

**Economy Borough Council  
Meeting Minutes  
12 Mar 2019**

**MEETING** was called to order at 7:00 pm by Council President Brian Westrom, also present were Mrs Pat Skonieczny, Mr Gary Bucuren, Mrs Audrey Mutschler, Mr Frank Morrone, Mr Tom Fetkovich, and Mayor Jo Ann Borato.

**ABSENT:** Mr RJ Burns - work

**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.

Solicitor Askar addressed the audience and presumed most in attendance were there for the Penn Energy issue. At the last meeting Council voted to have a public hearing/forum to inform everyone where the Borough is going and how they're going to proceed and the procedure to be followed. Penn Energy is amenable to a public forum. They will share their plans, where they are and how they got there. The second part of the meeting will be open to the public for questions with the third part for Council to address issues they want to know more about. He will be looking at the road maintenance agreement. Council is hearing what the residents are saying and will move ahead in a deliberative fashion.

Brian Warren, Hickory Dr, wants to talk about 2 things. First, is the subject of zoning and how gas drilling is compatible with a residential or suburban use definitions in our zoning ordinance. Second, he wanted to know the views of the Mayor and Council's role on this issue, he thinks there might be some confusion, He worked as an attorney for an energy company and he is not opposed to what they do, he understands the economic impact. This activity is disruptive and will change the character of their neighborhood and will reduce property values. He provided a list of local municipalities that have limited where the wells can go including Bell Acres, Oakmont Monroeville and Cranberry among others where they limited wells to commercial and industrial zones to limit impacts on residential neighborhoods or use municipal roads. Zoning ordinances are meant to group compatible uses. In 2013 the zoning ordinance was amended to allow oil and gas activity in nearly all zones. The Supreme Court was quoted, 'specifically allowing for shale gas development is contrary to the stated purpose of the residential and suburban zoning districts. Our ordinance serves a private interest and not the residents. No one is suggesting banning drilling, Council's job is to protect the residents and not private interests, keep the drilling out of neighborhood. There is a group of residents who are probably going to file an action to challenge the validity of the ordinance. Two follow

up items; would like to see in writing legal authority or citation that establishes the basis for your position that its your job to protect the financial interests of lease holders while ignoring financial harm to other residents. And how is oil and gas drilling compatible with the stated purpose of residential and suburban areas.

Steven White, 475 Amsler Ridge Rd, he likes the format for the public hearing and doesn't want any more permits issued without closer scrutiny. He thinks a two-step process is called for; first all documents have to be gathered and then someone has to review them, it should be more than one person. The ordinance needs to be reviewed and re-written. There are 4 conventional well pads within 1000 feet of the B50 pad. Is there a plan if those wells become full of gas? There is a planned well site off Friel Rd.

Chad Zutter, Zutter Ridge, compliments council for an exemplary job throughout 2012 in creating the zoning ordinance change in 2013 allowing the responsible development of natural gas. As a result, Penn Energy offered a leasing program that ended up with 8,000 acres of leased property out of 11,000+ acres, or over 70%. A minority interest is here, and he feels a large silent majority that is not present but supports the current ordinance as evidenced by the 70% participation. He questioned Council as to why there is a public hearing taking place when the ordinance is being followed? An information session would be more appropriate. Mr Askar agreed the term public hearing may not be appropriate. And the public forum is to answer as many questions as possible. The others present are concerned with the use of Amsler Ridge Road. There will not be a stenographer there it will be more of an open forum.

Darlene Bolin, Cooney Hollow Road, the leasing people don't talk about how the trucks will operate. They are always in a rush; the police should do more. A woman looked at the one lane bridge near her home and she doesn't want the trucks going by her home. She was told they won't be using Cooney Hollow and she was satisfied.

Steve White asked why it's now not being called a Public Hearing? Mr Askar said the format is more in line with what he and Mrs Marcucci wanted at the last meeting.

