

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania 15202
Regular Meeting of Council – July 21, 2015
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

Robert Jones, Mayor
Bonnie Brimmeier, Solicitor
Dale Regrut, Public Works Foreman
Carmella Hallstein, Secretary
Jim Rupert, Chief; Ben Avon Volunteer Fire Department
Adam Beck, Sergeant; Ohio Township Police Department

Public Participation

Susan Fink of 6941 Prospect Avenue presented a signed petition from residents who are concerned about the vacant property at 6934 Church Avenue. Ms. Fink stated that the residents want liens filed for taxes due, the building inspected for safety hazards and the sidewalks kept free of debris snow and ice. See Exhibit A.

Carol Craige of 7301 Brighton Road stated that the Ben Avon Holiday House Tour will feature three properties on Church Avenue. She stated that this is the best public relations tool we have for our neighborhood and that it would be a shame to have people walk by this blighted abandoned house. Mrs. Craige stated that PA Act 90 allows municipalities to take action against abandoned and blighted properties. She asked if council had done anything to address this issue through PA Act 90.

Mr. Bohn stated that council has discussed this property and that the solicitor would address the issue of what authority the borough has under the Borough Code.

Mr. Wynnyckyj stated that council has been addressing this issue since March. He stated that there are multiple abandoned properties in the borough, adding that 6907 Church Avenue was the most recent one to be handled. Mr. Wynnyckyj stated that the property at 6934 Church Avenue is tied up in litigation. He stated that Indiana First Bank holds the mortgage on the property. Mr. Wynnyckyj stated that Indiana First has all the information about the back taxes and that they will be addressing the maintenance and tax issues very shortly.

Mr. Opipery stated that these types of property issues are a constant never-ending struggle. He stated that handling these issues is a long process that requires patience. Mr. Opipery stated that the borough cannot step on private property, adding that the borough has to abide by the law and cannot just trespass. Mr. Opipery stated that there is a protocol followed by the borough and school district every year for back taxes. He stated that liens are filed yearly for delinquent sewage charges and delinquent real estate taxes.

Ms. Brimmeier stated that once you have identified the responsible party you could have the code officer issue a citation. She stated that depending on the violation, you typically give the owner fifteen to forty-five days to correct the problems. Ms. Brimmeier stated that the borough has the authority to clean up the sidewalk without going through the citation process.

Mrs. Craig stated that the borough needed to do a better job of communicating with its residents. She stated that Brighton Road has been under construction and that there has been a lack of communication by the borough about what is going on. Mrs. Craig stated that in this day and age of electronic communications we should be able to get a database of email addresses and notify residents about projects going on in the borough. Mr. Opipery stated that sending out emails about construction projects is not an option because things change daily, adding that the borough secretary would be sending emails out every day to comply with Mrs. Craig's request. Mr. Opipery stated that at the beginning of the construction project a letter was sent to the residents explaining the project and asking for their patience. Mr. Opipery stated that it is just not practical to expect every change, every day to be communicated. Mrs. Craig asked if the borough could start an electronic newsletter to let the residents know what is going on. Mr. Bohn stated that the borough has a website that has fundamental information available. He stated that the question becomes how much do you want to spend on this. Mr. Bohn stated that to have an e-newsletter that is published you would need a graphics person, a writer and an editor. He stated that council's mission has been to address the fundamentals and do those well. Mr. Bohn stated that communications is important and he thinks the borough has the basics covered. He stated that he was sorry Mrs. Craig felt that she did not have enough information but council did make an honest effort to be thorough in informing the residents about the Brighton Road project.

Approval of Minutes

Motion: Mr. Wynnyckyj; Second: Mr. Wrbas; Motion carried by voice vote to approve the minutes of the June 16, 2015 council meeting. Mr. Bett abstained.

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

Motion: Mr. White; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve the June 2015 financial reports as presented.

Motion: Mr. Opipery; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve the July 2015 accounts payable reports as presented authorizing payments of \$102,422.08 from the general account and \$185,522.67 from the capital improvement account.

Administration Report – No Report

Public Works / Building and Property Report – Report given by Julian Wynnyckyj, Chair and Ken Opipery

Public Safety / Code Enforcement Report – *No Report*

Public Affairs Report – *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 – *Report given by Scott Keener*

Solicitor's Report – *No Report*

New Business

Rock Salt Contract

Motion: Mr. White; Second: Mr. Brind'Amour Motion carried by unanimous voice vote to accept the bid of \$69.29 per ton for rock salt from Cargill, Inc. as submitted to the SHACOG Purchasing Alliance for its bid opening on June 26, 2015 for a term beginning immediately and ending June 30, 2016.

Old Business - *None*

Adjournment

Motion: Mr. White; Second: Mr. Brind'Amour; Motion carried by unanimous voice vote to adjourn the meeting at 7:47 p.m.

