

**AVONDALE BOROUGH
SPECIAL COUNCIL MEETING
AUGUST 10, 2004**

COUNCIL MEMBERS PRESENT: Jay Pusey, Jerry Poe, Russ Kilmer, Rose Ann Swift, Bob Cleveland, Fred Bryan **Absent:** Ann Bush

GUESTS PRESENT: Dottie Howell, Rob Walters, Walter Barcz, Charles Wilkinson

President Pusey called the meeting to order at 6:00 P.M.

BOXLER PROPERTY – DANGEROUS STRUCTURE

Rob Walters, owner of Worldwide Travel said he has come to an agreement with John Boxler to buy the building and he plans to settle at the end of August. Mr. Walter's lawyer has informed the Borough Solicitor, Jim Marlowe of the agreement. Mr. Walter's Engineer will be doing an emergency fix to the building and he will be preparing a plan with a short-term remedy. Fred Bryan asked about the Borough's liability issue; will the Borough taken out of it once the temporary fix is completed. Russ Kilmer said he thinks as long Mr. Walters Engineer comes in with a short-term stabilization plan and they address all the safety issues, the Borough should be out of any liability issues. Council agreed that they should talk to Mr. Marlowe about this matter before making any decisions.

DI FONZO'S

Bob Cleveland said he had a question about Walter Barcz's e-mail regarding the Di Fonzo's. The e-mail stated that the Di Fonzo's have been contacting him and he asked Council "if your wished regarding my involvement change, please let me know." Bob asked Walter how he interprets the Council's wishes. Walter said his understanding of Council's wishes is that Council does not want to get any bills regarding the Di Fonzo's matter so he been working with them and not billing the Borough. Bob said he does not feel he should be doing the work for nothing and the Di Fonzo's should be paying Entech for his services. Walter said he gets a strong sense from Council that they would like to see the restaurant happen and based on this and the Di Fonzo's Attorney's lack of experience with the DEP, he decided to proceed on his own which will benefit the Di Fonzo's and the Borough in the end. Russ Kilmer said in fairness to everybody, the Di Fonzo's are pursuing the restaurant and the answers have been given by DEP and they should not be taking anymore of our Engineering time. Fred Bryan said the Di Fonzo's should be paying Entech. Walter said he has put in 8 hours and will need another 4 hours to complete this matter and will not charge the Borough.

Fred Bryan made a motion to recess at 7:25 P.M. to hold an Executive Session to discuss legal matters, 2nd by Rose Ann Swift, motion carried.

President Pusey called the meeting back to order at 7:25 P.M.

Russ Kilmer made a motion to give permission to Charles Wilkinson's organization and Walter Barcz's organization to go to DEP and get preliminary approval for the I & I work that Mr. Wilkinson is proposing, 2nd by Rose Ann Swift, Jerry Poe-abstained, motion carried.

Russ Kilmer made a motion based on the information Council heard tonight; we continue with the expansion and release the halt on the upgrading of the sewer plant, 2nd by Rose Ann Swift, motion carried. Walter Barcz said there was about \$2,000-3,000 left in the budget and it will take an additional \$5,000 to finish the paperwork for the PennVest loan and the grants. Council gave Entech approval to spend an additional \$5,000 on loan and grants.

Respectfully submitted,

Becky Brownback
Borough Secretary