

**AVALON BOROUGH
REGULAR COUNCIL MEETING
JULY 17, 2007**

The meeting opened with a prayer and the pledge of allegiance led by Mayor Dave Haslett at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Repp and Sefick. Also present were, Mayor Haslett, Harry Dilmore, Solicitor Canciello, Chief Howie, Shawn Rosensteel, Intern, Katy Protin, and Judith Brogan. Pfeiffer arrived at 7:55 p.m. Absent: Martin and Narcisi.

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

Pfeiffer:

“To accept the Minutes of June 19, 2007. (V. Donnelly abstained.)

CARRIED

COMMUNICATIONS:

- **Dilmore announced that the Borough is in receipt of the signed copy of the Consent Decree. The official document is available for public review at the administration office.**
- **Letter of information from QVCOG in relation to the Joint Agreement with the Cohen Telecommunications Law Group for negotiations with Verizon on the Franchise Agreement. Letter was forwarded to the Corporation & Planning Committee.**
- **Letter from ALCOSAN requesting copies of the Digital Sewer Mapping Data. Letter was forwarded to Chester Engineering.**

VISITORS:

Marian Werner spoke about the poor conditions of the streets asking why the repairs have not been completed as promised. Klicker explained that the work was not completed because the sewer work is not finished and if the roads are repaired or replaced now they would have to be dug up again to replace the sewer lines. This would be costly to the Borough. He explained that this was covered at previous meetings but Ms. Werner disagreed and said the residents were told that the work would be done in the Spring and it is now July.

Mr. Dilmore explained that the Borough had planned to use the Agility Program to get the machinery to do some of the work involved but the Borough was denied. Klicker asked Dilmore to explain to the residents what the Agility Program is and why the Borough was denied. He stated that in lieu of the Borough salting and doing other small jobs on State roads, the Borough would be given points to use. These points can be used to have the State use machinery the Borough would otherwise have to buy or rent plus salaries for the workers using the equipment.

Dilmore used a detailed map to show which streets are to be scheduled for repair after the Wet Weather Project is completed. Residents pointed out that it would be into winter and no work would be done again until the Spring. Several Council members again tried to explain the situation with the government agencies involved.

Dilmore explained again that to put the patch filler in some of the holes is not working because there is no substance under the patch to hold it for more than a few weeks. The streets are old and the under ground is either sand or rock.

Dilmore stated that if the Borough does not get the help needed to complete the work by October the Council would go to Plan B. He stated that the Borough is not only competing for money via Grants but also for contractors to do the work at reasonable rates.

Ms. Werner asked why the Borough doesn't float a Bond to pay for the repairs. Dilmore explained that a Bond application takes 6 months and by then the Council would already have looked into Plan B.

Dilmore explained that the Borough was denied the Penvest Grant. Klicker asked him to explain what Penvest is and how it works. He stated that the State issues a line of credit and as the work is done, the contractor bills the State and the amount is subtracted from the Line of Credit. This way, the Borough is not borrowing money they aren't using.

Visitor:

Keith Piemme of 721 Semple Avenue stated that he is concerned that the disrepair of the street is ruining his driveway and he doesn't want to repair it if the street isn't going to be fixed. Dilmore again stated that the work would be done in a timely manner which is compliant with the schedule of the State mandate.

Vickie Donnelly stated that Federal money is not forthcoming to Avalon because of the income of the neighborhood. Repp asked if the neighborhood made too little or too much money. Donnelly stated "too much."

VISITOR:

Cindy Smith of 741 Hemlock Street asked Dilmore when was the last time he walked around the streets specifically on Elizabeth between Jackman and S. Home. He stated he was there last week. West View Water will be closing that section of Ohio River Boulevard to deliver a 36 inch pipe. Klicker stated that West View Water is not repairing the parts of the road they are tearing up which interferes with the Borough work. Dilmore explained that the law states that if the Borough repairs any of the work West View Water is responsible for, the Borough is then financially responsible. There is no option that allows the Borough to get the money refunded.

Repp explained that in some Municipalities the citizens are suing West View Water, but the streets are not being repaired while the lawsuit is pending.

Keith Egyed asked about Plan B. Dilmore explained that if the funding does not come through by October, the Borough will need to take out a bank loan with higher interest rates. Mr. Egyed stated that the

Boroughs are actually businesses and should be operated as such. If Avalon does not have the revenue it is time to consider merging with Bellevue Borough. He stated that there would have to be a release of power by some people but it would be better to have one Mayor, one Borough Manager, One Council etc. There is opposition to this plan. Tom Michalow suggested they attend a Zoning meeting to voice these suggestions.

~~Klicker stated the Fire Companies are presently working on joining efforts but problems arise when personalities are involved.~~

Jackie Yurkovich urged people to continue coming to Council meetings. She asked if the citizens could have the names and numbers to contact the people in Harrisburg. Donnelly suggested they contact the Governor's Hotline. Micalow said he would draft a letter and print a list of names and address and leave it at the Municipal Building for the citizens to pick up and mail.

Dilmore stated that the Wet Weather Program was started in 1968 and the Environmental Protection Agency is behind the problems with the sewers. They are calling the shots and the citizens are going to have to go above the local Council to be heard. Dilmore explained that the systems are 103 years old and it is almost impossible to keep up with the repairs. West View Water has to cooperate with the Borough.

Dilmore stated that the surcharge on the sewage bill is supposed to be used to make the repairs necessary as mandated by law. Jackie asked about the widening of Route 65. Klicker stated that the State started a project 10 years ago and now the State has changed its mind and the project is not being finished. He explained that people have been displaced, and businesses have made changes to accommodate the States rules.

Jackie Yurkovich said the roads are so bad that the EMS cannot get to people who need help.

Repp stated that the Streets committee tried to get the Agility Program to fund the repairs and to use the COG's crack filler machine but was turned down.

The State did not fulfill their commitment to allow the Borough to use the Agility Program points for any of the requests made to them.

Donnelly stated that the State has not changed how it issues the requests for money to help with major projects. The formula is based on the income of the Borough.

Paul Meyers of 23 Locust Street stated that the Water Company is responsible for fixing the streets they tear up. He wants the community to stick together to get the roads fixed. He urged the people to call the Water Company.

Jackie Yurkovich asked if State Representative, Tom Petrone would attend a meeting to speak to the citizens and answers questions. Dilmore stated he would and Paul Meyer said he wants Mr. Petrone to go through the Borough to see what the citizens are talking about when they complain about the condition of the streets and the responsibility of West View Water.

Joe Siktar of 627 City View Avenue asked if Mr. Petrone's office in Avalon has made a difference. Dilmore said maybe about a 10% difference. People have to let him know they have concerns.

Michalow encouraged the citizens to contact their representatives from Washington, D.C. down to the County level. And he also suggested they let the Council know if they get replies.

He also stated he would try to get the names and address to write to and post them on the Website.

Mr. Siktar stated that he was told the roads would be repaired but they are not being done. Dilmore said he did not give exact dates. Repp stated that the Borough could over extend the budget and purchase hot patch but it would not hold and it is a waste of money to continue patching when permanent repairs are forthcoming as soon as possible after all of the Wet Weather work is completed.

Pete Zubic of 625 Cityview Avenue, stated he came home from work and when he got into his home, his shoes were covered with tar. He said the patch is not being applied correctly and Repp said he would talk to

the street crew foreman. The Borough does own a tamper to apply the patch and he will find out why it isn't being used.

Al Wurst of 622 Parkview Avenue said he thinks the Borough should look into Plan B now instead of squabbling especially since connecting Boroughs have better road and streets. He has attended the Quality of Life meetings and he sees little progress being made along these lines. He wants to know where the money came from for the gazebo by the pool. ~~He wants to know if the Borough is going to do anything to~~ improve the situation. Klicker stated again that they are doing all they can to improve the problems, but even if money is available, the Wet Weather Project must be completed before any road work is done. Donnelly stated the work must be done and will be when it is feasible but everything is old and it is going to take time and money to complete the work that has been started.

Mr. Wurst asked if the Borough is going to do anything about this situation. Klicker stated "We have been doing that sir." The engineering firm has been working on the problem for years and Council has been looking into the financial resources since last year. The reality of it is we cannot float a bond because we cannot repay it. We will need partners in other communities to help with this problem but that is not happening at this time. Interest is growing at this time and the Fire Departments of the different Boroughs are working on the problem as well.

Michalow stated that the Borough did not know until recently that the Pennvest loan would not be forthcoming so other avenues must be explored. He will try to have the addresses available at the Administrative office as soon as possible. We as a community have to decide what we are going to do until the money is available.

