

## **Borough of Ben Avon Heights** **November 10, 2010 Council Meeting**

The regular meeting of the Ben Avon Heights Council was held at the Shannopin Country Club at 7:30 pm

**Present:** Council Members Berardi, Cuneo, Cuteri, Davis, Dickson, Isherwood, Kolenda, Mayor Dismukes, Solicitor Vogel, Police Chief Micklos, Fire Chief Buckman and EMS District Chief Justin Webster.

Council President Davis called the meeting to order at 7:30 pm

Council entered into Executive Session to discuss a legal matter at 7:31 pm. Executive Session ended at 7:42 pm at which time the meeting resumed.

### **October 2010 Minutes**

- A motion was made to approve the October 2010 Minutes. They were approved with the following language change: Mergers & Consolidation Resolution – The motion was seconded and discussed, but failed to pass.

### **October 2010 Treasurer's Report**

- A motion was made to approve the October 2010 Treasurer's Report which was approved.

### **Public Comment: None**

### **Financial Review: Hosack, Specht, Muetzel & Wood Public Accountant Peter Durney**

- Council asked Accountant Durney various questions related to budgeting.

### **Police Report: Police Chief Micklos**

- The written police report was provided to Council. Chief Micklos provided Council with information regarding the incident on 11/02/10 where the Ben Avon Heights crossing guard was hit by a car while crossing children through the cross walk.

### **Fire Report: Fire Chief Buckman**

- A written fire report was provided to Council and Fire Chief Buckman briefly mentioned a call on Lynton Lane where a resident had a porch light malfunction which caused smoke and sparks to come from the fixture. The fire company disassembled the fixture to prevent further damage.

### **Consent Decree: Mr. Isherwood**

- Gateway Engineers provided a figure of \$70,000 to finish the following items in 2010: \$12,000 to \$15,000 to for work along Banbury/Briar Cliff to elevate a sunken manhole and do some other repairs, smoke test the Stratford Road area at a cost of \$2,000, and \$50,000 to line the sanitary pipe along Banbury Road. Council discussed the above items and will review them carefully before approving the work.

– The smoke testing yielded that the storm sewers are connected to our sanitary sewers in the Stratford area, so now Gateway is suggesting dye testing. Mr. Isherwood requested (3 weeks ago) that Gateway provide him with their plan to fix the problem along Stratford.

– Council was told by Gateway that our municipality had repaired all of the level 5 deficiencies, but now 3 new level 5 deficiencies have come up unexpectedly. Council is concerned as to whether or not they are really level 5 issues.

– Council discussed the possibility of talking to other Engineering firms about providing engineering services for the Borough.

–Solicitor Vogel will look into the proper procedure for acquiring our records and documents.

- Mr. Isherwood will let Gateway know that we would like a written report of what has been accomplished to date and what still needs to be done to comply with the Consent Order.

### **Clovelly Road Paving Program**

- T.A. Robinson finished up the paving project with the exception of the punch list items. Gateway is in the process of reviewing the quantities with T.A. Robinson.

– Mayor Dismukes and Mr. Davis notified Gateway about a storm sewer which was not connected to a new catch basin, at the corner of Clovelly and Stratford, while the road was still open, yet the road was paved without the problem being addressed.

- The first payment application has been received with sign off from Gateway in the amount of \$73,063.20. Mrs. Phelps has submitted a request to drawdown \$73,063.20 on the AIM Loan.

- Mrs. Phelps has requested the final quantities for the trench work from Gateway so that she can bill Columbia Gas.

### **Northwest EMS Report: Justin Webster**

- Justin Webster introduced himself to Council and said that he would be attending our monthly Council meetings to provide monthly reports and answer any questions that Council might have.

### **Banbury Sidewalk: Mr. Davis**

-The demolition of approximately 300 feet of sidewalk along Banbury Road was completed, however the contractor did not clean up the site before they left the site. Mr. Davis will contact them to let them know what is expected of them before they can be paid.

– An estimate of \$3,300 was received to install a wedge curb along the area where the sidewalk was removed. Mr. Davis would like to talk to Avalon Public Works to determine if they can install the wedge curb at a lower cost. He will also ask them to install the safety fencing in that area.

