

Economy Borough Council  
Council Minutes  
November 27, 2018

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**MEETING** was called to order at 7:15 p.m. with Mr. Brian Westrom presiding and the following members of Council and officials of the Borough present: Mr. Brian Westrom, Mr. R.J. Burns, Mr. Frank Morrone, Mrs. Audrey Mutschler, Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, and representing the Borough Solicitor Mr. Joshua Kail, Esq.

**ABSENT:** Mr. Gary Bucuren (Excused)  
Mr. Tom Fetkovich (Excused)  
Mrs. Pat Skonieczny (Excused)

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**RECOGNITION OF VISITORS:** Mr. Westrom welcomed everyone to the meeting and requested the discussion(s) regarding Borough business be kept to 3 – 5 minutes in length.

William Howard of 255 Marr Road, Freedom  
Amy Gonzalez of PennEnergy Resources, LLC

**HEAR THE PUBLIC:**

Amy Gonzales, of PennEnergy Resources, LLC, was present to introduce herself as the new Stake Holder Relations Manager. Ms. Gonzales will be replacing Adam Benford for municipal permitting and community engagement.

**MINUTES** of the Regular Meeting held on November 13, 2018, were presented to Council. **After some discussion, the motion of Mr. Morrone seconded by Mr. Burns to approve the Regular Meeting Minutes of November 13, 2018, was unanimously carried.**

**FINANCE COMMITTEE:** No Report.

**ORDINANCE COMMITTEE:** No Report.

**PARKS and RECREATION COMMITTEE:** Mr. Westrom, on behalf of the Chairperson of the Parks and Recreation Committee, reminded everyone that Breakfast with Santa will be held on December 8, 2018, from 9 a.m. to 11 a.m., at the Economy Volunteer Fire Social Hall on Conway Wallrose Road.

**PERSONNEL COMMITTEE:** Mr. Westrom asked the Borough Manager to forward the Personnel Committee the hire dates so that a meeting with the Interim Public Works Foreman can be done before the end of the ninety (90) day probation period. Mrs. Mutschler, a member of the Personnel Committee, presented Council with an overview of concerns regarding the hiring of two (2) full-time public works employees. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Morrone to hire Raymond P. Andrews and Brandon P. Sipes to the Economy Borough Public Works Department with a start date between November 27, 2018 and December 12, 2018, depending on their availability was unanimously carried.**

**PROPERTY and BUILDING COMMITTEE:** No Report.

**PUBLIC SAFETY COMMITTEE:** No Report.

**PUBLIC WORKS (PW) COMMITTEE:** No Report.

Mrs. Mutschler asked what the protocol is for call outs and expressed concerns regarding the police department possibly not seeing the bad roads. Mr. Burns explained the past practice. Mayor Borato recommended that the 911 center should be called so that everything is documented and that she would remind Chief O'Brien to go over the protocol with new officers. The Borough Manager was asked to reassure the Interim Public Works Foreman that he can judge the roads.

**MAYOR'S REPORT:** No Report.

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

1. PennEnergy Resources, LLC Oil & Gas Lease Agreement – The Borough Solicitor stated that PennEnergy has updated the agreement sections concerning post production costs and drilling depth(s). The Borough Solicitor stated that the agreement is standard from a legal standpoint and recommends approval. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Morrone to approve the PennEnergy Resources, LLC Oil & Gas Lease Agreement was unanimously carried.**
2. Werner Property – The Borough Solicitor stated that it is his understanding that as part of the development they are required to widen the driveway, which no one is disputing. There was discussion regarding an issue with the widening of the driveway completion time frame. The Borough Solicitor stated that nothing was found mandating a time frame. Members of Council discussed the driveway being brought up to Borough specs, the standard building protocol being a driveway is last, whether this is a driveway or a private road and that a guarantee is needed that the widening would be done. Mrs. Mutschler explained that the development did not meet the frontage requirement on a main road which is why there was a modification to come off the private drive to make it Borough standards even though the Borough is not taking over the private road. The Borough Solicitor recommended making it a part of the final inspection and Occupancy Permit process. The Borough Manager was asked to make sure the recommendation was done.
3. Curtis Property – The building inspector has approved this structure as an addition. There is a question regarding if the structure is complying with the Ordinance(s). Mrs. Mutschler reviewed the conversation from the last meeting with the building inspector and stated that the Ordinance says a breezeway goes to a garage or storage area and detached garages are not two (2) story. The Borough Solicitor stated that this should be reviewed by the Ordinance Committee and there should be a meeting with the building inspector and the Ordinance Committee. The Borough Solicitor stated that the Borough's hands are tied due to it went through the approval process. Members of Council discussed concerns regarding the structure looks higher than the house, a garage should be behind the house, and the tap-in(s). The Borough Solicitor stated he would be available to attend the meeting.
4. 99 Oakhaven Drive – Mayor Borato, as the Vice-Chairperson of the Economy Borough Municipal Authority (EBMA), reviewed the background of this matter. Mr. Glen Sylvester, Chairperson of EBMA, discussed an invoice submitted by the EBMA to the Borough for reimbursement of the installation of a sewer trap and stated that a second invoice would be coming in the Spring for

landscaping. The Borough Solicitor recommended having a meeting with EBMA, their Solicitor, the BIU Inspector, any three (3) Council Members and himself to discuss this matter.