Al Dingman of 711 Sylvan Avenue read a letter from the residents of Erdner Avenue. They want to know how a home can be torn down and an apartment building be built without notifying the citizens of that area. There are issues such as sewage and parking to be considered. They feel that the companies involved should be repairing the streets they tear up and Council agreed this would be done. Klicker stated that the information had been posted in the Citizen and on local telephone poles. Mr. Dingman stated he does not read the Citizen and he and

other residents said they did not see the notices on the poles. Dilmore and Police Chief Howie stated they were posted on the poles but residents argued they were not. Heated words ensued and Klicker took control of the meeting and explained the procedure and the law. He had the minutes from the Zoning Variance hearing in front of him, and there was only one resident in attendance that is not on the committee. The individual refused to speak or give his name.

Solicitor, Rich Canciello said no laws were broken during this process and everything was done according to the laws of the State and the Borough. Mr. Dingman said Dilmore did not have the plans when he asked for them. Another resident, no name given, said they want to know why they were not told of the plans and changes being made. Again, Dilmore said the changes and dates for the Variance meetings were posted in the Citizen and on the telephone poles. The meeting was open to the residents of the area but none attended.

Klicker said Mr. Farabaugh of New Hope Personal Care Home on Union Avenue requested a Variance hearing because they do not think they need the required number parking spaces since New Hope is a personal care home and the residents are not driving. Dilmore said the reason for the Variance hearing was because the State said they were not in compliance with the parking spaces. The residents said the building is already over the 9 foot height restriction. Klicker asked Dilmore if the building inspector is checking the work on a regular basis and Dilmore said Mr. Sapp is doing that. Mr. Dingman said sewage is going to be a big problem and they are concerned that the sewage lines will not be able to handle it. Dilmore said these problems have all been addressed.

Ed Darges of 841 Chester Avenue asked again about the sewage and asked what time the delivery trucks are permitted to begin delivering to the New Hope Personal Care Home. Chief Howie stated there are no time restrictions. The residents found that disappointing since the trucks are there early in the morning.

Mr. Dingman also asked if Erdner Avenue was scheduled for repairs and if so would the building company, Astorino be responsible. Mr. Dilmore said they would be responsible and they are aware of that issue.

Kathy McCauley of 516 Spruce Street also voiced concerns over her street repairs and asked if the street is on the agenda for repairs. Dilmore assured her that it is scheduled.

Council President, Ed Klicker called a five (5) minute recess.

MAYOR'S REPORT: NONE

SECY/MGR'S REPORT:

- **Appointed to the QVCOG negotiation team to meet with Verizon and the Cohen Law Group for "COG-wide new cable contract.**
- **We've been working with the Civil Service Commission on testing for full time police officer positions. We are completing the 2nd phase of testing and the reviews with the Civil Service Commission will soon follow.**
- **Yesterday, June 16, 2007, the applicants who were eligible for the agility portion of the test were tested at the Police Academy.**
- **Completed paperwork and returned signed contracts to Commonwealth Libraries Group for Library Grant.**
- **I've been appointed to the QVCOG negotiating team for the meetings with Verizon on the cable contract. First meeting with Cohen telecommunications is tomorrow, July 18, 2007 at the Avalon Borough Hall.**
- **Moving forward with updating National Flood Insurance Rules and Regulations to get Avalon in full compliance and good standing.**

SOLICITOR: NONE

ENGINEER'S REPORT: ATTACHED

Klicker explained that the reports done by Chester Engineering Company is based on the work they are doing as mandated by the Federal Government.

Klicker asked if there would be a penalty for not having the Hydraulic Analysis completed at this time. Sean assured Council that allowances would be made.

Most of the visitors left the meeting at approximately 9:10 p.m.

Klicker asked if the handicap ramps being done included the ones for Columbia Gas Company. Sean and Mr. Dilmore stated that the 11 ramps are in addition to the ones already contracted. There will be 37 total.

Haslett asked Sean if there was money allotted for errors in the sewer deficiencies. Sean explained there is allowance for the "unknown" and there is a 15% contingency allowed for buried utilities or other unexpected problems. In response to Donnelly's question, Sean stated that the Penvest loan percentage is 1.75%

FINANCE:

Pfeiffer moved:

"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."

CARRIED

“To have the Manager invest \$275,000 with National City of Pennsylvania at the rate to be set at time of purchase for payment of Tan Loan.”

CARRIED

Pfeiffer stated it is not too early to think about the 2008 Budget.

~~Council President, Ed Klicker presented Dave Pfeiffer with the Cecil K. Libernitie award which is presented by the Pennsylvania State Association of Boroughs to those who serve their Borough for 10 years.~~

INTER-BORO:

Vickie Donnelly stated there will be a General Meeting on August 30, 2007 at the South Hills Country Club.

Dilmore stated that some of the Municipalities previously agreeing to participate in the QVCOG negotiations with Verizon have dropped out forcing an increase in the cost with Verizon.

PUBLIC SAFETY: NONE

STREETS:

Repp moved:

“To accept the letter of intent from the SHACOG and participate in the 2007-2008 Rock Salt Purchase Alliance.”

CARRIED

Repp explained that the Agility Program and the Salt Program are different programs and have different requirements. In response to Donnelly’s question, Dilmore explained that the current arrangement with the school district has been working to the benefit of all concerned. Repp stated that West View Water Company is going to put a line in to re-route the line and they will work on Elizabeth Avenue next year.

Repp stated that all of the Borough trucks are on the road.

Repp stated that the new truck would be ready in about two weeks. Solicitor Canciello asked about the time line for the paperwork. Dilmore said the paperwork was forthcoming and that Angie would fax the papers to Rich's office.

PROPERTY: NONE

CORP/PLANNING:

Michalow stated there would be a meeting in the Council Chambers on August 13, 2007 at 7:00 p.m. At that time they will have the first draft of the Zoning Ordinance. Tom will notify everyone on Council and remind them of the meeting.

Ed Klicker and Tom Michalow attended the Alcosan meeting. They were fined \$1.2 million and spent \$3 million on sewer repairs and other projects. He stated they were told there would be a rate increase to cover the fines levied against them by the EPA.

The Democratic Committee will have a meeting on August 23, 2007 in the Council Chambers.

Michalow moved:

“To enter into an agreement with the member communities of the QVCOG to participate in negotiations with Verizon of Pennsylvania for a cable contract.”

CARRIED

PARKS:

Sefick announced that the new pavilion is appreciated by residents renting the shelter.

LIBRARY:

Pfeiffer stated they are proceeding on the program for the windows. He asked Dilmore to speak on the progress.

Dilmore announced that Diane Franus brought the last of the information needed for Keystone. He stated that Keystone requested that he put both the security camera and the window information together. Dave will write it up and forward the information to Keystone.

Pfeiffer stated they are still interviewing for the position of Librarian.

HEALTH: NONE

July 4th Report:

The meeting adjourned at 9:49 p.m.

A handwritten signature in black ink, appearing to read "Harry W. Dilmore". The signature is written in a cursive style with a large, sweeping initial "H".

**Respectfully submitted,
Harry W. Dilmore
Manager**

**AVALON BOROUGH
REGULAR COUNCIL MEETING
AUGUST 21, 2007**

The meeting opened with a prayer and the pledge of allegiance led by Dave Pfeiffer at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Narcisi, Repp and Sefick. Also present were, Harry Dilmore, Solicitor Canciello, Chief Howie, Shawn Rosensteel, and Judith Brogan. Absent: Martin.

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

Pfeiffer:

“To accept the Minutes of July 17, 2007.

CARRIED

COMMUNICATIONS:

- Dilmore announced receipt of letter and report from PIRMA on the 2006 membership report on the general liability insurance, PIRMA is celebrating its 20th year anniversary this year. Report in Council mailbox.
- Communication in form of letters to Council concerning last months meeting on paving of streets. Letter forwarded to Streets Committee.
- Received a number of letters this month of different classes and seminars on different aspects of local government. These letters are posted in the Council mailboxes.
- Received letter from Kingston Apartment Association on a meeting with Council, specifically, the Property Committee on the planting area between apartment building and the library. Letter was forwarded to the Property Committee.

VISITORS:

Eric Zickefoose, owner of rental property at 732 and 734 Center Avenue spoke about the flooding problem. Dilmore announced that he and Keith Lorey, Street Crew foreman, went to check on his complaint concerning the sewage and water run-off. Dilmore stated that he & Keith discussed a steeper angle for the area noting that sand bags would not be the solution in this case. ~~Klicker suggested that the engineer,~~ Shawn Rosensteel could look into the matter and see if he has any suggestions. It was pointed out that the rains have been severe and not the usual summer rains. Dilmore and Keith will meet with Mr. Zickefoose after Shawn checks it out. Mr. Zickefoose stated that Donald Short's property is also part of the problem and asked if raising the curbs would help the situation.

