

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

The meeting opened at with the pledge of allegiance led by Council President Repp.

Roll Call: Bernstein, Cortese, Dixon, Donnelly, Lloyd, Narcisi, Powell, Repp and Sefick. Also present Harry Dilmore, Solicitor Megan Ott, Engineer, Shawn Rosensteel, and Judith Brogan. Absent: Mayor Haslett and Tax Collector, Ed Klicker.

There was no Executive Session held prior to the Regular Council Meeting.

Bernstein moved “to approve the Minutes of the Regular Council Meeting of October 18, 2011.”

Donnelly 2nd

**CARRIED
(Dixon and Sefick abstained)**

Repp announced that Avalon Council is going to present an achievement award to Brandon Stallworth for his community service during his years at Northgate School District.

Repp read

“Let it hereby be resolved by the Borough Council of Avalon and reflected in the Minutes, that Brandon Stallworth having participated in seven (&) consecutive Dumpster Days and contributed to help make Avalon a better place to live, is thanked by Council and the residents of Avalon Borough.

Tom Michalow presented the award and stated that Brandon has participated in all of the Dumpster Days since he was in Middle School as a volunteer and Tom is proud to have worked with him. Tom stated

that Brandon is an outstanding young man and he would like to commend him on behalf of Northgate High School.

COMMUNICATIONS:

- **Dilmore stated that he received a letter from the Avalon Elementary School PTO on renewing the parking pass agreement.**
- **Letter received from the Borough Solicitor on Act 84-2011 which raises the threshold for contract to \$18,500 and above. \$10,000 - \$18,500 requires three (3) quotes and under \$10,000 requires no quotes.**
- **Received an e-mail from Jeff and Mary Marous on our email system to Council persons. Forwarded to Council.**
- **Received letter from Highmark on situation with Borough healthcare plans. We are watching closely and will report back to groups as information becomes available.**
- **Received letter from Tudi Heating on the heating system give away. Gave to Donnelly.**
- **Letter from ACES on all radio equipment will go to narrow band by January 2013. Guidelines and survey information supplied. We give to Safety and Emergency groups.**
- **Letter from Highmark on contract for 2012. Dilmore will be in touch with MEIT.**
- **Letter from Allegheny County Land Development Ordinance. There will be two (2) open meetings that local officials are urged to attend. The first meeting is scheduled for Tuesday, December 6, 2011 from 5:00 p.m. to 6:30 p.m. at the Avalon Municipal Building.**
- **Received Resolution for 2012 Alcosan rates for our Budget. Dilmore will have the Solicitor look at the information and he will report to Council at the December meeting.**

VISITORS:

Thomas Michalow, 213 S. Birmingham Avenue stated that Dumpster Day was a success. He thanked everyone who helped and fed the volunteers.

He restated his suggestion that the Dumpster Day announcements should be mailed with the tax bills. He can have students volunteer to stuff the envelopes for the tax collector if necessary.

Lloyd asked Tom to send him the names of the students who helped so he can send a letter of thanks and Tom stated that he already gave the list to Dilmore.

VISITOR:

Jeff Marous of 320 California Avenue stated that he has questions and complaints about the Tax Office. He stated that he does not want answers at this meeting but he wants Council to listen to him and investigate his statements. He wants to know what actions will be taken to correct the issues he will present at this meeting.

As his first complaint, Mr. Marous stated that he cannot reach the Tax Collector by telephone because his hours are stated incorrectly on the sign Ed Klicker has posted. He also asked why the tax receipt he received in the mail had 2011 typed on it and not 2010.

He asked what the hours of the Tax Office are and why they do not post the correct hours.

Repp stated that the Tax Collector sets the hours.

Mr. Marous stated that he is not satisfied with the answer from Mr. Klicker.

He also complained that the telephone does not accept messages for the Tax Office and asked why the telephone mail-box is full all the time. He also stated that the e-mail address as posted on the Borough website for Ed Klicker is incorrect.

He wants to be able to communicate with the Tax Collector and Council members but he is stopped at every attempt because the e-mail does not work.

Cortese tried to answer the question and explain why Mr. Marous is having trouble with the e-mail but Mr. Marous stated that he does not want an answer at this time. He also stated that Cortese does not know the answer so he does not want him to try to explain anything.

Repp stated that was not a fair statement and Mr. Marous should continue to ask his questions and Council will try to answer them or find the answer for him.

Mr. Marous stated that he was able to communicate with Councilman Bernstein and the Borough Manager, Harry Dilmore. They did respond to his e-mail but he still wants to know why the voice system is wrong and why is the web-site posted with hours of operation when it is not true.

