

Borough of Ben Avon Heights

Wednesday, February 8, 2012 - Council Meeting Minutes

The regular meeting of council was held at Shannopin Country Club at 7:00 P.M.

A quorum is in attendance

Present:

Council Members: Berardi, Davis, Isherwood, Georgalas, Keelan, Kolenda

Mayor: Dismukes

Solicitor: Marc Coda, Tucker Arensberg attending for Mr. Vogel

Avalon Fire Chief: Bill Carney, Chuck Berrie

Ohio Twp. Police: Adam Beck

Engineer: Firek, Lennon Smith Souleret Engineering

Secretary/Treasurer: Raves

Residents: Rick Hager

The meeting was called to order at 7:05 PM by Mr. Davis:

1. January 2012 Minutes
- *A motion was made to approve the January 2012 Minutes. They were approved unanimously as distributed.*
2. January 2012 Treasurer's Report
- *A motion was made to approve the January 2012 Treasurer's Reports which was approved unanimously as distributed.*
3. The Budget Overview – A question regarding the Payroll Expense account was posed by Mr. Davis. Mrs. Raves is looking into this matter. It seems to be an accounting issue that is still out of alignment from last year. The remainder of the report seems to be in order.
Please note that we have \$109,000.00 budgeted for the Consent Decree and \$135,000.00 in this 2012 budget for Street Repairs.
4. Insurance: Mr. Berardi asked Mr. Rick Hager to attend this meeting to review the Borough's current insurance coverage.
Mr. Hager informed council that the Borough has "General Liability" coverage in the amount of \$1,000,000.00 per Occurrence and \$3,000,000.00 combined with a \$2,000,000.00 umbrella which brings this to a total of \$5,000,000.00 per incident without deductible including defense coverage. This is to cover harm to a person and damage to their property. This portion of the policy is without a deductible.

In addition, there is "Public Officials" coverage in the same amount of \$1,000,000.00 / \$3,000,000.00 with the umbrella which brings a grand total of \$5,000,000.00 per occurrence as well. There is a \$5,000.00 deductible on this portion of the policy for damages or defense. This portion of the policy covers management liability.

Mr. Kolenda asked if we should increase the coverage and if we did how much would it cost? There is an approximate estimate of \$500.00 per million dollars of coverage; however, the insurance company can deny coverage if they do not think it necessary.

Mr. Hager stated that our coverage is in line with and above other similar municipalities. The one item he stated was that we should be added to our contractor's policies as "additional insured". This item is noted in our contracts but we are not sure if they have actually added Ben Avon Heights Borough to their policies. Fines are not covered under insurance policies.

Mr. Berardi stated he would look into the cost of additional coverage.

5. Police Report: total of 102 calls. There were a few alarms, Traffic Accident with no injury, one medical assist and call out of the road crew for snow removal and salting. The remainder was routine patrols completed throughout the month. All is quiet.

6. Fire Report: 1 call for a changed battery in the system. Chief Carney reported that we are covered under their insurance under "Errors of Omissions" Mr. Dismukes stated that we would be contacting Avalon's Borough Manager regarding the insurance matter.

A map of the Borough is in each of the fire trucks and each fireman was emailed a map of the Borough and the hydrant locations.

7. Engineer's Report:

O&M Plan: meeting took place on the 24th at which time; the County Health Department reviewer stated that the plan was well done with very few comments that would require additional attention.

2011 Chapter 94 Report: was submitted to Alcosan on January 30th

Newgate/ Wilson sewer puncture: issue was bid and awarded to Martino Inc. in January who has completed the work and installed temporary paving. Permanent paving will be installed once the weather allows. LSSE approved a payment of \$5,670.00 from the total \$6,767.00. Once final paving is complete the final bill will be submitted and paid.

Capital Plans Review: Bob passed out the following:

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| <u>A.</u> Briar Cliff Roadway and Storm Improvements | \$ 71,500.00 |
| <u>B.</u> Briar Cliff Road - Geotechnical Slide Repairs | \$130,000.00 |
| <u>C.</u> Biddeford / Stratford Road Sanitary Upgrades | \$136,550.00 |
| <u>D.</u> CCTV Sanitary Sewers | \$ 4,000.00 |
| <u>E.</u> Banbury Road Concrete Curb | \$ 6,800.00 |
| <u>F.</u> Wilson Drive Roadway Improvements (Penhurst to Kent) | \$ 43,555.00 |
| <u>G.</u> Wilson Drive Add Alternate (Penhurst to Kent) | \$ 71,325.00 |

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| Subtotal of Estimated Construction Costs | \$463,730.00 |
| 15% Contingency | \$ 69,560.00 |
| Garvin Boward Bietko – Engineering Fees | \$ 17,200.00 |
| Lennon Smith Engineering Fees | \$ 23,360.00 |
| Combined Project Estimated Totals | \$573,850.00 |

Bob Firek thought that the timeframe on these projects could be out for Bid in April for May opening and bid awards. Construction could start in June.