VISITOR:

Linda Hudgins of 307 Fisk Street spoke about the problems she is having because her neighbor has 6 garbage cans in the front yard and 2 cans on her porch. The people next door to her have two garbage cans in the front of the house and they do not have lids on them. This is causing problems with rodents and other animals, makes the Borough look bad and is unsightly to the neighborhood. She wants the Borough to either enforce the current Ordinance that addresses this problem or create a new Ordinance that will force the owners to take responsibility for their property.

She pointed out that the house at 313 Fisk Street has a condemned sign on it and 309 Fisk Street has caused damage to her house in the way they throw their garbage bags from the porch to the curb. They also put their garbage out for pick-up on Saturday and pick-up is not until Thursday. Linda asked if a letter was sent to the owner whose tree is causing problems with her wires.

Dilmore stated that he sent a letter to the owner but he has not responded. Donnelly asked if the owners are paying the garbage bills and was told the owners are billed and are responsible for payment.

Donnelly suggested the owners should be cited for the unkempt property. The problem is that many owners rent to transients and the owners live in other states.

Police Chief Howie pointed out that he has, in the past, sent police officers to check out some of these complaints and write tickets to the violators. Often the citations are ignored.

Visitor, Eric Zickefoose said that sometimes owners are not aware of problems with their rental property unless they are notified. He suggested that the Borough should make sure the owners are notified of any problems with the renters.

Linda Hudgins stated that the problem she is having is not caused by renters. The owners are living at 309 Fisk Street.

Klicker stated that there is a different mind set in the Borough than there was in the past because there are more renters than owners. Dilmore also stated that very often it is the same offenders and they continue to ignore warnings and tickets.

Dilmore noted that the electric company will not come out to cut down a tree because it is a nuisance unless it is causing electrical problems within the neighborhood.

VISITOR:

Gay Good of 615 Center Avenue commended the Borough of Avalon Police and Fire Departments for their quick and efficient help during the flooding and recent fires in the Borough.

She pointed out that there has been no flooding in the borough since 1959.

Her main concern is to have a stop sign put at the corner of Josephine & Center Avenue because of the speeding and illegal parking. Council agreed to look into the situation.

VISITOR:

Bernadine Saint Auguste of 618 California Avenue spoke about getting parking permits in Avalon. She said she thinks it would be easier and less expensive to purchase a monthly permit to be able to park in front of or near her home. She works at home during the day and outside the home at night and it is difficult for her to find parking when she comes home early in the morning. ~~Narcisi agreed with her and invited her to attend the Safety Committee meetings to put her suggestion into action.~~ She pointed out the savings to the Borough and the citizens and Klicker told her to call the Borough office and attend the Public Safety Committee Meetings held each month in Council Chambers.

Klicker noted that the Borough will need to pass an Ordinance to sell parking permits in the Borough. He explained that it will take time to write the Ordinance, have it approved by legal council and to put it to a vote by Council. He agreed to look into the situation and discuss it with the other Council members.

VISITOR:

Karen Welsh of the South Hills reported that she damaged two tires on Grandview Avenue. She wants the Borough to replace them. She pointed out that this has been done in the past but Dilmore stated that it was the contractor who paid for tires in the past because the damage was their fault. But the Borough cannot be responsible for damaged tires any more than the city or other boroughs. Repp apologized for not returning her call. He stated that he misunderstood her letter but the Borough is not replacing her tire. He stated that we drive at our own risk when we drive and other cities and municipalities do not accept responsibility for flat tires in their areas either.

VISITOR:

Jackie Yurkovich said she is having the same problem with the tire damage and that it is happening in front of her own home. She is also concerned about having a siren in the Borough to alert the citizens in case of emergencies. She said she thinks there should be a plan in place

in case of an emergency. Dilmore stated they are looking into a siren because the one the borough has cannot be used at this time. He also stated that there is a program in some areas, but not in Avalon, that uses home to home calling to alert the citizens of fires, missing children and other emergencies. Donnelly stated that when she was on vacation this program was used and it seemed to work efficiently. Dilmore assured the citizens that the emergency program is not a dead issue in the Borough.

Most visitors left at 8:30 p.m.

MAYORS REPORT: NONE

SECY/MGR'S REPORT:

- Dilmore reported that he has completed and filed all paperwork and applications for CD 34 projects with QVCOG.
- Attended the North Boroughs Wet Weather (NBWW) Manager's Meeting on flow monitoring by ALCOSAN as reported Tuesday night. Contractors are being interviewed for project. Report on start dates available soon.
- Filed paperwork for flood damage with AC94 to seek any monies available from damage due to rainfall.
- Completed and received our copy of the Municipal Government Compensation and Benefits 2007 edition by ALOM. He will have it ready for the budget meeting.

SOLICITOR:

Canciello stated that he is working with the Administrative office about collecting delinquent garbage debts and he is hoping this will solve some of the problems the Borough is having with absentee landlords and residents who are continually delinquent.

Canciello also explained that the Borough has a procedure to follow in order to pass an ordinance for parking permits or any other law. He stated that it will take at least two months to write and vote on the

Ordinance and then the time to publish and enforce it. But if the Borough wants to do this he will advise the Council accordingly.

ENGINEER'S REPORT: ATTACHED

FINANCE:

~~Pfeiffer read the Finance report. He moved:~~

"To accept the Treasurer's report as submitted."

CARRIED

"To accept the Tax Collectors report as submitted."

To pay the List of Bills as submitted."

CARRIED

"To have Council give a 1st and 2nd reading to Ordinance No. 1316, increasing the indebtedness of Avalon Borough in the amount of \$65,000 for the purchase of a dump truck."

Repp stated that the dump truck is a necessity and a roll call vote was taken. The motion was:

CARRIED

LIBRARY:

Pfeiffer stated that Sue Dunderdale is the new Library Director and she will be addressing the teachers at Northgate School District at an "In Service Day," on September 4, 2007.

The next Library Board meeting will be on the first Tuesday in September.

PUBLIC SAFETY:

Narcisi announced a meeting of the Borough Council for interviews for hiring a new full time police officer on Wednesday at 6:30 p.m. in the Council Chambers.

Narcisi moved:

“To have Council grant a handicap parking spot in the vicinity of 232 Elizabeth Avenue.”

After some discussion with a question/answer session, Chief Howie stated there is a “strong need” for the handicap parking spot in that vicinity although there is one on the street already. The new sign will be placed 15 feet from the present sign.

INTER BORO:

Donnelly stated there will be an Allegheny County Borough Association Meeting on Thursday, September 13, 2007.

STREETS:

Repp again stated the importance of having a new dump truck in the Borough.

Repp moved:

“To have Avalon Borough enter into an agreement with PENNDOT for the salting of State roadways excluding Ohio River Boulevard through June 30, 2010. Terms of payment as stated in the contract.

Narcisi asked Shawn if the Wet Weather Program contributed to the recent flooding. Shawn stated that in some opinions, it has contributed due to the Federal Government Act in the 1960's.

PROPERTY:

Cummins stated that she visited property in Avalon where there have been complaints. She has a seven page report which she gave to Council to study. This report is available upon request. See Lois Cummins.

Cummins moved:

“To approve Bussard, Inc. contract proposal for the Borough Building and Library. Details of work to be performed for annual inspection of the heating system in contract. Price not to exceed \$5,000.00”

PUBLIC HEALTH: NONE

CORP/PLANNING:

Michalow stated that the August 13th meeting was productive and the next meeting will be on September 10th. He has the 1st draft of the new zoning laws. He stated that they will continue to bill the other Boroughs as they have in the past. The new zoning procedure should be ready by Easter, 2008, which puts them only 6 months behind schedule. An update will be required every 5 years.

Michalow announced that Avalon residents are not permitted to work at election polls in other Boroughs.

PARKS:

Sefick stated there has been major flooding on the fields due to the excessive rains. The crew has been doing a good job with clean-up. He also stated that he has been getting a lot of good feed-back about the shelters. He credited Keith Lorey and his crew for keeping the areas clean and ready for rental.

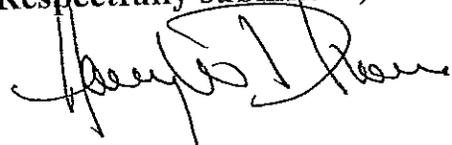
Donnelly agreed that she has also been getting good remarks about the cleanliness of the shelter areas.

JULY 4th REPORT

Connie Rankin reported that the 4th of July celebration was a success.

The meeting adjourned at 9:05 p.m.

Respectfully submitted,



**Harry W. Dilmore
Manager**

**AVALON BOROUGH
SPECIAL MEETING
SEPTEMBER 11, 2007**

The meeting opened with the pledge of allegiance led by Dave Pfeiffer at 7:00 p.m.

