

**AVALON BOROUGH
REGULAR COUNCIL MEETING
AUGUST 16, 2011**

The meeting opened at with a prayer and the pledge of allegiance led by Mayor Haslett.

Roll Call: Cortese, Bernstein, Dixon, Lloyd, Narcisi, Powell, Repp and Sefick. Also present were Dilmore, Mayor Haslett, Solicitor Megan Ott, Shawn Rosensteel, Chief Kokoski and Judith Brogan. Absent: Klicker

There was an Executive Session held prior to the Regular Council Meeting. Solicitor Ott stated the Executive Session was in complete compliance with the Sunshine Law.

Bernstein moved:

“To accept the Minutes of the Regular Council Meeting of July 19, 2011.”

Powell 2nd

CARRIED

(Lloyd, Repp and Sefick abstained)

COMMUNICATIONS:

- Dilmore stated that he received a letter from Penn Dot on the 2011-22012 winter municipal snow agreement. This year’s total is \$16,086.43. This is up about \$600.00 from last year.**
- Letter from the Quaker Valley Council of Governments on the 2011/2012 Salt purchase. The opening and acceptance of the bids was done last month and this letter is stating Avalon is going to participate this year.**
- Letter from the AIM loan program on the Way Finders Project that Avalon applied for through the Joint Planning Commission with Bellevue and Ben Avon. The application was denied.**

- **Notice of public hearing on August 24, 2011, at Canon-MacMillan High School regarding the Marcellus Shale issues.**
- **Received unapproved bids on the garbage contract. Bids are being reviewed by the Quaker Valley Council of Governments' Solicitor. The bids will then be forwarded to the municipalities for review and approval over the next couple of months.**

VISITOR:

Mrs. Dominytus of 420 Chestnut Street thanked Harry Dilmore for finding and returning her purse to her.

She also asked for no smoking signs for the pool area. Dilmore stated that Donnelly has had the paper work so Avalon can join the program and get the signs for free. Donnelly stated that she will have everything ready for next months meeting.

Cortese stated that he has talked to the coaches about complaints he received about coaches smoking on the field during practice. The coach denied it and several people disagreed with that stating that they have seen the coach smoking on the field. Cortese will follow up with the coaches.

Powell asked if there is a designated smoking area and Cortese stated that he let them know that they can smoke in the parking lot but not on the field.

Powell asked if there are receptacles available and was told no; smokers throw their cigarettes on the ground.

VISITOR:

Michelle Smith, representing the Joint Planning Commission stated that she had been asked to visit various Councils which she has done and letters have been sent via e-mail in May and July stating their plans to implement an agenda for joint comprehensive capital improvements. She stated that a recommendation has been made to have an engineer and legal advisers consulted for all improvement programs with the cost to be shared by all of the municipalities.

This committee will be in place from July 2011 to June 2012.

Donnelly asked if Avalon Council is represented on the committee and was told that Tom Lloyd is on that board.

Ms. Smith stated that she received a letter from Kathy Coder asking if Bellevue is the only municipality participating in the Allegheny County U.S. Department of Energy of Sun Spot Grants. Ms. Smith stated that participation is open to all municipalities and paper work for participation must be done by August 22, 2011.

She stated that the zoning code for solar energy identifies the use of solar as not to be located within five yards of the front yard, back or side yards and cannot interfere with a neighbor's quiet enjoyment of their property. In fact, if solar energy would become a new energy source, there would be an amendment in the current zoning code.

Donnelly asked if this program is specifically through Connect, which consists of towns in Counties that border Pittsburgh and Ms. Smith stated that the program is not specifically to the Connect communities.

Donnelly pointed out that Connect deals with the University of Pittsburgh and the Connect group and the COG (Quaker Valley Council of Governments) deals with County issues.

VISITOR:

Jackie Yurkovich of Grandview Avenue thanked Council for fixing the broken pipe at the pool so quickly. She also pointed out that there are 50 to 60 tires left lying around from Dumpster Day. Dilmore stated that the man who was supposed to pick them did not respond to calls as promised. Dilmore called Mike Berry who is going to have a dumpster on Wednesday and will pick them up for \$1.50 per tire as opposed to the \$2.00 per tire that they were being charged by the other person through the QVCOG.

Yurkovich stated that the sign across from her house that was hit by a truck and is bent causing a hazard because drivers cannot read it. Dilmore stated that he will notify the Department of Public Works.

She asked why Norwood and Grandview have not been touched this year. The streets are a mess and need attention. Dilmore stated that the crew is shorthanded because new hires are not dependable and one had to reduce his hours because of his full time job. He stated that he will notify the DPW and see if they can get to those streets as soon as possible.

Dilmore also stated that the problems at the pool kept the crew busy there and caused a delay in their usual schedule. He also stated that the overgrowth of weeds is because the spray being used is not the same as in previous years because the county has specified what to use and the Borough is complying.

