

Borough of Ben Avon Heights

May 12, 2009 Council Meeting

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

Present: Council Members Cuneo, Davis, Dickson, Grubbs, and Isherwood, Solicitor Vogel, Police Chief Micklos, Ben Avon Fire Chief Buckman, and residents Frances Harpst and Lester Olson.

The April 2009 minutes were approved as distributed and the April Treasurer's Report was approved as distributed. The Budget Overview Report was reviewed for informational purposes.

Resident Frances Harpst addressed Council with a request for Council to consider passing a Resolution which supports the request for Allegheny County Health Department to adopt the new Air Toxic Guidelines be enacted as the official policy of the Air Quality Program. She explained that the existing Air Toxic Guidelines that Allegheny County is currently using are over 20 years old. The new guidelines were a result of a recent study by ACHD and Carnegie Mellon University. The study found that Allegheny County companies release over six million pounds of toxic chemicals per year. The new Air Toxic Guidelines would provide an updated scientific basis on limits to air toxics and provide clarification to permitting procedures. Solicitor Vogel suggested that the resolution be prepared for the June meeting for Council to vote on. Mrs. Phelps will prepare the resolution for the June meeting.

Resident Lester Olson made two requests; first, reimbursement of 80% of the stone retaining wall which was erected between his property and 19 Cambridge Road, and second, a written policy or guideline for planting within Borough right of ways and easements. Under advisement from our Solicitor, Council discussed these items in Executive Session.

Police Report: Chief Micklos reported a motor vehicle theft, an ordinance violation, traffic accident, and an alleged house break in.

Fire Report: Chief Buckman reported a false alarm activation and car fire.

Mr. Grubbs reported that Verizon will move their pole 8 feet to the left due to the fact that their current pole punctured our sanitary sewer. Engineer Gaus is working with them to get the damaged sanitary line repaired. Verizon should be held responsible for all damages to the line, as well as any engineering fees associated.

Street Repaving: Mr. Davis informed Council that the estimate to repave and rebuild the curbs "the right way" along Wilson, Penhurst and Clovelly would cost approximately \$600K. To do the entire municipality in the same manner would cost approximately \$2.4 million dollars. The cost to do only the necessary curb work and the repaving along Wilson, Penhurst and Clovelly would cost around \$200K. Mr. Isherwood suggested that we pave one road "the right way" as a model and then communicate the ultimate "master plan" to the community. Penhurst Road was discussed as the road to use as a "model" since it is one of the shorter roadways and is in terrible condition.

Mrs. Phelps explained that we might still have a chance of receiving the grant which we applied for in March for street repaving. We have been determined "eligible" and they have not exhausted the funds yet, but expect to during their May meeting. She will continue to check on the status and keep Council informed.

Mrs. Phelps informed Council that our request for an extension of time to use the planning commission grant was approved. We will now have until June 30, 2010 to use the funds.

The Raves' request to use the park on June 13, 2009 beginning at 4 pm was approved.

Consent Decree: After receiving approval from our engineer, a motion was made to pay United Survey, Inc. the first installment payment of \$40,790.15 for Contract C – 2008 Sanitary Sewer Lining Repairs. The motion passed.

The contracts for the Year 5 CCTV Inspections were approved and signed.

Mrs. Phelps reported that she is following the stimulus funding for any water and sewer projects which might be uncovered by the CCTV Inspections.

Mrs. Phelps reported that Vanliner Insurance Company ruled not to pay our insurance claim for the damages caused by the overweight moving van. Solicitor Vogel advised Council to discuss this further during Executive Session.

Council will donate \$200 to the fireworks fund again this year. This was a budgeted item.

Council will pay \$100 to Avalon Borough to participate in their June 20th Dumpster Day.

Street Cleaning will take place on Monday, May 18, 2009.

Park Clean-up is scheduled for Saturday, May 16, 2009 with an alternate date of May, 24th.

Next month Council will discuss the Negligent Property Ordinance which was drafted in 2008 but never passed.

The next Council Meeting is scheduled for Tuesday, June 9, 2009.

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

Council entered into Executive Session at 8:58 pm. Executive Session concluded at 9:32 pm.

Respectfully Submitted,
Cindy Phelps, Secretary/Treasurer