

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania, 15202
Minutes – Regular Council Meeting – September 16, 2008

Council Members Present

Todd Smith, Dan Herchenroether, Judy Konitsney, Ken Opiery, Lloyd Corder, Mark Colenbrander, Sue Weiss

Council Members Absent

None

Others Present

Ken Opiery, Sr., Mayor
Chuck Means, Borough Solicitor
Carmella Hallstein, Borough Secretary

Call to Order

Council President Ken Opiery called the meeting to order at 7:00 p.m.

Public Participation

None

Approval of Minutes

Motion: Dr. Corder; Second: Mrs. Weiss; Motion carried by unanimous voice vote to approve the minutes of the August 19, 2008 council meeting.

Engineer's Report – *report given by Ed McGee*

Waterline repairs by West View Water Authority will delay the Spruce Run Road paving project until October.

The survey of Avon Park has been completed and should be received within the week.

The traffic signal application through the Southwestern Pennsylvania Commission will be submitted through the Quaker Valley Council of Governments. The QVCOG will summarize the information and submit a multi-municipal application for the grant funds. Work done must be coordinated throughout the neighboring communities because of the interconnected traffic signal system.

Financial Reports

Mrs. Konitsney presented the August 2008 revenue and expense report and the September 2008 accounts payable report.

Motion: Mrs. Konitsney; Second: Mrs. Weiss; Motion carried by unanimous voice vote to approve the August 2008 revenue and expense report as presented.

Motion: Mrs. Konitsney; Second: Dr. Corder; Motion carried by unanimous voice vote to approve the September 2008 accounts payable report as presented.

Public Safety Report

No Report

Public Works Report

No Report

Resident and Community Relations Report

Dr. Corder presented a preliminary drawing/layout of the proposed new playground equipment.

Mayor's Report

The 911 memorial service at the fire station on September 11 was well attended. Mayor Opiery thanked the VFD for their continued efforts, noting that they have held a memorial service every year since 2001.

Police Chief's Report

No Report

Solicitor's Report – *report given by Chuck Means*

The State Legislature passed a new open records law in May that will go into effect January 1, 2009. The new law makes a general rule that any record the borough has is open for inspection by the public unless it falls into one of thirty different categories that are named in the law along with twenty subcategories. The law requires the borough to appoint an Open Records Officer and adopt a written policy by January 1, which must be posted on the borough's website. The State Open Records Office will prepare sample forms and policies for use by the municipalities. Upon receipt, Mr. Means will present these samples to council for review.

Motion: Mr. Herchenroether; Second: Mr. Smith; Motion carried by voice vote to appoint Mrs. Hallstein to the position of Open Records Officer.

Fire Chief's Report

Chief Buckman presented the Fire Company's activity report for August 2008.

Assistant Fire Chief Al Mitchell addressed council about a proposal to merge the Ben Avon and Kilbuck volunteer fire companies. He stated that the Kilbuck VFD made the proposal in May and discussions have been ongoing since that time, adding that a merger does look feasible. Assistant Chief Mitchell stated that the Kilbuck VFD is its own entity unlike Ben Avon's VFD, which is part of the borough. The Kilbuck VFD owns its fire station building, which is assessed at \$205,000. They plan to sell the building and use the money from the sale to pay off the remaining balance of \$100,000 owed on their pumper. The Kilbuck VFD is limited in the amount of financial gain it can make from the sale because of federal grants received in the last five years. Any remaining profits from the sale of the building would be used to pay down Ben Avon VFD debts, such as the \$41,000 still owed on Ben Avon's pumper. Kilbuck's pumper is worth \$250,000 and would be turned over to Ben Avon along with tools and other equipment valued at \$50,000 to \$100,000. Kilbuck has six or seven active firefighters on its roster who would like to join the Ben Avon VFD. The Kilbuck Township supervisors know they cannot support their own fire department and are in favor of the merger. Assistant Chief Mitchell noted that Ben Avon has been answering fire calls in Kilbuck for a long period of time because of mutual aid agreements. He stated that Kilbuck plans to come to Ben Avon debt free and overall this is a win-win situation. Assistant Chief Mitchell stated that it would be up to council to

determine if a merger is financially feasible and to set the terms and fees of an agreement. Mr. Opiery, Jr. stated that this is merely an introduction to the issue, adding that the merger discussions have reached a point where the issue can be taken seriously. Council asked Assistant Chief Mitchell several questions and a discussion followed.

New Business

Halloween

The borough's Halloween parade will be held Saturday, October 25 at noon. The parade will start at the corner of Church and Dickson Avenues and end at the fire station. Hot dogs and beverages will be served at the conclusion of the parade and each participant will receive a treat bag. Trick or Treat will be on Friday, October 31 from 6 p.m. until 8 p.m. Chief Buckman stated that Church Avenue would be closed to traffic from Breading to Dalzell for a few hours on Halloween night because of the number of people that go to the haunted house at the fire station.

Old Business

Trees

Mr. Colenbrander stated that something needed to be done about the trees at Ridge and Church Avenues that were planted about 1 ½ years ago because they are blocking view of the stop signs. He stated that vehicles are going through the intersection without stopping, noting that there is a school bus stop at this corner. Chief Micklos stated that the police have received several complaints about this intersection. Dr. Corder suggested moving the stop signs closer to the corner and painting "stop / slow down" on the street. Chief Micklos stated that this may help, but would not mean anything because signs are the actual enforceable tool. Mr. Colenbrander stated that he was concerned about a child crossing the street and being hit by a car. He stated that the trees were planted in the sight distance of the stop signs in a public right of way and the borough could cut them down. Mr. Colenbrander stated that the property owners should have planted trees that had crowns starting at ten or twelve feet so that they would not block the view of the stop signs. Dr. Corder asked Mr. Regrut if there was any possibility of moving the stop signs. Mr. Regrut stated that he already tried, adding it did not make any difference in visibility. Mr. Herchenroether stated that you could not see the stop signs so either the branches or the trees need to go, adding that the property owners should be told to do something to solve the problem. Chief Micklos stated that he would speak to the property owners.

Adjournment

Motion: Mr. Herchenroether; Second: Mrs. Weiss; Motion carried by unanimous voice vote to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Carmella Hallstein

Borough Secretary