

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** JULY 10, 2012

Council President Larry J. Googins called the meeting to order at 7:00 PM in Council Chambers of the Economy Municipal Building to conduct business of general purposes.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: RJ Burns, Courtney B. Barthelemy, Esq., Gary Bucuren, Donald Sivy, Michelle Sovich-Lapinski, Dr. Gregory T. Trecha, Larry Googins

ALSO PRESENT: Mayor David N. Poling, Dale M. Fouse, Esq., Scott Shoup, P.E., P.L.S., Randy S. Kunkle, Borough Manager

HEAR THE PUBLIC:

Mr. Googins opened the meeting to the public; give name and address for the record; restricted to borough business; try to be 3-5 minutes; directed to Council.

Elizabeth Burns, 100 Stange Road, asked why an officer was present. Sgt. Hartsell reported his boss told him to stop by.

Steve Yurkovac, 1010 Conway Wallrose Road, discussed if the sewage for the garage at 960 Conway Wallrose Road is going in the public system or a septic system; feels it is illegally going into a septic system; wants on record that he feels it is a cover up that Joe Luff signed off that it is going into city pipes with no tap fee paid; does not want to be forced to take legal action. Mr. Kunkle reported the EBMA has no problem with the sanitary sewer pipes connected to the sanitary sewer; Daniel Baker has sent a certified letter to Adam Klimkowski scheduling a date and time for inspection regarding the complaint. Mrs. Sovich-Lapinski suggested having the letter served in order to insure it is received.

Tom Monroe, 126 Ridgewood Drive, suggested the scope of what needs inspected on the sewer complaint be very carefully defined in order to cover all the issues.

MINUTES:

MOTION by Mr. Sivy, seconded by Mrs. Sovich-Lapinski – to approve the Minutes of the June 26, 2012 , Public Hearing for the Municipal Authority of the Borough of West View Rezoning Request, as written. CARRIED UNANIMOUSLY

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Bucuren – to approve the Minutes of the June 26, 2012, Regular Session of Council, as written. CARRIED UNANIMOUSLY

COMMITTEE REPORTS and OTHER BUSINESS:

PUBLIC WORKS DEPARTMENT:

Dr. Trecha reported the 2011 Paving Program was estimated by Shoup Engineering at approximately \$314,000 if bid out; Economy Borough Public Works Department paved 1.65 miles for \$156,000.

Dr. Trecha reported the following for the rebid for the 2012 Road Milling Project (#8921):

- \$ 50,530.90 – Swank Construction
- \$ 59,623.60 – Donegal Construction
- \$ 72,043.00 – A Folino Construction
- \$112,350.00 – Michael Facciano Contracting

MOTION by Dr. Trecha, seconded by Mr. Burns – to accept the low bid of Swank Construction in the amount of \$50,530.90 for the 2012 Road Milling Project (#8921). CARRIED UNANIMOUSLY

PARKS & RECREATION:

Mr. Bucuren reported the following summer events:
July 23-27 – Basketball Camp
September 1st – Golf Outing

PUBLIC UTILITIES:

Mr. Burns reported AWA, Mary W. Hrotic, General Manager, does not return his phone calls; may stop at their office on Thursday.

PROPERTY and BUILDING: No Report

PUBLIC SAFETY: No Report

FINANCE COMMITTEE:

Mrs. Sovich-Lapinski reported just receiving the requested back up information on the \$9,038.88 listed for line item 01.403.310 for review.

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Sivy - to pay the list of bills as stated from June 13, 2012 to July 10, 2012 - CARRIED UNANIMOUSLY.

Mrs. Sovich-Lapinski reported the Finance Committee will schedule a meeting for a mid year review of the budget.

MAYOR'S REPORT:

Mayor Poling read the Mayor's Report for the Police Department for the month of June 2012 as prepared by Chief Harrington, which will be on file for review in the borough secretary's office.

MANAGER'S REPORT:

1. Municipal Authority of the Borough of West View Rezoning Request Parcel No. 60-174-0161-002:

Mr. Fouse reported the Findings of Fact and Conclusions of Law regarding the Municipal Authority of the Borough of West View request to amend the classification of their property on the Zoning Map from R-3 to C1.

MOTION by Dr. Trecha, seconded by Mrs. Sovich-Lapinski – to approve the request of the Municipal Authority of the Borough of West View to rezone the portion of Parcel No. 60-174-0161-002 that is zoned R-3 to C1. CARRIED UNANIMOUSLY

MOTION by Mr. Sivy, seconded by Dr. Trecha – to authorize the advertising of the ordinance amending the Zoning Ordinance and Zoning Map. CARRIED UNANIMOUSLY

2. Cul de sacs: Mr. Kunkle reported he previously distributed to Council a proposal for the maintenance of circles. Dr. Trecha will have Earl review these for maintenance by Public Works.

3. 1995 F-350: Mr. Kunkle reported the 1995 F-350 is ready to be sold.

