

Economy Borough Council  
Council Minutes  
October 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, Mrs. Pat Skonieczny, Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, Borough Solicitor Mr. Joseph Askar, Esq., and Borough Engineer Mr. Scott Shoup.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**NON-UNIFORMED PENSION and POLICE PENSION REVIEWS:** Mr. William Vescio, of Vescio Asset Management LLC., presented Council with an update and a market commentary of the Non-Uniformed Pension Fund and the Police Pension Fund for the Third Quarter of 2017.

**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:

Dominick Mazzotta of 120 Andrus Road, Freedom  
Frank Spinelli of 14 Lamplighter Lane, Baden  
Ray McClellan of 196 Shaffer Road, Sewickley

**HEAR THE PUBLIC:**

Dominick Mazzotta was present to express concerns regarding the pipeline company having removed the “No Outlet” sign at the end of Andrus Road causing more traffic on the road, property damage and requested the trench be secured at the end of the day for safety reasons.

**MINUTES** of the Public Hearing held on September 26, 2017, were presented to Council. **After some review, the motion of Mr. Morrone, seconded by Mr. Googins to approve the Regular Minutes of September 26, 2017 as presented was unanimously carried.**

**MINUTES** of the Regular Meeting held on October 10, 2017, were presented to Council. **After some review, the motion of Mr. Googins, seconded by Mrs. Mutschler to approve the Regular Meeting Minutes of October 10, 2017 as presented was unanimously carried, with Mrs. Skonieczny objecting.** During the discussion on the motion, Mrs. Mutschler expressed her concerns regarding the letter she requested to be attached to the minutes when placed online. The Borough Secretary and the Borough Solicitor explained that it was advised not to include the letter until a written approval was received from the participants and a majority vote of Council to do so. During the discussion on the motion, Mrs. Skonieczny stated that, as per her email, she was not changing the minutes but asking for the discussion regarding Concord Church Road on page 440 of the minutes be completed. Mrs. Skonieczny stated that she discussed further that there is a no trespassing sign, that there was a drawing attached to the ordinance that vacated the road that was never implemented to make it a public road regarding the width of the road or the cul-de-sac at the end of the road and the county doesn't recognize it as a public road.

**FINANCE COMMITTEE:** Mr. Bucuren, Chairperson of the Finance Committee, presented Council with the Budget Report and the Treasurer's Report for the month of September 2017. After some review, these reports were ordered received and filed.

**ORDINANCE COMMITTEE:** No Report.

**PARKS and RECREATION COMMITTEE:** Mr. Fetkovich, Chairperson of the Parks and Recreation Committee, presented Council with an update resulting from the meeting with Pittsburgh Area Game Time Playgrounds and thanked everyone who attended. Mr. Fetkovich provided a breakdown of two (2) options for equipment and the costs for each. Members of Council discussed the timeframe for a purchase to qualify for the grant, the expense of the ground preparations/installation being done in 2018, if there is any more Borough funding available to help more and if the Borough would qualify for Community Development funding. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Bucuren to implement the purchasing of playground equipment up to a maximum of \$55,000.00 of Borough funding (\$110,000.00 before the grant) was unanimously carried.**

**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.
2. **Shirts and Coats** – Mrs. Mutschler presented Council with an update regarding the results of winter jackets and shirts for the public works department employees. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mrs. Skonieczny to proceed and get the winter jackets updated, buy five (5) tee-shirts and two (2) sweatshirts a piece not to exceed \$1,500.00 was unanimously carried.**
3. **Park Quarry Road Winter Maintenance** – Mrs. Mutschler stated that New Sewickley Township has approached our Public Works Department regarding salting Park Quarry Road and then receiving reimbursement for the salt. Mrs. Mutschler expressed concerns regarding a lack of agreement(s) for the road(s) that we salt for other municipalities in case of any property damage. Members of Council discussed if the Public Works Department has time to do this, the steepness of the road and if there is a sufficient turn around area for the larger trucks. The Borough Manager and the Public Works Foreman will create a list of road names to forward to the Borough Solicitor. The Borough Solicitor stated that a one (1) page indemnification can be drafted.
4. **Employee Availability for Snow Removal** – Mrs. Mutschler presented Council with an overview of a potential issue with only having six (6) employees available for snow removal. Mrs. Mutschler stated that she has their work/vacation schedules and it may pose issues due to reducing the number of available employees because of entitled vacation time that must be used by the end of the year. Members of Council discussed the possibility of advertising for part-time seasonal help and that something should be put together for the next meeting. Mr. Burns asked the Borough Manger to contact the union to see if there is anyone available to help and once approved placing it on the Borough sign and website.
5. **Public Works Contract** – This matter will be discussed in executive session.

