

AVALON BOROUGH
REGULAR COUNCIL MEETING
February 19, 2013

Meeting called to order at 7:34 pm by Edward Repp with the Pledge of Allegiance.

Roll Call: Bernstein, Cortese, Donnelly, Klicker, Lloyd, Narcisi, Repp, Vetterly. Also present Solicitor Elizabeth Sattler, Borough Manager Harry Dilmore, Police Chief Kokoski and Makatura. Absent: Dixon, Mayor Haslett.

Solicitor reported no executive session was held this evening.

Klicker Moved:

“To accept the minutes of the January 15, 2013, Avalon Borough Council Meeting ”

Donnelly 2nd

CARRIED

COMMUNICATIONS:

- Letter from the Bellevue Avalon Baseball Association for the use of the athletic fields for the 2013 season. Parks Committee to review.
- Letter received from Allegheny County on the Summer Lunch Program. Parks Committee to review.

VISITORS:

Mary Marous
320 California Avenue

Recently submitted two Right to Know (“RTK”) requests in December that did not get completed until January. First request was for a current

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list of the delinquent garbage accounts. Realizing this is now being collected outside. At the end of 2011 we had \$160,000 outstanding, 315 accounts, 41 pages long. Hoping to see some improvement. I got no satisfaction in that regard. I was told a list was not supplied to the borough.

My second request was regarding the sewage surcharge. The history of how it was approved, expended, saw it in the minutes on line. But specifically wanted to see documents that would disclose the amount of money collected for the surcharge, money disbursed and to whom and the delinquent accounts on the surcharge account. Mostly because when it was extended the first year, it was not questionable and it went 3 years and then when it was extended to 2014 it I wanted to know if we should be anticipating an extension again. I did not get any of that information either. I saw a lot of information. In reviewing the ordinance for the surcharge, Section 3 requires a separate surcharge account. However, what is going in and going out is vastly more than sewage surcharge fees and not related at all. I saw tax lien letter fees, real estate refunds for overpayments on properties and reimbursements. Dilmore confirmed that all sewage surcharge fee work had been completed and that we have a \$1.3 million debt to repay. I would expect if that work is completed and we had \$750K grant and \$1.3 million loan that no other payments should be coming out of that account. Yet there are still payments to Chester a couple times a month. If amortized for the project I would expect to see a set payment schedule not various amounts.

Going back to the delinquent garbage, in January 2011 I was disappointed as a resident and tax payer to see that no one on Council knew there was \$180K in delinquent garbage.

With that being said I did not get what I wanted out of the RTK and I could have pushed that. I know that because I do RTK's for a living and would have won it with the PA Office of Open Records.

What I want to know, do we know the information? Clearly we do not.

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Jordan sends checks with a break down but it does not break down what is sewage and what is sewage surcharge. Doesn't always go into the same account, it goes in to separate accounts. There was nothing from Jordan that gave a list of accounts or accounting by name or property address or tax id. It's just happening, on trust. Understand the value of a handshake but with the refinancing the \$4.4 million bond issue and the \$1.3 million surcharge loan, it appears that we are being too complacent on monies that are owed to the borough.

Also, with the reassessments. I've done some research on that as well and compared Avalon's tax rate with the neighboring communities for 2012, realizing 2013 will be different for all, Avalon is 9.01, Bellevue is 7.0, Ben Avon 5.6, Ben Avon Heights 6.5, Kilbuck 6.5, Ohio 2.75, Ross 3.0. And again, I see a pattern of what ever the delinquents are we don't collect, everyone else just makes up the difference. We saw it with the garbage fees and probably with the property taxes. It was probably just easier. Could this council be more proactive on what is owed to the Borough. Especially with the new budget, you didn't know if there was monies outstanding for garbage and sewage tax, how can you make a decision and pass a budget?