We must finish the CCTV of all Borough lines to be in compliance with Phase 1 of the Wet Weather Consent Decree by the end of 2012. We do not know what Phase 2 will bring but it could prove to be very expensive! There are several areas of the lines that are outstanding in our overall camera review and LSSE has reviewed the tapes from Gateway and determined what is necessary to complete this phase of the project. Some concern was raised that we need to verify that what was transmitted to the county thus far is correct. We will need to send a letter to request the missing information from Gateway Engineering including a map that will indicate what is outstanding. The information from them was sent on DVD's without having been catalogued. LSSE has marked a map indicating what areas that have been completed and what is missing to date. LSSE will finalize this work for us under this proposal. This work will count toward our O&M requirements.

The need for Sewer repair work along Biddeford and Stratford Roads was confirmed by a smoke test that resulted in smoke rising from the ground in many locations indicating broken lines. This work will count toward our O&M. (An annual requirement is mandated by the Consent Decree.) Surveys still need to be completed of this area. Once that is completed we can provide documents for bidding.

A retaining wall is needed along Briar Cliff in order to keep the Hillside from sliding into the house at 3 Cambridge Road. We will need to obtain a 15'-0" Permanent Right of Way at that location in order to work on the wall. Mr. Davis stated that he talked to Mr. Nock, the homeowner, who said that he would sign whatever paperwork necessary for the Right of Way. In addition, Mr. Firek stated that Garvin Boward, Bietko's quote for \$11,000 + was for design of the wall only no construction and inspection services were included in that cost. The estimate noted above of \$17,200.00 does include design through construction of the wall. The time estimate for this work, including final paving, was approximately 6 weeks.

The fee for project representative would be an additional \$8,000.00 for project inspection for 4 hours per day for the total duration of all projects of about six weeks. This will be

Banbury Curb will need to be completed at the corner of Briar Cliff.

Road Improvements at Wilson Drive were discussed and the Alternate work was described.

It is the opinion of the Engineers that these projects should be put out as one Multi Bid in order to attract bidders. As we witnessed last year, for the Concrete work/ Storm Sewer Inlet repair at Banbury, our projects individually are too small to attract bidding interest and no bids were received.

There was a question regarding the overall cost of the estimates for the road work for Wilson. This seems to be high in comparison to the cost of Clovelly. These are just estimates and the final cost will be seen when actual bids are obtained.

Discussion occurred regarding the Borough's roads. All roads were evaluated several years ago and ranked in order of their need for repair, then put into 5 year replacement plan. At that time, the community made it known that they were not in favor of raising taxes to achieve this time line. That projection took place before the aspects of Phase 1 of the Consent Decree were

known. With the Consent Decree strains on our budget, the road resurfacing project has been stretched to approximately 20 + years. At this time, the details of Phase2 of the Wet Weather project are unknown; however, it will definitely make an impact on the money available for road repairs in the coming years. Council will do their best.

We have heard that we have not received the CITF Grants that we applied for.

8. Executive Session: Council went into Executive Session at 8:15 and reconvened at 8:31.
9. 2012 Projects: Council notified Mr. Firek that they would like to add another line item to the list of projects being bid for this year. Please have the contractors bid the entire length of Wilson Road in three segments. First from Penhurst to Kent, then from Kent to Devon and finally from Devon to Newgate.
A motion was made, by Mr. Berardi, to sign the Service Order to Engage Lennon Smith Souleret Engineering for Surveying Services, Design Services and Garvin Boward Engineering for \$11,000.00, to proceed with engineering services working drawings in order to bid the projects outlined on LSSE's Proposed 2012 Projects with the inclusion of the entire length of Wilson Road as discussed. The motion passed unanimously.
Mr. Davis and LSSE had a previous discussion outlining that during construction of the Wall at Briar Cliff, Cambridge roadway will be used as a "staging area" for the construction companies and their equipment. This method will be used in order to help to lower costs and speed up the work necessary to the construct the Soldier beam and Lag Retaining Wall at that location. Emergency vehicles will need to be able to get through this area at all times therefore the gate at the bottom of the road will need to be opened. Council agreed to this scenario.
The lock at this gate will need to be changed and a key will need to be taken to the fire department.
10. Ordinance 53: Parking on the Borough's Streets overnight was discussed. No changes to the Ordinance will be made at this time.
11. Street Opening Permits – Several other communities in the area require utility companies to post an annual bond to cover insufficient repair work on Borough property. We would like Tucker Arensberg to come up with wording that would amend our current Ordinance accordingly for review next month. We would like to have an annual general bond in the sum of \$25,000.00.
12. Community Directory: Publication for this item is not in the budget. Matt Wensel has been nice enough to update the Directory. Delivery of the Directory will be done for free by Mrs. Raves and Mrs. Dismukes. Once prices are obtained, council will make a determination regarding this item.
13. Statement of Financial Interest Forms was distributed to each member of Council present. Please complete them and file them with Mrs. Raves.
14. Keystone Collections is our Earned Income tax collector as of January 1, 2012.

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

This meeting adjourned at 9:02 P.M

The next monthly meeting is Wednesday March 14th at 7:00 at Shannopin Country Club.

Respectfully submitted,

Denise Raves, Secretary/ Treasurer