Cilia Janosik, 305 Hoenig Rd, wrote to PennDot regarding the intersection of Big Sewickley Creek Road and Amsler Ridge Road, which is horrific. She received a nice response. When the landman came around people had no idea what they were getting into. We need all the information we can get. She's concerned for her grandchildren, the planet and the State Constitution.

Tom Martelli 709 Amsler Ridge Road, his property is 1000 feet from the well, his house 1500 feet. There was a wreck Sunday night, in the last six months there were at least four cars that went over the hill onto his property. With the trucks it will get worse. Mr Askar stated Mr Shoup is pursuing additional information about the road through Geotechnical Engineers.

Mayor Borato asked the police to go back five years for reportable accidents on Amsler Ridge and there were 10.

Roger Kowal understands the Fire Hall will be closed after Lent. He's concerned with the declining number of volunteers he feels a feasibility study should be done to see if a paid department is possible. Address it now before we have a fire and can't get enough trucks there. Questions regarding the assets of the department were brought up, which would take a lot of looking into to get all the answers. If the Volunteer Department were to dissolve the Borough's donations would have to stop.

**Minutes:** February 12, 2019. **Motion by Mrs Mutschler seconded by Mr Bucuren, to approve the minutes, all voted aye.** February 26h 2019. **Motion by Mrs Mutschler, seconded by Mr Bucuren to adopt the minutes, all voted aye.**

**Committee Reports:**

**Parks & Recreation:** Mr Fetkovich had nothing to report.

**Ordinance:** Mrs Skonieczny likes the idea of having a two-step process to approve a zoning certificate for gas wells. **Motion by Mrs Skonieczny to hire Attorney Gaven Robb, who wrote the Church Hill ordinance, to guide the borough on possible re-wrighting a portion of our Zoning Ordinance,** Mr Askar mentioned this will have to start with the Planning Commission, who can hire a consultant if they choose to. Council could also hire an outside consultant. Mrs Mutschler stated she and Mr Blumling both heard what was just said and will take it back to the Planning Commission.

**Public Safety:** Mr Bucuren had nothing to report

**Property and Building:** Mr Morrone had nothing to report

**Personnel:** Mr Westrom stated the committee will begin work on the Employee Handbook now that HRPro has been paid for and he wanted an executive session to discuss the vacancy in the Borough Secretary's position with a possible vote.

**Finance:** Mrs Mutschler asked if everyone has the bills or has any questions. **Motion by Mrs Mutschler, seconded by Mr Bucuren, to approve the bills that have been signed off on by the Department Heads, all voted aye. Mr Bucuren recused himself from the Public Works bills due to his brother works there.**

Mrs Mutschler asked Mr Kunkle if budget reports will be provided. They will be but he was not sure exactly when. When the new Secretary is hired, we need everyone in the office to know everyone's job in case one person steps down.

Mrs Mutschler asked for an executive session for a couple of personnel issues and there won't be a vote.

**Public Works:** Mr Burns was not present to report.

**Mayors Report:** Mayor Borato highlighted portions of the monthly report, which will be on file in the office.

The Chief's vehicle was approved last October, Wright Automotive ordered it in November and we still don't have it. Mayor Borato grew weary of Wright's delays and their inability to answer questions; they didn't have a VIN which means the vehicle has not been produced. As a result, she got in touch with Ed Murphy, the territorial rep for Chevrolet special service vehicles. Mr Murphy said there are some delays in parts and one of their Texas locations got hit with hail, but we will have the vehicle by the end of April or May.

Last year Chief O'Brien received a grant for \$10,000 from Walmart for computers, which didn't have to be purchased at Walmart. Walmart does not have the computers the Chief wants but Vi Hous, who does the cloud service for the department, has the computers they want, which will cost \$2000 above the grant, which they'll make up for out of other line items.