*MOTION by Mrs. Barthelemy, seconded by Mr. Bucuren – to authorize advertising for the selling of the 1995 F350 Ford Dump with the plow and spreader with no minimum bid requirement
CARRIED UNANIMOUSLY*

4. Walmart Developer's Agreement: Mr. Fouse reported there are new issues every meeting; closing is scheduled for July 18th; the permittee of the HOP is to present a letter of credit in the amount of \$835,000 guaranteeing the construction of the retaining wall and a 3 year guarantee on the wall; Walmart has committed to the \$835,000; all that language is in the Developer's Agreement.; would like to discuss the agreement in Executive Session

REPORTS:

SOLICITOR:

Mr. Fouse reported the status of the Ambridge Water Authority litigation.

ENGINEER: No Report

SECRETARY: No Report

NEW BUSINESS:

Mr. Googins reported Act 43 of 2012 modernizing and recodifying the Borough Codes takes effect July 16, 2012; copies can be accessed on www.lgc.state.pa.us; executive summaries are also available; changes in financing; so far only on line; will contact PSAB on how to get copies.

Mr. Googins reported he has drafted an update to Resolution No. 285 regarding Council meeting conduct and procedures; Mr. Kunkle and Mr. Fouse are reviewing; this will be discussed at future meetings.

Mr. Googins reported the Beaver County Regional Council of Governments had arranged an Act 13 (PA New Oil & Gas Law) Symposium on Thursday, June 28th at CCBC; given was a summary of where municipalities stand; approximately 100-150 people attended.

Mr. Googins asked Council to review the draft resolution regarding interim real estate tax collection for the next agenda. Mr. Kunkle questioned a minimum level and if so what should the amount be; i.e. if the result is at least \$50 of new revenue. Mr. Fouse reported Center Twp. uses \$50 minimum with no problems; has a return call in to the Ambridge Area School District solicitor who wished to talk to him; he will follow up. Mayor Poling reported he heard it was adopted.

Mr. Burns reported received the June 4, 2012, Economy Borough Planning Commission minutes and asked if Joe Luff is trying to have zoning changed. Council to review.

Mr. Sivy asked the status of the falling down school house next door to Our Saviors Church. Mr. Kunkle reported Ray Tomaszewski has been working on this with the owner by email who lives and works in Alaska; the owner thinks it can be refurbished; the taxes are paid to date; this is a condemnation type project that can be lengthy. Mrs. Sovich-Lapinski suggested putting a read notice on the email to make sure the owner is receiving them.

Mr. Sivy requested foot notes on the monthly budget report to reflect off setting insurance checks received for wind damages incurred and paid from an expenditure line item.

Mrs. Barthelemy reported the Golf Outing has been rescheduled to September 29th at Harmony Ridge.

Mrs. Barthelemy reported there are openings for the Basketball Camp, July 23rd; call the borough secretary.

Mrs. Barthelemy reported the digital camera found at Community Day is still unclaimed at the police department.

Mrs. Barthelemy reported she would like to see a complaint policy and complaint form in place so that complaints do not get ignored or forgotten and written responses to the complaints are sent. Mr. Googins asked Mr. Kunkle to draft a policy and send it to Council for review.

HEAR THE PUBLIC II:

Mr. Googins reported he would open up the Hear the Public Part II at this time for any questions on agenda items talked about during tonight's meeting.

Rege Leindecker, 418 Golden Grove Road, asked if West View Water is coming to Economy Borough residents. Mr. Fouse reported West View Water will not service any part of Economy Borough. Mr. Sivy reported they have an emergency interconnect at Woodland and Lovi Roads.

Steve Yurkovac, 1010 Conway Wallrose Road, suggested saving money by putting information on the web site and reach out to all residents of Economy Borough for free.

George Fitzgerald, 189 Wallrose Heights Road, discussed the maintenance of the cul-de-sacs by borough employees.

***MOTION by Mrs. Sovich-Lapinski, seconded by Dr. Trecha – to enter into Executive Session to discuss the Walmart Developer’s Agreement with a vote to be taken tonight. Time: 8:31 PM
CARRIED UNANIMOUSLY***

MOTION by Mr. Sivy, seconded by Mrs. Sovich-Lapinski – to return to the regular order of business. Time: 8:58 PM CARRIED UNANIMOUSLY

MOITON by Mrs. Sovich-Lapinski, seconded by Mrs. Barthelemy – to approve the revised Developer’s Agreement with Walmart which indicates Walmarts commitment to the construction and guarantee of the retaining wall referred to in the previously approved Condition Statement. This is a conditional approval given the time of the closing. CARRIED UNANIMOUSLY

ADJOURNMENT:

***MOTION by Mr. Sivy, seconded by Mr. Bucuren – to adjourn the meeting. Time: 9:05 PM
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum
Borough Secretary
July 18, 2012

List of Bills attached to the Minute Book.

07/24/2012-Regular Session Cancelled