

Economy Borough Council
Regular Meeting Minutes
April 11, 2017

MEETING was called to order at 7:00 p.m. with Mr. 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, Mrs. Pat Skonieczny, Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Borough Solicitor Mr. Joseph Askar and Borough Engineer Mr. Scott Shoup.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

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.

HEAR THE PUBLIC: None.

MINUTES of the Regular Meeting held on March 28, 2017, were presented to Council. Mrs. Skonieczny questioned the amendment to the minutes because it doesn't make sense the way it is written. Mrs. Mutschler stated that it is a little confusing on how they were written compared to listening to the tape. Members of Council and the Borough Secretary discussed the reason in "his opinion" was put in the minutes. Mr. Fetkovich that sometimes she is told to put it in and other times she is told to take it out and that we seem to spend too much time with the minutiae of very small words that does not change meaning of the content. Members of Council and the Borough Solicitor discussed the differences of verbatim and overview minutes and how lengthy the minutes are. Mrs. Mutschler expressed concerns regarding there not being enough information in the minutes to show how a vote was arrived. Members of Council had discussion on residents having the opportunity to come to meetings, access the minutes online, listen to cd's that they have to pay for and whether to post the audio to the website. The Borough Solicitor explained that the official minutes are the written version that is approved by Council not the audio version and does not recommend keeping the audio version due to a potential legal issue. Mr. Fetkovich asked then if the minutes should be verbatim or an overview. Mrs. Mutschler stated an overview but there would be a lot of "quote me on that" statements. Mayor Borato stated that may be the way to go. The Borough Solicitor stated that Council could appoint an ad hoc committee to make it less time consuming for the Borough Secretary. **After some review, the motion of Mr. Googins, seconded by Mr. Morrone to approve the Regular Meeting Minutes of March 28, 2017 as presented, was unanimously carried with the exception of Mr. Fetkovich due to he was not present at the meeting until 8:13 p.m. and Mrs. Skonieczny due to she was not at the meeting.**

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 March 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 March 2016 was presented to Council. After some review, this report was ordered received and filed.
3. **Bills Payable** for the period of March 15, 2017 through April 11, 2017, in the amount of \$197,970.18 from the General Fund and in the amount of \$1,183.15 from the Highway Aid (Liquid Fuels) Fund were presented to Council for review. Mrs. Mutschler requested an explanation of check number 25619 payable to Beaver County Central Printing and if check number 25610 is for the installation of the police

department door. Mr. Morrone stated that the door was not installed yet and the Borough Manager stated that the door was ordered. The Borough Manager was asked to research the Beaver County Central Printing invoice. **After some review, the motion of Mr. Bucuren, seconded by Mrs. Mutschler to approve the List of Bills Payable was unanimously carried.**