Roll Call: Cummins, Donnelly, Klicker, Narcisi, Pfeiffer, Repp. Also present were Mayor Haslett, Harry Dilmore, and Police Chief Howie. Absent: Martin and Michalow.

Klicker announced the reason for the Special Meeting is to hire Frank Colonello as a full time police officer.

Narcisi moved:

“To hire Frank Colonello as a full time police officer for Avalon Borough.”

CARRIED

Mr. Colonello was sworn in as a full time police officer for Avalon Borough by Mayor Haslett.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,



**Harry W. Dilmore
Manager**

**AVALON BOROUGH
REGULAR COUNCIL MEETING
SEPTEMBER 18, 2007**

The meeting opened with a prayer and the pledge of allegiance led by Mayor Dave Haslett at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Narcisi, Repp and Sefick. Also present were, Mayor Haslett, Harry Dilmore, Solicitor Canciello, Chief Howie, Shawn Rosensteel, and Judith Brogan. Absent: Martin.

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

REPP moved:

“To accept the Minutes of August 21, 2007 and the Special Meeting held on September 11, 2007, as submitted.

CARRIED

COMMUNICATIONS:

- Dilmore announced receipt of a letter from Allegheny County Health Department on birth control for raccoons in Avalon. The information was forwarded to the Health Committee.
- Letter from Bellevue Parks and Recreation Committee asking for a contribution for the annual Halloween Parade. Letter forwarded to the Parks Committee.
- Letter from WVWA on a program to change all of the water meters in Avalon over the next three years. Copies of letters and public notification is available in the Administration office.
- Letter from Highmark Blue Cross on changes in our health benefit contract. Letter forwarded to Corporation and Planning to set up a meeting for discussion.

VISITORS:

Eric Zickefoose, owner of rental property at 732 and 734 Center Avenue spoke about the continued problem with flooding on his property. He had sent a packet with a video to Council and Klicker acknowledged receipt of the packet. Dilmore stated he & Keith Lorey went to the property during a heavy rain and took pictures showing that the house ~~in question does not have gutters on the roof causing the water to come~~ straight down into the driveway. Mr. Zickefoose explained that the water is not coming from the roof and he does have downspouts. Dilmore stated that the water was getting deeper and he walked around the back of the house. The neighbor has his downspouts coming on to the sidewalk right at Mr. Zickefoose's house with water running onto the sidewalk. Also there is a 4 ½ inch water pit that goes onto the property. Dilmore had pictures to show Mr. Zickefoose and Council. He also had the building inspector check the downspouts on the neighbor's property to see if they were in compliance. A letter will be sent to the neighbor to correct that situation.

Mr. Zickefoose stated that he still feels that the curb should be raised and sloped so the water runs away from not toward his property. Dilmore stated again that at no time during the heavy rain and inspection did the water go over the curb. Dilmore stated that he will continue working with Mr. Zickefoose to make sure the neighbor does what he has to do to correct the problem on his property and check on the situation periodically during the heavy rains.

VISITOR:

Judy Willoughby of 705 Norwood Avenue stated that the house across the street from her house has excessive garbage and overgrown weeds. She said she saw Mr. Dilmore and a Boy Scout working on the property but it is still out of control and she wants to know what is going to be done to correct the problem. Dilmore stated that he is still working on getting it cleaned out. Lois Cummins stated that she and three other people spent a day cleaning and bagging the trash and weeds. She said she was unaware that Waste Management would take the weeds once they were bagged and she will see to it that the trash is put out for the next pickup. At this point, Judy Willoughby became rude and asked

Lois "if you can make the rubbish why can't you clean it up." Klicker stated there is no reason for Judy Willoughby to be rude and Judy said there is no reason for the mess on her street.

Klicker asked Narcisi to explain the situation and why the Borough is involved. He stated that he (Narcisi) is the Executor of the property left to Spencer and Friends by Marilyn Hull. Lois Cummins is in charge of Spencer and Friends and they are working together to get the property cleaned. Klicker stated to Narcisi that the Borough cannot be responsible in any way because of the situation Narcisi is in and also, the Borough cannot do anything of a physical nature to clean this property or any other private property in Avalon. Narcisi agreed that he understood that and does not expect the Borough to get involved any further. Dilmore explained that when he was seen cleaning the front yard of the property in question it was in the evening and he was on his own time not on Borough time. He was trying to appease the neighbors who knew that he was on his own time and offered him and the Boy Scout water during the clean-up. Narcisi said he did not know why he was not notified sooner about the problem but he intends to make sure the work is done.

VISITOR:

Howard Brokenbeck stated that he is not a resident of Avalon but he owns property in the Borough and is interested in purchasing the property at 201 California Avenue which has a "Condemned" sign on it. He had Baker Engineering Company inspect it and gave details on the repairs to the sagging foundation. Dilmore explained that he and Shawn Rosensteel of Chester Engineering did a walk around and stated that the reason for the building being condemned was because of the sagging wall which is unsafe. He (Dilmore) stated that he would contact Chuck Kovak from Building Inspectors Underwriters and have Chuck meet with Howard to discuss the drawings and the recommendations of Baker Engineering. Howard stated he wants some assurance that the property would be safe and wants to know what caused the cracks.

Dilmore told Howard to come to the Borough Office on Thursday and he would try to have the answers from Chuck as to what he wants from Howard to continue the process.

MAYORS REPORT: NONE

Haslett stated that the Borough hired a new full time police officer, Frank Colonello.

SECY/MGR'S REPORT:

- Dilmore stated he met several times over the past few weeks with ~~West View Water and Bankson Engineering on the West View Water – Ohio River Boulevard water transmission line project.~~ The work will begin on September 24, 2007 and the Borough will be expecting traffic difficulties. Letters were sent to residents in the work area informing them of the work schedule and we will update them as work goes on.
- Attended State Senator Pippy's workshop on recreational grants. DCNR-DEP - DCED were in attendance with the handouts and applications for Grants.
- Dilmore will be attending ICMA Convention on October 5th thru October 12th in Pittsburgh. Thirty-five hundred (3500) Municipal Managers in Pittsburgh for the weeklong convention. A number of Borough Employees have signed up as volunteers. More volunteers are always needed if anyone is interested.
- There will be action on the floor this evening for CD34 Grants. Handicap sidewalk ramps Phase III has been received and paperwork is awaiting tonight's passage.
- AIM Loan papers are ready and waiting passage.

SOLICITOR:

Canciello questioned Dilmore on the Resolution that is going to be voted on tonight. He explained that the Resolution to be read tonight concerned a mandated change in the EMS Tax which is the \$52.00 paid annually. This includes an exemption for active duty veterans. This tax will be prorated and will be changed from Earned Income to Net Profit. This change will go into effect on January 1, 2008.

ENGINEER'S REPORT: ATTACHED

FINANCE:

Pfeiffer read the Finance report. He moved:

"To accept the Treasurer's report as submitted."

CARRIED

"To accept the Tax Collectors report as submitted."

CARRIED

To pay the List of Bills as submitted."

Cummins abstained.

CARRIED

Pfeiffer moved:

"To have the Borough Secretary give the first and second reading of the proposed Ordinance amending Ordinance No. 1290, the Emergency & Municipal Services Tax and give it a number."

CARRIED

The Ordinance was given Number 1317.

Pfeiffer moved:

"To have the Borough Secretary to give the third and final reading of Ordinance No. 1316 increasing the indebtedness of Avalon Borough for the purchase of a Borough Dump truck."

CARRIED

Pfeiffer moved:

“To accept Ordinance No. 1316 and asked for a Roll Call vote.

CARRIED

Klicker asked the Secretary to read Resolution 1036 authorizing the execution of a note pursuant to Ordinance No. 1316 adopted this day, September 18, 2007.

Pfeiffer moved:

“To pass Resolution No. 1036.”

CARRIED

PARKS & RECREATION:

Sefick reported that the swimming pool cover was in place and the numbers from Swim America will be forthcoming.

Sefick moved:

“To give the North Borough Chamber of Commerce permission to use the California Avenue Park for their annual Halloween Parade. Event to take place on October 20, 2007 from 9:30 to 11:30 a.m.

CARRIED

Sefick left at this time with permission of Council.

PUBLIC SAFETY: NO REPORT

INTER-BORO:

Donnelly reported that she attended the Allegheny County Inter-Boro meeting where there were many discussions concerning the County taking 25% to 30% of the money for use in the County.

STREETS:

Repp reported that the new truck had arrived again stated the importance of having a new dump truck in the Borough for the safety of the Street Crew.

Repp moved:

“To accept the CDBG Proposal #MPI-068 handicap ramps as an approved project.”

