esq., representing the Borough Solicitor, and Borough Engineer Mr. Scott Shoup.

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

OPENING PRAYER

PLEDGE OF ALLEGIANCE

2013 BOROUGH AUDIT REVIEW: Mr. Brian McCall and Mrs. Mallory Starr, of Maher Duessel, were present to review the 2013 Borough Audit that was conducted. Mr. McCall presented an overview of the Financial Statement, the Communication Letter and the Management Letter. There was some discussion regarding the results of the audit and it was determined that there were no significant accounting entries. Maher Duessel will electronically file the 2013 Economy Borough Audit with DCED.

WEST VIEW WATER TREATMENT PLANT: The Borough Solicitor stated that this will be an informational discussion only and any decisions will be delayed until the next regular scheduled Council Meeting of December 9, 2014. Mr. Mark Duane and Mr. Andrew Campanaro, both of Hayes Design Group, Mr. David Ivanek, of Bankson Engineers, Inc., were present to discuss the proposed West View Water Treatment Plant. Mr. Ivanek presented Council with an overview of the land development portion of the proposed project, which will pump water at a rate of fifteen thousand (15,000) gallons a day. The project will start along the river in Baden Borough, boring under Rt. 65 coming out at the pump house and traveling up Tevebaugh Road to directly behind Walmart. The line will then run from Walmart to Conway Wallrose Road (via private property) to New Sewickley Township and then back to a small corner of the Economy Borough. There was some discussion regarding the private right-of-ways being secured for Tevebaugh Road and the railroad tracks. Mr. Campanaro presented Council with an overview of the plant layout, which includes three (3) buildings. There will be a gravel and partially paved driveway, which West View will maintain. There was some discussion regarding the landfill waste and where it will go. The waste will go to a DEP approved designated landfill site and will be transported by Municipal Waste Hauling. There was some discussion regarding future expansion capabilities, power and noise control for the pumps. Mr. Fetkovich inquired if a drawing of piping was included in the packets for Council. Mr. Duane stated no, but copies could be provided to the Borough Manager. Mr. Ivanek stated that modifications will be needed to the entrance as per our Ordinance regarding grading restrictions. The driveway is proposed as a private drive for West View Water and the neighbor, Mr. Stadnik, with a gate for employee access only. This driveway has been designed with a 13.4% grade instead of 10% which meets the Ordinance. The 10% grade is not feasible and would create a 25% grade to Mr. Stadnik's portion of the driveway. West View Water is requesting an exception to the Ordinance, which will leave the driveway as is. There was some discussion regarding if the driveway issues would affect Walmart, who needs two (2) access roads. The Borough Engineer stated that Walmart has other frontage off of Tevebaugh Road and could access the site from there. There was some discussion regarding the lack of notice to adjacent four (4) property owners. Mr. Duane stated that West View has not met with Walmart or the Catholic Diocese but has talked with the Sisters of St. Joseph and years ago with Mr. Stadnik. The Borough Solicitor requested mutual correspondence of notifications between the Borough and West View.

FIRE REPORT: No Report

POLICE REPORT: Chief O'Brien presented Council with updates regarding the Economy Borough Police Department. Chief O'Brien thanked the Fire Department and the Fire Police for their assistance during the storm and helping with the four (4) recent school incidents. Chief O'Brien stated that WPXI Channel 11 News featured Economy Borough as being a #1 community in Western Pennsylvania comparable in our demographics that did not file any violent crimes for 2013 according to the FBI UCR Crime Statistics. Violent crimes are classified as Homicide, Aggravated Assault, Rape and Robbery.

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 has worked on repairs to the trucks/equipment, patched select roads with cold and hot patch and cleared fallen trees. The department also repaired fifty-five feet (55 ft.) of collapsed drain on Conway Wallrose Road at the Economy Volunteer Fire Department Station 3 and replaced asphalt roadway.

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:

Evelyn Kuny of 2451 Herr Road, Ambridge
Debbie Cercone of 2464 Herr Road, Ambridge
Larry Walter of 2464 Herr Road, Ambridge
Marie Walter of 2464 Herr Road, Ambridge
Audrey Mutschler of 2820 Ridge Road Ext, Baden
Ray McClellan of 196 Shaffer Road, Sewickley

HEAR THE PUBLIC:

Ray McClellan, of 196 Shaffer Road, was present to express his displeasure in the events of the recent newsletter not having the updated Veteran's information. Mr. McClellan volunteers his time in keeping track of the deceased Veteran's within the Borough and routinely lowers the flag during these times. Mr. McClellan stated that he has received several phone calls from upset families regarding missing Veteran's names from the newsletter and feels that an apology from Council should be given. There was some discussion regarding how the Borough should receive the updated list of names. Mr. Fetkovich felt that an apology was order and also procedures needed in place to keep the names up to date. The Borough Manager stated that updates for the newsletter would be welcomed any time before the deadline(s). There was some discussion regarding the reason(s) for the newsletter being distributed late and that printing delay requests should not be granted. There was some discussion regarding placing a notice in the paper and designating a spot on the website for the Veterans. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Bucuren to place a notice in the Beaver County Times recognizing all of the Veteran's names was unanimously carried.**

