

Economy Borough Council  
Regular Meeting Minutes  
January 24, 2017

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**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, Mr. Gary Bucuren, Mr. Tom Fetkovich, Mr. Larry Googins, Mr. Frank Morrone, Mrs. Audrey Mutschler, Borough Secretary Margie Nelko, representing the Borough Solicitor Mr. Joshua Kail, Esq.

**ABSENT:** Borough Manager Randy Kunkle (Excused)  
Mayor David Poling (Excused)  
Mrs. Pat Skonieczny (Excused)

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING FOR BEE KEEPING ORDINANCE NO. 460:** The Borough Solicitor announced to those in attendance that the public hearing is intended to afford the public an opportunity to comment on the proposed Ordinance No. 460. The Borough Secretary verified that the public hearing and Ordinance No. 460 were advertised as required. Ordinance No. 460 is amending Chapter 180 of the Code of the Borough of Economy entitled “Zoning” to establish regulations regarding bee keeping. Having satisfied all questions and comments, the Borough Solicitor requested a vote be taken to approve Ordinance No. 460. **After some review, the motion of Mr. Burns, seconded by Mr. Morrone to approve Ordinance No. 460 was unanimously carried.**

**PUBLIC HEARING FOR SOLAR PANEL ORDINANCE NO. 461:** The Borough Solicitor announced to those in attendance that the public hearing is intended to afford the public an opportunity to comment on the proposed Ordinance No. 461. The Borough Secretary verified that the public hearing and Ordinance No. 461 were advertised as required. Ordinance No. 461 is amending Chapter 180 of the Code of the Borough of Economy entitled “Zoning” to establish regulations regarding solar photovoltaic systems. Having satisfied all questions and comments, the Borough Solicitor requested a vote be taken to approve Ordinance No. 461. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to approve Ordinance No. 461 was unanimously carried.**

**PUBLIC HEARING FOR MOBILE HOME PARKS ORDINANCE NO. 462:** The Borough Solicitor announced to those in attendance that the public hearing is intended to afford the public an opportunity to comment on the proposed Ordinance No. 462. The Borough Secretary verified that the public hearing and Ordinance No. 462 were advertised as required. Ordinance No. 462 is amending Ordinance 130 adopted December 20, 1970, entitled “Mobile Home Parks” to: (1) Revise the minimum contiguous size of a mobile home park from 5 acres to 10 acres, which is consistent with chapter 180-66.AA. There was some discussion regarding one park within the Borough being “Grandfathered” to this change. The change(s) made are to make the zoning regulations consistent. Having satisfied all questions and comments, the Borough Solicitor requested a vote be taken to approve Ordinance No. 462. **After some review, the motion of Mrs. Mutschler, seconded by Mr. Burns to approve Ordinance No. 462 was unanimously carried.**

**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:

JoAnn Borato of 2001 Conway Wallrose Road, Freedom  
Ray McClellan of 196 Shaffer Road, Sewickley

**HEAR THE PUBLIC:**

Roger Kowal (not signed in) was present to express his concerns regarding the advertised position on the Public Works Department. There was some discussion regarding the beginning rate.

**MINUTES** of the Regular Meeting held on January 10, 2017, were postponed to the next regular scheduled meeting. The minutes were not ready for review due to illness.

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

1. Treasurer's Report for the month of December 2016, was presented to Council. After some review, this report was ordered received and filed.
2. Budget Report for the month of December 2016, was presented to Council. After some review and discussion this report was ordered received and filed.

**ORDINANCE COMMITTEE:** No Report.

**PARKS and RECREATION COMMITTEE:** No Report.

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

**PUBLIC SAFETY COMMITTEE:** Mr. Googins, Chairperson of the Public Safety Committee, presented Council with updates regarding the following issue(s).