Respectfully submitted,

Carmella Hallstein

Borough Secretary

EXHIBIT A

To Ben Avon Council

We the undersigned residents of Ben Avon want to see the following actions taken on the property at 6934 Church Avenue:

- Liens should be filled for taxes due
- Building should be inspected for safety hazards and appropriate measures taken
- Sidewalks should be cleared and kept free of debris, snow and ice

The property has been vacant for some time and is in disrepair with no maintenance of the grounds. Weeds are over taking the sidewalk and recently a large limb fell from one of the trees and the Borough Crew had to remove it from the sidewalk.

A review of the Allegheny County Real Estate web site shows the following:

- County property taxes have not been paid since 2012. We assume that Borough and School District property taxes have not been paid as well.
- The property is owned by RAG II Inc. The principal of this company is Erik Sobkiewicz who recently pleaded guilty to bank fraud including embezzling from his law firm.
- Mr. Sobkiewicz owned property at 432 Morewood Avenue in Squirrel Hill which was taken over by S&T Bank and sold on 12/3/13.

Church Avenue is the main corridor of the Borough and neighboring residents work hard to keep their property well-kept and safe. Two properties near 6934 Church will be featured on the upcoming Ben Avon House tours which show cases our Community. In its current state 6934 Church will not reflect well on the Borough.

We request that this situation be discussed openly at the next Borough Council meeting and the discussion become part of the minutes of that meeting.

We urge the Borough Council to take action to get this property sold, brought up to standards and back on the tax rolls.

NAME	ADDRESS
<i>Eleanor G Hensley</i>	<i>6930 Church Ave Ben Avon Pa 15202-</i>
<i>George G</i>	<i>6933 Church Ave, Ben Avon PA 15202</i>
<i>[Signature]</i>	<i>6933 Church Ave Ben Avon PA 15202</i>
<i>[Signature]</i>	<i>1822 Church Ave Ben Avon Pa 15200</i>
<i>Deanna K. Wall</i>	<i>6911 Church Ave, Ben Avon, Pa. 15202</i>
<i>SALLY + CHUCK DAVIS</i>	<i>6919 CHURCH AVE BEN AVON PA 15202</i>
<i>RICHARD J. WALTERS</i>	<i>6931 CHURCH AVE BENAVON, PA</i>
<i>JAMES KROGER</i>	<i>308 BREADING AVE BEN AVON 15202</i>
<i>KATHLEEN ELDER</i>	<i>6830 Church Ave Ben Avon 15202</i>
<i>Janet Schaefer</i>	<i>6915 Church Ave Ben Avon 15202</i>

Page 2 We the undersigned residents of Ben Avon want to see the above actions taken on the property at 6934 Church Avenue:

NAME

ADDRESS

Janet Fackel
Janet Thompson

6922 CHURCH AVE. DBH PA 15202
6923 Church Ave Pgh PA 15202

Lined area for additional signatures and addresses.

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NAME	ADDRESS	
LYNNE PASTOR	6901 PROSPECT AVE	15202
Catherine Fink	6941 Prospect Ave	15202
EVANNE ADAMS	312 Dickson Ave	15202
Crista Wawrzonek	312 Dickson Ave	15202
MERT DEMIRAG	6906 Prospect Ave	15202
Maurice Passage	6907 Prospect Ave	15202
Susan Kerin	6908 Prospect Ave	15202
Wade Lawrence	6911 Prospect Ave	15202
Jay Kild	6917 PROSPECT AVE	15202
Matthew Curren	316 Dickson Ave	15202

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NAME	ADDRESS
<i>Ray Cole</i>	7026 Church Ave
<i>James Kardell</i>	6940 Church Ave
<i>Julie A. Kardell</i>	6940 Church Ave
<i>Gene Angelini</i>	7008 Church Ave
<i>Casey Calland</i>	7009 Church Ave.
<i>Mr. Tom Gillis</i>	7009 Church Ave.
<i>J.P. B.</i>	251 Dickson Ave
<i>J.P. B.</i>	319 Dickson Ave
<i>John W. Miller</i>	7029 Church Ave.
<i>John Angelini</i>	7008 Church Ave

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NAME	ADDRESS
Ellen Genovese	6933 Prospect Ave Pgh PA 15202
Jennifer Gierst	6937 Prospect Ave Pgh PA 15202
Trudy Calkin	6948 Prospect Ave Pgh PA 15202
John Thomas	6937 Prospect Ave Pittsburgh, PA 15202
Ann Decker	6948 PROSPECT AVE Pgh PA 15202
John Thompson	6927 PROSPECT AVE Pgh PA 15202
Amy Tokar	6900 Prospect Ave Pgh 15202
Brian Bodan	6900 Prospect Ave Pgh 15202
Denise Fuzalind	6831 Prospect Ave. Pgh 15202
Michelle [Signature]	6831 Prospect Ave Pgh 15202