

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania, 15202
Minutes – Borough Council Reorganization Meeting – January 6, 2014

Oath of Office

Magisterial District Judge Tara Smith administered the oath of office to Mayor Robert Jones, Council Members Richard White, Michael Wrbas, Philip Brind'Amour and Julian Wynnyckyj and Tax Collector Carmella Hallstein, all of whom then signed the oath to be filed of record. Judge Smith congratulated the officials and took her leave of the meeting.

Call to Order

Mayor Jones called the meeting to order at 7:00 p.m. Present were council members Julian Wynnyckyj, Michael Wrbas, Richard White, Earl Bohn, Philip Brind'Amour, Michael Bett and Sue Weiss. Also present was Carmella Hallstein, borough secretary.

Election of Officers

Mayor Jones called for nominations for the office of President of Council. Mr. Brind'Amour nominated Mr. Bohn.

Motion: Mr. Brind'Amour; Second: Mr. Wynnyckyj; Motion carried by voice vote to elect Mr. Bohn to the office of President of Council. Mrs. Weiss and Mr. Bett opposed the motion.

Mayor Jones called for nominations for the office of Vice President of Council. Mr. Bohn nominated Mr. White.

Motion: Mr. Bohn; Second: Mr. Wynnyckyj; Motion carried by voice vote to elect Mr. White to the office of Vice President of Council. Mrs. Weiss opposed the motion.

Appointments

Mr. White made a motion to appoint Anne Sweeney, Bonnie Brimmeier and the law firm of Brimmeier & Associates to serve as solicitor for Ben Avon Borough. Mr. Wrbas seconded the motion. Mrs. Weiss stated that she did not know anything about the law firm and that she would like a chance to interview the people that council appoints. Anne Sweeney introduced herself to council. Ms. Sweeney stated that she is a Ben Avon resident and that she has been with Brimmeier & Associates since 2007. She stated that Brimmeier & Associates focuses on municipal law, adding that they currently represent five municipal clients. Ms. Sweeney stated that their fee is \$90.00 per hour. Mrs. Weiss asked Ms. Sweeney several questions. Mr. Bohn stated that he and Mr. White interviewed Ms. Sweeney and Ms. Brimmeier and that he also spoke to another attorney. Mr. Bohn stated that when you look at the fee schedule for Brimmeier & Associates and the capabilities required for Ben Avon, it seems appropriate that council make an effort to cut the borough's legal fees in about half. He stated that the other consideration was the representation of our past solicitor for municipalities that border Ben Avon, adding that in at least one case Ben Avon's solicitor was on both sides of a contract, which presented difficulties for the solicitor and questions for the borough. Mr. Bohn stated that in addition, the solicitor's associate represents a neighboring community with which Ben Avon has business dealings. Mrs. Weiss stated she wanted to register her disappointment that she was not at all advised prior to this meeting, adding that this was the first time she met Ms. Sweeney. She stated that she did not feel comfortable being put on the spot, which is why she is not in favor of this

administration. Mrs. Weiss stated that she would hope that the administration that was just sworn in would be more collaborative. She stated that if you want her vote you need to provide her with information about the issue that she has to vote on prior to the meeting. Mrs. Weiss stated that she knows there is a lopsided political perspective on council now, which is ok because she can handle it, but she would hope that the process used in Ben Avon in the future is more collaborative than what she witnessed tonight. Mrs. Weiss stated that she would be voting no on the motion because she did not feel that she was given enough time to vet Ms. Sweeney and Brimmeier & Associates. Mr. Bett stated that he felt the same way as Mrs. Weiss, adding that Ms. Sweeney and Brimmeier & Associates might be quite capable but he could not vote for them at this time.

Motion: Mr. White; Second: Mr. Wrbas; Motion carried by voice vote to appoint Anne Sweeney, Bonnie Brimmeier and the law firm of Brimmeier & Associates as the borough solicitor. Mrs. Weiss and Mr. Bett opposed the motion.

Motion: Mr. Wynnyckyj; Second: Mrs. Weiss; Motion carried by unanimous voice vote to appoint Ed McGee as the borough engineer.

Other Business

Motion: Mr. White; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to approve The Citizen as the official newspaper for legal advertisements.

Motion: Mr. White; Second: Mr. Wrbas; Motion carried by unanimous voice vote to approve Northwest Savings Bank as the official depository of funds.

Committee Assignments

Mr. Bohn presented and reviewed his selections for committee assignments.

- Public Safety / Code Enforcement – Michael Wrbas, Chair
- Public Works – Julian Wynnyckyj, Chair and Ken Pipery, Jr.
- Finance / Administration – Richard White, Chair
- Public Affairs – Philip Brind'Amour, Chair

Motion: Mr. White; Second: Mrs. Weiss; Motion carried by unanimous voice vote to appoint Barbara Humphrey to the Avonworth Municipal Authority Advisory Council for a term beginning immediately and ending January 30, 2015.

Adjournment

Motion: Mr. White; Second: Mr. Wynnyckyj; Motion carried by unanimous voice vote to adjourn the meeting at 7:15 p.m.

Respectfully submitted,

Carmella Hallstein

Borough Secretary