

**AVALON BOROUGH
REGULAR COUNCIL MEETING
MARCH 15, 2011**

The meeting opened with a prayer and the pledge of allegiance led by Tom Lloyd.

Roll Call: Bernstein, Cortese, Dixon, Donnelly, Lloyd, Narcisi, Powell, Repp. Also present were Dilmore, Chief Kokoski, Solicitor Canciello, Rob Arnold and Judith Brogan. Absent: Mayor Haslett.

No Executive Session was held prior to the Regular Council Meeting.

Lloyd moved:

“To accept the Minutes of the Regular Council Meeting of February 15, 2011.”

**CARRIED
(Sefick abstained)**

COMMUNICATIONS:

- Dilmore stated that he received a letter from the Allegheny County Department of Emergency Services. Copies were sent to the Safety Committee for discussion on Tuesday. The next meeting will be on April 17, 2011 which will include an update on the hazard mitigation and emergency safety plan for the Borough. Dilmore will attend the meeting and report to Council in April.**
- Letter received from Chester Engineering on the 2010 Chapter 94 annual wasteland management report. The engineer will include these details in his report at this meeting.**
- Letter information on the 2010 Census Report for Avalon. Copies of this report were given to Council members.**

- **Letter from Penn Dot on work to begin on or around June 11, 2011 on the S. Birmingham Bridge on Route 65. There will be one (1) ten (10) foot lane in each direction during construction.**
- **Receipt of ISO insurance report on the Avalon Fire Department. It was discussed at the Safety Committee meeting. Fire Chief Carney has a copy of the report. This report is what insurance companies use to base the homeowners insurance rates.**
- **Letter from Waste Management on the Open House invitation to Council to see how a landfill operates.**

Repp asked Dilmore to announce the presentations to be made at this meeting. Dilmore asked Police Chief Kokoski to tell the attending residents about the reason for the Presentations to Officers Sean Kirley and Walter Johnson.

Kokoski stated that on a recent sting operation using the officers and surveillance to apprehend and arrest a drug dealer in the area, the officers went over and above their duty. While in pursuit of the assailant, they jumped over a twenty (20) foot wall and Johnson also jumped over a five (5) foot fence. Johnson injured his leg which required surgery and Kirley received numerous cuts and scrapes but the assailant was caught.

Dilmore asked the officers to step forward to receive the presentation awards. Dilmore noted that while each award had different resolution numbers the sincerity was the same for both. Dilmore read Resolution No. R-02-11 and R – 03-11:

“AVALON BOROUGH COUNCIL DOES RECOGNIZE OFFICERS JOHNSON AND KIRLEY FOR OUTSTANDING SERVICE AS AN AVALON POLICE OFFICER. YOUR DEDICATION TO DUTY AND TO THE CITIZENS OF AVALON BOROUGH IS TRULY NOTEWORTHY. LET THE GRATITUDE AND APPRECIATION OF OUR COMMUNITY SERVE AS THANKS FOR YOUR ACTIONS ON OUR BEHALF.”

VISITORS:

Amy Petcovic of 614 California Avenue spoke about residential parking permits in Avalon Borough. She stated that the parking fines have been increased from \$4.00 to \$10.00 and this places a hardship on the residents. She believes it would be easier on the residents who have to park on California Avenue to have permit parking because she and others are getting tickets because they cannot keep feeding the meters. She stated that since she is unemployed it is costly and she cannot watch the clock and run out to the meter every hour. She thinks Council should address this problem as soon as possible.

She stated that she spoke to someone at the City of Pittsburgh Parking Authority in reference to ordinances that are already in place for areas such as Oakland, Mt. Washington, Dormont, North Side and other areas throughout the city. She presented a copy of the ordinances that are in place. She stated that the City of Pittsburgh has conducted studies to confirm the need for permit parking. She stated that the permits are \$20.00 but she was unsure of the use of the revenue from the permits. She wants to know what can be done to get the permits as opposed to having the police officers use their time writing tickets. She wants to know who she can talk to so she can get answers and possibly action on her request. She also asked for email addresses for Council members and Powell gave her his card.

