

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** JANUARY 8, 2013

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, Larry Googins

ABSENT: Dr. Gregory T. Trecha (excused)

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.

Rege Leindecker, 418 Golden Grove Road, reported Golden Grove Road from Lovi Road to Bradford Park Road was not cleared of snow like Golden Grove Road from Bradford Park Road to Wallrose Heights Road. Mr. Kunkle reported this section of Golden Grove Road is maintained by the State.

MINUTES:

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Bucuren – to approve the Minutes of the December 11, 2012, Regular Session of Council, as written. CARRIED UNANIMOUSLY

COMMITTEE REPORTS and OTHER BUSINESS:

PUBLIC WORKS DEPARTMENT:

Mr. Kunkle requested an Executive Session regard a Public Works employee issue; possibly a vote.

PARKS & RECREATION:

Mr. Bucuren reported June 15, 2013, is the scheduled date for Economy Borough Community Day.

PUBLIC UTILITIES: No Report

PROPERTY and BUILDING: No Report

PUBLIC SAFETY:

MOTION by Mrs. Barthelemy, seconded by Mr. Sivy – to accept the formal intent notice of Samuel G. Orsini, Sr. to retire as of January 7, 2013. CARRIED UNANIMOUSLY

MOTION by Mrs. Barthelemy, seconded by Mr. Burns – to authorize Chief Harrington to begin the process to replace the vacancy by virtue of the Civil Service Commission process for a full time officer to replace the school resource officer. CARRIED UNANIMOUSLY

Mrs. Barthelemy requested an Executive Session to update Council on the police contract negotiations; with no vote.

FINANCE COMMITTEE:

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Sivy - to pay the list of bills as stated from December 12, 2012 to January 8, 2013. CARRIED UNANIMOUSLY.

MAYOR’S REPORT:

Mayor Poling read the Mayor’s Report for the Police Department for the Year End 2012; as prepared by Chief Harrington, which will be on file for review in the borough secretary’s office.

Mayor Poling reported Economy Borough received in December expense reimbursement checks (\$12,526.00 & \$101,192.31) from Walmart.

MANAGER’S REPORT:

1. AASD Memorandum of Understanding: Mr. Kunkle reported this establishes the SOP for the police on school property; must be renewed every two years.

MOTION by Mr. Sivy, seconded by Mrs. Barthelemy – to approve and execute the Memorandum of Understand between the Economy Borough Police Department and the Ambridge Area School District. CARRIED UNANIMOUSLY

2. Ordinance No. 439 – Fixing and Establishing Compensation of the Elected Tax Collector: Mr. Kunkle reported this has been advertised, discussed at the last meeting and is ready for consideration. Mr. Fouse reported the minutes should reflect the fact that drafted and reviewed was a memorandum of some comparable compensation paid to other tax collectors in our area; the memo deals with several other communities including first class and second class township tax collectors being paid significantly less than Economy Borough is paying; the law does not give Council a lot of structure in terms of how to fix the compensation; the Borough Code tells the tax collector what he/she has to do; it is up to Council to fix the compensation for this elected official and the law does not tell Council how to do that except to say that Council can’t have them paid more than 5% of the amount of taxes they collect; and on the low end of the scale, can’t have them paid so little that they can’t perform their statutory duty; case law tells Council they should compare Economy Borough with other like areas and other like tax collectors; this has been done; the prior ordinance did not have any reference to interim taxes; the law does specify a compensation for the tax collector for the collection of interim taxes; Ordinance No. 439 includes compensation for the collector of interim taxes.

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Sivy – to adopt Ordinance No. 439 Fixing and Establishing the Compensation of the Elected Tax Collection beginning January 1, 2014 and thereafter. CARRIED UNANIMOUSLY

Mayor Poling advised he plans to veto Ordinance No. 439 and requested a copy of the memorandum discussed.

3. MS4 Joint Ad: Mr. Kunkle reported one of the requirements of the Small Municipal Separate Storm Sewer Systems Program is an annual advertisement explaining the program; this ad will encompass multiple Beaver County municipalities in one ad to reduce the cost.

MOTION by Mr. Sivy seconded by Mr. Burns – to join with other Beaver County municipalities in the Storm Water Annual Ad. CARRIED UNANIMOUSLY

4. Summer Help: Mr. Kunkle reported this position was advertised in the last newsletter and as planned he and Mark interviewed all five applicants during the Christmas break; all five were very good candidates, four of which are from Economy; they are recommending Scott Voettiner at \$9.00 per hour.

MOTION by Mr. Bucuren, seconded by Mrs. Barthelemy – to offer the position of part time Summer Help at \$9.00/hour to Scott Voettiner, contingent upon a criminal history check on the ujsportal. CARRIED UNANIMOUSLY

5. Planning Consultant Agreement: Mr. Kunkle provided a letter of agreement between Economy Borough and Roberta J. Sarraf, AICP for the calendar year 2013.

MOTION by Mrs. Sovich-Lapinski, seconded by Mr. Sivy – to execute and approve the Letter of Agreement between Economy Borough and Roberta J. Sarraf, AICP for the year 2013. CARRIED UNANIMOUSLY

REPORTS:

ENGINEER: No Report

SECRETARY: No Report

SOLICITOR:

Mr. Fouse requested Executive Session to discuss 1) Chief Harrington's contracts/retirement and 2) update Council on the Ambridge Water Authority litigation; no motions needed.

Mr. Fouse reported minor adjustments to the drawings were needed on the ESB Grading Easement for the SR 65 HOP and are ready for execution.