Tom Michalow
213 S. Birmingham

Discussed a date for Dumpster Day with Dilmore and Makatura. Agreed on a date, Saturday, March 23. 8:00 to noon. Banner will be put up. Asked for help from Council. Seniors (priority) and anyone needing a pickup can call the Borough. Residents must be home at the time of pickup, items must be on the curb or porch, cannot enter the home or garage.

Also picked up petitions for any council member that needs one for reelection.

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Dilmore asked if we were including Bellevue in Dumpster Day. Yes, if they are interested and can supply a truck for pickups. Questioned how many volunteers usually come. As many as 20 and as few as 6. Overflow of volunteers are always put to work cleaning up the park, etc.

Michael Bodycombe
605 Ohio River Blvd.

Presented a list of residents that should be given a hand letter regarding Dumpster Day approaching. Dilmore commented that is done every year. Spent an hour riding around and got 6 pages of the worst offenders. What is our Borough doing and where is our code enforcement officer? Dilmore stated that the code officer was out today to 4 addresses. People are tired of hearing that citations were issued, we want to see action. Dilmore invited Mr. Bodycombe to pick a house from the list and follow it through and see how long it takes to go through the process. Follow it to the Magistrate as well. It is not an easy task. Bobbycome stated that other borough's are doing it, with our taxes, one of the highest rates, it looks like the slums. Questioning abandon cars, on the streets and private property, for 10 years. Chief questioned and challenged the fact that cars have been abandon for 10 years. Repp recommended submitting the list to Dilmore.

Bodycombe also questioned who oversees the street department and street sweeper. Incredible amount of garbage on S. Birmingham and Orchard. Vetterly addressed the sweeper issue and schedule. Bobbycome stated the drains on S. Birmingham are clogged with garbage. Vetterly explained the situation with the public works and how it works and the number of workers available.

Ruth Lloyd added a comment regarding Waste Management and how they are not doing their job of picking up trash if they drop it. It is not the fault of the street crew.

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Wendy Blake
523 Eugene Avenue

Comments regarding garbage – people not using containers, only bags allowing rodents to scatter garbage. Dilmore stated that this topic was discussed at the COG meeting and how do other communities control the garbage can issues and how do we fine them. We have no way of notifying them since we gave the rights to Waste Management. It's difficult to enforce and track owners down. Ms. Blake questioned about neighbors garbage not being picked up and still on the street. Dilmore stated we are checking with Waste Management for the delinquent accounts. Sewickly and Edgeworth contact Allegheny County Health Dept. Ms. Blake said she contacted the Health Dept and described the length of time (30 days) it would take them to take action. Cortese pointed out that she just answered her own question about how long it takes to get something accomplished on properties. Dilmore also stated that we have tried the alternative of having Waste Management do the billing, however, we still have the same problems with delinquents.

Ryan Deering
18 Marie Avenue

Mr. Deering suggested that Mr. Bodycombe's list be given to Avalon NOW for them to help.

Beth Mosley
635 Center Avenue

The next meeting for Avalon NOW will be 7:00 pm on Wednesday, February 27, 2013. Planning a spring clean up. Flyers being prepared on what Avalon has to offer. Google number with a voice mailbox for people to contact us as well as through Facebook. Helped a resident return shopping carts from Kuhn's that were left in an alley.

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Senator Matt Smith and State Rep Dan Deasey will have a representative from their offices at our March 27th meeting. We also have reached out to County Councilman Finnerty to attend. We would like to encourage members of council to attend that meeting as well. We want to share our concerns with them.

Also starting a Small Business Spotlight on our website and Facebook. Last month we featured Pizza Pronto, this month will be Skinny Pete's.

Repp commented that most concerns expressed tonight, it has a lot to do with the residents themselves. Those that complain are the ones that take care of their properties. Those that don't, do not take care of their properties. Laws that are established and enforced take time to see results. We cannot lock people up for not cleaning up the porch or fixing sidewalks. It takes time to see progress and it does not stop the problem from recurring. Absentee landlords is a big problem as well as those that have no respect for their properties.