CARRIED

Donnelly asked how many more ramps will be needed and Dilmore explained that the Program is in Phase III and that he and Shawn have been working to get the areas with the greatest need done first.

“To have Avalon Borough enter into an agreement with SHACOG for the purchase of salt for the 2007-2008 season. This agreement is with Cargill, Inc., low bidder at \$42.93 per ton.”

Dilmore stated that the cost of fuel is the reason for the increase in salt.

PROPERTY: NO REPORT

Cummins moved:

“To hire Dan Franus Architectural Associates to advertise, interview and oversee the Keystone Libraries Grant for new windows and upgrade of the security system at the Avalon Public Library.”

CARRIED

“To accept the bid of Caldwell Windoware for blinds at the Municipal Building. Cost not to exceed \$2,500.00.”

CARRIED

PUBLIC HEALTH:

Cummins stated that they are working on the raccoon problem by using the birth control program established by the County.

CORP/PLANNING:

~~Michalow stated that a partial payment from the Grant was received~~
from the State. The meeting of September 10, 2007 was productive and the Committee is about 85% ready. The next meeting will be on October 8, 2007.

Michalow moved:

“To have the Borough Secretary read the proposed ordinance and give it a number. This Ordinance dissolving the Borough Planning Commission and creating a Joint Planning Commission.”

Dilmore gave the Ordinance number 1318 and read it aloud.

Michalow moved:

“To accept the first and second reading of Ordinance No. 1318.”

A roll call vote was taken.

CARRIED

Michalow stated there will be a fund raiser at the Fire Hall and that the new Zoning Code should be done by February or March of 2008 and will be put in place. This should help protect the Borough from “seedy” businesses.

PARKS: NO REPORT

LIBRARY:

Pfeiffer stated they had the first meeting of the new Library Board and they received the first Grant from State Representative, Tom Petrone's office to be used for large print books and other related projects such as CDs and DVDs.

He again reminded the Council that it will soon be time to consider the new Budget for 2008. Also, there is a need for two new board members with one being from Council and one from Friends of the Library. Council has the authority to appoint a member.

Pfeiffer stated there would be a bake sale on Election Day.

JULY 4th REPORT: NONE

Pfeiffer moved:

"To adjourn the meeting."

CARRIED

The meeting adjourned at approximately 9:05 p.m.

Respectfully submitted,



**Harry W. Dilmore
Manager**

**AVALON BOROUGH
REGULAR COUNCIL MEETING
OCTOBER 16, 2007**

Councilman David Pfeiffer opened the meeting with a prayer and the pledge of allegiance at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Narcisi, Pfeiffer, Repp. Also present were Harry Dilmore, Chief Howie, Solicitor Rich Canciello, Jessica Mendish and Judith Brogan.

No Executive Session was held before the Regular Council Meeting.

Pfeiffer moved:

“To accept the Minutes of September 18, 2007 as submitted.”

CARRIED

COMMUNICATIONS:

- **Dilmore read letter from the Auditor General’s Office. The Borough is in receipt of the Fire Relief check and it will be passed on to the Avalon Volunteer Fire Department.**
- **The Halloween Parade will be held on October 20, 2007 beginning at 11:00 a.m. from Avalon Elementary School. Registration at 10:00 a.m. on Parade Day. Rain date is the same date in the school gymnasium.**
- **Letter from Northwest 911 Attorney on the dis-banning of the organization as a corporation. Letter was forwarded to the Safety Committee and will be discussed during the meeting tonight.**
- **Received letter of resignation from Councilman Dave Martin effective immediately. Letter to be discussed by Council.**

VISITORS:

Matthew Achilles from Center Avenue spoke about the dangerous driving situation on Center Avenue. He and the other neighbors agree that it is endangering the safety of the children of the neighborhood. The street is in bad condition with holes left by West View Water Company and not repaired, leaving gaping holes that fill with water when it rains and present a danger to drivers in the area.

Matthew read a letter he had distributed to his neighborhood residents asking the neighbors to attend the Council Meeting or call and/or send letters to the Borough Administration Office alerting Mr. Dilmore and the Council to the situation. Seven residents of 24 signed the letter and gave it to Matthew to bring to the meeting and several other residents attended the meeting with Matthew.

Matthew said he attended meetings where the street problems were discussed and statements were made by Council members that he thought dismissed the problem.

He stated that there are speeders and drivers who go through the stop sign. He asks that the street be made a "One Way" street and that tickets be issued to the speeders. Police Chief Howie stated that a car had been stationed at the end of the street in the past but the drivers do not speed or go through the stop sign when they see the police but the police department cannot have a car sitting there twenty four hours a day.

Matthew stated the neighbors would also like a street light because it is too dark and they are afraid of break-ins and muggings. He stated that he spray painted lines and markings on the street warning drivers of the potholes and warning them to slow down because of children.

Klicker thanked Matthew for coming to the meeting and expressing his views. He also said that part of Center Avenue is already partially "One Way" but they will look into expanding upon it. He also stated that if the streets are paved drivers will go faster. However, with 4 or 5 manholes to be dug up, sealed and replaced, the paving cannot be assured until after the work is completed.

Patricia Porco of 805 Center Avenue wants the large hold in front of her house to be repaired. Dilmore asked if the hole is from work West View Water is responsible for repairing and she assured Council that it was caused by West View Water and they are not doing anything about it.

Dilmore supported her claim that the hole is large enough to cause concern and is not being caused by the bricks sinking because of the age of the streets. It is definitely connected to West View Water's work.

She asked Council about a "Watch Children" sign being put in place. It was pointed out that even though a sign can be put in place it cannot be enforced at this time.

Repp stated that the speed limit for residential areas is 25 miles per hour. Council will look into securing signs for the street. Putting large mirrors in place at the turn was also discussed.

Klicker stated that they will try to patch the hole temporarily for now and try to get the street fixed after the Wet Weather Project is complete. He also stated that Avalon has streets that look like a "war Zone" because of West View Water Company. When complaints are filed with them, West View Water says it is an "act of God."

Matthew again stated there is a great concern by the residents for the problems he brought to Council. Donnelly asked if there is an Ordinance or if changes have been made to any existing Ordinance stating how long a street opening permit is for and Dilmore said there is an Ordinance in place and the time allowed is 120 days. No changes have been introduced to this Ordinance. Klicker stated that West View Water does not repair the streets within the 120 days.

Jackie Yurkovich asked if there is an answer for the problems on her street as discussed in previous meetings. Dilmore stated that October 23, 2007 is the cut-off date and then they will look into Plan B. Council has already discussed this option and they are prepared to follow through with it.

Matthew Achilles offered his assistance in writing letters and applying for grants. Klicker thanked Matthew and the other residents for coming to the meeting to express their views.

MAYOR'S REPORT:

~~No Report—Mayor Haslett is in the hospital for knee surgery and the Council wishes him a speedy recovery. Michalow stated that he spoke with Haslett and he is doing well.~~

SECY/MGRS. REPORT:

Dilmore stated:

- **He attended the ICMA Convention last week and thanked Council for the opportunity to work and attend this terrific event.**
- **He worked on the new agility contract given to Council this evening and hopefully will prove beneficial to the community in providing expanded service.**
- **He is currently working on the budget prep and Maher Duessel will be coming in next week to prepare for the 2007 financial audit.**
- **He hosted a Sauerison Inc. workshop and sewer seminar. Two manholes were lined at no cost to the borough. About 45 people attended the workshop.**
- **He attended 3 Rivers Wet Weather Conference and discussed the Pennvest loan and alternative possibilities on obtaining funds for one project. Normal Wet Weather projects and information in class was discussed at the conference.**
- **The demise of Northwest 91 has finally been completed with Sewickley Hills passing their Ordinance.**

SOLICITOR:

Canciello discussed the pending pet Ordinance that he and Lois Cummins have been working on for the Borough. He stated that the new Ordinance will require that cats be vaccinated, have registered identification such as a micro chip or collar tag but it will not require that cats be leashed. Other requirements would include registration with a \$2.00 fee for one year and \$5.00 for 3 years and having the animals spayed or neutered. Owners would have six months from the date the Ordinance is enacted to register their pets. There will also be an impounding fee for all animals picked up in the Borough. Violations would incur fines ranging from \$25.00 to \$300.00. An "animal control commission: would need to be established which would consist of a representative from the Health and Sanitation Committee, the Chief of Police, a veterinarian, the Borough Solicitor and a representative of Spencer and Friends which is the animal control organization for the area. The Ordinance is still being discussed and is not ready for Council vote at this time.

Canciello stated he has been working with Police Chief Howie on the "Right to Know" law that is being debated by the State Legislature.

