

PUBLIC HEARING -- JUNE 11, 2013 (6:50 PM)

Mr. Googins turned the meeting over to Mr. Fouse for the purpose of conducting a Public Hearing regarding an amendment to Economy Boroughs Zoning Ordinance. Roberta Sarraf, AICP, Economy Borough Planning Consultant explained the proposed ordinance amendment; "An ordinance of the borough of Economy, Beaver County, Pennsylvania, amending Chapter 180 of the Borough Code, entitled "Zoning" to: (1) revise the definition of building height; (2) revised regulation governing fences; and (3) authorize an increase in the height of a garage as a use by special exception in the R-A, R-1, R-2 and R-3 Districts subject to certain criteria.

MOTION by Mr. Sivy, seconded by Mr. Burns – to close the proceedings and to close the record.
CARRIED UNANIMOUSLY

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** JUNE 11, 2013

Council President Larry J. Googins called the meeting to order at 7:03 PM in Council Chambers of the Economy Municipal Building to conduct business of general purposes.

PLEDGE OF ALLEGIANCE

Mr. Googins read a text message from Dr. Trecha that due to additional work commitments he will be sending a formal letter resigning with an exact date.

ROLL CALL

PRESENT: RJ Burns, Courtney B. Barthelemy, Esq., Gary Bucuren, Donald Sivy, Larry Googins

ABSENT: Michelle Sovich-Lapinski, Excused; 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; try to restrict to borough business; try to be 3-5 minutes; directed to Council.

Paul Thompson, 115 First Street, asked if Mr. Googins was in the video going around Economy Borough. Mr. Googins explained two years ago his neighbors came to his house as a joke as a result of the speed bumps put on Park Hill Road chanting no more speed bumps; the NAACP investigated it and said there was nothing that had to do with any racial undertones; it was a Frankenstein movie knockoff; Mr. Fouse has a copy of the letter; this was two years ago. Mr. Thompson told Mr. Googins he needs to step down.

David Shumsky, 206 Fernwood Drive, asked the status of storm drains on Fernwood Drive. Mr. Shoup reported there were meetings between neighbors and Dr. Trecha. Mr. Burns will get back to Mr. Shumsky by the end of the week; asked to meet with Mr. Shoup and Mr. Googins after the meeting.

George Fitzgerald, 189 Wallrose Hgts. Road, reported during campaigning residents without public sewage asked him how to go about getting public sewage. Mr. Burns advised not all locations are feasible to run the 8" lines for public sewage; costs would be astronomical. Mr. Googins suggested the residents go to the EBMA meetings the third Tuesday of each month to see if their area could be revisited.

Mrs. Barthelemy responded to Mr. Thompson; has never seen the alleged video in question; if someone has it, send it to her Economy Borough email; it is her understanding that Mr. Googins was an unwitting recipient of what his neighbors concocted; finds it very disgraceful that a couple years later that this is being brought up if he was an unintended unwitting recipient of whatever spoof, however ill mannered and in poor taste it might have been; Mr. Googins has served our country honorably and because of him we all enjoy freedom of speech; going into a general election and hopes that this election and campaigning be more about each incumbent/candidate stating what he/she wishes to bring to Economy Borough than about personal agendas; if it isn't, it is very disheartening. Mr. Googins reported what happened; he heard noise outside, opened the door; recognized his neighbors outside; they were trying to jokingly harass him because of the speed bumps on Park Hill road; they were chanting something like no more speed bumps; there was an accusation that since they had torches that it may have some racial undertones; someone in Economy Borough reported it to the NAACP who investigated it; the NAACP said in a letter that it had nothing to do with racial undertones; it was a Frankenstein movie knock off and it was ended; that was 2 years ago; the solicitor has a copy of the letter; it was a joke from his neighbors to him regarding speed bumps.

MINUTES:

MOTION by Mrs. Barthelemy, seconded by Mr. Burns – to approve the Minutes of the May 14, 2013, Regular Session of Council, as written. CARRIED UNANIMOUSLY

COMMITTEE REPORTS and OTHER BUSINESS:

PARKS & RECREATION:

Mr. Bucuren reported : Community Day is scheduled for Saturday, June 15, 2013
Snack/Breakfast with Santa is tentatively scheduled for December 7, 2013

PUBLIC UTILITIES: No Report

PROPERTY and BUILDING:

Mr. Sivy reported cement work at the Community Building will be done by Public Works later in the year.

Mr. Sivy reported Mayor Poling did a good job on the Memorial Day Service; singer was outstanding.

PUBLIC SAFETY:

Mrs. Barthelemy hoped in the future there would be a greater outpouring from the public at the Memorial Day Service in support of the men and women who allow us to be here.