Donnelly asked if there is a parking lot for her building and she stated there is not. Lloyd noted that the permit parking is for residents only and permits would not be available for meter parking.

Repp stated that this issue has been addressed in the past but Council can revisit the issue and see what if anything can be done.

Jackie Yurkovich asked how the collection for the garbage bills is going and Dilmore stated that a lot of people are taking advantage of the discount period but there are some who do not care that their name was in the newspaper for not paying.

Jackie asked if there is any grant money to get the lights fixed on California Avenue. Dilmore stated that there are plans to get started on that project. She also asked if the Birmingham steps can be cleaned up if

not repaired. Dilmore stated that there are plans to do that as soon as the weather permits. Other work needs to be put off until tax money comes in to the tax office.

Jackie asked if Avalon gives tickets on Saturday for parking on California Avenue. She asked if anyone is aware that the 500 block of California Avenue is not supposed to get a ticket on Saturdays or Sundays. Kokoski stated that he was not aware of this but he is now and it is noted.

Lavonne Dixon of 624 California Avenue also spoke about the parking situation and parking permits for residents on California Avenue. She stated that she has lived in the area for four (4) years and has been paying tickets but now her work schedule does not allow her to get up and feed the meter every hour all night long.

Repp stated that the situation will be addressed again by Council.

MAYOR:

NO REPORT

Dilmore stated that Mayor Haslett was in the office during the day and reported that he would not be able to attend this meeting. He is aware of the parking permit situation and discussed this with Dilmore and wants to find a solution for the residents.

SECRETARY/MANAGER:

- Dilmore stated that he attended the Allegheny County Department of Emergency Services Workshop for updated hazard mitigation plans and will continue to update Council as it continues. Chief Carney has a copy of the paperwork and he will contact the necessary people.**
- Dilmore attended the DCED workshop at the Alcoa Building last Thursday regarding the rules and regulations for the West Bellevue Road money. There are a lot of rules that must be adhered to because it is “stimulus” money. Items used on the project must be made in America and other strict rules that the engineer, Shawn Rosensteel will discuss at this meeting.**

We will be coordinating the efforts with John Jakiela of the Quaker Valley Council of Governments.

- **Dilmore stated that he is in receipt of applications for the Solicitors position. These applications were given to the Personnel Committee for review.**
- **Dilmore stated Avalon is accepting applications for the swimming pool positions for the 2011 season. The Concession Stand is still an area of concern. There will be a meeting with the Parks Committee.**
- **Dilmore rough draft of the 2010 audit which has been completed by Meyer-Duessell. The draft will be given to Council and the paperwork will be filed by the deadline of March 31, 2011.**

SOLICITOR:

Canciello stated that 619 Norwood Avenue has been torn down and the Borough can proceed to purchase the property for \$1.00. The Open Records office agreed with PEMA stating security reasons for the refusal to give the names of the communities.

Canciello stated that Bernstein wanted to address Council. Bernstein then introduced Jim Bahr, President of Energy Savers, Inc. Jim is promoting a program to reduce electric costs for residents of Avalon Borough. This plan is already in use by other municipalities such as Hampton Township. He is here to explain the program and answer questions.

They are offering a new rate as of March 15, 2011 of 6.7 cents/kWh for a twenty – four (24) month fixed rate. He pointed out that Duquesne Light has a petition for a rate increase with the PUC for September 2011. He stated that by locking into this rate of 6.76 cents /kWh there would be a significant saving to the Borough and the public.

He stated that ESI analyzed Avalon Borough's accounts with Columbia Gas Company and the recommendation is to stay on the current tariff. At this time, Columbia Gas has the lowest rate available on commercial natural gas and their recommendation is to stay with Columbia until they raise their rates. ESI will put these accounts in their MarketWatch

program and contact Avalon Borough when Columbia Gas petitions for a rate increase.