5. Marr Road – The Borough Solicitor stated that he had questions for the Borough Engineer before a finding can be presented to the Borough.
6. 3<sup>rd</sup> Party Inspector’s Liability – The Borough Solicitor mentioned the agreement with BIU indemnifies the Borough.

**ENGINEER’S REPORT** – No Report.

Mr. Burns asked if the PennEnergy Access Road was approved. Mr. Westrom explained the background and the current status of this matter.

**OLD BUSINESS:**

1. Borough Building and Public Works Department Video Cameras – The Borough Manager stated that the cameras have been installed and to his knowledge are working well.
2. Cortright Condemnation (345 Springer Road) – The Borough Manager stated that there are no updates at this time. Members of Council discussed if a demo company can be contracted to do the work, a possible asbestos problem, DEP regulations regarding asbestos in a collapsing structure situation, and dumping regulations for asbestos. Mr. Burns stated that he would provide the Borough Manager with a phone number to DEP to discuss these concerns and a copy of the specs that is used by his company.
3. Fee Resolution - No updates or discussion on this matter.

**NEW BUSINESS:**

1. 2019 Proposed Budget - A proposed budget for the year 2019 was presented to Council for review. Members of Council discussed Ordinance No. 468, police department adjustments and information regarding a portion of the recreation budget being moved to the building maintenance line item. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Burns to approve advertising of the proposed 2019 Budget for public view was unanimously carried.**

The Borough Manager, on behalf of Mr. Bucuren, presented information regarding the possibility of purchasing a Ford F550 and a Peterbilt truck for the Public Works Department to Council for consideration. Members of Council discussed possible funding which included financing options and possible interest rates.

2. 2019 Tax Ordinance - A proposed Ordinance establishing a tax rate of 13.5 mills for the year 2019 was presented to Council. The Borough Manager recommended advertising the proposed 2019 Tax Ordinance. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Burns to approve the advertising of the 2019 Tax Ordinance was unanimously carried.**
3. 2019 Valley Waste Service, Inc. Rate Increase – A letter, from Valley Waste Services, Inc., dated November 14, 2018, regarding the 2019 rate increase of sixty-five cents (65 ¢) per household per month was presented to Council for review. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Burns to approve the 2019 Valley Waste Service, Inc. Rate Increase was unanimously carried.** Members of Council discussed possible options for mandating

service to new residences, which could be addressed different ways by an ordinance. This matter was referred to the Ordinance Committee for review.

4. Pitney Bowes Agreement Renewal – This is a sixty (60) month postage meter agreement for the Borough Office. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Burns to approve the Pitney Bowes Agreement renewal was unanimously carried.**
5. 2018-2019 Beaver County Regional Council of Governments (BCRCG) Salt Bids – Only one bid was received for the 2018-2019 Salt contract. The bid was awarded to American Rock Salt in the amount of \$109.20 per ton delivered. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to approve the BCRCG Re-bid for salt was unanimously carried.**
6. 2018 Joint Advertisement for MS4 Municipalities - In the past, the Borough has participated in the joint MS4 Program advertising with the Beaver County Regional COG to help reduce costs. **After some review and discussion, the motion of Mr. Burns, seconded by Mrs. Mutschler to approve advertising the Joint Stormwater MS4 Program was unanimously carried.**

#### **OTHER BUSINESS:**

1. Animal Control Issues - Mrs. Mutschler expressed concerns regarding stray and feral cats within the Borough. The animal control company, contracted with the Borough, only picks up dogs for the monthly price. Members of Council discussed other possible options to capture the cats, the fact that the current ordinance does not address cats and that it is possible to amend the dog ordinance to enable the company to address cats within the Borough. This matter was referred to the Ordinance Committee for review.
2. December 25, 2018 Council Meeting Date - Members of Council discussed cancelling the next regular scheduled meeting of December 25, 2018, due to it falling on the holiday. **After some review, a motion of Mrs. Mutschler, seconded by Mr. Morrone to publicly cancel the December 25, 2018, meeting of Council was unanimously carried.**
3. Economy Borough Municipal Authority (EBMA) Board – Mayor Borato stated that Mr. Dennis Biega is interested in being re-appointed to another five (5) year term on the EBMA Board. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to re-appoint Mr. Dennis Biega to the EBMA Board for a five (5) term was unanimously carried.**

There being no further business, the motion of Mr. Morrone, seconded by Mr. Burns to adjourn the meeting at 8:22 p.m. was unanimously carried.

Margie L. Nelko  
Borough Secretary

Randy Kunkle  
Borough Manager

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

1. Approve the Minutes of November 13, 2018.
2. Motion to hire Raymond P. Andrews and Brandon P. Sipes to the Economy Borough Public Works Department.
3. Approve the PennEnergy Resources, LLC Oil & Gas Lease Agreement.
4. Approve the advertising of the 2019 Proposed Budget.
5. Approve the advertising of the 2019 Tax Ordinance.
6. Approve the 2019 Valley Waste Service, Inc. Rate Increase.
7. Approve the Pitney Bowes Agreement Renewal.
8. Approve the BCRCG Re-bid for salt.
9. Approve the Joint Stormwater MS4 Program advertising.
10. Approval to cancel the December 25, 2018 Council Meeting.
11. Motion to Re-appoint Mr. Dennis Biega to the EBMA Board for a 5-year term.