

**Borough of Ben Avon**  
**7101 Church Avenue, Ben Avon, Pennsylvania, 15202**  
**Minutes – Regular Council Meeting – June 16, 2009**

**Council Members Present**

Todd Smith, Ken Opiery, Jr., Lloyd Corder, Mark Colenbrander

**Council Members Absent**

Dan Herchenroether  
Judy Konitsney  
Sue Weiss

**Others Present**

Ken Opiery, Sr., Mayor  
Chuck Means, Borough Solicitor  
Carmella Hallstein, Borough Secretary

**Call to Order**

Council President Ken Opiery called the meeting to order at 7:15 p.m.

**Public Participation**

Dr. Corder stated that Ephraim Zimmerman had resigned from the voting board and Maureen Roman-Passage had resigned from the advisory council of the Avonworth Municipal Authority. Rachel Wisniewski of 516 Dickson Avenue and Lisa Fitting of 312 Breeding Avenue stated that they would like to be considered for the positions. Ms. Wisniewski stated that she is a realtor and also works part time as a paralegal. Ms. Fitting stated that she has a strong background in interaction design and marketing. Both candidates expressed an interest in participating in community organizations. Dr. Corder recommended making appointments to the advisory council and at a later date moving one of the advisory council members to the voting board.

Motion: Dr. Corder; Second: Mr. Smith; Motion carried by unanimous voice vote to appoint Rachel Wisniewski and Lisa Fitting to the Advisory Council of the Avonworth Municipal Authority for a term that commences immediately and ends January 30, 2010.

Gorge Trent of 7190 Brighton Road stated that the borough has had six months to post the budget on its website and he thought it was time to do so. He stated that he also thought it was time to update the latest newsletter, which is dated December 2007. Mr. Trent stated that the information on the website had not changed in the last several months and thought the borough could make better use of the website by keeping the information current. Mr. Trent stated that he wanted to discuss Ordinance 902, as amended. He stated that his neighbor had installed a rainwater runoff system and directed the runoff onto his property. Mr. Trent asked council to direct the code enforcement officer to inspect the system and enforce Ordinance 902.

Molly Corder of 6829 Church Avenue stated that she is a student at Avonworth High School and president of the Environmental Club. She asked council for permission for herself and two other students to plant native species of trees and plants in Avon Park. Ms. Corder stated that they would also like to put in butterfly gardens that would increase wildlife. Council gave Ms. Corder permission but asked that she contact Dale Regrut to discuss the project before proceeding.

## **Approval of Minutes**

Motion: Dr. Corder; Second: Mr. Colenbrander; Motion carried by unanimous voice vote to approve the minutes of the May 5, 2009 and May 19, 2009 council meetings.

## **Engineer's Report – report given by Ed McGee**

The borough received six bids for the Dickson Avenue storm and sanitary sewer improvements project. Bids were received from Pampena Landscaping, Schneider Services, John Zottola Landscaping, Stefanik's Next Generation Construction, D'Andrea Plumbing & Construction and Bella Enterprises for \$63,915.00, \$40,905.40, \$57,789.00, \$83,013.00, \$69,555.00 and \$49,797.00 respectively. Mr. McGee stated that Schneider Services was the low bidder but noted that there was a slight mathematical error in their bid. He stated that the bid shows a total of \$41,617.00, but actually totals \$40,905.40. Mr. McGee stated that he would contact Schneider Service to find out if they are willing to stand by the corrected bid total. Mr. McGee recommended awarding the contract to the low bidder, Schneider Services for the modified bid amount of \$40,905.40.

Motion: Dr. Corder; Second: Mr. Colenbrander; Motion carried by unanimous voice vote to award the Dickson Avenue storm and sanitary sewer improvements contract to the low bidder, Schneider Services, for \$40,905.40.

The borough received a Community Development Block Grant for \$35,000 for storm water catch basin improvements. The catch basin improvements will be totally funded with the grant and the project will run through the Quaker Valley Council of Governments (QVCOG). The QVCOG advertised the project and received bids from Pampena Landscaping, Bella Enterprises, John Zottola Landscaping and Tito Pollice for \$29,390, \$26,045, \$48,840 and \$89,625 respectively.

Motion: Dr. Corder; Second: Mr. Colenbrander; Motion carried by unanimous voice vote to authorize the Quaker Valley Council of Governments to award the contract to the low bidder Bella Enterprises for \$26,045.

A preliminary application for a Community Development Block Grant for an ADA compliant unisex restroom at the fire hall has been approved. A full application will be submitted in July.

The joint project with Avalon Borough to pave Spruce Run Road that was funded with a Community Development Block Grant has been completed.

Mr. McGee will provide an update on the ALCOSAN Consent Order at the August meeting. The borough is moving past data verification, flow monitoring and system verification and moving into an engineering evaluation of the systems, which will need to be considered when preparing the borough's capital budget for 2010.

## **Financial Reports**

Mr. Pipery, Jr. presented the May 2009 revenue and expense report and the June 2009 accounts payable reports.

Motion: Mr. Smith; Second: Dr. Corder; Motion carried by unanimous voice vote to approve the May 2009 revenue and expense report as presented.

Motion: Mr. Smith; Second: Dr. Corder; Motion carried by unanimous voice vote to approve the June 2009 accounts payable reports as presented.

**Public Safety Report**

No Report

**Public Works Report**

No Report

**Resident and Community Relations Report**

Dr. Corder stated that for the last several years, Ben Avon has been helping to support the North Boroughs Independence Day celebration and fireworks display, adding that the borough contributed \$750 last year. He stated that the Avalon Volunteer Fire Department would handle the event this year, which is scheduled for Friday July 3, 2009 at the Avalon field.

Motion: Dr. Corder; Second: Mr. Smith; Motion carried by unanimous voice vote to authorize a contribution of \$750 to the Avalon Volunteer Fire Department for the North Boroughs Independence Day celebration and fireworks display.

**Mayor's Report**

No Report

**Police Chief's Report**

No Report

**Solicitor's Report**

Mr. Means presented and reviewed Resolution 2009-07.

Motion: Dr. Corder; Second: Mr. Smith; Motion carried by unanimous voice vote to adopt Resolution 2009-07 which authorizes and directs the disposition of certain records as set forth in the Municipal Records Manual approved on December 16, 2005.

**Fire Chief's Report**

Chief Buckman presented the Fire Company's activity report for May 2009.

**New Business**

Mr. Opiery, Jr. stated that the fire department committee has suggested that Ben Avon and Emsworth contribute up to \$3,000 each to fund a fire department merger study because the first study that was presented to the borough was unacceptable.

Motion: Mr. Smith; Second: Dr. Corder; Motion carried by unanimous voice vote to authorize the expenditure of up to \$3,000 for a fire department merger study.

**Old Business**

None

**Adjournment**

Motion: Dr. Corder; Second: Mr. Smith; Motion carried by unanimous voice vote to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

*Carmella Hallstein*

Borough Secretary