Mr. Marous stated that he found out that our website does not respond to all e-mail addresses. He believes that this is an embarrassment to the Borough. He wants to know what action will be taken to resolve this and when it will be done. He also wants to know when the Tax Collector will have the corrections done and what will be done to correct all of his complaints.

Mr. Marous stated that when Inez Stauffer was the tax collector she was available five (5) days a week and the telephone system worked better.

VISITOR:

Rod Wurstall representing the Avalon Arms Apartments, 841 California Avenue, spoke about the difficulty surrounding the dye test for the sale of the building. The cost of bringing the property up to code is high and the work will be lengthy. This is holding up the sale of the property which is in effect going to affect the residents and the Borough.

Megan Ott, Borough Solicitor and Shawn Rosensteel, Borough Engineer, confirmed the necessity of the dye test corrections and the cost of the corrections.

The seller and the selling agent suggested that the Borough Manager, Harry Dilmore write and sign a letter authorizing the closing with an agreed amount between \$100,000 to \$125,000 to be put in escrow for the completion of the work at a later date.

There was some discussion and Dixon still wants the seller to repair the dye test corrections prior to the closing date.

Cortese moved “to authorize Harry Dilmore to issue a “No Lien” letter for closing purposes to the owners of the Avalon Arms after an escrow agreement approved by the Borough Engineer and Solicitor are executed between the Borough and the current owners of the Avalon Arms with Council ratification at its December regular meeting.”

Lloyd 2nd

Donnelly asked about expenses and Megan stated that purpose of the letter is to clear the way for the sale.

Cortese stated that the Borough has already incurred and will continue to incur significant legal and engineering fees. He asked if this escrow account will cover these fees and was told that it will cover them.

Dixon stated that he will vote against this because other sellers in the Borough don’t have that option but it was pointed out that other sellers do have that option if they have the Borough “Letter of Intent to Remedy” signed and notarized.

Repp asked the Borough Solicitor and Shawn Rosensteel if it is okay to proceed with the sale and they both agreed it will be alright to continue. Repp called for a vote and the motion was...

**CARRIED
(DIXON VOTED NO)**

Dixon announced that he can always be reached on his cell phone although not on e-mail.

MAYOR:

NO REPORT

SECRETARY/MANAGER:

- **Dilmore stated that the West Bellevue Road Project is completed and the final inspection was done. Shawn Rosensteel of Chester Engineering will include the details in his report at this meeting.**
- **Dilmore is working with three banks on the 2012 Tan Loan numbers. A decision will be made next week.**
- **Work on the 2012 Budget is progressing and Council is close to having it ready for public display.**
- **Meeting with Local 249. Haven't been held in a month although a meeting is scheduled for Wednesday night. Council has directed a search for contractors in case of a strike or no contract.**

SOLICITOR:

Megan Ott stated that she is working on a Personnel matter for the Borough as well as the contract with Ben Avon.

ENGINEERS REPORT:

Shawn Rosensteel stated that the West Bellevue Road Project was completed but the final inspection was not done as of Saturday. He will check on it and report to Council since it may have been done yesterday.

He spoke to the contractor about the handicap ramp installation and the contractor wants to start next week. Shawn does not see a problem with that as long as the weather is good and take the necessary steps to protect the concrete if necessary.

FINANCE:

Powell asked the Committees to continue their cautious spending since they are nearing the end of the year.

Powell moved to accept the Finance Report as submitted.”

Lloyd 2nd

CARRIED

“To accept the Treasurer’s Report as submitted.

Donnelly 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

SAFETY:

Narcisi moved “to renew the Avalon Elementary School Pass agreement with the Avalon Elementary PTO organization for the 2011-2012 school year.”

Donnelly 2nd

CARRIED

Narcisi moved to “accept the agreement with Ben Avon Heights Borough for a five (5) year contract to provide fire protection with provisions provided in the contract.”

Powell 2nd

Lloyd stated that he read in the Citizen that some residents of Ben Avon are upset with our fire department. Lloyd stated that the fire department should be commended on the work they do with the training of the firemen and the response of the department.

Donnelly also read the article and she agrees with Lloyd about the work the fire department does.

Dixon stated that he is speaking as the President of the Fire Department and he is inviting the public to visit the fire hall any Monday evening at 6:00 p.m. They will be happy to answer any questions.

Narcisi asked if it will be necessary to restrict the money coming from the General Fund and Dixon asked Narcisi to make the motion next month that the money should go into a separate fund.

Dilmore stated that the money is already in the 2012 Budget and his office is waiting for that to be completed and approved. When he knows what the fire department wants to do his office will set up an account for the deposit of this money.

Repp asked the Solicitor if it is necessary to have a motion for this and Megan stated that they should have a motion if it is the intention of Council to restrict the money from the General Fund. Repp asked if that could be done next month and was told yes.