FINANCE COMMITTEE:

MOTION by Mr. Bucuren, seconded by Mr. Sivy - to pay the list of bills as stated from May 15, 2013 to June 11, 2013 - CARRIED UNANIMOUSLY.

PUBLIC WORKS DEPARTMENT:

No Report

MAYOR'S REPORT:

Mayor Poling read the Mayor's Report for the Police Department for the month of May, 2013 as prepared by Chief Harrington, which will be on file for review in the borough secretary's office.

Mayor Poling reported the medical supplies at the Police Department has not been serviced for over 2 years; checked with Zee Medical and was told someone from Economy Borough stopped the service to the Police Department; recently they had a prisoner that needed attention. Mrs. Barthelemy will contact Chief Harrington to see what is needed.

Mayor Poling reported the Economy Connection reported the budget and a paragraph signed by the Finance Committee Chair about how hard they worked for no tax increase; everybody worked very hard; according to a recent accounting study Economy Borough is sitting on a 30% fund balance; would like that verified by Turnleys audit. Mr. Googins asked if Mayor Poling is talking about the cash at the end of the year that tides us over until money starts coming in, in March and April; without that would not be able to pay bills in January and February. Mayor Poling reported if there is that much of a fund balance technically millage is due back to the residents; thinks the state requires municipalities 10% to 15%; Economy Borough has been sitting on 30% for quite some years; does not think the Economy Connection should be used for political gain. Mr. Googins reported Mr. Kunkle would have to look at the numbers. Mr. Sivy asked Mr. Kunkle if when Economy Borough applies for grants are matching funds needed; if so where does the matching funds come from. Mr. Kunkle reported meeting with Senator Vogel's representative recently; very few state grants available; one which Economy Borough applied form is through Community Development for Parks & Recreation; it is a 50/50 match; applied for this year; if approved would not receive the money until next year when the match would have to be applied; the labor would be used in part to off set Economy Boroughs match; if it did not reach the 50% would have to come up with cash to reach that match. Mayor Poling reported to get the grant then get the matching funds. Mr. Googins reported he thinks Mayor Poling is talking about the cash balance at the end of the year; will look at how the trend is down; the Treasurers Report reflects the balances towards the end of the year.

MANAGER'S REPORT:

1. Zoning Ordinance No. 442: Mr. Kunkle reported this is following the Public Hearing tonight; if there are no questions or significant changes Council may adopt the ordinance.

MOTION by Mr. Bucuren, seconded by Mr. Sivy – to Adopt Ordinance No. 442 amending Chapter 180 of the Borough Code to (1) revise the definition of building height; (2) revised regulation governing fences; and (3) authorize an increase in the height of a garage as a use by special exception in the R-A, R-1, R-2 and R-3 Districts subject to certain criteria. CARRIED UNANIMOUSLY

2. Resolution No. 445 – Vehicles for Sale: Mr. Kunkle reported this resolution is needed to sell the 6 vehicles.

MOTION by Mr. Bucuren, seconded by Mrs. Barthelemy – to adopt Resolution No. 445 authorizing the sale of decommissioned vehicles

3. Police Pension Ordinance : Mr. Kunkle reported this proposed ordinance formally eliminates the Killed in Service policy which was terminated three years ago; and it better defines how vested officers who leaver before reaching retirement age are to receive their pension; need authorization to advertise.

MOTION by Mr. Sivy, seconded by Mr. Bucuren – to authorize advertising an ordinance eliminating the Killed in Service policy. CARRIED UNANIMOUSLY

4. Non-Uniformed Pension Ordinance: Mr. Kunkle reported the wording for how the pension is calculated is vague; “the highest 3 years out of the last 10 years”; the auditors are satisfied with how the police pension plan calculates pension; suggested we use the same language; this proposed ordinance would do this.

MOTION by Mr. Sivy, seconded by Mrs. Barthelemy – to authorize advertising an ordinance clarifying pension calculation language for the Non-Uniformed Pension Plan. CARRIED UNANIMOUSLY

5. Easement – Cathy Dugan: Mr. Kunkle reported this is the authorization of payment of \$5,000 for this easement along SR65 for the construction of a turning lane for the Walmart development as discussed in Executive Session at the May 11, 2013 meeting.