Bodycombe asked about homes being divided into multifamily homes. Are we done with allowing homes to be divided? Lloyd stated that under the Tri-Boro Planning Commission, there is a provision that a single family home cannot be divided. 622 Orchard is currently being divided. Dilmore stated that there are areas within the zoning that still allows homes to be divided. Will verify the building permit for 622 Orchard.

Solicitor Sattler commented that the permit would not have been issued under the ordinance if it was not permitted.

MAYOR: No Report

MANAGER/SECRETARY:

- Quaker Valley COG Recycling Day, May 4th here in Avalon. Good list of recycling materials, Construction Warehouse.
- Dumpster Day March 23rd, earlier to get a jump on people cleaning up their yards. Volunteers always welcome.
- New pension rule update for 2014 for uniform and non-uniform plans..
- Dilmore and Makatura working on gathering information for the computer upgrade for the office.
- Finishing up the 2012 audit.

SOLICITOR:

No report. However, Ms. Sattler thanked everyone for working with us the next few months. Ms. Ott to return next month.

ENGINEER:

No Report.

However, did receive a call from AutoZone and they will be starting. Dilmore stated that have mobilized.

FINANCE:

Lloyd moved:

“To accept the Treasurer’s Report for the month of February 2013, as submitted.”

Donnelly 2nd

CARRIED

“To accept the Tax Collector’s Report for the month of February 2013, as submitted.”

Donnelly 2nd

CARRIED

“To accept the Finance Report for the month of February 2012 as submitted.”

Donnelly 2nd

CARRIED

“To pay the List of Bills in the amount of \$122,500.69 as submitted for the month of February.”

Dilmore commented that a good bit of that was salt this month. Most will be reimbursed through Liquid Fuels.

Donnelly 2nd

CARRIED

“To have the Secretary give the 3rd and final reading of the proposed tax rate at 100% of the budget at 6.21 mills.”

Bernstein 2nd

CARRIED

“To have the Secretary give the 3rd and final reading of Ordinance #1344, levying an Ad Valorem real estate tax and fixing the tax rate for fiscal year 2013 at 6.830 mills. Rate at 105% of budget.”

Solicitor stated this was to set the anti-windfall rate.

Bernstein 2nd

CARRIED

“To have the Secretary read the 1st and 2nd reading of the Tax Collector Compensation for 2014 thru 2017.”

Donnelly 2nd
Abstain - Klicker

CARRIED

PUBLIC SAFETY :

No Report

STREETS:

Vetterly reported the DPW is gearing up for spring projects.

Vetterly moved:

“To enter into an agreement with Penn DOT for construction of handicap ramps on Ohio River Blvd during the repaving project this summer. Avalon’s portion to be \$7,184.00.”

Cortese 2nd

Vetterly questioned if that included grids. Dilmore stated that should be the high end, not all bids have been received. New ramps from Fisk to about Prospect. Work should begin April 1.

Cortese questioned if that was part of the grant money we have been receiving. Dilmore confirmed, no, separate project.

CARRIED

PROPERTY: No Report

HEALTH & SANITATION:

No direct report on Health & Sanitation.

Klicker moved:

“To enter into an agreement with Pancoast Staffing for temporary secretarial services.”

Donnelly 2nd

Lloyd questioned on using this service to replace Judy Brogan. Dilmore stated it was necessary to move quickly on this position due to personal reasons.

CARRIED

“To authorize the Secretary to finalize search and enter an agreement on computer upgrade for the Administration Office at a cost not to exceed \$18,000.00.”

Donnelly 2nd

Repp commented we have been experiencing difficulties. Includes the administration and tax office, not the police.

CARRIED

CORP/PLANNING: No Report.

