

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania, 15202
Minutes – Regular Council Meeting – June 15, 2010

Council Members Present

Rob Galbraith, Dan Herchenroether, Judy Konitsney, Lloyd Corder, Rich White, Sue Weiss

Council Members Absent

Brian Tokar

Others Present

Bob Jones, Mayor

Chuck Means, Solicitor

Carmella Hallstein, Borough Secretary

Call to Order

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

Public Participation

Hal Deily of 155 Spruce Street addressed council about the continuing flooding problem on Spruce when the creek overflows during rainstorms. He stated that Spruce Creek originates near I-279 and runs through Ross, Bellevue and Avalon before reaching Ben Avon, adding that the creek gathers a lot of debris along the way. He stated that the previous administration had been pursuing an answer to this problem. Mr. Deily stated that he was willing to get involved and help in any way he could.

Catherine Houska of 125 Forest Avenue addressed council about cars traveling down Forest Avenue at excessive speeds. She stated that drivers also ignore the yield sign on Breeding Avenue where it merges with Forest before intersecting Brighton Road. Ms. Houska stated that she was concerned about the safety of children and pets in the area.

John Ott of 7309 Terrace Avenue addressed council about Ordinance 742, which requires notification to authorities of lost or stolen firearms. Mr. Ott stated that under Ben Avon law, failure to report your lost or stolen firearm upon your notice of it missing could result in a fine of up to \$1,000 per day and imprisonment of up to 90 days for every day that you fail to report the missing firearm. He stated that if someone had forgotten to notify the police and borough about a lost or stolen firearm since enactment of the ordinance in December 2009, they could be sentenced today for up to 46 years in jail and fined up to \$182,000. Mr. Ott asked council to repeal Ordinance 742.

Eric DiLucente of 524 Island Avenue, McKees Rocks, PA 15136 stated that he was from the production company for Riddle the Movie. He addressed council about the recent filming on Irwin Avenue and asked if the film company had met all of the borough's requirements. Mrs. Konitsney stated that there were two pieces of curb missing on Irwin Avenue. Mr. Galbraith will look at the damaged curb to determine if the movie crew caused the damage.

Approval of Minutes

Motion: Mr. White; Second: Mr. Herchenroether; Motion carried by unanimous voice vote to approve the minutes of the May 18, 2010 council meetings.

Engineer's Report - *report by Ed McGee, Borough Engineer*

Financial Report – *report by Judy Konitsney*

Motion: Mrs. Konitsney; Second: Mr. White; Motion carried by unanimous voice vote to approve the May 2010 financial reports as presented.

Motion: Mrs. Konitsney; Second: Mr. White; Motion carried by unanimous voice vote to approve the June 2010 accounts payable reports as presented.

Motion: Mrs. Konitsney; Second: Mr. White; Motion carried by unanimous voice vote to approve the transfer of \$60,000 from the general fund account to the capital reserve account.

Intergovernmental Cooperation Report – *report by Lloyd Corder, Council President*

Administration Report

No Report

Public Works / Building and Property Report – *report by Rob Galbraith*

Public Safety Report – *report by Dan Herchenroether*

Property Maintenance and Code Enforcement – *report by Sue Weiss*

Mrs. Weiss requested an Executive Session to discuss legal issues.

Public Affairs – *report by Rich White*

Mayor's Report

No Report

Police Chief's Report

No Report

Solicitor's Report – *report by Chuck Means, Borough Solicitor*

Fire Chief's Report – *Report by Gary Buckman, Fire Chief*

Doug Silk, the president of the Ben Avon VFC asked council to schedule a meeting to discuss fire service consolidation. A special meeting to will be held Thursday, July 15 at 7 p.m.

New Business

None

Old Business

Ordinance 747

Motion: Mrs. Weiss; Second: Mr. White; Motion carried by unanimous voice vote to amend Ordinance 747 to include the word “are” after the word ordinance in subsection III on page 2 for the purpose of making the ordinance linguistically clear.

Mrs. Weiss read an email she received from George Trent regarding Ordinance 747.
See Exhibit A.

Motion: Mrs. Weiss; Second: Mr. Galbraith; Motion carried by unanimous voice vote to adopt Ordinance 747, which amends Ordinance 744 adopting the 2009 International Property Maintenance Code.

Ordinance 742 (Repeal)

Motion: Mr. Herchenroether; Second: Mr. White; Motion carried by roll call vote: five-aye; one-nay to advertise Ordinance 748, which repeals Ordinance 742 requiring prompt notification to authorities of lost or stolen firearms.

Rob Galbraith-aye; Dan Herchenroether-aye; Judy Konitsney- aye; Lloyd Corder-aye; Rich White-aye; Sue Weiss-nay

Executive Session

Motion: Mr. Herchenroether; Second: Mr. White; Motion carried by unanimous voice vote to adjourn to Executive Session at 8:40 p.m. to discuss legal issues.

Motion: Mr. Herchenroether; Second: Mr. White; Motion carried by unanimous voice vote to adjourn from Executive Session and reconvene to Regular Session at 9:45 p.m.

Adjournment

Motion: Mr. White; Second: Mr. Herchenroether; Motion carried by unanimous voice vote to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

Carmella Hallstein

Borough Secretary