

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania 15202
Regular Meeting of Council – April 15, 2014
Minutes

Call to Order

Council President Earl Bohn called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Council Members Present

Julian Wynnyckyj, Michael Wrbas, Richard White, Earl Bohn, Philip Brind'Amour, Michael Bett, Ken Opipery

Council Members Absent - None

Others Present

Bob Jones, Mayor
Anne Sweeney, Solicitor
Dale Regrut, Public Works Foreman
Carmella Hallstein, Secretary
Jim Rupert, Chief; Ben Avon Volunteer Fire Department
Norbert Micklos, Chief; Ohio Township Police Department

Public Participation

Katy Kenny of 176 Center Avenue, Emsworth, PA asked council for permission to run a 5K race through Ben Avon on Saturday May 31, 2014. She stated that the 5K LCPL Patrick Brian Kenny Memorial Run would be handled the same as last year and follow the same course, starting and finishing at the Lance Corporal Patrick B. Kenny Memorial Field. She stated that the event would begin at 9:00 a.m. Ms. Kenney stated that she scheduled a safety meeting with the Ohio Township police department and would contact the Ben Avon and Emsworth Volunteer Fire Companies to ask for their help with road closures.

Motion: Mr. Opipery; Second: Mr. White; Motion carried by unanimous voice vote to authorize the Public Safety Committee to pursue whatever it takes to allow this event to occur.

Approval of Minutes

Motion: Mr. White; Second: Mr. Brind'Amour; Motion carried by unanimous voice vote to approve the minutes of the March 18, 2014 council meeting.

Engineer's Report – No Report

Financial Report - Report given by Richard White, Chair and Ken Opipery

Motion: Mr. White; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve the March 2014 financial reports as presented.

Motion: Mr. Opipery; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve the April 2014 accounts payable reports as presented, authorizing payments of \$98,309.71 from the general account.

Mr. Bohn appointed Ken Opipery as Co-Chair of the Borough Council Finance Committee.

Administration Report – *No Report*

Public Works / Building and Property Report – *Report given by Julian Wynnyckyj, Chair, Ken Opipery and Philip Brind'Amour*

Public Safety / Code Enforcement Report – *No Report*

Public Affairs Report – *Report given by Philip Brind'Amour, Chair*

Mayor's Report – *Report given by Bob Jones, Mayor*

Emergency Management Report – *No Report*

Police Chief's Report – *No Report*

Fire Chief's Report – *No Report*

Tri-Borough Joint Planning Commission Report – *Report given by Richard White and Ken Opipery*

Motion: Mr. Opipery Second: Mr. Bett; Motion carried by unanimous voice vote to advertise Ordinance No. 766, which authorizes an Intergovernmental Cooperation Agreement for selecting and retaining a professional services company to prepare an update to the Borough's Comprehensive Plan.

Solicitor's Report – *No Report*

Ms. Sweeney requested an Executive Session to discuss a lease of borough property.

New Business

VFC Satisfaction and Release of Promissory Note

Motion: Mr. Opipery Second: Mr. Wrbas; Motion carried by unanimous voice vote to approve the Satisfaction and Release of the Promissory Note made by the Ben Avon Volunteer Fire Company for \$60,000.00.

Motion: Mr. Opipery; Second: Mr. White; Motion carried by voice vote to approve the transfer of \$60,000.00 from the general account to the capital improvement account. Mr. Bett opposed the motion.

Rock Salt Contract-Third Option Year

Motion: Mr. Wynnyckyj; Second: Mr. Brind'Amour; Motion carried by unanimous voice vote to exercise the option to extend the contract with Cargill, Inc. for rock salt for an additional one-year term commencing July 1, 2014 and ending June 30, 2015.

NorthWest EMS Lease Agreement

Motion: Mr. Brind'Amour; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve the lease agreement between the Borough of Ben Avon and EmBrook, Inc. for a term of seven years and two months beginning May 1, 2014 and ending June 30, 2021.

Avon Park

Motion: Mr. Wrbas; Second: Mr. Wynnyckjy; Motion carried by unanimous voice vote to approve the rental of a porta-john from May 1, 2014 through September 30, 2014 for Avon Park at a cost not to exceed \$175.00 a month.

Old Business - None

Executive Session

Motion: Mr. Pipery; Second: Mr. Brind'Amour; Motion carried by unanimous voice vote to adjourn to Executive Session at 7:55 p.m. to discuss a lease of borough property.

Motion: Mr. Wrbas; Second: Mr. Wynnyckjy; Motion carried by unanimous voice vote to adjourn from Executive Session and reconvene Regular Session at 8:25 p.m.

Regular Session

Assignment of Lease Agreement by and between Hadley Enterprises, LLC and Anchor and Anvil Coffee, LLC

Motion: Mr. Brind'Amour; Second: Mr. Wrbas; Motion carried by unanimous voice vote to accept the Assignment of Lease Agreement which approves a change in the hours of operation as of the date of the transfer/sale of the coffee shop business and requires the parties to give the Borough notice of the sale in writing within five business days.

Anchor and Anvil Coffee, LLC Lease Agreement

Motion: Mr. Pipery; Second: Mr. Bett; Motion carried by unanimous voice vote to set the rent at \$700.00 per month for the pending Lease Agreement between the Borough of Ben Avon and Anchor and Anvil Coffee, LLC and to direct the solicitor to prepare a new lease agreement that includes said monthly rent.

Adjournment

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

Respectfully submitted,

Carmella Hallstein

Borough Secretary