

**AVALON BOROUGH  
REGULAR COUNCIL MEETING  
August 21, 2012**

**The meeting opened at 7:35 with the pledge of Allegiance led by Ed Repp.**

**Roll Call: Bernstein, Dixon, Klicker, Lloyd, Narcisi, Repp and Vetterly. Also present: Megan Ott, Dilmore, Police Chief Kokoski, Chester Engineer Representative, Shawn Rosensteel and Lorraine Makatura. Mayor Haslett, Donnelly, Cortese were absent.**

**Solicitor stated that an Executive Session was held immediately prior to this meeting to discuss litigation, personnel and legal matters.**

**Lloyd moved:**

**“To accept the Minutes of the Regular Council Meeting of July 17, 2012”.**

**Bernstein 2<sup>nd</sup>**

**CARRIED**

**COMMUNICATIONS:**

- **Letter from MRM, who is our workers comp carrier, informing the Borough they will not longer be insuring volunteer firefighters. We must now look for separate insurance. We have until 10/1/12 to make that transition.**
- **Letter from resident on Spruce Run Road asking for some assistance with erosion along the creek behind her property.**
- **Letter from Tri-tek investments on a variance on Fisk Avenue. Forwarded to Planning Commission.**
- **Letter of thanks from the YMCA for council’s support on the 5K run last month.**

- **Received an Agreement for the 2012-13 snow removal from PENNDOT for the state roads.**

**Bernstein moved:**

**“To approve Ordinance 1343, an Amendment to the Tri-Boroughs Joint Planning Commission regulations, regarding the Friary Zoning Amendment to the Ben Avon portion of the zoning map.”**

**Ott explained reason for amendment, which creates a conditional use in certain commercial properties, applicable to Ben Avon only. Because of a Joint Zoning Ordinance, all communities must adopt the amendment as presented.**

**Lloyd 2<sup>nd</sup>**

**CARRIED**

**VISITORS:**

**Paul Springob, 340 Elizabeth Avenue**

**Concerned about truck traffic on Elizabeth Avenue. Presented photos of semi-truck traffic over the past 2 days on Elizabeth Avenue. Presented issues of the stop sign repeatedly being knocked down. Paused to thank the Chief and the police department for the good work they do in our town. Other signs missing and damaged, sidewalks in disrepair. Presented further detail of photos supplied. All photos left for council to review. Questioned code enforcement in the borough. Commented on the state of sidewalks in the borough. Appealed to council to walk the streets in our town and see how terrible things have become in Avalon.**

**Martha Wright, 342 Elizabeth Avenue**

**Added comments to the Elizabeth Avenue truck traffic problem. Noise, vibration, and exhaust does not allow to have windows open.**

**Parking on the right with trucks coming up Elizabeth also poses a hazard to vehicles. Is it possible to have a stop sign placed on Elizabeth at Taylor going up the hill to California to deter traffic? Or post signs at Ohio River Blvd to not allow truck traffic on Elizabeth at all?**

**Ann Mackrella, 1015 Jackman Avenue**

**Compliment to Kerry Patterson on the quick response to trimming trees on Oak and Jackman. Thank you.**

**Also commented on sidewalks and curbs. I am legally handicapped and sidewalks on Home Avenue as well as McKinley are not ADA compliant for wheelchairs. I also remember when sidewalks were marked – there are a lot of sidewalks in need of repair.**

**MapQuest and GPS's do send people up Elizabeth. Is it possible to contact them for changes or post signs to eliminate that route for trucks?**

**Paul Meyers, 234 Locust Avenue**

**Sidewalk issues on Birmingham coming down from California Avenue. His son is blind and the sidewalks are difficult for him to travel that route. Dilmore stated that Mr. Snead was to appear in court for those sidewalks, and did not show. Mr. Meyers also noted that raw sewage is coming out of his building into the alley. Dilmore stated the health department is aware.**

**Scott Bressler, 223 Elizabeth Avenue**

**Additional comments on the trucks on Elizabeth Avenue.**

**Issues with the section of alley between Florence and Taylor coming out on to Elizabeth Avenue. Cars are getting damaged. Nothing has been done on that section for 2 years. That section is overgrown with weeds and poison ivy, and no patching. Also nothing being done with property owners not maintaining their**