### **Briar Cliff Road: Mr. Davis**

- Mr. Davis is going to ask Avalon to install a barricade along the area where the road appears to have shifted to keep traffic off of the soft spot.

### **Winter 2010-11 Snow Removal Contract: Mrs. Phelps**

- Avalon provided the snow removal contract which kept their hourly rates the same for this winter; however they changed their response time to 6 hours instead of 2 hours. Mrs. Phelps was asked to ask Avalon for a more acceptable response time. Council authorized the signing of the contract, providing the response time is decreased. Then Council can ratify it during the December Council Meeting.

### **Ohio Township Police Contract: Mayor Dismukes**

- Council discussed the option to extend the police contract with Ohio Township for an additional two years. A motion was made to extend the Ohio Township Police Contract for two more years, as laid out in the current police contract. The motion passed. Mrs. Phelps will provide a written notification to Ohio Township by the end of this month to comply with the notice requirement.

### **Garbage/Recycling Collection Contract: Mrs. Phelps**

- The Borough's refuse contract expires on 12/31/10, therefore Mrs. Phelps obtained the following proposals for a 3 year provider: Waste Management - \$23,832 p/yr. for 2011, \$24,553.44 for 2012 and \$25,278.84 for 2013 and Allied Waste - \$24,534 p/yr. for 2011, \$25,380 for 2012 and \$26,226 for 2013. A motion was made to continue services with Waste Management for another 3 years. The motion passed.

### **Emergency Management: Mayor Dismukes**

- Mr. Dismukes explained to Council that it is state law to provide Emergency Management within municipalities. Due to the vacancy of our Emergency Management Coordinator position,

discussions began with Ben Avon and Ben Avon's current Emergency Management Coordinator about shared services in this area. All parties verbally agreed to the idea. A motion was made to combine services for joint Emergency Management with Ben Avon. The motion was seconded, discussed and then approved. Ben Avon will draft a shared services agreement for these services and then provide it to Council for approval and signatures.

### **2011 Budget**

- Council reviewed and discussed the proposed 2011 budget. A motion was made to approve the budget for advertising. The motion passed.

### **Long Term Road Repair & Paving Plan: Mr. Davis**

- The priority list for roads in 2011 was discussed. First priority, fix the Briar Cliff problem area. Second, fix the Briar Cliff retaining wall. Third, fix the Banbury sidewalk problem area. Lastly, any unused budgeted road money can be used for Wilson Drive.

- The 2011 proposed budget includes funding of an Allegheny County Economic Development Community Infrastructure and Tourism Fund Grant. Mrs. Phelps was authorized to submit the application for the grant which is due by November 30, 2010 and the required Concurring Resolution was passed. The funding approval will not be known until the beginning of 2011.

### **Negligent Properties: Mr. Davis**

- Council discussed the two negligent properties and authorized the police to move forward with the next step in enforcing the ordinance. Verbal warnings have already been issued. It was learned that one of the properties is now bank owned, therefore the Borough will work with the bank to be sure that it is cleaned up in accordance with Ordinance #300.

### **Banbury Road Stop Sign: Mr. Davis**

- A motion was made to remove the Banbury/Briar Cliff stop sign. The motion was seconded, discussed and then failed to carry.

### **Annual Holiday Luncheon**

-The luncheon is scheduled for December 17, 2010 beginning at noon at Shannopin. Council decided to invite the Elections Committee this year. Mrs. Phelps will contact them to extend the invitation.

### **Forced Local Government Mergers and Consolidations**

- A motion was made to pass the Resolution regarding Opposition of Forced Local Government Mergers and Consolidations with the elimination of paragraphs 10 and 11. The motion passed.

### **Rotary Club Small Games of Chance Resolution**

- A motion was made to pass the Rotary Club Resolution which recognizes the North Boroughs Rotary Foundation, Inc., on Behalf of North Boroughs Rotary Club, as a civic and/or service association under the local options small games of chance act. The motion passed.

### **Ben Avon Heights 100 Year Celebration: Mrs. Dickson**

- Mrs. Dickson reminded Council to return the survey which Arlene and Al Grubbs sent out asking residents what activities they would like to participate in to celebrate the 100 year anniversary.

- A motion was made to adjourn the meeting. The motion passed.

Respectfully submitted,  
Cindy Phelps, Secretary/Treasurer