

Borough of Ben Avon Heights
Council Meeting
October 14, 2008

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

Present: Berardi, Cuteri, Davis, Grubbs, Hager, Dickson, Cuneo, Solicitor Vogel, Mayor Dismukes, Police Chief Micklos, Ben Avon Fire Chief Gary Buckman and resident Frances Harpst.

Mr. Davis called the meeting to order. The September minutes were approved as written. The September Treasurer's Report was approved.

Resident Frances Harpst addressed Council with some concerns about an erosion and drainage problem along Wilson Drive. She wanted to be sure that Council was aware of the issues in light of the road resurfacing project. She explained that the problem seems to begin around the crest of Wilson Drive near the Hunt's property. Rain water rushes down the street edge, bypasses the sewer in front of Hunt's driveway (corner of Wilson/Devon), and travels to the opposite corner of Wilson/Devon. Then it travels down the edge of Wilson Drive and is causing soil and road erosion/deterioration. One of the catch basins along Wilson Drive is not functioning and, in fact, collapsing from within. Mrs. Harpst asked if Council planned to fix the catch basin at the time of the repaving of Wilson Drive. Mr. Cuteri said that our engineer will make recommendations and inform Council of the necessary requirements. Mr. Grubbs informed Council that all the camera work with regard to the consent decree has been completed in that area. Mrs. Harpst asked how Council is planning to handle the Belgium block along Wilson Drive and Council explained that the Belgium block will remain unless our engineer recommends otherwise. Mr. Dismukes explained that the roads which need to be repaved are determined by a priority rating which was outlined by our engineer.

Resident Christopher Pacione sent email correspondence to Council asking if the sidewalk along New Brighton Road could be widened. Council President Davis contacted Mr. Pacione to inform him that the residents own their own sidewalks; therefore it is up to those residents to widen it.

Police Report: Police chief Micklos reported that the Ohio Township Police Department phone numbers have changed. They can be reached at the old numbers for over a year but that municipalities should begin calling 412-259-8304 for non-emergency calls.

Fire Report: Fire Chief Buckman discussed the Ike storm damage.

Consent Decree: Mr. Grubbs explained that Fleming Walker Incorporated will begin the park and street restoration phase of the project next week. They will seed and straw now but come back next spring to reseed any areas that do not take. They will also replace some of the bushes which needed to be removed during the construction phase. They are watching the dogwood tree at the corner of the park (near Ben Avon Heights Road and Lynton Lane) and will replace it if it does not come back next spring.

The project along Briar Cliff Road had approximately \$4,200. of extra work due to problems along the way. \$2,400 for tree removal and \$1,800 for camera work. Our engineer will work with the contractor to determine what portion of this work will be covered by the contractor. Contract C also incurred some unexpected extra expenses because of a line break at the crest of the hill towards the end of Clovelly Road. United Survey, Inc. lined the broken pipe which will be an additional item from the original contract. Mr. Grubbs was in contact with Mr. Olson and Ms. Cregan to keep them informed of the project details since the work was being done on and/or above their property.

Council asked what our legal rights are when going onto, and working on private property within the community. Solicitor Vogel explained that if we do not have permission from the owner of the property then we should access from the right of way. He also explained that a right-of-way can not be built on because it is a right of access, however it should be maintained by the homeowner (cutting grass, raking, etc.).

Mr. Davis discussed street lighting and asked Council to think about whether or not we should add some street lights within the borough. We will revisit this topic when we have more time to discuss.

Zoning Officer Tom Price has spent a substantial amount of time over the last month on a zoning issue within the borough. He asked if he could be compensated for his services. Council asked Mrs. Phelps to ask him what he recommends as a fair compensation rate.

Council briefly discussed the proposed Nuisance Ordinance and decided to defer the discussion until next month. Solicitor Vogel suggested that Council comment on the ordinance via email and then be prepared to discuss in November.

Mr. Davis briefly discussed emergency procedures in the event of a storm or other natural disaster. It was decided to discuss this at more length when our Emergency Management Coordinator, Albert Wichmann, can be present. He asked if council members would be willing to supply their cell phone and contact numbers to be used only in the event of an emergency. Council was fine with the idea; therefore Mrs. Phelps will contact the council members to obtain their contact numbers.

Snow Removal/Salting Contract: Council discussed the terms of the contract which will be the same as last year and decided to approve the renewal of the contract. A motion was made to authorize our streets committee to execute the Snow Removal/Salting Contract. The motion passed. Mrs. Phelps will contact Mr. Dillmore of Avalon to inquire about some of the invoices. She will also get Mr. Davis the quantity (tons) of salt used over the last few years.

Budget: The 2009 Budget was discussed. Council reviewed the preliminary figures and will revisit this again in November after the Budget Committee has a chance to meet and fine tune the numbers. It was determined, however, that the consent decree work will need to be slowed down in an effort to spread out the expenses over a longer period of time. Mr. Grubbs will inform our engineer and work with him to determine the minimum amount of work that can be performed in 2009 and still comply with the required consent decree benchmarks. Council collectively agreed that taxes will not be raised in 2009 and that the road repaving program must begin in 2009.

For budgeting purposes, the December meeting will be December 16, 2008. This will be advertised when we advertise the Budget after the November meeting.

Mr. Davis informed Council of the next Dumpster Day which will be held Saturday, October 26, 2008 from 8am to 2pm at the Avalon Fire Hall Parking Lot. The cost to the borough to participate is only \$100.00.

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

Respectfully submitted,

Cindy Phelps, Secretary/Treasurer