At 7:00PM Solicitor Makel went outside to call out for Ms. Cheryl Connelly. She was not in the building or on the premises.

Council President Joe Kurilko called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Council Members present: President Joseph Kurilko, Vice-President Roy Larimer, Linda Vrabel, Stan Glowaski, Robert Paul, Gary Damich and Ken Yankowsky. Absent from the meeting was Mayor Tom Brown.
Also Present: Solicitor Dennis Makel and Secretary Kim Sacco.

All present that were going to testify were sworn in by Solicitor Dennis Makel. The list of those present is as follows:

Andrew Guta, 455 McIlvaine Rd., Bentleyville, PA 15314, Flagger/Traffic Controller

Paul Keith Tony, 122 Piersol Ave., Bentleyville, PA 15314

Kerry Krider, 20 E Main St., West Middletown, PA 15379, Designer and Code Enforcement Officer.

James Harshman, PE Manager of Civil Engineering, HMT, 130 Cecil St. Canonsburg, Pa 15317.

Solicitor Makel: For the record: Council is to take notice of Ordinance 452 of 1992 that deals with structures in the Borough. I am asking for a motion to place into evidence Exhibit A, a letter dated July 18th 2012 sent be certified mail which was sent to Mr. Connelly who is the owner of the structure.

Exhibit B, a letter I sent on August 8th, 2012 to Cheryl Connelly was submitted and delivered by the constable. Attached to that letter delivered on August 8th report and documents from HMT.

Exhibit C, would be an affidavit from the date of the service from Constable Mark Gordan who served the afore named individual, he served her on August 9th 2012 by hand delivery, that was given to Cheryl Connelly at 120 Piersol Avenue, Bentleyville at 8:00AM.

Exhibit D would be a deed dated December 12, 1999 between Martha E. Kotchman and Carl O Connelly, the owner of the property.

Exhibit E would be the listing, the tax duplicate showing Carl O. Connelly to be the owner of the property.

I ask for a motion to admit those documents into evidence.

It was moved by Stan Glowaski and seconded by Roy Larimer to admit those documents into evidence. The motion carried unanimously.

At 7:05pm Ms. Connelly arrived at the public meeting room.

Solicitor Makel asked Ms. Connelly to confirm her identity and residence. She is no longer residing at 120 Piersol Avenue but at 353 Ames Road, Lot 9, Bentleyville PA 15314.

Solicitor Makel: Were you married to Carl Connelly?

Cheryl Connelly: Yes

Solicitor Makel: Was there a will or any probate of his estate?

Cheryl Connelly: No

Solicitor Makel: When did he die?

Cheryl Connelly: January 21

Solictor Makel: Of 2012?

Cheryl Connelly: Yes

Solictor Makel: And you've never probated his estate at all?

Cheryl Connelly: No

Solicitor Makel: Did he have any children from a previous marriage or any other situation.

Cheryl Connelly: He had one child that was adopted by his parents.

Solicitor Makel: You are currently moved out of the residence?

Cheryl Connelly: Yes, I have.

Solicitor Makel: Why have you moved out of the residence?

Cheryl Connelly: Because it's condemned.

Solicitor Makel: Could you raise your right hand please? Do you swear that the testimony you are about to give is the truth and the whole truth ma'am?

Cheryl Connelly: Yes sir.

Solicitor Makel: You said that you moved out of the residence at 120 Piersol Avenue.

Cheryl Connelly: Yes sir.

Solicitor Makel: And you said you moved out of the residence because it was condemned?

Cheryl Connelly: Yes, I have a notice on my door that it has been condemned and it should be condemned.

Solicitor Makel: It should be condemned? Why do you say it should it be condemned?

Cheryl Connelly: Because the roof is falling in and the walls are falling in.

Solicitor Makel: Is it unsafe from your position?

Cheryl Connelly: Yes sir.

Solicitor Makel: How long has it been unsafe like that?

Cheryl Connelly: I'd say, at least three or four months.

Solicitor Makel: And you didn't want to get out of there?

Cheryl Connelly: I had no place else to go until now.

Solicitor Makel: Do you have any objection to the Borough tearing down that property?

Cheryl Connelly: No sir.

Solicitor Makel: Do you consent to that happening?

Cheryl Connelly: Yes sir.

Solicitor Makel: You have no objection at all?

Cheryl Connelly: No sir. I would like a time period because I still have some belongings in that residence, to get the rest of my belongings out?

Solicitor Makel: Can we just take a little break? I want to go with Kim up to her office to have something typed to have Ms. Connelly sign.

Solicitor Makel and Kim Sacco leave briefly and return with an agreement written to be signed by Borough representatives and Cheryl Connelly.

Solicitor Makel: Are you alright Ms. Connelly. What's the matter, why are you crying? Do you have anything in the house that still needs to be removed from the house?

