

**Economy Borough Council**  
**Meeting Minutes**  
**11 Feb 2020**

**MEETING** was called to order at 7:00 pm by Council President Brian Westrom, also present were Mr Gary Bucuren, Mr Roger Kowal, Mr Frank Morrone, Mr Jeffrey Ruckert, Mr Don Sivy and Mrs Pat Skonieczny. Others present included Mayor Jo Ann Borato, Borough Manager Randy Kunkle, Solicitor Joseph Askar and Engineer Scott Shoup.

**ABSENT:**

**MOMENT OF SILENCE.**

**PLEDGE OF ALLEGIANCE**

**Mr Bill Vescio:** of Vescio Asset Management provided a summary of the Non-Uniform and Police Pension Funds. Both funds did very well in 2019 earning over 18% each. Technology has been strong and predicts it will stay that way. Interest rates were low last year, and the trade tariffs have started to resolve.

**RECOGNITION OF VISITORS:** Mr Westrom welcomed everyone to the meeting and requested the discussion(s) regarding borough business be kept to 3 – 5 minutes.

**Karen Ott,** Merriman Road, acknowledged the new Council members, thanked the Public Works Department for snow removal and the Police for removing heavy trucks from her road.

Would like to see all Act 14 notices signed off by several people and put them in a binder, which would be available to the public.

**McClelland,** 196 Shaffer Road, Council must do something about heavy trucks using Shaffer Road. A steel truck went down it today and the numbers are increasing; I don't know what you're going to do, something must be done about it.

**Kasi Devinney,** 484 Amsler Ridge Road, inquired if the issue with the Boy Scouts being paid for their recycling had been resolved; it was. She wants to see two-step processing implemented when approvals are made to make sure what is being done is appropriate. Check-off lists should be used, and more information gathered. She provided a written two-step process.

**Laurel Beitsinger,** Pioneer Lane, wants to follow-up on the Penn Energy project, wants everyone to have everything; what was applied for, what was approved and what Penn Energy is obligated to do. There are still too many questions and she wants Council to vote on producing information.

**Cheryl Asbaum,** Big Sewickley Creek Road, submitted questions at the last meeting that were distributed to Council today. She wants to know how much work has been done on the well pad and how many police calls have been made to that area. They want information and clarification.

Mayor Borato responded the Chief checks on the road regularly and no work is being done on the well pad. Once Duquesne Light relocates their poles Penn Energy will repair and upgrade the road. She also mentioned a pile-driver has been delivered for work on the lag walls.

Mr Kowal acknowledged no work has been done at the well pad for the last two weeks.

KC Bowers from Penn Energy stated they had to bring equipment in to clear trees in the well pad area. The wall materials were delivered, Duquesne Light is trimming trees and they will clear a temporary bypass where the wall will be installed over a 4 to 5-week period. After that the Full Depth Reclamation will take place.

Mr Westrom requested updates from Penn Energy prior to the various portions of the work to be done.

**Meeting Minutes: 10 Dec 2019: Motion by Mr Bucuren, seconded by Mr Ruckert, to table the December 10<sup>th</sup> minutes to the next meeting, all voted aye**

**Committee Appointments:** Mr Westrom made the following appointments

Personnel	Mrs Skonieczny
Finance	Mr Kowal
Public Safety	Mr Ruckert
Public Works	Mr Sivy
Parks & Recreation	Mr Bucuren
Ordinance	Mr Westrom
Property & Buildings	Mr Morrone

Mrs Skonieczny reported that when Mr Burns was president he was advised not to appoint himself as a Committee Chair while serving as President., in accordance with Robert's Rules of Order.

Mr Westrom responded stating he has been the Personnel Committee Chair for the past 18 months.

Solicitor Askar was asked for his take. It's up to this Council. It can be perceived unfavorably by the public and if it's brought up it's a legitimate question to ask.

Mr Kowal questioned why, given his professional background, Mr Bucuren was not appointed Chair of the Public Works Committee? Mr Westrom responded that two years ago Mr Bucuren didn't want to have anything to do with the Public Works Department since his brother works there. Mr Bucuren disagreed with this, adding that he abstains from voting on bills or money issues in Public Works.

Mr Westrom will go back and look at the Ordinance Committee but the rest stand.