General Fund

03/16/2017	25608	Bauman Office Plus	Misc. Office Supplies	1,302.97
03/30/2017	25609	MRM Workers' Comp Fund	2017 Worker's Comp Policies-CEO, Admin, Pol, PW	25,752.75
03/30/2017	25610	SBC Building Systems	Fire Rated Masonry Door	934.00
04/11/2017	25611	ADT Security Services	Monthly Security Service	89.16
04/11/2017	25612	Aflac	Employee ACC Insurance	175.11
04/11/2017	25613	Allegheny Cty Medical Exam. Office	Crime Lab User Fees	310.00
04/11/2017	25614	Ambridge Water Authority	2017 1st Qtr. Water Service	604.95
04/11/2017	25615	Amcom Office Systems, Inc.	Monthly Copier Maintenance/Overage	19.39
04/11/2017	25616	Animal Control Services	Animal Control Service Fee	550.00
04/11/2017	25617	Approved Toilet Rentals, Inc.	(3) Standard Units w/Hand Sanitizer-Parks	420.00
04/11/2017	25618	Bauman Office Plus	Misc. Office Supplies	1,386.40
04/11/2017	25619	Beaver County Central Printing	2017 Real Estate Printing Services	25.00
04/11/2017	25620	Beaver Valley Sheet Metal Co.	A/C Maintenance	598.00
04/11/2017	25621	Bob Sumerel Tire Co., Inc.	Tire Repair Services	22.00
04/11/2017	25622	Butler Gas Products Co, Inc.	Monthly Cylinder Rental	22.10
04/11/2017	25623	CDI Office Technologies, LLC	2017-2018 Copier Service Agreement	693.00
04/11/2017	25624	Columbia Gas	Monthly Gas Service	2,413.23
04/11/2017	25625	Comcast 0029740	Monthly Internet/Phone Service	475.98
04/11/2017	25626	Comcast 0029955	Monthly Internet/Phone Service	105.75
04/11/2017	25627	Coverall North America, Inc.	Monthly Cleaning Services	739.00
04/11/2017	25628	Crivelli Ford, Inc.	Vehicle Repair Service	245.12
04/11/2017	25629	DCED UCC Fees	2017 1st Qtr. UCC Fees	68.00
04/11/2017	25630	Detroit Salt Company	Salt	17,539.18
04/11/2017	25631	Dr. David E. Levit	Psychological Evaluation	300.00
04/11/2017	25632	Duquesne Light Company	Monthly Electric Service	1,443.30
04/11/2017	25633	E. Reid Powell Refuse, LLC	Orange Refuse Bags	410.00
04/11/2017	25634	Economy Vol. Firemen's Relief Assoc.	2017 1 st Qtr. EVFD Fire Allocation (Borough	57,078.58
04/11/2017	25635	FNB Commercial Credit Card	Misc. Purchases	888.37
04/11/2017	25636	FNB Equipment Finance	2014 Peterbuilt Truck Payment	33,110.50
04/11/2017	25637	Galls LLC	Uniform Expenses	166.25
04/11/2017	25638	H. A. Thomson Co.	Property, Equipment & Auto Insurance	645.62
04/11/2017	25639	Herzog Truck Service, Inc.	Vehicle Inspection Service	60.00
04/11/2017	25640	Iron City Workplace Services	Uniform/Rug Services	338.35
04/11/2017	25641	JC Ehrlich Co., Inc.	Pest Control Services	84.98
04/11/2017	25642	Joseph A. Askar Law Offices	2017 Solicitor Services & Retainer	4,321.25
04/11/2017	25643	LCA-Lease Corporation of America	Telephone Leasing	209.81
04/11/2017	25644	MDIA	Building Permit Inspections	818.00
04/11/2017	25645	MGSof-Net, Inc.	Troubleshoot/Reset Computer System	120.00