Mayor Borato asked the Manager if Valley charges us more when people dump garbage in the yard waste dumpster; they do. A mattress was dumped at Public Works, a box spring at the Authority. There is a camera at the yard waste dumpster, but it doesn't provide enough detail to make an arrest. For \$1500 M and P can install a camera capable of zooming in at that location if Council thinks it's worthwhile. She will get back to Council on what line item can be used

The Civil Service Commission will work on providing an updated list of qualified police applicants.

She also requested an Executive Session for personnel with no vote.

**Solicitor:** Mr Askar has not addressed the BIU bill yet. Attorney Kail is no longer with his practice since he now works for the state. He will get to this.

Mr Askar informed Council that Lennon Smith Solerette does not do Geotech work. Mr Shoup will be obtaining another quote for geotechs.

**Engineer:** The Cooney Hollow slide; the core-boring work has been done, GeoMechanics will soon have a recommendations report. Final design and implementation will still have to occur.

**Economy Borough  
List of Checks  
As of March 12, 2019**

Date	Num	Name	Amount
<b>100.00 · General Fund Accounts</b>			
<b>100.001 · Gen'l Fund Reg Checking - 2783</b>			
02/13/2019	27373	ADT Security Services	-49.62
02/13/2019	27427	Ambridge Water Authority	-658.87
02/13/2019	27428	American Rock Salt Company LLC	-41,833.43
02/13/2019	27429	BearCom	-200.00
02/13/2019	27430	Beaver County Planning Commission	-44.08
02/13/2019	27431	Beaver County Times-Newspapers Inc.	-139.25
02/13/2019	27432	Bob Sumerel Tire Co., Inc.	-235.00
02/13/2019	27433	Clean Care, Inc.	-205.92
02/13/2019	27434	Comcast 0029955	-107.87
02/13/2019	27435	Costco	-452.21
02/13/2019	27436	Dickman Directories Inc.	-306.60
02/13/2019	27437	Economy Plumbing & Heating Co.	-36.69
02/13/2019	27438	FBI-LEEDA	-50.00
02/13/2019	27439	Hernandez, Frank	-100.00
02/13/2019	27440	Hovis Auto Supply	-15.26
02/13/2019	27441	Hunter Truck Sales & Service, Inc.	-475.49
02/13/2019	27442	Mitel Cloud Services	-284.59
02/13/2019	27443	Murphy Tractor-Powerplan	-225.65
02/13/2019	27444	PA One Call System, Inc.	-19.24
02/13/2019	27445	Reed Oil Company	-1,029.06
02/13/2019	27446	Russell Standard Corp.	-714.96
02/13/2019	27447	Smitty's Service.	-769.18
02/13/2019	27448	SWIF-State Worker's Insurance Fund	-1,532.00
02/13/2019	27449	Trans Union LLC	-75.00
02/13/2019	27450	Wex Bank-Sunoco	-2,991.40
03/12/2019	27452	ADT Security Services	-99.24
03/12/2019	27453	Aflac	-253.50
03/12/2019	27454	Amcom Office Systems, Inc.	-23.27
03/12/2019	27455	American Rock Salt Company LLC	-31,645.75
03/12/2019	27456	Animal Control Services	-550.00
03/12/2019	27457	Aramark Uniform Service	-482.56
03/12/2019	27458	Baierl Automotive-Ford	0.00
03/12/2019	27459	Baierl Ford (Trk)	0.00
03/12/2019	27460	Beaver County Central Printing	-2,910.82
03/12/2019	27461	Beaver County Regional COG	-983.05
03/12/2019	27462	Beaver County Times-4-7248694779	-1,310.00
03/12/2019	27463	Building Inspection Underwriters of PA	-1,376.00
03/12/2019	27464	Burns, Daniel	-72.28
03/12/2019	27465	Clean Care, Inc.	-103.78
03/12/2019	27466	Columbia Gas	-434.34
03/12/2019	27467	Comcast 0029740	-611.09
03/12/2019	27468	Comcast 0029955	-107.87
03/12/2019	27469	Dickman Directories Inc.	-306.60
03/12/2019	27470	Duquesne Light Company	-1,692.38
03/12/2019	27471	Economy Electric Supply Co.	-63.75
03/12/2019	27472	Economy Septic Service	-406.25
03/12/2019	27473	Economy Welding & Industrial Supply	-109.00
03/12/2019	27474	FNB Commercial Credit Card	-981.36
03/12/2019	27475	Hunter Truck Sales & Service, Inc.	-102.90
03/12/2019	27476	ICC - International Code Council	-742.04
03/12/2019	27477	ICMA Membership Renewals	-580.00
03/12/2019	27478	Incom Supply of Pittsburgh	-38.15
03/12/2019	27479	J & J Truck Equipment	-739.89
03/12/2019	27480	JC Ehrlich Co., Inc.	-141.98
03/12/2019	27481	Lacal Equipment Inc.	-184.56
03/12/2019	27482	Maher Duessel	-10,000.00
03/12/2019	27483	MDIA	-510.00
03/12/2019	27484	MGSof-Net, Inc.	-127.50
03/12/2019	27485	Michael Baker International, Inc.	-2,160.00
03/12/2019	27486	Napa-aStation Auto Parts	-235.12
03/12/2019	27487	Occidental Life Insurance Co of NC	-27.82
03/12/2019	27488	PA Municipal League	-65.00
03/12/2019	27489	PA One Call System, Inc.	-27.38
03/12/2019	27490	PGH Networks	-99.00
03/12/2019	27491	Pittsburgh Public Safety Supply	-289.98
03/12/2019	27492	Reed Oil Company	-1,468.79
03/12/2019	27493	Reliance Standard Life Insurance	-330.00
03/12/2019	27494	S & S Fasteners, Inc	-57.36
03/12/2019	27495	Shoup Engineering Inc.	-840.50
03/12/2019	27496	Smitty's Service.	-847.46