Repp then called for a vote on Narcisi’s motion as stated and the motion was...

CARRIED

Repp asked Narcisi to make sure that the motion to be made next month allows for the money to go to the Avalon Volunteer Fire Department. There was some discussion and Narcisi stated that it is his understanding that those particulars have not yet been decided.

Dilmore stated that an invoice will be sent to Ben Avon and when payment is received it will be deposited correctly.

After more discussion, Dilmore stated they should make a motion to open a separate account for the Ben Avon Heights money.

Lloyd moved “to have the Secretary open a separate account for the money received from Ben Avon Heights fire protection into a special truck fund account.”

Sefick 2nd

This was revised to state: “to have the money in the amount of \$10,000 from the Fire Protection contract with Ben Avon Heights go into a Special Truck Fund set up the by Borough Secretary.”

Sefick 2nd

CARRIED

STREETS:

Lloyd thanked everyone for their help to make Dumpster Day a success.

He also stated that the second annual “Brighten the Season” is scheduled for December 3, 2011. Lloyd thanked Jeff and Mary Marous for their past participation in this event. But for personal reasons, they will not be helping this year. Jackie Yurkovich and her daughter Val will be overseeing this event.

Mr. and Mrs. Santa will be at the Municipal Building. There will be activities and snacks. Visitors can have their pictures taken with Santa and pets are welcome. Lighting of the tree will take place at the Avalon California Avenue Park.

Jackie Yurkovich reminded everyone that they will also be collecting for the local food bank.

Lloyd moved “to accept the resignation of Brigitte Jackson as a member of the Avalon Planning Commission.”

Donnelly 2nd

Lloyd noted that Brigitte is resigning because she has been elected to the school board and he will be taking her place on the Planning Commission.

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

CARRIED

Lloyd moved “to have the Secretary advertise for the sale of the 2007 Ford dump truck.”

Donnelly 2nd

Powell asked why the Borough is selling the truck and Repp stated that it is no longer needed by the DPW.

CARRIED

PROPERTY:

NO REPORT

CORP/PLANNING:

Bernstein stated that he does not have a Corp/Planning report but he asked permission to speak about the Friends of the Library. He stated that at the last meeting of the Friends of the Library, they voted to have a membership drive. He also stated that everyone is working on their clearances which are being done at their own expense.

He also stated that in December they will continue to work on getting their own Solicitor.

INTER-BORO:

Donnelly stated that the Fire and Emergency system at the Library needs to be updated. There was a problem with the fire calls there and when the fire department responded, there was no fire or emergency.

Donnelly also stated that there will be a General Membership meeting of the Allegheny County Boroughs Association on December 1, 2011 at the Churchill Valley Country Club. Deadline for reservations is November 23, 2011 and the cost is \$25.00 per person. The sign up sheet is in the Administrative office.

She gave her e-mail is currently being up-dated but residents can leave a message for her at the Administrative office. She checks everyday for messages or mail.

Donnelly also stated that if anyone has anything they want discussed at the Quaker Valley Council of Governments meeting let her know and she will present it at the next meeting.

HEALTH

Dixon moved to accept the third and final reading of Ordinance No. 1334 entering into a five year contract with Option B for Garbage pick-up with Waste Management.”

Donnelly 2nd

Lloyd stated that it was printed in the October 28, 2011 issue of the Citizen that the Bellevue garbage fee is \$151.80 per year. Lloyd wants to know why Avalon’s is \$20.00 more. Dilmore stated that the billing will be done by Waste Management.

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

CARRIED

PARKS:

Cortese stated that they are in the process of planning a spaghetti dinner as a fund raiser for the swimming pool. No definite date has been set at this time.

Yurkovich asked for donations from any vendors or citizens.

Cortese moved “to authorize advertising for the Budget Committee meeting on December 3, 2011 at 8:00 a.m.

Donnelly 2nd

CARRIED

“To authorize advertising in the Citizen, the 2012 Budget once it is finalized.”

Donnelly 2nd

CARRIED

LIBRARY:

Donnelly again stated that the Library has been having trouble with ADT alarm system. They are working on finding and fixing the problem.

Dilmore stated that under the Blighted Neighborhood Act, we have applied for money to tear some houses down. He will give the Borough Solicitor for further review.

Dilmore stated that the Borough has received the money from All State Insurance for the house on School Street. The owner has been given thirty (30) days to get the house tore down.

There is one on Semple and one on McKinley Terrace and we have to get the Borough Solicitor to get the paperwork started on these properties.

Dixon asked Megan to see if it will be possible to get the number of days reduced from thirty days so they can get started.

4th of JULY

NO REPORT

Cortese moved to adjourn.

Lloyd 2nd

CARRIED

Respectfully submitted

**Harry W. Dilmore
Manager**