The electric program is already available to Borough residents and ESI will help to market the program by sending letters and using website enrollments. The current offer to residents is 7.17 cents /kWh vs Duquesne Light's rate of 8.89 cents /kWh. Residential rates are a little higher.

Natalie Able is the person who put this packet together and helped with the research and recommendations. She will be the contact person for residents who want to enroll in their program.

Mr. Behr stated that they would ask the Borough to do the mailing to the residents and they would reimburse for the postage. This is only because the Borough gets a better postage rate.

Dixon asked how much ESI will charge Avalon Borough to take part in this program and Mr. Behr stated they make their money from the suppliers. Dixon asked if they are Brokers and Mr. Behr stated they are Brokers. More information is available online at abeln@energysaversinc.com.

Dixon asked if there is an option to withdraw from the program if ESI rates go too high at a later date. Mr. Behr stated that there is no fee to switch back to your original supplier if you notify them within the necessary time frame to allow the switch.

Mr. Behr stated that the oil prices will determine the electric rates in the future but not the natural gas rates.

Lloyd asked if Mr. Behr can leave information and sign up cards for the residents to pick up and use. Mr. Behr stated that he would leave cards.

ENGINEERS REPORT:

Rosensteel stated that he also attended the meeting with Allegheny County regarding the West Bellevue Road Project. The main item on the agenda is the deadline to submit the paper work which must be done by March 31, 2011.

The scheduled start date for the work to begin is “by June.” The contractor has 60 days to complete his contract which will bring the completion date to September.

Dixon asked if Shawn is still confident with his prices. Shawn stated that the project is funded by ARO which has strict requirements on how the money is spent. Some of the requirements are wage rates, American made products and several Federal requirements. Shawn still feels they will finish within the bid amount.

Dixon does not want the project to go over budget.

Shawn also attended a meeting regarding engineering work to be done between Ben Avon and Bellevue Council.

Shawn stated that the Chapter 94 report basically goes over the status of the system. Dixon stated that Council should be very careful when writing this ordinance because there are many variables such as the braking system and decibel noise from the trucks. If it is not specific enough or too confusing, the Borough will be spending a lot of time in court defending the ordinance.

FINANCE:

Powell moved:

“To forward and accept the delinquent Real Estate Tax list to Jordan Tax Service.”

CARRIED

“To accept the Finance Report dated March 15, 2011 as submitted.”

Dixon asked if the Tan Loan was included in this Finance Report. He told Powell that he should repeat the “Don’t Spend” order. Powell did tell the committees not to spend any money at this time. He believes that the money situation may be better next month.

Repp called for a vote on the motion to accept the Finance Report as submitted.

CARRIED

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

CARRIED

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

CARRIED

“To Pay the List of Bills as submitted.”

Dixon stated that he thinks paying \$1741.00 for Seven Springs Conference for the Allegheny County League of Municipalities is ridiculous. He also stated that paying for bottled water is ridiculous. Donnelly stated that she attended the meeting with West View Water. She also read the reports on the drinking water in the area and she stated that if people choose to drink bottled water they can and will.

Repp called for vote on the motion to Pay the List of Bills.

**CARRIED
(Dixon voted no)**

SAFETY:

Narcisi moved

“To permit Officer Sean Kirley to attend the state police traffic school in Greensburg, Pennsylvania.”

Narcisi stated that it will cost the Borough nothing to send Sean to this school but it will be valuable to the Borough and he asked Chief Kokoski to speak on the school.

Kokoski stated that it is a 96 hour course on tractor trailers coming through the Borough. There is a greater need for the officers to know how

to deal with oversized trailers in the area especially with the Marcellas Shale moving through the municipalities.

Dixon asked if the amendment will include Sean's travel expenses.

Kokoski stated it would not be included. Dixon asked if Council could help pay these costs. Kokoski stated that Sean is commuting back and forth for the class which is about an hour drive. Dixon asked about meals and Kokoski stated that Sean will be paid his full salary but if Council wants to compensate him it will be appreciated.