Yurkovich asked Council to call the Post Gazette and tell them to stop throwing the newspapers in the driveways and on the property of the residents. Nobody wants them and although she and her neighbors are tired of picking them up, there are some residents who do not pick them up at all. Dilmore stated that he is aware of the problem because the Borough is also getting them.

Bernstein suggested that they take pictures of the papers and send them to the Post Gazette with a demand that they stop delivering them.

VISITOR:

Jane Miller of 302 Fisk Street spoke about the tree trimming in Avalon. She stated that at a time when the Borough is starting a shade tree commission, many of our properly cared for trees are being brutally and needlessly cut back.

She asked for clarification as to when the trees will be trimmed again.

Dilmore stated that the Borough is using grant money obtained through the Quaker Valley Council of Governments (QVCOG) to pay for the tree trimming and the trimming is necessary for safety reasons. Fire equipment and EMS vehicles need to have immediate access.

Dilmore stated that they tried to trim only the hazardous ones based on the money allowed. Ms. Miller stated that they were cutting trees that were not hanging over into the alleys and were not a hazard. She stated that the trees they have cut look ugly.

Dilmore stated that more trimming will be done in September if the Committee releases the money.

Ms. Miller stated that people are trying to take care of their homes and their concerns are being ignored.

Dilmore stated that he spoke to Walt of Walt's Landscaping and was told they only cut that much if the tree was in jeopardy already.

Ms. Miller asked if the tree cutting schedule had been published in the Citizen and was told it was not.

Donnelly stated that the purpose was and is to improve the looks and safety of the streets.

Dilmore stated that the trimmers are experienced and know what they are doing and he did the project to improve the area not to anger anyone.

Dilmore stated the Shade Tree Commission was disbanded in the 1970's because they did not have the number of members needed. He agrees that a group or agency should be formed to determine which trees should be cut and when they should be cut. Dilmore stated that his efforts were intended for good but "no good deed goes unpunished."

VISITOR:

Teri Regus of E & R Automotive on California Avenue spoke about the abandoned vehicle issue as reported in the Citizen newspaper.

Teri stated that often times people drop off their vehicle for repair but they don't have the money to pay for the work so they leave the vehicle. This causes a problem with the residents in the area as well as E&R Automotive. They are trying to address this issue with their customers and by reporting them to the police.

She also stated that she and her husband, who is co-owner of E&R Automotive, are offended by a report in the Citizen. Dave Dixon complained about how much they charged to replace a broken window in a DPW vehicle. He was quoted as saying the job could have been

done in-house for \$50.00. She wants to know where he is getting windows for \$50.00 because she will buy them there since they cannot get that price.

Teri also stated that remarks such as Dave Dixon's, being published in the local newspaper, hurts their business. She does not know Dave Dixon and he has never been to her business so she doesn't know why he wants to hurt them.

She stated that when the Borough has a vehicle that needs repaired and they take it to E&R, she or her husband will give that vehicle priority as a courtesy. They do not expect nor get any special treatment in return.

She stated that if the Borough has a vehicle to be repaired and finds a cheaper price E&R will match it. They take pride in their business and want to be an asset to the Community.

Teri also wants Council to know that they have posted a sign stating that any vehicle left after the work is done will be charged a \$25.00 per day storage fee.

MAYOR:

Mayor Haslett apologized for not being in attendance due to his job sending him out of town. It will be the same for future meetings but he is working with the police chief, Tom Kokoski, and with the Borough Manager, Harry Dilmore. They keep him updated with what is going on in the Borough and what specifically needs his attention and Dilmore can get in touch with him at any time if necessary.

SECRETARY/MANAGER:

- Dilmore stated he met with the contractor on West Bellevue Road and it is still scheduled to begin on Monday. Oak Street is to be blocked off and letters will be sent to the residents letting them know about the street closing.**
- There will be several motions tonight; one of them will be for the Ford leasing agreement for the police car.**

SOLICITOR

Megan Ott spoke about the lien letters for the property on Norwood Avenue and reported that she is working with Chandran Realty to get the necessary paperwork done.

She also recommends that Council should have an Ordinance as requested by the Joint Planning Commission, to have access to professional, legal and engineer advice as needed. Dilmore asked if it is necessary to have an Ordinance for this and Megan stated that it can be either an Ordinance or Resolution.

Dilmore gave Megan a Resolution that was already typed and ready for approval and signatures. Megan stated that she will read it and pass it along to the Council members for any suggestions or changes. Then it can be voted on and signed.

The third and final report is on the 2012 reassessments. There was an interesting report sent to Judge Wettick stating that it is the County's intention to certify the 2012 assessments in March of 2012.

One of the problems with that is that the assessment objections must be filed by January 15, 2012.

Also, this may cause a financial burden for municipalities who need to send their tax bills out in March. They now will have to wait until May or June.

There will be a Special Emergency Meeting about this on Thursday, August 18, 2011 and Megan will report to Council on the results of that meeting.