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

1. Video Camera/DVR Replacements – The Mayor stated that Chief O'Brien has signed the agreement with Vector Security with the specs outlined from Council at the last meeting and it will hopefully be installed soon.
2. Volunteer Firefighter Tax Credit Guidance (Act 172-2016) – The Mayor stated that a copy of the guidance document from the DCED was distributed to Council for review. The Mayor stated that an updated active firefighter list has been received from Chief Thomas and reviewed two (2) different examples of the costs involved in granting an Earned Income Tax break. The Mayor requested the Borough Solicitor bring more information to Council regarding this matter, and for this topic to be placed under her report for the next meeting agenda.
3. Knox Boxes – The Mayor presented Council with an overview of the Ordinance that Baden Borough and New Sewickley Township have adopted regarding this matter. Members of Council discussed concerns regarding them being mandatory for both commercial and residential, that commercial properties would be mandated, residential properties would be optional and if an ordinance can be modified to fit our needs. Chief Thomas stated that the Knox Boxes are mainly for commercial use, but he has had two to three (2 -3) residents wanting them. The Mayor asked the Borough Solicitor to prepare an example ordinance for Council's review and requested this topic to be placed under her report for the next meeting.

**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 Beaver County denied the request because the municipality and the school district did not have a chance to accept or deny the request. It is the policy of Beaver County to not act on an exoneration until they hear from both the municipality and the school district. The Borough Solicitor explained the differences in tax exoneration and tax exemptions, why other vacant owners can not apply for the same and what would qualify the fire department for a tax exemption. Members of Council discussed if the taxes have been paid for 2015, 2016 and 2017, that the Borough could notify Beaver County separately from the school district and that this would be a yearly request until such time the fire department acquires a tax exemption.

**ENGINEER'S REPORT** – The Borough Engineer presented Council with updated information regarding the speed humps on Harmony Road. Members of Council discussed whether to add a fourth (4<sup>th</sup>) speed hump or move the third (3<sup>rd</sup>) speed hump closer to the Baden Borough line and the costs of adding a fourth (4<sup>th</sup>) speed hump. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to add the speed humps to Harmony Road and put the fourth (4<sup>th</sup>) one down toward Baden was unanimously carried.**

**OLD BUSINESS:**

1. Boy Scout Newspaper Recycling Bin Request – The Borough Manger stated that this is still in progress and will keep Council updated.