Mr Bucuren wanted another vote for President.

**Motion by Mr Bucuren, to have Mr Kowal as President.**

It was determined that another vote for President would have to be done during a Reorganization Meeting.

Mr Kowal wanted to discuss this in Executive Session instead of arguing publicly. And to hold off on the Committees until the next meeting.

Mr Westrom doesn't want to go back over this, he will look at the Ordinance Committee only.

**Motion by Mr Bucuren, seconded by Mrs Skonieczny, to reorganize, a roll-call vote was taken as follows:**

<b><u>Mr Bucuren</u></b>	<b>yes</b>
<b><u>Mr Kowal</u></b>	<b>yes</b>
<b><u>Mr Morrone</u></b>	<b>no</b>
<b><u>Mr Ruckert</u></b>	<b>no</b>
<b><u>Mr Sivy</u></b>	<b>no</b>
<b><u>Mrs Skonieczny</u></b>	<b>yes</b>
<b><u>Mr Westrom</u></b>	<b>no</b>

**Motion failed.**

**List of Bills:** Mr Sivy asked why we are paying late fees. Mr Kunkle responded we missed a bill paying meeting. That was not acceptable. Bills that we know will be paid should be paid on time. Mayor Borato related that Mrs Petalino told her she is upset that she can't pay bills that have to be paid. Mr Kunkle stated that he agrees, however, a prior Council looked at that differently, they wanted to see and approve all bills before they were paid. Mr Sivy suggested guidelines should be put in place; Council will forward suggested guidelines to the Manager.

Mr Kowal questioned the \$550 bill for Animal Control asking for the number of calls they responded to and whether we want this service. The Public Works Department could take care of this. Mr Askar, who has worked on this contract, stated it's 24/7 call out service; licensed dogs will be held for 15 days, unlicensed for 7 days after which they go to the Humane Society. If the Borough or residents wants cats removed it is \$40 per cat.

Mr Thomas, Code Enforcement Officer, gets numerous calls regarding feral cats and Animal Control told him they won't collect feral cats. Mr Askar said she will collect them if she knows who is going to pay the \$40/cat fee ahead of time.

**Motion by Mr Sivy, seconded by Mr Kowal, to approve the List of Bills, all voted aye. Mr Bucuren recuses himself from the Public Works bills due to his brother works in the department.**

Mr Westrom announced there will be an Executive Session for two Public Works personnel related matters, and the Borough Secretary position, with a possible vote.

**Mayors Report:** the report for January 2020 will be on file in the Borough Office. Mayor Borato read a resignation letter from George Hartsell, which is attached to these minutes.

Mayor Borato has one personnel issue for Executive Session and there will be a vote.

Police vehicles are in high demand. We only bought one car at this point, the next round is due in around the end of March or beginning of April.

**Solicitor's Report:** Comcast seeks to renew the Franchise it has with the Borough for cable tv service. Mr Kowal asked if the Borough can be opened to other providers. Various options were discussed. Mr Kunkle explained the Franchise Fee, received by the Borough, is a significant amount and will have to be made up for if the franchise is done away with. Mayor Borato pointed out that if the Borough is open to other providers nothing forces them to come in and re-build infrastructure. The Manager is to get prices on other providers

Amending Ordinance 440 pertaining to oil and gas wells. This will require a public hearing and public notice. Since announcing the proposal of this ordinance, the borough is protected under the pending ordinance provisions of the law, provided the Borough continues to move forward on it and is not exclusionary. Mr Kowal asked if the insurance is site specific or it broadly covers multiple projects.

Solicitor Askar received a letter from BLS Transit & Supply concerning a permit that was issued in 2018, which is when Josh was attending meetings, and they have no file on it. Mr Shoup offered to bring him up to speed on it.

Mr Westrom pointed out there are new bidding thresholds of \$11,300 for obtaining 3 telephonic quotes and \$21,200 to go out to public bid.

**Engineer's Report:** Representatives for the Froman PRD proposal are present to further discuss their plans. Several months ago, Council approved a zoning change that would allow this type of development to occur. Under the PRD section of the Zoning Ordinance, Council has the authority to modify requirements, such as having two access roads into the development.