Canciello feels this law could cause problems for the administrative offices of the municipalities because of legal questions that may be raised and the new requirements of record keeping and availability of information. It will have to be determined what can and cannot be made available to the public and what would be considered public information.

ENGINEER'S REPORT:

Presented by Jessica Mendish for Shawn Rosensteel of Chester Engineers.

See attached.

PARKS:

No report. Sefick is in the hospital and the Council wishes him a speedy recovery.

FINANCE:

~~Pfeiffer stated there is a negative balance at this time. Repp asked how many payrolls are taken out of the funds for October. Pfeiffer stated there will be two payrolls.~~

Pfeiffer moved:

“To accept the Treasurer’s Report submitted.”

CARRIED

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

CARRIED

“To accept the List of Bills as submitted.”

CARRIED

“To have the Secretary give the 3rd and final reading of Ordinance No. 1317.”

CARRIED

Dilmore gave the 3rd and final reading of Ordinance No. 1317.

Pfeiffer moved:

“To pass Ordinance No. 1317 with a roll call vote.”

CARRIED

SAFETY:

Narcisi moved:

“To enter into the Quaker Valley COG Mutual Police Aid.”

CARRIED

“To hire Walter Johnson of 183 Pillar Drive, Moon Township, Pa. as a part-time police officer with the Avalon Police Force.”

CARRIED

INTER-BORO:

Donnelly moved to:

“To authorize the Personnel Committee to meet and discuss the contracting of Administrative Services with Kilbuck Township.”

CARRIED

Klicker explained that Kilbuck Township has approached Council requesting help on a temporary basis with the Administrative Services and to consider negotiations for a permanent work relationship in 2008.

Michalow stated that the key words in the plan are “Administrative Services.”

STREETS:

Repp moved:

“To renew the contract the PENNDOT and agility program.”

Dilmore stated that this is Resolution No. 1038 which he read aloud. Repp stated that he wasn't sure how much the Borough would gain by doing this but it is necessary to try to get help for the Borough by doing this. Dilmore stated there are changes in the new Agility Program that

will make it easier for the Borough to get the help the Borough may need.

CARRIED

“To sign an agreement with Ben – Avon Heights Borough for snow removal for the 2007-2008 season.”

CARRIED

Repp explained that Ben Avon Heights approached Avalon Borough about helping them with their snow removal this winter at .06 cents per mile. Donnely stated that it would be a good move to enter into a relationship with Ben Avon Heights by helping with their snow removal at which time Dilmore explained that it would require an extra crew that would be on an as needed basis for Ben Avon Heights and the contract would in no way interfere with Avalon’s snow removal. He stated they would try it for one winter and see how it works out for all concerned.

Repp stated that there were piping repairs on S. Birmingham and the concrete has been poured for the handicap ramp on S. Home Avenue. The street crew informs him that the new truck is working fine at this time.

PERSONNEL:

Repp read the resignation letter from Councilman Dave Martin explaining that the resignation is due to Martin’s job taking him out of the country for long periods of time which makes it impossible for him to attend meetings.

Repp moved:

“To accept the resignation of Councilman Dave Martin, effective immediately.”

CARRIED

PROPERTY:

Cummins stated that she received a letter from Avalon Library concerning the bulletin board. This will be discussed by the Library Committee.

CORP/PLANNING:

Michalow stated there will be another Dumpster Day on Saturday, November 17, 2007 from 8:00 a.m. until 2:00 p.m. in the parking lot across from the Fire Hall located on New Brighton Road. Seniors needing help with items for the dumpster may call the Borough office for assistance. He stated that volunteers are ready and willing to help.

Michalow stated that October 23, 2007 will be a working session for the Committee. They will be working on the spread sheet.

Michalow moved:

“To have the 3rd and final reading of Ordinance No. 1318.”

CARRIED

“To pass Ordinance No. 1318 and have a roll call vote.”

CARRIED

PARKS:

NO REPORT. Councilman Sefick is vacant due to surgery. The Swimming Pool Report will be given at the next Council meeting when Sefick is available.

LIBRARY:

Pfeiffer announced there will be a bake sale and book sale on Election Day at the Avalon Public Library.

The bulletin board at the Library is being used by too many groups, organizations and others, so a larger one is needed at this time as stated in the letter Lois Cummins received from the Library.

The Keystone bids for the windows and security system at the Library will be opened on Wednesday, October 24, 2007.

FESTIVAL COMMITTEE:

Connie Rankin stated that the committee is working on the Christmas Program and she will keep Council informed of the progress.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Harry W. Dilmore".

**Harry W. Dilmore
Manager**

**AVALON BOROUGH
REGULAR COUNCIL MEETING
November 20, 2007**

Mayor Haslett opened the meeting with a prayer and the pledge of allegiance at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Narcisi, Pfeiffer, Repp, Sefick. Also present were Mayor Haslett, Harry Dilmore, Chief Howie, Shawn Rosensteel and Al Wurst and Judith Brogan. Solicitor Canciello was absent due to the birth of his new baby.

No Executive Session was held before the Regular Council Meeting.

Michalow moved:

“to appoint Al Wurst of Parkview Avenue, Avalon, to complete the term of Councilman Dave Martin until December 31, 2007.”

Mayor Haslett swore Mr. Wurst into office at which time Mr. Wurst took Martin’s seat on Council.

Pfeiffer moved:

“To accept the Minutes of October 16, 2007 as submitted.”

CARRIED
(Sefick abstained)

COMMUNICATIONS:

- Dilmore stated that he received a letter from ALCOSAN giving the new rates for 2008. Residents can expect 9% increase. This 9% amounts to \$.27 per 1000 gallons of water used and \$.56 service charge or \$5.42 per Quarter based on 18,000 gallons used.

- Letter from Ben Avon Borough updating their plea to State Representatives on the increased water flow through Spruce Creek and help with possible solutions.
- Letter from ACBA (Allegheny County Borough's Association) on the 2008 banquet and year book forwarded to the Inter-Boro Committee.
- ~~SHACOG joint bid for police vehicles for 2008 was received and forwarded to the Safety Committee.~~
- Communication from MRM (Worker's Compensation carrier) on new rules for filing for injuries. Referred to Solicitor Canciello.
- CVCOG communication of Fuel Price Adjustment on salt bid. There will be an additional \$.55 per ton added to the salt contract. The Street Committee has information and will report.

VISITORS:

Edward Darges of 841 Chester Avenue spoke about the problems the neighborhood is experiencing due to the unsightly and dangerous situation caused by the New Hope work being done. Dilmore stated that Officer Bob Espy reported to him that there is a problem caused by the landscape work to be done in that area. Astorino Company was told by Dilmore that they would have to clean it up or pay Avalon Borough to do it but it could not continue to be a hazard to the area. Astorino is to get back to Dilmore with a solution.

Jackie Yurkovich asked about "Plan B." She wants to know when Grandview Avenue is going to be repaved. Klicker explained that the Borough is trying to secure the funds to do this but they do not have a definite solution yet. The Borough does not qualify for State money. The Borough is working with the bank, but PLGIT has the best plan with a 2% below Prime. Also, PLGIT is paying the amortization costs which the bank and Pennvest are unable to do for the borrowers.

This means that if the Borough borrows \$1.5 million dollars, they get \$1.5 million dollars not a reduced amount because of extra fees.

Jackie asked for an exact date for the work to be started but Council is unable to give her that information because there are too many variables such as weather. Klicker asked Shawn Rosensteel of Chester Engineers to elaborate and he stated that some of the other problems that have to be considered are contractors schedules, money, and how long the investigations for each site will take. If broken lines are found, they have to be investigated as to the source and time must be allowed to repair or replace the line. There are 20 manholes to be done. Shawn stated that it will take at least 45 days to pave the streets after everything else is done.

Jackie again pressed to have an exact start date for her street, but Klicker stated that Council cannot guarantee where the paving would begin and there are no definite answers for her at this time. After some disagreement and discussion, Jackie accepted the Council's decision concerning the start date and place.

Dilmore said they have separated the paving contract from the sewage contract from the painting time to cut costs and time. He stated the bids will determine the start date and need will determine where the contractors will start.

MAYOR'S REPORT:

Haslett deferred his report to Public Safety. He asked Dilmore about the field and Klicker asked how long it took to do the field seeding. Sefick will address during the Parks report.

SECY/MGRS. REPORT:

Dilmore stated:

- He gathered information at the direction of Council to obtain the figures relating to a "Plan B" approach for Wet Weather Project. Met with Representatives of banks, PLGHT and other lending institutions and programs to find viable options. Discussions with

Chester Engineers have been ongoing to prepare street paving specs.

- He is continuing work on the 2008 budget with the Finance Committee. Work on the TAN loan has begun and Council will vote on proposal.