Audrey Mutschler, of 2820 Ridge Road Ext., was present to discuss her concerns regarding the background of the prior hiring process and the proposed Police Chief. Mrs. Mutschler briefly reviewed Council Minutes of August through December 2013, and compared them to some of the emails from the email forensic audit. There was some discussion regarding the reason(s) the suspension of the police chief search. Mrs. Skonieczny stated that the reason the search was suspended is because it was brought to Council's attention that they could not hire or appoint a new chief of police based on case law because Council was a lame duck Council. Mrs. Mutschler questioned whether the remaining three (3) applicants had background checks completed and asked why one of these applicants was invited to a holiday party hosted by a Mrs. Barthelemy. Mrs. Barthelemy responded and explained her position on this matter. There was some discussion regarding whether the applicants were properly notified of the suspended action in the search for this position.

Kenneth Waters (not signed in), of 107 Rose Street, was present to inform Council that since the drain problem was addressed he has not had any water run-off in his driveway. Mr. Waters also discussed the decrease in gasoline vs. the E. Reid Powell Refuse bills.

Debbie Cercone, of 2464 Herr Road, was present to express her concerns regarding the zoning of the Janicki property. Ms. Cercone distributed a copy of the May 27, 2014, Council Meeting Minutes and questioned as to when the zoning of this property will be upheld. The Borough Solicitor stated that this is not the forum to have that determination and that he was not able to give legal advice. The Borough Solicitor advised Ms. Cercone to retain an attorney.

MINUTES of the Regular Meeting held on October 14, 2014, were presented to Council. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Googins to approve the Regular Meeting Minutes of October 14, 2014 was unanimously carried.**

MINUTES of the Regular Meeting held on October 28, 2014, were presented to Council. **After some review and discussion, the motion of Mr. Morrone, seconded by Mr. Googins to approve the Regular Meeting Minutes of October 28, 2014 was unanimously carried.** Mrs. Skonieczny abstained due to she was not in attendance at this meeting.

PROPERTY and BUILDING COMMITTEE: Mr. Fetkovich, Chairperson of the Property and Building Committee, stated that the Borough Building is having furnace issues. The gas line is forty years (40 yrs.) or more old and was not feeding enough gas for the furnaces to run properly. Mr. Burns stated that due to the weather, it was determined that a delay was not advisable. Mr. Morrone and the Borough Manager worked to solve this issue. The Public Works Department has laid a new line and saving the Borough \$2,200.00 in fees for this service. The Borough Manager stated that electric heaters are being used to keep the water lines from freezing until Columbia Gas is able to connect the line to the new meter and activate service. Mr. Burns and Mr. Fetkovich expressed their gratitude to Mr. Morrone, the Borough Manager and the Public Works Department for all the work they have done.

PUBLIC SAFETY COMMITTEE: No Report.

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

1. **Budget Report** for the month of October 2014 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 2014 was presented to Council. After some review and discussion, this report was ordered received and filed.
3. **Bills Payable** entered for the period of November 2014, in the amount of \$136,477.99 from the General Fund was presented to Council for review. **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.**

PUBLIC WORKS COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: No Report.

PUBLIC UTILITIES and ORDINANCE COMMITTEE: Mrs. Skonieczny, Chairperson of the Public Utilities and Ordinance Committee, presented Council with an update regarding Ordinance No. 444. The Borough Solicitor recommended the draft Ordinance to repeal Ordinance No. 444 be referred to the Ordinance Committee for review and recommendation.

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

The Mayor informed Council that he had received an email from Walmart regarding the lights on Economy Way not lighting properly. The Mayor stated that with Black Friday coming up this could be a safety hazard and should be corrected tomorrow. The timer is a complicated timer and is set for daylight savings time and needs to be recalculated. There was some discussion regarding the service being a 480 volt line, therefore, it would need to be fixed by a knowledgeable person and/or company. The Borough Manager stated that R.E. Yates Electric, Inc. is capable of doing this type of work and that he is trying to reach them. There was some discussion regarding the expense of this work and about the key for the control box. The Borough Manager stated that he would attempt to get this issue corrected tomorrow.