04/11/2017	25646	Michael Baker International, Inc.	Planning Commission Consultant Fees	300.00
04/11/2017	25647	Mitel Cloud Services	Telephone Services	279.12
04/11/2017	25648	Murphy Tractor-Powerplan	Equipment Repair Parts	20.86
04/11/2017	25649	Napa-Station Auto Parts	Vehicle Repair Parts	367.59
04/11/2017	25650	National Public Safety Info. Bureau	2017 National Directory of Law Enforcement	149.00
04/11/2017	25651	Nationwide Employee Benefits	Group Life Insurance Coverage	753.32
04/11/2017	25652	Occidental Life Insurance Co of NC	Employee Paid Life Insurance	79.14
04/11/2017	25653	PA One Call System, Inc.	PA One Call Services	55.88
04/11/2017	25654	PENN Power Group	Vehicle Repair Parts	276.49
04/11/2017	25655	PGH Networks	Telephone Maintenance	99.00
04/11/2017	25656	Point Spring Company	Vehicle Repair Parts	560.93
04/11/2017	25657	Postmaster - Aliquippa	2017 Bulk Mailing Postage Permit Renewal	225.00
04/11/2017	25658	Power Up Equipment Inc.	Equipment Repair Parts	28.14
04/11/2017	25659	Reed Oil Company	Diesel Fuel	1,917.39
04/11/2017	25660	Reliance Standard Life Insurance	Group Life Insurance Coverage	369.60
04/11/2017	25661	S & D Calibration Services, Inc.	Acutrak, Enrad-Vascar Certs.	228.00
04/11/2017	25662	S & S Fastners, Inc.	Vehicle Repair Parts	5.32
04/11/2017	25663	Sewickley Construction Products Inc.	Storm Drain/Pipe Repair Parts	55.00
04/11/2017	25664	Sharp n Fix	Misc. Operating Supplies/Equip. Parts	172.55
04/11/2017	25665	Shoup Engineering Inc.	Engineering Services	208.50
04/11/2017	25666	Smitty's Service.	Vehicle Inspection/Emission Services	965.66
04/11/2017	25667	Sprint Communications	Mthly Cellphone Service	421.18
04/11/2017	25668	Stanley's Economy Auto Supply Inc.	Vehicle Repair Service	907.17
04/11/2017	25669	Staples Advantage	Misc. Office Supplies	171.04
04/11/2017	25670	TASER International	Batteries	12.96
04/11/2017	25671	Teamsters Local Union 250	Union Dues	431.00
04/11/2017	25672	Verizon S0007576-Business	Monthly Telephone Service	71.66
04/11/2017	25673	Vi-HAUS	2017 Monthly Hosting Agreement Fees	875.50
04/11/2017	25674	W. PA Teamsters Emp Welfare Fund	Monthly Health Insurance	27,357.96
04/11/2017	25675	Walsh Equipment	Misc. Street Signs/Posts	1,055.70
04/11/2017	25676	West Central Equipment, LLC	Equipment Repair Parts	390.86
04/11/2017	25677	Wex Bank-Sunoco	Monthly Gasoline Usage	2,596.62
04/11/2017	25678	Witmer Public Safety Group	Ammunition	2,075.94
				197,970.18

Highway Aid Fund

04/11/2017	128	Duquesne Light Company	Mthly Electric Service-Celestial Dr., Satellite Dr.	1,183.15
				1,183.15

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: Mr. Fetkovich, Chairperson of the Parks and Recreation Committee, stated that he would be attending the April 19th Recreation Board meeting and would have more detail on the Recreation Board's intention(s) for 2017. Mr. Fetkovich presented Council with an update regarding the background child clearances. Members of Council discussed concerns regarding the possibility of issues

arising when working with children and that it is not mandatory because the Board members are not working one on one with children. Mr. Fetkovich stated that he would get a better feel and status update at the meeting as well. Mr. Googins recommended looking at the policy outline the Boy Scouts use.

PROPERTY and BUILDING COMMITTEE: Mr. Morrone, Chairperson of the Property and Building Committee, stated that two (2) more applications for the Assistant Code Enforcement Officer position have been distributed to Council for review. Members of Council and the Borough Manager discussed the issue that there were two (2) different deadline dates published. Mr. Googins asked why or how the internet sites ended up with a deadline date of April 14th. The Borough Manager stated he would attempt to find the answer.

Mr. Morrone stated that he requested the Borough Manager to have the fence moved off of the sidewalk along the property located at the Conway Elementary School due to safety concerns. Mrs. Mutschler stated that the Public Works Foreman did drag the fence back onto the school property and put up caution tape.

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 Report – After some review and discussion, this report was ordered received and filed.
2. Conway Elementary School Fence – Mrs. Mutschler stated that the Public Works Foreman received an email regarding a fence that fell onto the sidewalk along the property located at the school. Mrs. Mutschler stated that the Borough Solicitor (Mr. Kail) was asked to look into the deed and that he had to talk to the solicitor for Freedom. The Borough Solicitor stated that the deed was pulled and that it does have reverting language but not to Economy Borough. Mrs. Mutschler stated that the issue is if we own it then we will take care of but if not then Conway should.