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
03/12/2019	27497	Spectrum Medical Corp, LLC	-135.00
03/12/2019	27498	Sprint Communications	-359.88
03/12/2019	27499	Staples Advantage	-87.05
03/12/2019	27500	Susteen, Inc.	-995.00
03/12/2019	27501	Teamsters Local Union 250	-300.00
03/12/2019	27502	Thomas, John C.	-77.72
03/12/2019	27503	TransAxle LLC	-249.23
03/12/2019	27504	Tri-State Hose & Supply Company	-223.15
03/12/2019	27505	Triangle Gasoline Company, Inc.	-556.75
03/12/2019	27506	Valley Waste Service, LLC	-185.00
03/12/2019	27507	Verizon S0007576-Business	-18.67
03/12/2019	27508	Verizon Wireless-542192420	-578.09
03/12/2019	27509	Vi-HAUS	-875.50
03/12/2019	27510	W. PA Teamsters Emp Welfare Fund	-24,847.50
03/07/2019	27511	Baierl Ford (Trk)	-1,761.73
03/12/2019	27513	American Rock Salt Company LLC	-18,507.49
03/12/2019	27514	BearCom	-200.00
03/12/2019	27515	Commonwealth of PA-BOIS	-119.57
03/12/2019	27516	Mitel Cloud Services	-279.66
03/12/2019	27517	PSAB-Team	-300.00
03/12/2019	27518	Smitty's Service.	-412.84
03/12/2019	27519	Staples Advantage	-84.51
03/12/2019	27520	SWIF-State Worker's Insurance Fund	-1,532.00
03/12/2019	27521	Trans Union LLC	-45.00
Total 100.001 · Gen'l Fund Reg Checking - 2783			-169,421.03
Total 100.00 · General Fund Accounts			-169,421.03
<b>TOTAL</b>			<b>-169,421.03</b>