1. Police Secretary Employment Agreement – The agreement will be discussed in executive session with a possible vote.
2. Civil Service Board Re-appointment - An email has been received from Mr. Frederick Malins expressing his interest in being re-appointed to the Civil Service Board for another six year (6 yr.) term. **After some review, the motion of Mr. Googins, seconded by Mr. Burns to re-appoint Mr. Frederick Malins to the Civil Service Board for a six year (6 yr.) term was unanimously carried.**
3. Police Officer Resignation/Retirement – A letter, dated January 24, 2017, was received from Chief O'Brien regarding Officer Viscuso's resignation/retirement as of March 17, 2017. Chief O'Brien is requesting Council to approve the hiring of a full-time officer to replace him and to request the Civil Service Commission to generate the next three eligible candidates. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Burns to request the Civil Service Commission for an updated/current edibility list was unanimously carried.** Mr. Burns stated that the Borough of Economy is losing a good officer, he will be missed.
4. Vehicle Damage (2010 Crown Victoria) – The Borough Manager forwarded to Council the appraisal in the amount of \$3,178.49 less the deductible leaving a balance due of \$2,178.49. There was some discussion regarding not repairing the vehicle or repairing the vehicle and using it for patrol at Northern Lights Shopping Center. **After some review and discussion, the motion of Mr. Googins, seconded by Mr. Fetkovich to approve the repairs to the 2010 Crown Victoria was unanimously carried.**

5. Civil Service Commission Single Contact Designation – The Civil Service Commission requested a single point of contact for all correspondence from Council. Mr. Googins stated that the Borough Manager suggested the Borough Secretary fill in as the single contact in his absence. The Borough Secretary was requested to notify the Civil Service Commission of the re-appointment and request an updated/current edibility list.

Mrs. Mutschler asked that the newly-hired officer be reminded to come in during a Council Meeting and introduce himself.

**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 Report – After some review and discussion, this report was ordered received and filed.
2. 2004 Peterbilt Dump Truck (Trk 7) Damage - Mrs. Mutschler reviewed the damaged bed sub frame caused by a broken scissor hoist pin on the 2004 Peterbilt Dump Truck. The 2004 Peterbilt Dump has a trade-in value of \$15,000.00. An estimate, in the amount of \$7,360.00, to complete the repairs was received from J & J Truck Equipment. The Public Works Foreman, Rich Dunn, recommends repairing the dump truck. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Fetkovich to approve J & J Truck Equipment to repair the 2004 Peterbilt Dump Truck in the amount of \$7,360.00 was unanimously carried.**
3. Public Works Retiree – The employee was instructed to return their key and uniforms. The uniforms have not been returned as of this date. There was discussion regarding the Borough charging the employee for the price of the uniforms not returned. The Borough Secretary stated that he informed her that he was bringing the uniforms back to the Borough.
4. Public Works Position – There was some discussion regarding the number of times the ad was placed in the paper and the number of applications received to date. The deadline to receive applications is February 1, 2017. Mrs. Mutschler requested the Borough Secretary to distribute the applications to the Public Works Committee and possibly to Mr. Dunn for input.

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

**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 Mayor – Mayor Poling informed the Borough Solicitor that he will be resigning as Mayor due residency requirements and that the Borough will be receiving a letter. There was some discussion regarding the procedures for replacing/filling the position of Mayor due to a resignation.
3. M. Maker Retirement – An update will be presented to Council in executive session.

**OLD BUSINESS:**

1. Fee Resolution – This matter is still on hold due to input from the Planning Commission has not yet been received.

2. Vehicle Insurance Deductibles – The Borough Manager emailed the insurance company on January 18, 2017 requesting where in the policy it states that the Borough cannot change its deductible.
3. Non-organized Employee Resolution No. 457 – This matter will be discussed in executive session.
4. Public Works Department Position – The Borough Secretary presented Council with an update regarding the number of applications received to date and stated that the deadline for submittal is February 1, 2017.
5. 2015 Borough Audit (Maher Duessel) – Mr. Googins stated that there have been suggestions from our auditors for as long as he has been on Council. Mrs. Mutschler stated that this is what she is referring to and that the Borough has a new company and that the Borough should follow the recommendations. There was some discussion regarding the Borough Manager acting on the recommendations and getting them completed.