MAYOR'S REPORT: Mayor Borato presented Council with updates regarding the following issue(s):

1. Mayor's Monthly Police Department Report for March 2017 – After some review, this report was ordered received and filed.
2. Beaver County Transit Authority (BCTA) – Mayor Borato and the Borough Manager have reached out to the BCTA regarding the condition of the bus shelter located at Northern Lights Shopping Center. The BCTA responded and a new shelter will be erected which will match the road grade to eliminate the pooling issue. The BCTA requested help with trimming the weeds around the shelter. Mayor Borato asked if the Public Works Department could maintain the weeds at the shelter.
3. Hired Police Officer – Mr. Pierson J. Pollock has been sworn in and will be coming in during the next regular scheduled meeting to introduce himself.
4. Purchase of Police Interceptor – The vehicle has been ordered.
5. Bicycle Patrol – Chief O'Brien submitted a proposal to Council for review. Mayor Borato reviewed the proposal costs and discussed the intent of being more visible to residents and the ability to interact with the community better. Members of Council discussed concerns regarding the functionality of equipment, the number of accessories for each officer, insurance coverage, worker's compensation coverage and the ability of the officer being able to respond to emergency calls and/or responding to back up calls in a timely manner. The Borough Manager will research the insurance and worker's compensation concerns. Mayor Borato will discuss the accessories and response time/scheduling concerns with Chief O'Brien.

Mrs. Mutschler stated that she understands that there is a mandatory meeting tomorrow and asked what kind of meeting and who was attending. Mayor Borato stated yes, it is a staff meeting that Chief O'Brien has requested to discuss some issues with all of the officers and that she would be attending to introduce herself. Members of Council discussed concerns regarding mandatory being usually for updates, off duty officers being required to attend, overtime pay for this type of meeting and other options for meeting employees. Mrs. Mutschler stated that the letter sent out states that Mayor Borato requested the meeting to introduce herself and talk to everyone. Mayor Borato stated that is true too, because she wanted to introduce herself. The Borough Solicitor recommended discussing this issue in executive.

SOLICITOR'S REPORT: The Borough Solicitor requested that any questions regarding the Skonieczny Lawsuit be held until the next meeting in order for Mr. Kail to address.

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

1. **2017 Roadway Improvement Project** – A proposed list of roads for paving has been established and the Borough Engineer, Borough Manager and Public Works Foreman will be meeting to discuss the list and the budget. The Borough Engineer asked Council to reach out to one of them if they had any input. Members of Council discussed concerns regarding paving of some roads due to the possibility of the roads being used as detours with the bridge work being done.
2. **Dunlap Hill Traffic Signal Change** – Bronder Technical Services is waiting for Duquesne Light to connect power and the cracks would be filled within the next few weeks. Mr. Burns requested the Borough Manager to look into having an officer learn the switches. The Borough Manager said he would look into it and also recommended having the company who maintains our traffic lights be present as well.
3. **Economy Way Pedestrian Crossing(s)** – Trans Associates Engineering Cons. Inc. has received two (2) quotes for the push button crossing poles/devices for Economy Way. One quote is from Bronder Technical Services in the amount of \$8,563.36 and the other quote is from Bruce & Merliees Electric Company in the amount of \$9,500.00. The Borough Engineer explained that bulk of the expense is for concrete work and that every time the Economy Way traffic signal turns green it will trigger the crossing at Beaver Road. Mr. Burns inquired if some of the concrete work (ADA ramp) could be outsourced. The Borough Engineer stated he would acquire pricing for this.

OLD BUSINESS:

1. **Northern Lights Shopping Center (NLSC) Citations** – The Borough Manager stated that he was asked to place this on the agenda for discussion on whether they should be issued citations at this time. Mrs. Skonieczny stated that she had asked for this item to be on the agenda and explained that when we met with them months ago we were informed that demolition/construction would be started by February/March and nothing has occurred or applied for and only three (3) of the seventeen (17) items that was given to them by the Code Enforcement Officer have been completed. **After some review, the motion of Mrs. Skonieczny, seconded by Mrs. Mutschler to cite NLSC starting tomorrow in accordance to the Ordinances was made.** The Borough Manager stated that he has spoken with Zamias and it is feasible to tear down more property and rebuild than they had originally thought. Other items on the above referenced list would be taken care of at the time of demolition. NLSC are in the process of subdividing three (3) lots near Route 65 in preparation to sell and apply that income to the demo/rebuilding project. The Borough Manager stated that he has reached out to Brian Templin with the question of whether they are ready to come in for a demolition permit now or when that is expected. Members of Council discussed concerns regarding our residents being cited for various violations as per our Ordinances and the complaints that have been received. Mr. Googins stated that the ultimate purpose is to get the shopping center developed not torn down which is happening to a lot of strip malls that are now vacant strips of land. Mr. Googins stated that if citing them is going to help get it developed then ok but he does not think it will. Mr. Fetkovich stated that his first concern is public safety but the goal is encourage development and that they need to commit to a date by our next meeting, if not then cite them. Members of Council

discussed that NLSC has given dates and work still hasn't been done, a good faith effort letting us know where they stand monthly and that Council wants to work with them but there are serious concerns. **After some review, Mrs. Skonieczny withdrew her motion to cite NLSC starting tomorrow in accordance to the Ordinances with the understanding that it will be discussed at the next meeting with a vote.** Members of Council discussed the demolition policy.

2. Non-organized Employee Resolution No. 457 – Mr. Googins stated that an updated resolution and a wage memorandum had been distributed at the last meeting and as a group we did not want to discuss it without everyone being present. This matter will be discussed in executive session as a personnel matter.
3. Bonding for Borough/Employee Dishonesty Rider – The Borough Manager stated that the dollar amount that could be accessed is arbitrarily two (2) million and that the three (3) bonding companies are being approached for quotes all want more information due to the large increase in the dollar amount. Mrs. Skonieczny asked about the President and Vice-President who sign checks/pension accounts. The Borough Manager stated that the pension trustees do not have access to the monies or investments. Members of Council discussed if any past Presidents were bonded, blanket bonds for petty cash (\$500.00 value), if it is possible for any individual to be able to get/take 2 million dollars, check writing policy/procedures and the cost of bonds in different increments. Mr. Burns asked what tangible assets is going to be offered to acquire a bond in this amount which is a normal practice. It was the consensus of Council to have the Borough Manager request a quote for the positions of President, Borough Manager and Borough Secretary and in different increments. The Borough Manager was also asked to find out how much cash or assets would have to be allocated for a 2 million dollar bond.
4. Public Works Department Position – The Borough Manager stated that this is still under review and background checks are being done. Mrs. Mutschler stated that the Public Works Foreman is contacting the applicants to set up interviews and that some of them may have jobs and are not available now which means we could have to re-advertise.
5. Assistant Code Enforcement Services – This matter was discussed during the Property and Building Committee report.
6. Borough Auditor Recommendations (Maher Duessel) – The Borough Manager stated that he made an attempt to address the auditor recommendation issues and will be glad to discuss them. Mr. Googins explained that the Borough Auditor inquired as to why the investors do not issue the pension checks and the employee contributions deposited into the account to accrue dividends. The Borough Manager stated that Fidelity would issue the checks but the trustees would be required to go to the bank for a signature guarantee for each check (10) every month. This requirement protects Fidelity from any liability of just issuing checks but only issuing checks with the signature guarantees. Members of Council discussed the current process policy and that the Borough Auditor would be able to attend a meeting and explain this issue along with Mr. William Vescio.
7. Reducing the Number of Bank Accounts – The Borough Solicitor is reviewing this matter.
8. Fire Hydrant Agreement – The Borough Manager was asked to re-distribute this agreement to Council for review. Mrs. Skonieczny explained her concerns regarding that we construct a hydrant, then dedicated it to them and then we pay them to maintain the hydrant(s). Mrs. Skonieczny stated that the contract states it both ways, that they maintain the hydrant and that we pay them for maintenance.
9. Fee Resolution – This matter is still on hold due to input from the Planning Commission has not yet been received.

Mrs. Mutschler asked if we are doing executive session for a police personnel issue. Mayor Borato said no.