**property. Further comments on the borough being top heavy from management on down. Police department does a great job.**

**Ms. Mackrella asked an additional question regarding the street sweeper and Oak Street. Dilmore stated it does not go on Oak Street because it gets stuck.**

**Ryan Dearing, 18 Marie Avenue**

**Thank you for getting the alley cleaned. Thank you, also to the police for checking into the questionable activity going on next door as well.**

**Also, issues with sidewalks. You had stated that the sidewalks are the responsibility of the owners. Will they be taken to court as well? Repp stated that the wall between the properties is an issue between the property owners not borough. Further questions on borough code and ordinances regarding property maintenance and what the Borough does to enforce those laws. Further comments on sidewalks. Repp explained that the Borough is looking into contractors to do sidewalk work for the Borough and residents. Ms. Ott explained the code enforcement process and how it works between Building Inspection Underwriters Code Enforcement Officer and the Borough and how fines are issued.**

**Jackie Yurkovich, 649 Grandview Avenue**

**Quality of Life will start meeting again in September. One of the first issues to address will be to have council meet with their neighbors and walk the neighborhoods, take pictures and be held accountable for the districts they represent. The meeting is the last Wednesday of the month. This meeting will be a reorganizational planning meeting, September 26, 2012, 7:00 pm.**

**Question regarding Semple Avenue being reopened when Birmingham is closed for repair. Dilmore stated that Kilbuck Township has it on their project list to be paved. Semple Avenue is a key to that repair.**

**MAYOR:**

**NO REPORT**

**SECRETARY/MANAGER:**

- **Received contract information from the DEA regarding the Officer that will be going to the DEA. Contract given to the solicitor for review.**
- **Phase I of the Birmingham slide has been completed. Core borings have been take and we are awaiting results.**
- **Gathering information on the Borough health care costs and plans. Hope to have a report from the committee at the September meeting.**
- **Met with the representatives of Scenic Pittsburgh on possible legislation for billboards along Route 65. Forwarded to solicitor for review. Requesting inter-governmental cooperation with everyone along Route 65.**
- **Received the paperwork on the Volunteer Fireman from MRM. We are looking into this and it will be costly.**
- **Benches for California Avenue from CD37 Grant have been ordered, paperwork forwarded to QVCOG office for review.**

**SOLICITORS REPORT:**

**No Report**

**ENGINEERS REPORT:**

**Shawn Rosensteel represented Chester Engineering for this meeting.**

- **Geotechnical Engineering evaluation to be completed by the first week in September. Currently look at 2 options for retaining walls – Versalock or Ibeams with concrete slabs in between the beams.**
- **As required by the DEP, beginning work on MS4 Application requirements due 9/14/12 and a schedule of**

**how the Borough will come into compliance with necessary requirements.**

**FINANCE:**

**Lloyd moved:**

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

**Bernstein 2<sup>nd</sup>**

**CARRIED**

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

**Bernstein 2<sup>nd</sup>**

**CARRIED**

**“To pay the List of Bills as submitted”.**

**Bernstein 2<sup>nd</sup>**

**CARRIED**

**“To accept the Finance Report as submitted.”**

**Bernstein 2<sup>nd</sup>**

**CARRIED**

**Lloyd commented as a member of the Quality of Life Committee: The committee started out with a large group of people who wanted to get involved but it then turned into an avenue for complaints. But with the continued efforts of Ruth Lloyd, Jackie Yurkovich and Valerie Cupps, it has become more with cleanup days, etc. and they are always**

here to help. When it comes to Quality of Life, a lot of that depends on the people in your community taking pride in the community as well as their property. Letters to those not taking care of their properties opens up long processes of going to court, appeals, and additional court dates over 90-100 day time frames. Summer issues go into winter and winter issues go into summer. Grass is no longer growing and snow has melted, which were the reasons for the complaints. Unfortunately, people don't help their neighbors like they used to, they only complain about what they do not do. Appealed to those here to take pride in their community and offer fellowship to help their neighbors.