- We will be holding another manhole cover demonstration on November 28th. All Municipal Officials and Public Workers are invited to attend.

- We had another successful Dumpster Day which Mr. Michalow will discuss in his report.

SOLICITOR: NO REPORT/CANCIELLO ABSENT.

ENGINEER'S REPORT:

See attached.

FINANCE:

Pfeiffer read the Finance Report.

Pfeiffer moved:

"To accept the Tax Collector's Report as submitted."

CARRIED

"To accept the Treasurer's Report as submitted."

CARRIED

"To accept the List of Bills as submitted."

CARRIED

“To have Avalon Borough accept the Tan Loan proposal from National City Bank for 2008.”

CARRIED

SAFETY:

Narcisi commented and thanked Police Chief Howie for his efforts and work he did on the “Right To Know Law.”

Narcisi is concerned that with the new law everything will be discoverable with some exemptions. This will require the Borough to establish an office and an officer to fulfill the requests for information.

He has some concerns about the privacy rights being violated if this bill passes. He also is concerned about the cost to the Borough since a third party would be needed by the Borough. In his opinion, this is going to be burdensome to smaller communities.

Connie Rankin of the Citizen News stated that the questionable items Narcisi mentioned are already in place in the Patriot Right To Know Law. The information is available from the State.

Chief Howie stated that the only organization opposing this bill is the Chief of Police Association.

Narcisi suggested that State Representative, Tom Petrone and State Senator, John Pippy be notified and asked to vote against this law.

Narcisi moved:

“To hire Derek Dayoub as a part-time Police Officer for Avalon Borough.”

There was some discussion and Narcisi questioned hiring Derek without a Council vote and suggested that a Part-Time hiring policy be put in place for future hiring. Howie stated that Derek has not been put on the schedule yet and does not have a badge.

The vote tonight is to confirm Derek's hiring and then he will be given a badge and put on the schedule.

CARRIED

Narcisi commented on the brave actions of Avalon resident, William Silay, who along with some utility workers, and the woman's husband, rescued an invalid woman from a burning house on the North Side.

Narcisi moved:

"To have the 1st and 2nd reading of Ordinance #1319 hereby known as the Dog and Cat Ordinance.

There was a roll call vote which was:

CARRIED

With 3 abstentions, 1 no vote and 5 yes votes.

Dilmore then read Ordinance #1319.

STREETS:

Repp stated that the leaf machine is down and they don't have access to borrow one at this time. The crew is picking up bagged leaves on Fridays and cars continue to be tagged on street cleaning days until the end of November.

Repp stated there is \$.55 per ton "fuel price adjustment" added to the salt contract.

Repp also recommended that the Borough set the goal for next year to have the dump ready for the leaves with an 80% funding.

Repp moved:

"To have the 1st & 2nd reading of Ordinance #1310 related to the requirements for street openings within the Borough, and wish to amend said Ordinance fees to \$60.00 per street opening application."

After a roll call vote the motion was:

CARRIED
Donnelly abstained

“To have the proper officials sign the Salt Agreement with Ben Avon Heights Borough for 2007-2008 season now that wording has been worked out.”

CARRIED

Wurst asked about the sink-hole on Parkview Avenue and the damage caused by the Home Depot truck also on Parkview Avenue. Dilmore stated that he has been in touch with Home Depot and he will keep Council informed of the progress.

INTER-BORO:

Donnelly stated there will be a fund raiser by Allegheny County for ads for the year books. The next General Membership meeting will be on December 13, 2007. They will be voting for a new Director for the Allegheny County Delegate to be held at the Churchill Valley County Club.

Donnelly commented on the variance hearing for the electronic sign for Ron Killen. The sign section is extensive.

Donnelly said she would be willing to take any questions and/or comments to the next International Code meeting.

PROPERTY:

Cummins reported on the improvement to the Borough Building with the new blinds installed in the Administrative Offices and the Tax Office.

Cummins moved:

“To have Chester Engineering put out the specs for the Wet Weather Decree.”

CARRIED

CORP/PLANNING:

Michalow reported that the Dumpster Day was a big success with 42 High School students volunteering as well as Northgate Alumni, Council members, and other volunteers including some 8th graders. They all pitched in and cleaned the park and surrounding areas of garbage and debris. He was especially impressed with the attitude of the young people. He stated there is a video for anyone wishing to stay after the meeting to view it.

Michalow stated they are still short one person for the Joint Planning Commission. The next meeting is on December 13, 2007.

Michalow moved:

“To appoint Tim Vetterly of 443 N. School street to the Joint Planning Commission.”

CARRIED

“To appoint Ed Klicker as an alternate to the Joint Planning Commission.”

CARRIED

Pfeiffer moved:

“To appoint Tom Michalow of 213 S. Birmingham Avenue to the Joint Planning Commission.”

CARRIED

Michalow moved:

“To pass resolution #1038 and enter into an agreement with Verizon on a cable contract and cable franchising fee.”

CARRIED

POOL REPORT:

Sefick announced that the Borough’s deficit for 2007 was \$998.18 less than 2006.

Report attached.

LIBRARY:

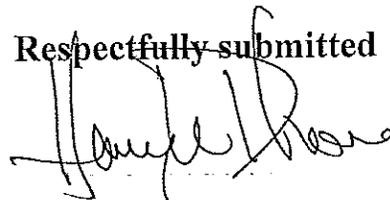
Dan Franus presented the results on the bids for the windows for the library. There was only one bid from Window Systems, Inc. Dan recommended that the Council should not accept the bid at this time. There is some question if the lone bid meets the requirements for the bidding. He will have that information available at the next meeting. He will be meeting with Dilmore for more discussion on the matter.

The meeting adjourned at 9:10 p.m.

The meeting was reconvened at 9:14 p.m. to sign the Kilbuck contract through December 31, 2007.

Meeting adjourned at 9:15 p.m.

Respectfully submitted



**Harry W. Dilmore
Manager**

**AVALON BOROUGH
REGULAR COUNCIL MEETING
DECEMBER 18, 2007**

Pfeiffer opened the meeting with a prayer and the pledge of allegiance at 7:30 p.m.

Roll Call: Cummins, Donnelly, Klicker, Michalow, Narcisi, Pfeiffer, Repp, Sefick, Wurst. Also present were Harry Dilmore, Chief Howie, Solicitor Canciello, Shawn Rosensteel and Judith Brogan. Absent: Mayor Haslett.

Executive Session was held before the Regular Council Meeting.

Pfeiffer moved:

“To accept the Minutes of November 20, 2007 as submitted.”

Michalow had one name correction. After agreement, the motion was

CARRIED

COMMUNICATIONS:

- **Dilmore stated that he received the PIRMA evaluation on Parks and Recreation equipment. Report was forwarded to the Streets Department.**
- **Received correspondence on various organizations and events. Letter was forwarded to the Inter-Borough Committee.**

VISITORS:

Paul McCauley of 227 S. Home Avenue spoke about his concerns regarding the Feral Cat Ordinance. He stated that he is against it because of the cost factor to enforce it and the rodent problem a loss of cats may cause. Klicker stated that there is a problem with the Ordinance and it would be addressed during the meeting.

Judy Willoughby of 705 Norwood Avenue spoke about the debris left in driveway on Semple Avenue. Dilmore stated that a letter was sent to the caretaker of the property and the inspector was looking into the situation. Klicker stated that the Borough is not permitted to go on private property to clean the debris but they would follow through with issuing letters and fines as permitted by law.

Jackie Yurkovich of 649 Grandview Avenue asked where the ice on Semple & Norwood was coming from and what is causing it. Dilmore stated that he spoke to Keith Lorey about the problem and they cannot find the source at this time. Dilmore said it has to be coming from underground because there are no springs or creeks in the area. Jackie asked if it could have been caused by the work that the Borough did this year. Dilmore stated that is possible but they are still investigating the source.

Jackie asked if there would be winter salt boxes for the Borough. Dilmore stated that the ones from prior years were in poor condition and he spoke to Keith Lorey of the Street Department about making new ones as well as looking into the feasibility of using plastic ones. The cost factor for the plastic ones is high and not feasible at this time. He will keep Council informed of the progress.

Jackie also wanted to know who would be running the pool in 2008. Dilmore stated this would be discussed and decided at the clean – up meeting on December 28th.

Paul Springob of 340 Elizabeth Avenue stated that his neighbor and he bought a large plastic garbage can for the salt on Elizabeth Avenue and the Borough has always filled it with salt and that is working fine for the residents and any other drivers who may need it. He thinks the plastic cans would last longer and the Borough should consider using them. Dilmore stated that they would continue to look into the situation and the salt boxes would be decided upon very soon.