### **NEW BUSINESS:**

1. Mattern Plan of Lots – This plan of lots currently has two (2) dwellings on one (1) lot with a vacant lot adjacent to it. This subdivision proposes to redraw the parcel boundary line between two (2) adjacent lots on Krepps Road owned by Mr. & Mrs. Robert Mattern. The proposed subdivision will place each dwelling on its own lot. Thereby making 15 Krepps Road (Lot No. 1) 1.379 acres and 11 Krepps Road (Lot No. 2) .882 acres. The Borough Secretary stated that the Borough Planning Commission has reviewed the subdivision and recommended approval. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Googins to approve the Mattern Plan of Lots Subdivision was unanimously carried.**
2. Designation of Borough Manager Duties – The Borough Solicitor reviewed the Borough Code, Section 21.15 Disability or absence of Manager. The Borough Manager recommended the Borough Secretary as the Borough Manager Designee while he is off. Mrs. Mutschler expressed concerns regarding employees being bonded and how old the Ordinance is. The Borough Solicitor stated that the office staff is bonded but it can be researched further. Mrs. Mutschler stated that she does not want to end up in a situation as other municipalities have been in. There was some discussion regarding a possible blanket bond vs. individual bonds. **After some review and discussion, the motion of Mr. Burns, seconded by Mr. Morrone to approve the Borough Secretary as the Borough Manager Designee was unanimously carried.**

### **OTHER BUSINESS:**

1. Office Assistant Work Hours – The Borough Secretary requested Council's approval for the Office Assistant to work extra hours until the Borough Manager returns. There was some discussion regarding the number of hours that can be worked weekly as a part-time position and the type of extra work she would be handling. **After some review it was the consensus of Council to authorize the Office Assistant to work extra hours as needed with the understanding that it will not exceed thirty-two hours (32 hrs.) in a week.**
2. 3<sup>rd</sup> Party Code Enforcement – Mr. Googins inquired if Council is interested in pursuing this subject or to table it until a later date. There was discussion regarding how Council will want code enforcement handled and whether a 3<sup>rd</sup> party is needed. Mrs. Mutschler stated that her opinion is that it should be researched more and asked if there are other companies that offer these services. Mr. Burns stated that it needs to be worked on and possibly look into other options. The Borough Solicitor asked the Property and Building Committee to review other options and make a recommendation to Council.

**EXECUTIVE SESSION:** Mr. Burns requested Council go into Executive Session regarding personnel matters including a retirement, an employment agreement and Resolution No. 457 with a possible votes, at 7:51 p.m., as per the motion of Mr. Bucuren, seconded by Mr. Googins.

On the motion of Mr. Burns, seconded by Mr. Morrone to reconvene at 8:43 p.m. was unanimously carried.

Upon re-entering the public meeting the following items were reviewed:

1. **M. Maker Retirement – After some review and discussion the motion of Mr. Morrone, seconded by Mr. Burns to accept Michael Maker’s retirement with an end date being the end date of his benefits (February 10, 2017) was unanimously carried.**
2. **Police Secretary Employment Agreement –After some review a motion by Mr. Morrone, seconded by Mr. Bucuren to accept the Employee Agreement Memorandum effective from January 1, 2017 to December 31, 2017, subject to the agreement shall not act as a contract but an employee arrangement describing benefits and the employment of the employee will be determined by Civil Service was unanimously carried.**

There being no further business, the motion of Mr. Googins, seconded by Mr. Burns to adjourn the meeting at 8:45 p.m. was unanimously carried.

Margie L. Nelko  
Borough Secretary

Randy Kunkle  
Borough Manager

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

1. Adoption of Ordinance No. 460-Bee Keeping
2. Adoption of Ordinance No. 461-Solar Panel Systems
3. Adoption of Ordinance No. 462-Mobile Home Parks
4. Re-appoint Mr. Frederick Malins to the Civil Service Board.
5. Request an updated/current eligibility list from the Civil Service Commission.
6. Approve 2010 Crown Victoria repairs.
7. Approve 2004 Peterbilt Dump Truck repairs.
8. Approval of the Mattern Plan of Lots.
9. Approve the Borough Manager Designee.
10. Authorize Office Assistant to work extra hours.
11. Accept Michael Maker’s retirement.
12. Accept the Police Secretary Employment Agreement.