Cheryl Connelly: Yes

Solicitor Makel: Ms. Connelly, I'm going to show you this, take a look at it. This document is called a "consent agreement". Solicitor Makel reads agreement (attached) aloud.

Solicitor Makel: You've read that agreement?

Cheryl Connelly: Yes

Solicitor Makel: Do you have any questions or concerns about that agreement?

Cheryl Connelly: No

Solicitor Makel: Do you understand it?

Cheryl Connelly: Yes

Solicitor Makel: Do you have any objections or questions?

Cheryl Connelly: No I don't.

Solicitor Makel: Are you signing it of your own free will?

Cheryl Connelly: Yes sir. I'm just worried about getting my stuff out.

Solicitor Makel: Well, we can make arrangements to help you.

Cheryl Connelly: I have no objections, I'm just worried about getting my stuff out.

Solicitor Makel: I need you to sign your name where it says Sheryl Connelly. You messed up the spelling Kim, it's Cheryl with a C. Kim will give you one of these copies and the Borough will keep the other. Is today the 20th? Mr. Krider, are you the code enforcement officer?

Kerry Krider: Yes

Solicitor Makel: Did you view the property at all?

Kerry Krider: Yes

Solicitor Makel: What is your position on it?

Kerry Krider: That it is unsafe.

Solicitor Makel: Have you spoken to Mrs. Connelly about it before?

Kerry Krider: I tried to speak to her and the dog came through the door at me.

Solicitor Makel: Jamie, have you viewed the property before?

James Harshman: Yes

Solicitor Makel: And you are an engineer?

James Harshman: Yes

Solicitor Makel: And where did you graduate from?

James Harshman: Carnegie Mellon University

Solicitor Makel: As an engineer?

James Harshman: Yes

Solicitor Makel: And when did you graduate?

James Harshman: 2001

Solicitor Makel: And how long have worked for HMT as an engineer?

James Harshman: I've been with HMT for 10 years.

Solicitor Makel: So, you've viewed the property?

James Harshman: Yes I have.

Solicitor Makel: And when did you view the property?

James Harshman: The date of my inspection was July 19th, 2012.

Solicitor Makel: and when you viewed the property what was your professional opinion?

James Harshman: In my professional opinion there were structural indications of unsafe conditions. Based on an exterior visual inspection the roof was partially collapsed. The exterior walls were listing outwards. There was enough visual evidence for me to conclude that the structure was unsafe and in an unliveable condition.

Solicitor Makel: Does council have any questions of Ms. Connelly, Jamie Harshman or Mr. Krider? Ok, at this point in time is there a motion to enter into a consent agreement between the Borough of Bentleyville and Cheryl Connelly, where Ms. Connelly agrees that the property should be condemned and demolished, whereby she agrees and consents that the property is also a dangerous and dilapidated structure.

It was moved by Joseph Kurilko and seconded by Robert Paul to enter into a consent agreement between the Borough of Bentleyville and Cheryl Connelly, where Ms. Connelly agrees that the property should be condemned and demolished, whereby she

agrees and consents that the property is also a dangerous and dilapidated structure. The motion carried unanimously.

Joseph Kurilko and Kim Sacco signed the two original agreements.

Ms. Connelly requested 30 days to remove herself from the premises. It was discussed between Ms. Connelly, her neighbors; Mr. Guta and Mr. Tony, and council.

It was moved by Ken Yankowsky and seconded by Linda Vrabel to give Mrs. Connelly 15 days to vacate the premises. The council will offer Mrs. Connelly any assistance that she will accept in moving her belongings. The motion carried unanimously.

Mr. Tony's concern is getting the electricity turned off. The lines going into Mrs. Connelly's house are frayed. Mrs. Connelly says that it is being shut off tomorrow. He is also concerned about garbage around the house. It will all be taken care of in the demolition.

Dennis will send a letter to the effect that Mrs. Connelly has 15 days to vacate.

Mrs. Connelly left the meeting at 7:38pm.

Mr. Guta inquired as to the time it would take to demolish the property. What will happen to all the fleas, bugs, and rats when the house gets demolished?

He was told that we were taking this one step at a time.

We will not need to advertise, HMT will give us specifications needed to obtain bids. The secretary will then contact the gentlemen who bid on Marvin Taylor's house to obtain bids.

Mr. Guta wanted it on record that he paid $209.76 to have his property exterminated for fleas. He wanted the Borough to be put on record that if the whole neighborhood gets infested it's the Boroughs fault.

Mr. Makel asked that Mr. Tony contact West Penn power to see if the power has been turned off. If it isn't turned off call the Borough Office. Stan suggested that a copy of the 15 day letter being sent to Mrs. Connelly also be forwarded to West Penn Power.

It was moved by Stan Glowaski and seconded by Joseph Kurilko to close the meeting. The motion carried unanimously.

The meeting was adjourned at 8:00PM.

Respectfully Submitted,

_____
Kimberly G. Sacco