Randy Lasher of 614 Parkview Avenue asked about the rapid deterioration of Parkview Avenue. There is a sink hole that goes into a sewer and now there are about 5 or 6 sink holes. Also, he is having sewage backup and he is concerned about the hillside shifting or something else changing the topical area. He spoke to the water

authority and was told that the pipe is cracked and that could be the problem. Dilmore stated that he and Shawn Rosensteel and Mayor Haslett did look into the problem using a camera and found nothing that would be causing this problem. Tri – State Maintenance also looked into the situation on the Birmingham side and they did not find any breaks or clogs. There is no heavy traffic in the area that could be causing the damage but they cannot find any reason for the problem at this time.

Wurst asked if the Borough knows of any other sink holes in the area and Dilmore stated that there are none at this time. Wurst asked if a build-up of silt could be causing the problem and Donnelly stated that in her experience it could be tree roots causing the damage.

Lynn Springob voiced the same concerns and asked if the springs, if any, can be re-routed. Shawn stated that even though the pipes look intact there is a possibility that the seal is damaged or degraded. He stated that a smoke and dye test using a dye may show the cause of the problem. Dilmore stated that this is an option for the Borough to consider. Shawn Rosensteel of Chester Engineering stated that a smaller snake with a smaller head camera would move through the clogs such as roots a lot easier.

Michalow asked if this sewer is on the list for repair or replacement for the summer of 2008. Dilmore stated he would check into it and see if it is on the list.

MAYOR'S REPORT: NONE

SECY/MGRS. REPORT:

Dilmore stated:

- He is currently working on finalizing the 2008 budget and surrounding functions that go with the year end close out. He is working with National City Bank on the 2008 Tan Loan.
- He is finalizing work with "Collective Efforts," the group doing the flow monitoring for ALCOSAN. Work was started this week with the installations.

- **Dilmore is working with Chester Engineering on preparation of MS4 report and monitoring of storm water out falls.**

SOLICITOR:

Canciello stated that the OPEN RECORDS LAW which is still pending until January could cost the Boroughs and Townships extra money. An Open Records officer would have to be hired and if the court finds that a request was denied there would be fines. Also, if the court finds that a request is a frivolous request then the requestor would be fined.

The Assembly sent their version of the bill to the State Senate which is to reconvene in January and it is certain that a new law will be passed but it is uncertain which version will pass.

Donnelly asked if the Borough will have the right to charge a fee for requests and Canciello stated that would be allowed.

Klicker asked what advantage this law would have as opposed to the current law. Canciello stated that the new law will be broader than the current one and that a federal law does not preclude the State law.

Police Chief Howie stated that the State of Pennsylvania sets the fee for a police report at \$15 to \$20.00. The police are not permitted to charge more or less than that, so any requests could not be charged differently. He also pointed out that they do not refuse any request for reports.

ENGINEER'S REPORT:

See attached.

Klicker announced that tonight is Pfeiffer's last Finance Report.

FINANCE:

Pfeiffer read the Finance Report.

Pfeiffer moved:

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

CARRIED

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

CARRIED

“To accept the List of Bills as submitted.”

CARRIED

“To have the Secretary give the 1st and 2nd reading of Ordinance No. 1320.”

CARRIED

Dilmore read the Ordinance setting the Tax Rate for 2008 and a roll call vote was taken at which time the motion was –

CARRIED

SAFETY:

Narcisi moved:

“To withdraw Ordinance No. 1319. This is the Feral Cat Ordinance.”

Repp stated that the Ordinance was causing problems with the residents of Avalon and although he hoped there would one day be an Ordinance in Avalon to cover this situation, he agreed the current one should be recalled at this time. He stated this would be a difficult law to enforce without funding from a higher government source.

Donnelly stated that she hoped this would be possible at a later date and that a State Law would have to be in place to help enforce local laws.

There was a roll call vote with 8 ayes and one abstaining vote from Lois Cummins.

The motion was...

CARRIED

STREETS:

Repp stated that there were issues with the leaf machine and the crew worked through them. He agreed with Dilmore about the salt boxes and there are springs to be dealt with in the area and he would stay informed of the situation.

Wurst asked about the North Birmingham pot holes. Dilmore stated that North Birmingham is on the list for cold patch.

PROPERTY: NO REPORT

HEALTH & SANITATION: NO REPORT

CORP/PLANNING:

Michalow read the Zoning report update. There are two meetings scheduled in January. The COG meeting is scheduled for January 16th at the Avalon Borough Building and a Tri – Boroughs Joint Zoning Commission meeting on January 14, 2008 at 7:00 at the Avalon Borough Building.

The Steering Committee will have the first official meeting on February 11th at 7:00 p.m. at the Avalon Borough Building. The Joint Planning Commission is set to begin in either April or May.

He also wants to apply for a Grant for Salt through Representative Doyle's office.

Last year letters were sent to President Bush, two Senators and two Congressmen, Tom Pippy Tom Petrone, Drzod and Onorado. There were no responses or action from any of them.

Donnelly voiced the concerns of others when she stated that the "River Towns" can go to waste as far as the government is concerned.

PARKS:

NO REPORT.

Sefick wished everyone a Merry Christmas and Happy New Year.

Dilmore comment:

"There has been major damage to the shelter houses by vandals. Paint guns were used to cause some of the damage, 9 tables and benches were destroyed and others were thrown into the park, lights were destroyed, signs were stolen and sheets of metal were ripped off the shelter roofs and thrown about. It will cost thousands of dollars to repair or replace the damage."

He asked Solicitor Canciello if there are any Ordinances in other Boroughs outlawing paint guns. Can Avalon outlaw them?

Donnelly suggested installing cameras and Klicker suggested offering a reward. After some discussion it was decided to offer the reward.

Michalow moved:

"To offer a \$500.00 reward leading to the arrest and conviction of person or persons responsible for destroying Borough Property on December 12 and December 13, 2007".

Howie stated that it may not be permissible to offer a reward to minors. Canciello said it is permissible.

The motion was:

CARRIED

Narcisi asked if the Borough Insurance would cover any of the damage. Dilmore stated they are looking into that.

LIBRARY:

Pfeiffer stated that the board is waiting to hear whether or not they have a new Librarian.

The Board still needs one Council member to be named.

The meeting was suspended until Friday, December 28, 2007 at which time the Council will reconvene for the Clean-up Meeting.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Harry W. Dilmore". The signature is written in a cursive style with a large, stylized initial "H".

**Harry W. Dilmore
Manager**

**MINUTES FOR ADJOURNED MEETING
DECEMBER 28, 2007**

Klicker opened the meeting at 7:30 p.m.

Present were: Cummins, Donnelly, Klicker, Michalow, Narcisi, Pfeiffer, Repp and Sefick. Absent: Wurst.

Sefick moved:

“To retain the Citizen as the official newspaper of Avalon Borough.

CARRIED

Cummins moved:

“To retain Meyer-Darragh as the Solicitor for Avalon Borough and Richard Canciello as their representative to Council.

CARRIED

Donnelly moved:

“To retain Chester Engineering as the Engineers for Avalon Borough and Shawn Rosensteel as their representative to Council.”

CARRIED

Repp moved:

“To pass Resolution #1040 appointing Tax Collector, Inez Stauffer as collector of 511 taxes.”

Repp moved:

“To retain National City Bank of Pennsylvania to be the official depositor of Avalon Borough.”

CARRIED

Michalow moved:

“Pass Resolution #1039 setting the Appropriations for Avalon Borough for the Fiscal Year 2008.”

CARRIED

Pfeiffer moved:

“To pay the List of Bills as submitted.”

CARRIED

“To have the 3rd & Final Reading of Ordinance No. 1320, fixing the Tax Rate for 2008.”

After a roll call vote the motion was:

CARRIED

Narcisi moved:

“To set the meeting dates of Avalon Borough Council at the third Tuesday of each month at 7:30 p.m.”

CARRIED

Narcisi asked about the Reorganization Meeting. It was confirmed that the meeting will be on Thursday, January 3, 2008.

Dilmore explained the procedure for the Mayor swearing in of the newly elected Council members. He also explained that Jackie Yurkovich did not get her election papers signed and will not be able to accept her elected post. Dilmore also explained that the seat would

remain empty until a person is appointed by the Council to fill the chair because the law states that the election does not automatically go to the person with the next highest number of votes.

Repp read an award to be presented to David Pfeiffer for his many years of service to Avalon Borough.

Repp moved:

“To present David Pfeiffer with an award for his twelve years as an Avalon Council member.”

CARRIED

Repp moved:

“To adjourn the meeting.”

CARRIED

The meeting adjourned at approximately 8:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Harry W. Dilmore". The signature is written in a cursive style with a large, sweeping initial "H".

**Harry W. Dilmore
Manager**