MOTION by Mr. Sivy, seconded by Mr. Bucuren – to ratify action taken at the May 14, 2013 meeting to pay \$5,000 to Cathy Dugan for this easement along SR65. CARRIED UNANIMOUSLY

MOTION by Mr. Burns, seconded by Mrs. Barthelemy – authorize Council President to sign the letter agreement with Walmart evidencing the reimbursement of the \$5,000 in the Cathy Dugan case. CARRIED UNANIMOUSLY

6. Spring Commodities: Mr. Kunkle reported last month Council approved the spring contracts including asphalt from Lindsay, which was the low bidder for both delivery and FOB; however for FOB asphalt it will be cheaper for Economy Borough to go to Hanson on BSCR; the price differences are \$53.50 vs. \$49.50 for binder and \$59.50 vs. \$58.50 for wearing course; the recommendation is to contract with Hanson for FOB asphalt at the higher per ton costs. Mr. Burns would like to wait, talk with Mr. Fitzgerald and get more information.

7. Act 44 Procedures: Mr. Kunkle reported Act 44 of 2009 did essentially two things, first it enabled pension plans to mitigate the full effects of the recession, and second it requires those with pension plans to have written procedures in place for the hiring of professional services (i.e. asset manager, actuary, etc.); provided a draft resolution based on the state’s guidelines; will be on the next agenda.

8.2013 Road Milling Project (#9022): Mr. Shoup reported the following bid tabulation:

\$23,139.60 – Donegal Construction
\$33,009.00 – Swank Construction

MOTION by Mr. Burns, seconded by Mr. Bucuren – to accept the bid of \$23,139.60 of Donegal Construction for the 2013 Road Milling Project #9022. CARRIED UNANIMOUSLY

REPORTS:

ENGINEER:

Mr. Shoup reported he spoke to Mike Simmons, Director of Beaver County Maintenance for PennDOT, regarding SR65; was directed to a policy found on-line which indicates that if it is not an interstate limited access highway, boroughs are responsible for all drainage facilities on state highways whether they are curbed or not; drainage is referred to as catch basin inlets, cross pipes, culverts, parallel pipes, head walls and end walls; townships have different standards; asked Mr. Simmons if they would consider a cooperative effort as has been done in the past; he could check with his boss; funding is tight; probably no. Mr. Googins asked if they are doing something on SR65 now. Mr. Shoup reported they replaced approximately 500' of the existing Economy Borough storm sewer and replaced it with added inlets; pipe work is done; retaining wall is done; paving will be soon. Mr. Shoup reported Mr. Simmons suggested since the contractor and developer were in the area to ask them to assist; problem is the new piping is not discharging into the old piping; you could always ask; old pipe has limited life; important to be aware of it.

Mr. Shoup reported the Walmart contractor was installing waterline on Sproat Avenue and ran into about 100' of railroad ties about 2 feet under the road; was able to bust through them.

SOLICITOR:

Mr. Fouse reported the hearing on the Tax Collector Compensation Case is scheduled for August 5, 2013.

SECRETARY: No Report

OLD/NEW BUSINESS:

Mr. Bucuren reported the Memorial Service was a great job; would like to see better advertisement of the time; i.e. on the web site, newsletter, etc.

Mr. Bucuren reported the Recreation Board meeting is incorrect on the web site; should read third Wednesday of the month.

Mrs. Barthelemy asked Mr. Bucuren if all the camps for the youth are still proceeding. Mr. Bucuren reported as of the last meeting he attended, yes.

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.

Paul Thompson, 115 First Street, asked the process to fill a vacant seat. Mr. Googins reported Dr. Trecha said he would send an official letter designating when; will have to wait until Council receives that. Mr. Thompson suggested appointing Mr. Bucuren or Mr. Burns to fill that committee chair since that is what they do for a living. Mr. Googins reported this was not an official letter of resignation, just an announcement; will have to get with the solicitor on the process.

ADJOURNMENT:

***MOTION by Mrs. Barthelemy, seconded by Mr. Bucuren – to adjourn the meeting. Time: 8:15 PM
CARRIED UNANIMOUSLY***

Respectfully submitted,

Susan A. Blum
Borough Secretary
June 18, 2013

List of Bills attached to the Minute Book

REGULAR SESSION ** ECONOMY BOROUGH COUNCIL ** JUNE 24, 2013

ROLL CALL

PRESENT: Gary Bucuren, Larry Googins

ABSENT: RJ Burns, Courtney B. Barthelemy, Esq., Dr. Gregory T. Trecha, Donald Sivy, Michelle Sovich-Lapinski, Excused

ALSO PRESENT: Mayor David N. Poling

At 7:20 PM President Googins along with Mr. Bucuren declared no quorum, the meeting is cancelled, the next meeting will be held Tuesday, July 9, 2013.

Respectfully Submitted,

Susan A. Blum
Borough Secretary
June 25, 2013