

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania 15202
Regular Meeting of Council – April 18, 2017
Minutes

Call to Order

Council Vice President Richard White called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Council Members Present

Russell Kuehner, Michael Wrbas, Richard White, Mayor Robert Jones, Brad Cole, Ken Opiery

Council Members Absent

Earl Bohn
Phil Brind'Amour

Others Present

Anne Sweeney, Solicitor
Dale Regrut, Public Works Foreman
Lisa Cronin, Secretary
Jim Rupert, Chief, Ben Avon Volunteer Fire Department
Adam Beck, Sergeant, Ohio Township Police Department

Public Participation

Susan Wolff at 4 Laurel Village asked council to address the overgrowth of grass, shrubs, etc. on the alleyway of Maple, Juniper, Cypress and Courtney for houses that face Monitor side. She said the residents stop short of cutting vegetation which results in reduced access to "legal" parking and requiring cars to illegally park on the opposite side of the street. She inquired what might be in violation and what could be done. Council member Mr. Wrbas will have the Code Enforcement Officer take a look.

Approval of Minutes

Motion: Mr. Cole; Second: Mr. Kuehner; Motion carried by unanimous voice vote to approve the minutes of the March 21, 2017 council meeting.

Financial Report - Report given by Ken Opiery

Motion: Mr. Opiery; Second: Mr. Wrbas; Motion carried by unanimous voice vote to approve the financials presented to council.

Motion: Mr. Opiery; Second: Mr. Kuehner; Motion carried by unanimous voice vote to approve the March 2017 accounts payable reports as presented, authorizing payments of \$95,496.62 from the general account.

Administration Report – Report given by Richard White, Chair

Mr. White reported that in council's packet there is a draft of the borough's 2016 Financial Audit for the year ending 12/31/2016 conducted by Cottrill Arbutina with a sample of the newspaper advertisement. He asked council to note that the deficit of Revenue over Expense is \$57,387.00. That is an accounting deficit and not a real deficit. That is because the transfer the Borough

made last year of \$300,000.00 from the General Fund to the Capital Reserve for Streets and Sewers technically counts as an expense. So, it had to be accounted somewhere on the DCED forms. As a result to account for it, it shows that we ran a deficit, but in reality, we actually ran a \$250,000.00 surplus after adjustment for that transaction. For accounting purposes, it has to be shown as an accounting deficit. When you see the notice in the paper that shows we are running a deficit know that the borough is not running a deficit. We are fine. Mr. Opipery added that every year a significant transfer to the Capital Reserve Fund from our General Fund. We budget a certain amount of revenue, pay the bills we are obligated to pay, and any surplus that is left over is transferred to the Capital Fund savings account which then is directly applied to improving the infrastructure. Mr. White finished by saying that we have a debt statement that says \$0.00. Mr. White wondered how many others municipalities in our state can say that they have absolutely no debt? When Mr. White and Mr. Kuehner met with State Representative Anita Kulik and learned the Ben Avon Borough did not have any debt on the books, she was very surprised.

Public Works / Building and Property Report – Report given by Ken Opipery

Mr. Opipery informed council that Gateway Engineers recommended that it is good year for the borough to have street paving done for 2017. The 2017 Street Paving project was on hold as the Utility Companies were not getting around to our streets this year and it made sense not to repair streets if they are going to be torn up and worked on by the Utility Companies. According to Gateway, the street(s) do not need to be close to each other to pave either. There is a chance he will come to council with a proposal to pave streets that have no utility work to be done this year. Another important issue that Mr. Opipery reminded Council was that the Borough must deal with different sewer mandates in the coming months as part of the compliance for the Sanitary Consent Order and would be relying on Gateway Engineers for assistance. One mandate was for checking for abnormal water flow, with the inspections taking place in the middle of the night to demonstrate proof of control of storm water, and indicated that those inspections have been ongoing and working well. In addition, the NPDES is requiring us to do a demonstration to quantify what it has achieved. One option is to require our residents to do a lateral inspection on their properties which Mr. Opipery feels would overwhelm the residents. Instead, the option Mr. Opipery recommends is the Borough find a section of sewer that needs to be fixed and then repair the slip lining from manhole to manhole. Mr. Opipery identified a section of Merton Road to meet this requirement. Any projects that are expected to cost \$20,000.00 or more must be advertised for bids. This project was anticipated to be less, so the advertising was not necessary. Gateway Engineers received three bids for the work, with the lowest being from Insight Pipe Contracting at \$17, 537.50. Motion: Mr. Opipery; Second: Mr. Wrbas: Motion carried by unanimous voice vote to approve Inside Pipe Contracting bid of \$17,537.50.

Public Safety/Code Enforcement – Report given by Michael Wrbas

Public Affairs – No Report

Mayor's Report – No Report

Police Chief's Report – No Report

Fire Chief's Report – No Report

Tri-Borough Joint Planning Commission Report – No Report

Solicitor's Report – *Report given by Anne Sweeney, Solicitor*

Solicitor Anne Sweeney looked into a relatively new law passed by the State of Pennsylvania that allows township, boroughs and municipalities to offer tax breaks to Volunteer Fire Fighters who live Ben Avon Borough and volunteer for the Ben Avon Borough Volunteer Fire Company. Tax breaks can be in the form of Earned Income Tax and/or Property Tax. The Pennsylvania State Association of Boroughs (PSAB) is in the process of working on a draft ordinance and a draft provision which should be ready this summer. Ms. Sweeney suggested waiting to take a look at PSAB recommendations and she will report back to council when she has more information. The tax break(s) would not be available this year but can be enacted for 2018. Mr. White added that the borough would be enacting a local version of the new state law which permits us to reward the service and encourage more volunteers to join our local fire company by offering them property and/or tax earned income tax brakes.

Executive Session

Motion: Mr. Wrbas; Second: Mr. Kuehner; Motion carried by unanimous voice vote adjourn to Executive Session at 7:27 p.m. to discuss personnel matters.

Motion: Mr. Wrbas; Second: Mr. Opipery; Motion carried by unanimous voice vote to adjourn from Executive Session and reconvene Regular Session at 7:39 p.m.

New Business

Motion: Mr. Wrbas; Second: Mr. Kuehner; Motion carried by unanimous voice vote to change the Tuesday, May 16, 2017 Regular Council meeting to Tuesday, May 9, 2017 at 7:00 pm so as not to coincide with the Primary Election on Tuesday, May 16, 2107.

Motion: Mr. Opipery; Second: Mr. Wrbas; Motion carried by unanimous voice vote to increase the Bookkeepers hourly rate from \$15.00 to \$16.15 retroactive to April 1, 2017.

Quaker Valley Council of Government (QVCOG): Council Michael Wrbas asked that the QVCOG be addressed and Council Richard White asked that council table the discussion until the May meeting.

Old Business

Adjournment

Motion: Mr. Cole; Second: Mr. Wrbas; Motion carried by unanimous voice vote to adjourn the meeting at 7:40 p.m.

Respectfully submitted,

Lisa Cronin,
Borough Secretary