Ed Moore and Dan McMullen from Sheffler & Company made a presentation focusing primarily on the requirement for two access points. The property has 70 acres and calls for 114 homes with 37 acres of open space. Wooster & Associates (traffic engineers) assessed the area and as a result

PennDot will not approve two access points. The only way to provide a second access would be to buy nearby property and cut back a hill to open the view. They don't own the property, so this is not an option. They are requesting permission to request a modification prior to doing all the engineer work normally required when proposing a plan; they don't want to pay a large sum of money unless they know the modification will be approved.

Mrs Skonieczny asked how people will get out if there is a catastrophe on the single access. Mr Moore stated they are looking at an emergency access, which PennDot will review as if it were a regular access. Several Council members expressed concern with a single access. Mr Bucuren stated we have an ordinance in place, and it should be followed. Mr Ruckert suggested they have two access points, or the plan would likely not be approved. It was a consensus that a second access is necessary.

Mrs Skonieczny would like to know how Council feels about the residents who volunteered to help organize the Penn Energy information. Some members agree it's a good idea and others had reservations. Guidelines would have to be in place.

Mrs Skonieczny wanted to know who will answer the questions submitted by the residents regarding the Penn Energy B50 project. Mr Westrom asked Mr Casey if he could answer them. Mr Casey stated many of the questions were previously answered. Mr Kunkle and Mr Thomas may be able to address some of them.

Mr Westrom noted that the second Council meeting in April coincides with the Primary Election. **Motion by Mrs Skonieczny, seconded by Mr Ruckert, to cancel the April 28<sup>th</sup> meeting due to the Primary Election, all voted aye.**

Mr Westrom noted there are four items to be discussed in Executive Session, two personnel issues in the Public Works Department, one police personnel issue and the Borough Secretary hiring. He asked for a motion...

Mr Kowal stated he has a couple of old business items and asked the Mayor if she has any new information on body cams for the police; she responded affirmatively stating New Sewickley Township just bought 16 cameras for \$24,000 and they believe the extra storage on the Cloud Service will be over \$2,000 per month. There are some "dead zones" in the Borough where they may have connectivity problems.

Mr Kowal asked if there is any update on replacing the carpets; we have a price on the Borough offices and are awaiting the price to add the tax office.

Mr Kowal also has some new business items; a couple of residents have called him, apparently the clock in the Borough Garage is 15 minutes early or doesn't work properly and the employees are home before 3. This puts liability on the Borough if they're punching out at 3 and getting home

at 2:45. If someone has an accident on the way home before 3 something will happen. Motion by Mr Kowal to fix the clock or replace it if it can't be fixed

There was discussion about getting prices for a new clock.

Mr Westrom reminded everyone that subjects for discussion and possible action should be on the agenda. If the pending law is approved, we won't be able to act on anything that is not on the agenda.

Mr Kowal said he spoke with guys in the Road Department who said they always wanted a bucket truck; they use a high lift to put signs up. We should sell the paver we don't use and put that money toward a bucket truck.

Motion by Mr Morrone, seconded by Mr Ruckert to go into Executive Session to discuss those issues mentioned previously by Mr Westrom, with a possible vote, all voted aye at 9:09.

Motion by Mrs Skonieczny, seconded by Mr Morrone, to come out of Executive Session, all voted aye at 9:55

Mr Westrom reiterated the four subjects of discussion.

Motion by Mr Ruckert, seconded by Mr Morrone, to hire Lance Hupenthal full time in the Public Works Department, all voted aye.

Motion by Mr Kowal, seconded by Mr Morrone, to re-hire Mitch Lazzaretti for summer help at \$13.00 per hour, all voted aye.

Motion by Mrs Skonieczny, seconded by Mr Morrone to hire a full-time police officer off the Civil Service List, all voted aye.

Motion by Mr Kowal, seconded by Mr Sivy, to re-advertise for the Borough Secretary position at \$50,000 to \$65,000 per year, with interviews to start as resumes come in and using the ad from 2014, all voted aye.

Motion by Mr Sivy, seconded by Mr Morrone, to accept Lt Hartsell's resignation, all voted aye.

Motion by Mr Ruckert, seconded by Mr Sivy, to adjourn, all voted aye at 10:04.

Submitted by

Randy S Kunkle  
Borough Manager