Bernstein questioned the progress on the property located at and Rt. 65. Dilmore stated the developer is still working with Deasy's office to purchase the 2 properties owned by PennDOT. Once that is complete, he needs a right of way because West View Water has a major water line going through his property. The design would need to have that area be a paved area incase exaction would need to occur. The building designs need to be split into 2 which is different from his original plan. The properties on the end are

owned by PennDOT and not well maintained. Bernstein stated that the property is deplorable and the sidewalks are treacherous. As a councilman, who do we speak to since it is owned by the state. Dilmore stated we have been working with Deasey's office to get the property cleaned up. Bernstein also commented on the condition of Jackman and the amount of trash. With the number of streets we have and the population, I take responsibility to keep my street clean.

INTER-BOROUGH:

Donnelly reported the COG meeting will be at Edgeworth, 2/20/13, at 7pm. COG Managers meeting is also 2/20/13 at 10am in Emsworth. Also brought up to Mr. Jakiela regarding the FEMA classes we need.

Dilmore stated he will set up the FEMA training here with Kilbuck Township.

May 4 is the COG Recycling day as well as the County has their day also at North Park. Small fees for paint. Construction material accepted.

Allegheny County Borough Association moved to 810 River Avenue, Suite 110, Pittsburgh, 15212, same phone and fax. 412-261-2521. Next meeting 3/14/13.

Dilmore stated that he received the grant paperwork for the Parks & Recreation area for the steps at Birmingham. Talked to a contractor about jack hammering the first two sections of the steps. Will bring the price back to you for March. Donnelly asked if there as a possibility of getting money through the COG. Dilmore stated not through CDBG money because of the application process.

Donnelly moved:

“To permit interested members of the official family of Council to attend the conference in Seven Springs.

Cortese 2nd

CARRIED

LIBRARY:

Donnelly reported the Library is looking to the Pittsburgh Foundation for donations up to \$10,000. This could possible open a door for additional grants and programs.

Signs needed for the pond and camera security warnings. Dilmore stated the signs and have been located, however, the security buzzer was the only item not addressed. 911 would be more effective than a buzzer to the police station when they are on detail. Donnelly questioned if signs are posted for cameras and crime is committed, if the victim drops charges against the perpetrator are the people posting the sign permitted to file charges against the perpetrator to deter any additional crimes on that property. Chief Kokoski advised that if there is no victim there is no crime. The only crime would be to the borough by defiant trespassing. You might be able to fine them for coming on your property without the proper authorization.

Lloyd questioned if board members are needed on the Library or Friends of the Library. Library board is filled. Bernstein stated there is a Friends of the Library meeting on Thursday, 2/21, not sure about the board members needed.

PARKS & RECREATION:

Cortese moved:

“To have the Secretary file paperwork for the Summer Lunch Program for 2013.”

Lloyd 2nd

Donnelly asked if we had someone to fill that position. Cortese stated Madonna Matthews.

CARRIED

“To permit BABA Baseball Association use of the athletic fields for 2013 season with the stipulation that all insurance and paperwork is submitted.”

Lloyd 2nd

Donnelly questioned if there was a time frame for use. Cortese said they are usually completed by July.

CARRIED

Cortese stated we placed ads for Pool Manager, Lifeguards and Cashiers. Next Parks meeting is the first Thursday of the month in the Managers office, March 7.

Vetterly questioned the football group using the field since the BABA organization received grant money to repair the fields. Further discussion on how the field was repaired last fall but the reseeding occurred in November and did not have an opportunity to mature. Will try again in March but it's difficult. Need to have further discussion with the Parks Committee and members of the football organization. The infield was stripped and sod relayed. Outfield needs work. Drain pipes to be repaired. Trees currently being cut down. Cortese recommended sending a letter to the football group to attend the next Parks meeting.

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4th OF JULY:

Rankin stated they are meeting with the PyroTechnico group.

Cortese moved:

“To Adjourn at 8:30 pm.”

Lloyd 2nd

CARRIED

Respectfully submitted,

Harry W. Dilmore
Secretary