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

1. Advertise the 2015 Proposed Budget – The Borough Manager presented Council with the proposed 2015 Budget for review. After some discussion, it was the consensus of Council to discuss the proposed 2015 Budget in executive session.
2. Advertise the 2015 Tax Ordinance – The Borough Manager presented Council with the proposed 2015 Tax Ordinance for advertisement. After some discussion, it was the consensus of Council to postpone the 2015 Tax Ordinance until after the proposed 2015 Budget has been reviewed.
3. Direct Deposit and Bi-Weekly Pay in 2015 – The Borough Manager reviewed the payroll procedures that are currently being used. There was some discussion regarding the differences of employees being paid bi-monthly compared to bi-weekly. The bi-weekly payroll will enable the Borough to make fuller use of the services we are paying ADP for. The Borough Manager stated that we routinely have employees who do not cash their paychecks during the month they are issued, which adds a burden to the accounting. This could be eliminated if the employees receiving paychecks switch to direct deposit. Mandatory direct deposit for employees was discussed and determined not appropriate. The number of employees who receive direct deposit is greater than employees who receive paychecks. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Fetkovich to change the payroll policy from Bi-monthly to Bi-weekly effective on January 01, 2015, was unanimously carried.** The Borough Manager stated that a notification will be submitted to employees in advance so that they are able to make any needed personal financial adjustments.
4. Storm Water Advertisement – The Borough Manager presented Council with a background of the state laws regarding Storm Water Management. The state requires the Borough to maintain a state issued permit regarding storm water management, which derives from the Clean Water Act of 1972. In the past, the County Planning Commission has coordinated one advertisement for all the communities this applies to for a fraction of the cost. The Borough Manager stated that the Borough has entered into this agreement with the County Planning Commission in past. **After some review and discussion, the motion of Mrs. Skonieczny, seconded by Mr. Burns to approve the County Planning Commission Storm Water Advertisement Agreement was unanimously carried.**

SOLICITOR'S REPORT: No Report.

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

1. Storm Drain Repairs-Conway Wallrose Road – The Borough Engineer stated that the repairs to the storm drain in front of the Economy Volunteer Fire Station, 1215 Conway Wallrose Road has been completed.
2. Beaver Road Culvert – The Borough Engineer presented Council with an update regarding the repaving and drainage repairs to Beaver Road. The contractor has not begun work on this project. The Borough Engineer asked Council if they would consider postponing the milling and paving for this project until 2015. The Borough Engineer stated that the piping could be done and then the contractor would be required to maintain any sinking of patch. There was some discussion regarding the contractors bond, whether the pricing could be held at the bid amounts and Council's options to cancel the contract. The Borough Solicitor stated that nothing discussed during this meeting shall act as a waiver of any contractual rights the Borough may have. The Borough Engineer recommended a start date of May 2015 and that a change order can be prepared by the next regular scheduled meeting of Council. **After some review, it was the consensus to authorize the Borough Engineer to prepare a change order for review at the next regular scheduled meeting of Council.**
3. Storm Sewer Extension for Clover Road (Mack) – The Borough Engineer stated that he spoke with Mr. Less Kotouch regarding the proposed extension of storm sewer pipe across the former Mack property to the Kotouch property line. Mr. Kotouch expressed that he was agreeable to the project. **After some review, Mr. Fetkovich, seconded by Mr. Morrone to authorize the Borough Engineer to prepare an easement across the former Mack property for the storm sewer extension, was unanimously carried.**

NEW BUSINESS: None

OTHER BUSINESS:

Mrs. Barthelemy informed Council that she will not be able to attend the December 09, 2014, Council Meeting due to a family commitment.

Mrs. Barthelemy presented Council with information regarding the Ambridge Annual Christmas on Merchant Street Holiday Celebration on Saturday, December 13, 2014, from 10:00 am to 3:00 pm. This celebration coincides with the Christmas at the Village celebration at Old Economy.

Mrs. Barthelemy presented Council with information regarding the Young Eagles Program. The program is for ages 8 to 17 years old who are interested in learning about being a pilot, aircraft mechanic, air traffic controller or other career possibilities. The pilots who help with this program are members of the Experimental Aircraft Association (EAA), which was founded in 1953. The pilots volunteer their time and aircrafts for this program.

Mrs. Barthelemy expressed her concerns regarding articles that have recently been printed in the Beaver County Times regarding Mr. Askar. Mr. Kail stated that the Beaver County Times misstated facts, and their level of incompetency is astounding.

Mr. Bucuren stated that he the contract with El Grande was for \$122,922.00 for paving with an alternate option of \$7,250.00 for cross drain pipe replacement.

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session in regard to possible litigation regarding a land dispute and personnel matters consisting of ongoing employee litigation, collective bargaining matters at 09:28 p.m.

On a motion by Mr. Googins, seconded by Mrs. Skonieczny, all voted aye to return to regular business at 10:40 pm.

Advertise the proposed 2015 Preliminary Budget – Mr. Googins, Chairperson of the Finance Committee, stated that the Finance Committee has reviewed the proposed 2015 Budget. The Finance Committee presented Council with the proposed 2015 Preliminary Budget for review and comments. There was some discussion in regard to increasing the Paving Expense (due to Beaver Road not being paved this year) and the General Building Expense (to add new chairs for the Council tables in addition to replacing windows) budget amounts. **After some review and discussion, the motion of Mr. Bucuren, seconded by Mr. Burns to authorize advertising the proposed 2015 Preliminary Budget and place it on public display as amended was unanimously carried.**

Advertise the 2015 Tax Ordinance – There was some discussion regarding the real estate tax millage being reduced from 14.0 mills to 13.5 mills for the year 2014. The tax millage has not been increased in approximately the last thirteen (13) years. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Fetkovich to authorize advertising Ordinance No. 448 setting the property tax rate for the fiscal year 2015, was unanimously carried.**

There being no further business, the motion of Mrs. Skonieczny, seconded by Mr. Bucuren, adjourn the meeting at 11:17 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Randy Kunkle
Borough Manager