MOTION by Mr. Burns, seconded by Mr. Bucuren – to execute two (2) separate amended and restated grading easements relating to the ESB property at the Northern Lights Shopping Center. CARRIED UNANIMOUSLY

NEW BUSINESS:

Mr. Kunkle reported the primary contractor for the Walmart Project was in the office today; contractor will be starting to move items to the site; Economy Borough be sending a letter to the residents of Sproat Avenue, who

will be impacted, inviting them to attend a meeting not scheduled yet (hopefully the last week in January) with the contractor and Economy Borough officials.

Mr. Kunkle reported Triangle Pet is no longer in business; has contacted Animal Control LLC out of Washington County and expect a proposal from them soon; possibly \$1,000 per month; they service Cranberry Township and Moon Township. Mr. Burn reported New Sewickley Twp. (NST) has a resident who provides animal control for NST. Mayor Poling suggested the Humane Society. Mr. Googins suggested contacting Bob Callen at BVR COG for perhaps a multi municipal agreement. Mrs. Sovich-Lapinski suggested contacting surrounding municipalities including Conway, Beaver, Center, Hopewell, NST, etc. to see what they are doing to animal control.

Mr. Kunkle provided an Agility Agreement between PennDOT and Economy Borough for review; will be on the next agenda. Mr. Sivy reported this was done in the past; a piping project on Conway Wallrose Road.

Mrs. Barthelemy reported Thursday, January 10, 2013, at 6 PM Beaver County CART will hold a free Animal CPR and First Aid Treatment class at the 9-1-1 Center in Ambridge.

Mrs. Barthelemy reported Friday, January 18, 2013, the Academy Charter School will have a spaghetti dinner fundraiser at the previous Mt. Gallitzin building, beginning at 6:00 PM.

HEAR THE PUBLIC II:

Mr. Googins reported he would open up the Hear the Public Part II at this time for any items discussed during the meeting.

George Fitzgerald, 189 Wallrose Heights Road reported he is in favor of hiring 2 Summer Helpers, does not know where the money will come from; 2220 Ridge Road Ext. needs painted; thinks it's an eyesore.

Kelly Roberts, 235 Dogwood Circle, thanked Mr. Kunkle for having the pot hole repaired on Silver Hollow; thinks it is important to look at the history of the pet control company; liked the fact that 5 college students were interviewed for the Summer Help Job; the Planning Consultant's experience is valuable; is perplexed in reading the ordinance for the tax collector; reducing the commission to 1% in 2014 for that tax collector; decreasing from 2.5%; Dotty Gnarra, current elected tax collector was first elected in 1987. Mr. Googins reported a comparison was made of the compensation of tax collectors in the local area; this is not directed towards the current tax collection; it's about compensation of all the Economy Borough employees; Council looks at compensation of the engineer, solicitor, manager, etc. Mrs. Roberts asked if residents could have a copy of the memorandum discussed. Mr. Googins reported to fill out the Right to Know form at the office. Mr. Sivy reported it will be part of the minutes. Mrs. Roberts reported she can not hear what everyone is saying; speak louder or get microphones. Mrs. Roberts reported the Rules for Council Meetings state that roll call votes are required for consideration of ordinances and this was not done; has not seen in the minutes each persons vote. Mr. Fouse reported in the Borough Code if it is evident that the vote will not be unanimous a roll call is taken. Mrs. Roberts reported she would like to know who is voting for what because elections are coming up. Mr. Googins reported Council generally follows Roberts Rules of Order; the minutes reflect the vote of the members present at that meeting. Mrs. Roberts asked about the votes of absent members. Mr. Fouse reported with a quorum there is a controlling vote. Mrs. Roberts asked who to know what Dr. Trecha's vote would be. Mr. Fouse advised her to ask him at the next meeting.

Michelle Poling, 230 Dogwood Circle, asked what other Economy Borough employee salaries were being looked at as far as their salaries were going to be affected with a decrease or only Mrs. Gnarra. Mr. Googins reported that all employees or anybody compensated by Economy Borough, Council makes that determination

of their wages; the requirement for the tax collector has to occur on the odd number year because on the even number year is the election; it can't be done after Feb. 15th. Mrs. Sovich-Lapinski reported Council is not reducing the tax collector for the current term; Mrs. Gnarra's wage remains the same; they do not change; going forward with whoever is elected would come in under this ordinance; Council is not cutting Mrs. Gnarra's pay; can not assume that she will be there in 2014; she may decide to retire or go forward; right now Council not cutting her salary; it stays in place for 2013. Mrs. Poling asked again which other at will employee position was considered for a decrease in their amount of pay. Mr. Googins reported the at will employee wages are established when the new Council comes into position; the tax collector is an elected position.

Bill Raymer, 2844 Ridge Road Ext., verified that that is an elected position and she could choose not to run and whoever runs knows what that position pays at that time.

MOTION by Mrs. Sovich-Lapinski, seconded by Mrs. Barthelemy – to enter into Executive Session to discuss 1) Chief Harrington's contract; 2) AWA litigation; 3) update on the Public Safety Contract; and 4) a Public Works personnel issue, with possibly a vote taken tonight. Time: 8:27 PM CARRIED UNANIMOUSLY

MOTION by Mrs. Barthelemy, seconded by Mr. Bucuren – to return to the regular order of business. Time: 9:20 PM CARRIED UNANIMOUSLY

MOTION by Mr. Sivy, seconded by Mrs. Sovich-Lapinski – to authorize a Public Works employee to prorate his vacation time based upon the amount of time he actually put in for the previous year; based on a serious life threatening condition; normally 20 days; under the use of this formula he will get 15.40 days. CARRIED UNANIMOUSLY

ADJOURNMENT:

MOTION by Mr. Burns, seconded by Mrs. Sovich-Lapinski – to adjourn the meeting. Time: 9:22 PM CARRIED UNANIMOUSLY

Respectfully submitted,

Susan A. Blum
Borough Secretary
January 18, 2013

List of Bills attached to the Minute Book.