NEW BUSINESS:

1. Mincenberg Consolidation – The Borough Manager presented an overview of a proposed two (2) lot consolidation for the Mincenberg property that fronts Freedom Road. One lot is narrow and does not meet current setbacks making it unbuildable. Both the Beaver County Planning Commission and the Borough Planning Commission recommend approval. **After some review and discussion, the motion of Mr. Morrone, seconded by Mrs. Mutschler to approve the Mincenberg Lot Consolidation was unanimously carried.**
2. Boy Scout Carwash – The Borough Manager presented Council with an overview of a carwash scheduled for April 15, 2017 by a Boy Scout working towards his Eagle Scout project. The Borough Manager stated that he has verified through the insurance companies that they are covered to do this on Borough property.
3. GIS Information – The Economy Borough Municipal Authority has reached out to the Borough, Ambridge Water Authority and possibly Columbia Gas for any information held in GIS format. The Borough Engineer does have some information. The benefits would be getting our roads in a GIS format and sharing information.
4. Saving Accounts – The Borough Manager presented Council with an overview of First National Bank's new policy on savings accounts under \$500.00 will be charged a fee, which includes both the Developer's Agreement Fund and the Flower Fund. Members of Council reviewed how and why the Flower Fund was established and what should be done with the monies. **After some review and discussion, the motion of Mr. Morrone, seconded Mr. Bucuren to close the Flower Fund and move the monies to the General Fund for a specific earmark for a public purpose was unanimously carried.** The Borough Manager explained that the Developer's Agreement Fund monies were to be used to pay legal and engineering fees for a developer which was paid out of the General Fund. Therefore, this money is owed to the General Fund. **After some discussion, the motion of Mr. Bucuren, seconded by Mr. Morrone to close the Developer's Agreement Fund and move the monies to the General Fund was unanimously carried.**
5. Political Sign Ordinance – Mrs. Mutschler expressed concerns regarding political signs being put out before the two (2) weeks prior to the election on public right-of-way and that she has mentioned it to Mr. Morrone. The Borough Manager explained that some sections of that Ordinance are not valid. Mrs. Mutschler stated that it is only on private property, you can keep the sign up for years. The Borough Manager stated that by his recollection that it only becomes an issue in public right-of-ways if it obstructs the view of drivers. Mrs. Mutschler discussed the triangle located Rt. 989 and Philips Street which is owned by PennDot and that there will be more than what is there and the grass is getting high.

OTHER BUSINESS:

Mrs. Skonieczny expressed a concern regarding vehicle citations. Mrs. Skonieczny stated that she does not know if we have a constitutional Ordinance for non-registered vehicles because the vehicle codes do not apply to private property and that is what our Ordinance is based on. The Borough Solicitor stated that there are code enforcement laws throughout the state that states if you have a vehicle without a current registration/inspection the home owner can be cited. Members of Council discussed a non-resident's letter that was read at the last meeting and a resident being cited for cars. Mayor Borato clarified that the letter that was read was a letter of encouragement that did not specify a property and that she specified the property. Members of Council discussed the purpose of Council is to uphold the law(s), if there is a difference on how the law(s) apply to residential and commercial zoned areas and that Council is elected to represent the residents of the Borough making judgement calls that are in the best interest of the residents.

EXECUTIVE SESSION: Mr. Burns requested Council go into Executive Session regarding a personnel matter with no vote at 9:33 p.m., as per the motion of Mr. Morrone, seconded by Mr. Googins.

There being no further business, the motion of Mr. Burns, seconded by Mr. Morrone o adjourn the meeting at 10:52 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 March 28, 2017.
2. Approve Bills Payable for April 2017.
3. A motion to cite NLSC starting tomorrow in accordance to the Ordinances.
4. A withdrawal of the motion to cite NLSC starting tomorrow in accordance to the Ordinances.
5. Approve the Mincenberg Lot Consolidation.
6. Approval to close the Flower Fund.
7. Approval to close the Developer's Agreement Fund.