

Economy Borough Council
Council Minutes
October 23, 2018

MEETING was called to order at 7:00 p.m. with Mr. Brian Westrom presiding and the following members of Council and officials of the Borough present: Mr. Brian Westrom, Mr. Gary Bucuren, Mr. Tom Fetkovich, Mr. Frank Morrone, Mrs. Audrey Mutschler, Borough Manager Randy Kunkle, Borough Secretary Margie Nelko, and representing the Borough Solicitor Mr. Joshua Kail, Esq.

ABSENT: Mr. R.J. Burns (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
Glen Sylvester of 350 Orchard Lane, Freedom
Adam Benford of PennEnergy
Zach Hayes of Stahl Sheaffer Engineering

HEAR THE PUBLIC:

William Howard was present to request an update regarding the Marr Road matter. The Borough Engineer is working on the matter and should have an update at the November 13, 2018 Council Meeting.

Mayor Borato entered the meeting at this time (7:11 p.m.)

Christie Hackney (not signed in) was present to express concerns regarding the drainage work that was completed along her property in the Ridgewood Plan. It seems that the project went beyond the easement and there were more trees cut down than was proposed. Mrs. Hackney is requesting trees to be planted and more fill added to make a gentle slope instead of the ledge for safety reasons. The Borough Engineer did respond to Mrs. Hackney's email(s) and discussed the matter with the Borough Manager. Mrs. Hackney stated that she would forward the pictures to the Borough Manager, who would in turn forward them to Council for review and discussion at the November 13, 2018, Council Meeting.

Glen Sylvester, Chairman of the Economy Borough Municipal Authority (EBMA) was present to express concerns regarding a sewer trap for 99 Oakhaven Drive. Mr. Sylvester presented Council with an overview of what led to the removal of a sewer trap at this location and expressed a need to rectify this issue due to safety and health concerns. The contractor doing an addition for this location broke the sewer trap and then installed a new one outside of the dwelling. The building inspector from Building Inspection Underwriters of PA, Inc. (BIU), who maintains he followed the codes, told the contractor to remove the sewer trap. Mr. Sylvester stated that according to the EBMA codes the dwelling is required to have a trap. Members of Council discussed what an inspector should have control over, what the EBMA should have control over, and that Fire Chief Brickner and Police Chief O'Brien should be made aware of this matter in the event of an emergency. The Borough Manager was instructed to address this matter first thing tomorrow morning and to include the Borough Solicitor and Borough Engineer.

MINUTES of the Regular Meeting held on September 11, 2018, were presented to Council. **After some discussion, the motion of Mrs. Mutschler, seconded by Mr. Fetkovich to approve the Regular Meeting Minutes of September 11, 2018, was unanimously carried.**

MINUTES of the Regular Meeting held on October 9, 2018, were presented to Council. **After some discussion, the motion of Mrs. Mutschler, seconded by Mr. Bucuren to approve the Regular Meeting Minutes of October 9, 2018, was unanimously carried.**

FINANCE COMMITTEE: Mrs. Mutschler, Chairperson of the Finance Committee, stated that the first budget meeting was last week and after getting more information there will be another meeting.

ORDINANCE COMMITTEE: No Report.

PARKS and RECREATION COMMITTEE: Mr. Fetkovich, Chairperson of the Parks and Recreation Committee, stated that the preliminary plans for the Breakfast with Santa are being worked on and is being scheduled for December 8, 2018 from 9 a.m. to 11 a.m.

PERSONNEL COMMITTEE: Mr. Westrom, Chairperson of the Personnel Committee, stated that there has been an abundance of Public Works Department applications received and interviews will be set up.

PROPERTY and BUILDING COMMITTEE: No Report.

PUBLIC SAFETY COMMITTEE: No Report.

PUBLIC WORKS (PW) COMMITTEE: No Report.

MAYOR'S REPORT: Mayor Borato presented Council with updates regarding the following issues:

1. Police Vehicle Purchase – The vehicle has been ordered.
2. Police Department Remodeling – Mazzant Painting & Disaster Restoration has started the remodeling project.