2. Economy Borough Volunteer Fire Department Tax Exoneration Request – This matter was discussed under the Solicitor Report.
3. Public Works Contract – This matter was discussed under Public Works Committee portion of the meeting.
4. Fee Resolution – This matter is still on hold while waiting for input from the Planning Commission.
5. New F350 Pickup Truck – This matter is on hold while waiting for question(s) from the dealership(s) to be answered.
6. Petty Cash Policy – This was forwarded to the Finance Committee for review, no update at this time.
7. Piano Disposal – The piano has been placed on Craig’s List and there is a person interested in taking the piano. The Borough Manager explained that there is an ordinance that states if the Property Committee determines the excess property is worth less than \$200.00 then the committee can dispose of it however they see fit. **After some review, the motion of Mr. Bucuren, seconded by Mr. Fetkovich to sell the piano for \$1.00 was unanimously carried.**
8. 2017-2018 Salt Contract Bid(s) - The Borough Manager reviewed the past practice of placing bids with both the Beaver County Regional Council of Governments (BCRCOG) and the state. The 2017-2018 Salt Bid results revealed that the BCRCOG low bidder for liquid salt is Cargill, Inc. at \$62.65 per ton, and that the low bidder for rock salt is Morton Salt, Inc. at \$55.95 per ton. The recommendation to purchase the required sixty percent (60%) from BCRCOG and then purchase the remaining quantities from the state low bidder. The Borough is locked into an agreement with the state at which time a bid request is submitted. The BCRCOG requires a written agreement acceptance by motion. **After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Morrone to accept BCRCOG 2016-2017 bids for salt from Morton Salt, Inc. in the amount of \$55.95 per ton, and the bid for liquid salt from Cargill, Inc. at \$62.65 per ton was unanimously carried.** Mr. Fetkovich stated that the BCRCOG is an excellent group and invites anyone from Council to attend the meetings, it is an excellent group of people who are able to have a healthy conversation, agree to disagree and then move on and it is the most positive community meeting he has ever been to.

**NEW BUSINESS:** None

**OTHER BUSINESS:**

1. Economy Borough Municipal Authority Minutes – The minutes of September 19, 2017 were distributed to Council.
2. Recreation Board Vacancies – Mr. Fetkovich stated that the Borough Manager placed the Recreation Board vacancies in the Fall/Winter Economy Connection. The Recreation Board is looking for some new faces with new ideas who is willing to help re-establishing some old programs.
3. Northern Lights Shopping Center (NLSC) Violations – Mrs. Mutschler stated that everyone should have received and read their newspaper today regarding the article on NLSC, the machinery being pulled, and no work being done. (Mr. Burns excused himself from the meeting at this time). Mrs. Mutschler expressed concerns regarding the last correspondence received was about dealing with asbestos, the whole plaza is one big violation and our Code Enforcement Officer (CEO) needs to do his job in citing them. Members of Council discussed the length of time it has been since the

demolition permit was issued, the time limit for the demolition permit, the length of time discussions of proposed improvements and violations have been going on and that NLSC needs to keep the Borough up to date with their progress. **After some review and discussion, the motion of Mrs. Mutschler, seconded by Mr. Bucuren for the Code Enforcement Officer to proceed to issue citations, if appropriate, for violations at Northern Lights Shopping Center was unanimously carried, with the exception of Mr. Burns who abstained from the discussion and the voting due to he is listed as the contractor for demolition.** The Fire Marshall informed Council that he could help the CEO with fire code violations. The Borough Manager was asked to have the CEO contact the Fire Marshall regarding this matter. (Mr. Burns re-entered the meeting at this time.)

**EXECUTIVE SESSION:** Mr. Burns requested Council go into Executive Session regarding a contractual matter and a personnel matter at 8:36 p.m., as per the motion of Mrs. Mutschler, seconded by Mr. Morrone.

On the motion of Mr. Morrone, seconded by Mr. Googins to reconvene at 9:35 p.m. was unanimously carried.

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

After discussion over concerns regarding a part-time employee in the Public Works Department, **a motion by Mr. Fetkovich, seconded by Mr. Morrone to terminate William Hummel's part-time employment effective Monday, October 16, 2017.**

There being no further business, the motion of Mr. Googins, seconded by Mrs. Mutschler to adjourn the meeting at 9:46 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 September 26, 2017.
2. Approve the Minutes of October 10, 2017.
3. Approval to implement the purchasing of playground equipment.
4. Approve the purchase of winter coats, tee-shirts and sweatshirts for the public works department.
5. Approval of speed humps on Harmony Road.
6. Approval to sell the piano.
7. Accept the 2017-2018 Beaver County Regional COG Winter Bids.
8. Approve the CEO to proceed issuing citations to Northern Lights Shopping Center.
9. Approve the termination of William Hummel.