**PUBLIC SAFETY:**

Regarding Elizabeth Avenue, Narcisi questioned if changes to the weight limits or banning certain vehicles from the route require a traffic study. Ott and Dilmore responded yes. Further discussion on size of truck, weight limits are 9 ton but subject to local delivery. Dixon commented on pictures submitted earlier followed by additional discussion and clarification on trucking issues as well as the solicitor to check ordinances on weight limits. There is no signage on Ohio River Boulevard not allowing trucks on Elizabeth Avenue. Unfortunately, once they make the turn on Elizabeth Avenue, they have no where to turn around. Extensive discussion followed reiterating the same issues discussed earlier.

Narcisi moved:

**“To have Council reject the results of the Civil Service Commission testing for a patrol officer, and have the Secretary send letters to the remaining candidates informing them of the decision of Council.”**

**Lloyd 2<sup>nd</sup>**

Dixon questioned why we are rejecting the results. Repp explained there are 2 only people on the list.

**CARRIED**

**“To authorize the Secretary to advertise and begin paperwork for the position of patrolman with the Avalon Police Department.**

**Lloyd 2<sup>nd</sup>**

**CARRIED**

**“To amend the charges against Officer Walter Johnson upon recommendation of the Solicitor.”**

**Lloyd 2<sup>nd</sup>**

**CARRIED**

**“To appoint Attorney Gretchen Love and the law firm of Campbell, Durrant, Palombo & Miller and Beatty as special labor counsel.”**

**Lloyd 2<sup>nd</sup>**

**CARRIED**

**STREETS:**

- **Vetterly reported that crew will be painting yellow curbs and cross walks to prepare for school starting.**
- **Preparing leaf machine for fall season.**

**Bernstein asked if crew was contacted about lines being painted. Discussed at Finance. On the list of things to do, but not a top priority at the moment with the end of year needs coming soon.**

**PROPERTY:**

**NO REPORT**

**HEALTH & SANITATION:**

- **Notice of rabies vaccination – started in Avalon, into wooded areas, not cut grass areas.**
- **Continued progress on health care project.**

**CORP/PLANNING:**

**Bernstein moved:**

**“To accept the proposal from ECOMM Networks for improvements to the municipal phone and internet system.”**

**Lloyd 2<sup>nd</sup>**

**Bernstein commented that this is for the phone system that is in the Borough Building. It is a 6 year old system that we bought used. We are not being serviced under contract any longer. This new system is internet based with more flexibility with the phones. References have been contacted.**

**CARRIED**

**INTER-BORO:**

**NO REPORT**

**LIBRARY:**

**Touch A Truck is scheduled for Saturday, September 15, 2012, on California Avenue between Josephine and Chestnut Avenues, 10:00 am to 5:00 pm. Wonderful event, benefits the library and community. Officially starts at 12:00 pm. 12:00 to 1:00 pm will be a quiet hour, sirens will not be activated for those that need low sensory stimulation. Volunteers are welcome. Set-up starts at 10:00 am. Actual event is 12:00 pm to 4:00 pm.**

**PARKS & RECREATION:**

**Lloyd moved:**

**“To have the 3<sup>rd</sup> and final reading of Ordinance #1342, adopting requirements for grease removal systems, maintenance and recordkeeping of same.”**

**Bernstein 2<sup>nd</sup>**

**Dixon questioned if this included the fire hall and shelters. Ott explained that if it meets the requirements of a food preparation facility, a restaurant, then it is required. Includes school and restaurants on California Avenue, Ohio River Blvd. Requirement of ALCOSAN, that the discharge to them is as clean as possible.**

**CARRIED**

**“To have the 3<sup>rd</sup> and final reading of Ordinance #1340, creating tobacco-free zones at designated local parks and playgrounds.”**

**Bernstein 2<sup>nd</sup>**

**Klicker questioned if this was the adopted version that there are certain areas in the parks that remain smokable. Ott explained and read the opening paragraph of the ordinance, which eliminates the pool area. The purpose of this was to participate in a program that offers free signs, voluntary compliance.**

**Roll Call Vote :**

**Bernstein – yes**

**Narcisi - no**

**Dixon – no**

**Repp - no**

**Klicker – no**

**Vetterly – yes**

**Lloyd – yes**

**MOTION NOT PASSED**

**4<sup>th</sup> OF JULY:**

**We will have it next year.**

**Lloyd: Motion to adjourn: 8:40 pm**

**Respectfully submitted**

**Harry W. Dilmore  
Manager**