The Green Forest culvert has been brought back up by the initial property owner. Last year Lang Contracting provided a quote of about \$19,000 but due to him wanting to close the road the project was not done. To move forward it would have to go out for public bid. Mayor Borato asked if the road is eventually going to wash away. Mr Shoup stated the current pipe is sized to withstand a one-year storm, which means every year or two it will over-run the road. Last year when it did this it wore away at the embankment on the other side of the road and if this occurs often enough part of the road could wash out. **Motion by Mrs Mutschler, seconded by Mr Fetkovich, to have Mr Shoup put this project out to public bid, all voted aye.**

The Janicki subdivision; this was brought up a month ago. They want to subdivide one lot into two, using an existing private drive. There is also a 250-foot section of that road that is public and is 10 or 11 feet wide with narrow berms and then slopes that go up. The most we could get is a 15' wide road and can't meet Borough specs. The question becomes what do we have the Janicki's do? Why have their section meet Borough specs when we can't? Mr Shoup stated Council can allow a modification to the road specifications per the Subdivision and Land Development Ordinance **Motion by Mrs Skonieczny to allow a modification to require them to construct their portion of the road to the extent the Borough can,** Mr Askar asked Mr Shoup how we should address this, Mr Shoup suggested he talk with the Janicki's engineer to see what they can come up with. **Mrs Skonieczny withdrew her motion.**

#### **Old Business:**

Mayor Borato stated we received a written update from Brian Templin, she's not really happy with. What they're calling improvements were actually safety issues. They took the plywood off the former Shop n Save and installed windows. She wrote another letter to the Pearson's hoping to get them moving. Mr Thomas goes there regularly to check for code violations. Mrs Skonieczny stated it's blighted, can we have it demolished? Mr Askar said he'd have to check into that.

Mr Bucuren brought up the foundation hole on Golden Grove Rd, the fence has fallen in and it's full of water. This needs to be corrected. Mr Thomas will be told about this.

#### **New Business:**

Dan Burns resignation from the Code Enforcement Office. **Motion by Mr Fetkovich, seconded by Mrs Mutschler, to accept Dan Burns resignation, all voted aye.**

Advertise for an Assistant Code Enforcement Officer. **Motion by Mrs Skonieczny, seconded by Mr Bucuren, to advertise for an Assistant Code Enforcement Officer, discussion as to when and where it will be advertised took place, all voted aye.**

To add a 3<sup>rd</sup> party building inspection company. Motion by Mrs Skonieczny, seconded by Mr Fetkovich, to table this until the next meeting all voted aye.

To make a \$500 donation to the Economy Borough Veteran's Memorial. Motion by Mrs Mutschler, seconded by Mr Fetkovich to donate \$500 to the Economy Borough Veteran's Memorial, all voted aye.

To adopt Resolution 465 to appoint the Manager and Secretary to the Beaver County Tax Collection Committee. Motion by Mr Bucuren, seconded by Mrs Skonieczny, to adopt Resolution 465, all voted aye.

Appointments to the COG. Motion by Mrs Mutschler, seconded by Mrs Skonieczny, to appoint Mr Westrom the primary delegate to the COG, and Mr Fetkovich the alternate, all voted aye.

Mrs Mutschler asked when the next newsletter will go out; by the end of May.

Only two Planning Commission members receive the monthly PSAB newsletter, they all should get one.

Motion to go into Executive Session by Mrs Skonieczny' seconded by Mrs Mutschler for a personnel matter involving the Borough Secretary, two other personnel issues for Mrs Mutschler, the Public Works grievance, and Mayor Borato has a personnel matter, all voted aye.

Motion by Mrs Mutschler, seconded by Mrs Skonieczny, to come out of Executive Session and go back to regular session, all voted aye.

Motion by Mrs Mutschler, seconded by Mr Fetkovich, to offer candidate number one the position of Borough Secretary, all voted aye.

Motion by Mrs Skonieczny, seconded by Mr Fetkovich, to give a \$1.00 raise to Mr Lazaretti, the part time help in the Public Works Department, all voted aye.

Motion by Mrs Mutschler, seconded by Mr Morrone, to adjourn the meeting at 9:21, all voted aye.

Submitted by

Randy S Kunkle  
Borough Manager