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

1. Heart and Lung Policy – The Borough Solicitor stated that the Economy Borough Police Officers Association does not want to deal with the policy until the next contract. The Borough Manager expressed concerns regarding the lack of a policy to follow in an instance where an employee requests Heart and Lung. Members of Council discussed who would approve/deny the request, what counts as Heart and Lung, and whether this policy changes the contract or the police department benefits. A procedure policy should be followed in order to permit the Borough Manager to make a decision to approve or deny the request and/or ask the Police Chief questions necessary to make the decision. If the applicant is denied, then it could be appealed and brought to Council for a decision. The Borough Manager reviewed recent incidents where the office had no knowledge of an injury until it was time to produce payroll. The Borough Secretary requested the policy to include a procedure directing the secretary on how the employee is to be paid prior to the request being approved or denied because of an issue that had occurred. The Borough Manager is to distribute to Council the proposed policy (step by step procedure) for review and to notify Council of any requests received.

2. PennEnergy Resources, LLC Oil & Gas Lease Agreement – The Borough Solicitor stated that after his contact with PennEnergy, they have agreed to make some changes to the lease.

Mrs. Mutschler asked Mr. Benford if blasting has happened at other sites. Mr. Benford stated that the blasting is for well pad B46 and yes it happens everywhere, including the B15 well.

Mr. Benford presented Council with an update regarding the proposed use of Amsler Ridge Road as an access road. A geotechnical investigation report was submitted to the Borough Engineer and is awaiting approval to do the core bore testing. Members of Council discussed concerns regarding the possible upgrades to the road, the widening of the road and traffic flow with the larger trucks. The Borough Manager inquired if Amsler Ridge Road is approved, would the road upgrade(s) be the same as Hoenig Road due to the road holding up very well. Mr. Hayes stated that the same type of analysis report was done, and any recommendations made would follow the same format.

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

1. Ridgewood Plan Drainage Issue – No discussion on this matter.
2. Green Forest Culvert Issue – No discussion on this matter.
3. PennEnergy Access Road – This matter was discussed under the Solicitor's Report portion of the meeting.
4. Cooney Hollow Slide – A Geotech proposal was received and a final design will be completed. The Borough Manager presented to Council information regarding the Geotech proposal costing approximately \$13,000.00-\$14,000.00 and the final design costing approximately \$10,000.00 which does not include the work to be done.

OLD BUSINESS:

1. Non-organized Employee Pay – No updates or discussion on this matter.
2. Borough Building and Public Works Department Video Cameras – No discussion on this matter.
3. Police Department Excess Tires – No discussion on this matter.
4. Custodian Position – Mrs. Mutschler asked what the status was on this matter. The Borough Manager stated that Mr. Welton has accepted the offer and will start on November 1, 2018. The Borough Solicitor and Chief O'Brien have been alerted that background checks need done.
5. Cortright Condemnation (345 Springer Road) – No discussion on this matter.
6. Fee Resolution - No updates or discussion on this matter.

NEW BUSINESS:

1. 2018-2019 Salt Contract(s) - The Borough Manager presented Council with the background of the Beaver County Regional Council of Governments (BCRCOG) 2018-2019 Municipal Rock Salt bid(s). Members of Council discussed the Beaver County Times article, the possibility of rebidding, the possibility of cutting in other material and how the roads are treated to help reduce the salt usage.

After some review and discussion, the motion of Mr. Fetkovich, seconded by Mr. Morrone to approve a rebid for the 2018-2019 Municipal Rock Salt, was unanimously carried.

2. PennEnergy Zoning Permit – The Borough Manager presented Council with information regarding a zoning permit application that was received from PennEnergy for the Amsler Ridge Road well pad in case Council should receive any questions. The Borough has a time limit from the date the application was received to either approve or deny the permit before it is automatically approved.

OTHER BUSINESS: Members of Council discussed whether a motion was needed to contact applicants for the Public Works Department position for interviews and whether or not having more than three (3) members of Council conducting the interviews is an issue. The Personnel Committee invited the Interim Public Works Foreman to be present during the interviews to ask the applicants questions. The Borough Manager was asked to set up the interview appointments, in 20-minute intervals, with the chosen applicants for Monday, October 29, 2018, starting at 5:00 p.m.

There being no further business, the motion of Mr. Fetkovich, seconded by Mr. Morrone to adjourn the meeting at 8:09 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 11, 2018.
2. Approve the Minutes of October 9, 2018.
3. Motion to approve a rebid for the 2018-2019 Municipal Rock Salt Bid(s).