

**Borough of Ben Avon**  
**7101 Church Avenue, Ben Avon, Pennsylvania 15202**  
**Regular Meeting of Council – March 19, 2013**  
**Minutes**

**Call to Order**

Council President Lloyd Corder called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

**Council Members Present**

Rob Galbraith, Michael Bett, Earl Bohn, Lloyd Corder, Richard White, Brian Tokar, Sue Weiss

**Council Members Absent**

None

**Others Present**

Bob Jones, Mayor

Chuck Means, Solicitor

Ed McGee, Engineer

Dale Regrut, Public Works Foreman

Carmella Hallstein, Secretary

Mike Dufresne, Emergency Management Coordinator

Jim Rupert, Chief; Ben Avon Volunteer Fire Department

Norbert Micklos, Chief; Ohio Township Police Department

**Public Participation**

Ephraim Zimmerman of 6885 Perrysville Avenue addressed council about the Tree Vitalize Program. He stated that Tree Vitalize awarded Ben Avon seventeen free trees. Mr. Zimmerman stated that five of the trees would be planted in Avon Park by the picnic shelter and tennis court area. He stated that the other trees would be planted on Laurel Avenue, Dickson Avenue, Prospect Avenue and Sturgeon Street. Mr. Zimmerman stated that staff from the Western Pennsylvania Conservancy (WPC) Tree Vitalize Program along with volunteers would plant the trees on Thursday, April 11 from 4 p.m. to 6 p.m. He stated that the WPC staff would set-up in Avon Park around 2 p.m. to check in volunteers and coordinate activities for the tree plantings. Mr. Zimmerman stated that prior to April 11, WPC staff members will be in Ben Avon to coordinate site preparations and to dig the tree pits and fill them with topsoil that can easily be extracted and replanted. Mr. Zimmerman asked if the public works department could dig the tree pits for the trees at Avon Park, adding that the WPC staff would mark exact locations and provide instructions as to the size of the tree pits.

Victoria Haynes of 239 Park Avenue addressed council about illegally parked cars on Shaffer Place and Park Avenue. She stated that vehicles are being parked in the no parking zone and on the sidewalk. Ms. Haynes stated that this is creating a safety hazard because emergency vehicles would not be able to get through the street. She stated that when she calls the police, they knock on doors, find the owners and ask them to move their cars. Ms. Haynes stated that the police do not enforce the parking laws or issue tickets so people continue to park their vehicles illegally because there are no consequences. Chief Micklos stated that parking is difficult and very

limited in that area especially when residents have visitors. Mr. Bett stated that if the same cars are repeatedly parked illegally they should be ticketed. Mrs. Weiss stated that if people start getting tickets they will get the message and make adjustments. Chief Micklos stated that the police would ticket every vehicle that is illegally parked.

### **Approval of Minutes**

Motion: Mr. Galbraith; Second: Mr. Bett; Motion carried by voice vote to approve the minutes of the February 19, 2013 council meeting. Mrs. Weiss and Mr. Bohn abstained.

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

Motion: Mr. Galbraith; Second: Mr. White; Motion carried by unanimous voice vote to authorize Ed McGee to solicit proposals for crack sealing.

Motion: Mrs. Weiss; Second: Mr. White; Motion carried by unanimous voice vote to authorize the preparation and advertisement of an ordinance to reinstate Ordinance No. 671

Motion: Mr. White; Second: Mr. Bett; Motion carried by unanimous voice vote to adopt Resolution No. 2013-01 authorizing an Intermunicipal Agreement between Ben Avon Borough and Kilbuck Township for a sanitary sewer line discharging to the Dickson Avenue sewer.

### **Financial Report - Report given by Brian Tokar, Chair**

Motion: Mr. Tokar; Second: Mr. White; Motion carried by unanimous voice vote to approve the February 2013 financial reports as presented.

Motion: Mr. White; Second: Mr. Tokar; Motion carried by unanimous voice vote to approve the March 2013 accounts payable report as presented, with the exception of the payment for \$271.66 to Lloyd Corder, authorizing payments of \$89,801.69 from the general account.

### **Intergovernmental Cooperation Report – Report given by Lloyd Corder, Chair**

### **Administration Report – Report given by Richard White, Chair**

Mr. White requested an Executive Session to discuss contracts.

### **Public Works / Building and Property Report – No Report**

### **Public Safety / Strategic Projects Report – Report given by Michael Bett, Chair**

### **Fire / Public Affairs Report – Report given by Earl Bohn, Chair**

### **Property Maintenance and Code Enforcement Report – Report given by Sue Weiss, Chair**

### **Mayor's Report – No Report**

### **Emergency Management Report – Report given by Mike Dufresne, EMC**

Mr. Dufresne stated that he planned to attend a statewide emergency management seminar sponsored by the PSATS in Hershey Pennsylvania on April 21, 2013. He requested \$350.00 to cover the \$110.00 registration fee, travel and lodging expenses. Mr. Dufresne stated that he would also like approval for Mr. Bohn to attend the seminar, adding that the cost for both of them would be about \$500.00. Mrs. Weiss stated that she was comfortable paying the fee for the seminar but thought, Mr. Dufresne should take care of his own personal expenses to get there

and back. She stated that she did not think the borough needed to send Mr. Bohn to the seminar. Mr. Bohn stated that given the value Mr. Dufresne delivers to the borough through his expertise and the work he has already completed updating our Emergency Management Manual pro bono, paying \$350.00 for his expenses is a bargain. Mr. Bohn stated that for a community that feels adamant about spending \$10,000.00 per year for a bookmobile parked in front of the coffee shop every Saturday for an hour, denying the Emergency Management Coordinator mileage and overnight lodging just does not compute. Mr. Galbraith stated that he agreed with Mrs. Weiss and thought it was fair for the borough to pay the registration fee, adding that the seminar would benefit Mr. Dufresne in his professional career. Mr. Dufresne stated that he did not have a career and that he provides the service as a volunteer. Mr. Tokar stated that he appreciates what Mr. Dufresne has done and would support paying for his mileage and lodging expenses.

Motion: Mrs. Weiss; Second: Mr. White; Motion carried by voice vote to approve payment for the cost of the registration fee for the emergency management seminar. Mr. Bett and Mr. Tokar opposed the motion

Motion: Mr. Bohn; Second: Mr. Tokar; Motion failed by voice vote to approve payment of Mr. Dufresne's expenses, up to \$240.00, for lodging, meals and mileage. Mr. White, Mr. Galbraith, Mr. Bett and Mrs. Weiss opposed the motion.

**Police Chief's Report** – *No Report*

**Fire Chief's Report** – *No Report*

**Tri-Borough Joint Planning Commission Report** – *No Report*

**Solicitor's Report** – *No Report*

**New Business**

None

**Old Business**

**Ordinance No. 761**

Motion: Mrs. Weiss; Second: Mr. White; Motion carried by unanimous voice vote to adopt Ordinance 761, amending Ordinance No. 758, which authorized a real estate tax abatement schedule for rehabilitation of certain real property pursuant to the Improvement of Deteriorating Real Property or Areas Tax Exemption Act, 72 P.S. Sections 4711, ET SEQ.

**Executive Session**

Mr. White withdrew his request for an Executive Session

**Adjournment**

Motion: Mr. White; Second: Mr. Galbraith; Motion carried by unanimous voice vote to adjourn the meeting at 9:05 p.m.

Respectfully submitted,  
*Carmella Hallstein*  
Borough Secretary