Megan stated that there is concern that the municipalities would have to be relatively revented in order to financially comply with these reassessments.

She stated that with the questions and concerns of the school districts and tax collector's, it may be in the best interest of all concerned to postpone the reassessments.

Repp announced that Megan was one of the Pennsylvania Rising Stars which is an award given to lawyers under the age of 40 that have practiced for ten (ten) years or less along with a review of credentials of the candidates. No more than 2.5% of lawyers in the stat are named as Rising Stars.

ENGINEER:

Shawn Rosensteel stated that he plans to schedule an on site meeting with the contractor on Friday, August 19, 2011. The work is on schedule and the contractor is not anticipating any delays or problems on the job.

FINANCE:

Powell stated that the Tan Loan Payment has been paid.

CARRIED

Powell moved “to accept the Finance Report as submitted.”

Lloyd 2nd

CARRIED

“To accept the Treasurer’s Report as submitted.”

Lloyd 2nd

CARRIED

“To accept the Tax Collector’s Report as submitted.”

Lloyd 2nd

CARRIED

“To pay the List of Bills as submitted.”

Lloyd 2nd

CARRIED

Powell stated there was no other report and asked the Committees to refrain from any unnecessary spending and to find a way to make the budget work

SAFETY:

Narcisi announced that Megan Ott has written an Ordinance concerning the Dumpsters and in the area parks.

Narcisi stated that the Police Chief is doing a good job with safety on the streets.

Narcisi asked Kokoski for two (2) officers to join the Quality of Life Committee for property rental inspections. He stated that he could assign an officer to do this.

Kokoski stated that Officer Frank Colonello will be going to a class in Greensburg because the laws for rental inspections have been in effect since last year. Kokoski stated that he is looking forward to taking the class.

Kokoski stated that Officer Walt Johnson may return to work next month (September) pending his next doctor visit and if he is released to work.

Narcisi moved “to have the proper officials sign the paperwork with Ford Credit/Leasing Company for the 2011 Crown Victoria Police Cruiser.”

Lloyd 2nd

CARRIED

STREETS:

Lloyd stated that all of the DPW old vehicles were sold and the crew is out painting the poles and curbs and cleaning the streets. He stated that the crew is working to keep up with the grass on Harrison and Route 65. The Solicitor will send a letter to the owner of the property and fine them if necessary.

Lloyd stated that the next clean – up day is scheduled for October 8, 2011. The last clean – up day was a big success and Lloyd asked for more volunteers this time.

Lloyd moved “to have the Secretary give the third and final reading of Ordinance No. 1333, increasing the indebtedness of Avalon Borough by \$70,000 for the replacement of the municipal building garage.”

Donnelly 2nd

CARRIED

Lloyd moved “to accept the bid of Cargill, Inc. for the Road Salt for the 2011/2012 season; this bid is based on the Quaker Valley Council of Government’s pricing bid at \$55.83.”

Donnelly 2nd

CARRIED

Lloyd moved “to accept Resolution No. 1077.”

Bernstein 2nd

Powell asked if any and all fees collected would be shared by all three of the Boroughs. Solicitor Megan Ott stated that is the agreement.

Sefick asked if the other Boroughs are in agreement with sharing the collected fees and Megan stated that they are in agreement with the Resolution as stated.

Repp called for a vote and the motion was...

CARRIED

PROPERTY:

NO REPORT

HEALTH/SANITATION:

Dixon stated that the bids for Solid Waste removal were received and opened at the Quaker Valley Council of Government office.

CORP/PLANNING

Powell stated that with the new garbage contract, if a resident refuses to pay their bill, their pick-up can be stopped and the health department can get involved.

Donnelly asked if there is any improvement with the collection of the delinquent accounts. Dilmore stated that there is some improvement and Bernstein stated that the Facebook page is more informative about garbage pickup and the page is growing.

INTER-BORO

Donnelly stated she will be attending the next Inter-Boro meeting and will report to Council.

She also stated that she will not be attending the September 30, 2011 meeting at Seven Springs. She also will not be attending the September 11, 2011 Memorial Service in Shanksville, Pa.

Lloyd will attend the Shanksville, Pa. ceremony.

PARKS:

Cortese stated that August has been a bad month for the pool due to the pipe break and the inclement weather. He is hoping that it will improve when the weather changes.

Brandon asked if he could use the track from 4:40 to 5:30 p.m. and Solicitor Ott stated there would need to be a Resolution allowing this and the Parks Committee would have to approve it at a meeting.

NOTE: Allegheny County Councilman, Matt Drozid arrived for the remainder of the meeting.

LIBRARY:

NO REPORT

4th of JULY

NO REPORT

Powell congratulated Bernstein on the birth of his and his wife's new baby.

Cortese moved to adjourn.

Powell 2nd

CARRIED

Respectfully submitted

**Harry W. Dilmore
Manager**