Repp stated that this subject has already been discussed in length at the Safety meeting and he called for a vote on the motion to permit Officer Sean Kirley to attend the state police traffic school in Greensburg.

CARRIED

STREETS:

Lloyd stated that the new trucks are in and they will be placing the ad to sell the old ones.

He stated that beginning April 1st the Crew will begin the street cleaning schedule in Avalon. It is important that residents move their cars to allow the cleaning to be done. He also reminded residents that the fine for not moving the vehicles will now be \$10.00 not \$4.00 as in the past.

PROPERTY:

Sefick stated there will be a meeting at the Borough Municipal Building at 8:00 p.m. to open the bids for the roof for the Fire Hall.

Sefick moved to approve the first and second reading of Ordinance No. 1332 authorizing the Maintenance and Code for 2011.

CARRIED

HEALTH:

Dixon stated that the County is going to change the standards for restaurants. He believes it will be in favor of the restaurants so "buyers beware."

CORP/PLANNING:

Bernstein moved

“To enter into an agreement with the Energy Savers, Inc. for locking in the electric rate for 2011 thru 2013.”

It was specified that the term will be from April 2011 to April 2013.

CARRIED

Bernstein moved

“To ratify Resolution No. 1071 certifying that Avalon Borough is willing to participate in the energy conservation measure (ECM) retrofit phase of the Allegheny County Energy Program.”

Powell asked how much this will cost Avalon and Dilmore stated that the plan is to get in on the grant phase of the retrofit program.

There was some discussion about this program and Avalon’s participation.

Repp called for a vote on the motion to ratify Resolution No. 1071 and the motion was...

CARRIED

INTER – BORO:

Donnelly stated there will be a Quaker Valley COG meeting tomorrow, Wednesday, March 16, 2011. She will attend.

The Quaker Valley COG will hold the Recycling Day on May 7, 2011 and West View Water will host meeting on March 16th in Bellevue and the Dumpster Day for Avalon will be on June 18, 2011.

LIBRARY:

Cortese moved to nominate Richard McMonagle to the Library Board.

A representative from the Library stated that the Board does not want that motion made.

Solicitor Canciello stated that Councilman Cortese has the right to make a motion and it is in the by-laws.

There was some discussion and then Donnelly seconded the motion.

Lloyd suggested that the motion be tabled until the meeting on Thursday.

Dilmore suggested that you cannot table a motion that has been passed so it has to be done before the vote.

Cortese stated that he spoke to Jon and Tom and he had suggested nominating Richard because he had served on the Board before.

Lloyd again suggested that the motion be tabled until after the meeting on Thursday.

Dilmore stated that Cortese did not make the motion to table the motion so it has to be tabled by someone other than Cortese. Repp stated that he agrees that with the meeting on Thursday, he does not see why they cannot wait to proceed with it next month.

Cortese said he will not table his motion and Repp called for a vote on the motion to nominate Richard McMonagle to the Library Board.

**NOT CARRIED
(1-8 VOTE)**

Cortese moved

“To have Tom Lloyd and Jonathan Bernstein on the Library Committee to serve with Chairman Ralph Cortese.”

Dilmore stated that Council President, Ed Repp appoints the Committees in the beginning of the year and no motion is necessary for him to appoint anyone else. He pointed out that Repp is simply appointing new members.

Canciello confirmed this procedure.

PARKS:

Cortese stated that the applications are coming in for the pool but they are still having concerns with the concession stand.

4th JULY:

Connie Rankin stated that they have a contract with the same company they used last year. She stated that doing it on Friday last year was a good decision and they will do it again this year.

Lloyd stated that the Fire Department held a Fish Fry and Monte Carlo night and it was well attended. They are planning a Fish Fry for Good Friday this year.

Powell moved to adjourn.

CARRIED

Respectfully submitted

**Harry W. Dilmore
Manager**