

Borough of Ben Avon Heights November 10, 2009 Council Meeting

The regular meeting of the Ben Avon Heights Council was held at the Mayernick Center at 7:30 pm

Present: Council Members Berardi, Cuneo, Cuteri, Davis, Dickson, Grubbs, Mayor Dismukes, Solicitor Vogel, Police Chief Micklos, Fire Chief Buckman, Emergency Management Coordinator Wichmann, NH Community Outreach intern Jeffrey Bengel, and resident Edward Werley.

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

October 2009 Minutes

- A motion was made to approve the October 2009 Minutes. They were approved as distributed.

October 2009 Treasurer's Report

- A motion was made to approve the October 2009 Treasurer's Report which was approved unanimously. The 2009 Year-To-Date Budget Overview Report was reviewed and discussed.

2010 Budget

- Council reviewed the proposed 2010 budget with \$354,045 in Revenue/Expenses. A motion was made to advertise the 2010 budget as presented. The motion was approved. A motion was made to keep the 2010 millage rate at 6.5 mills and to advertise proposed Ordinance 301 setting the 2010 tax rate at 6.5 mills. The motion passed.

Police Report: Chief Micklos

- Chief Micklos thanked Council for sending a thank you letter for providing extra patrols around the Penhurst Road area (due to paving issues) on Halloween Night. Another quiet month was reported with only a few routine calls. The written police report was provided to Council.

Fire Report: Chief Buckman

- A quiet month was reported once again. Chief Buckman also thanked BAH for the thank you letter for the extra patrols along Penhurst Road on Trick-Or-Treat Night. A written report was provided.

Public Comment

- North Hills Community Outreach intern Jeffrey Bengel asked Council for assistance with getting the word out to our community for the need of volunteer coaches to assist needy people with financial advise/planning, employment coaching, etc. Council offered to post information on our website as a way to inform the community.
- A question to Council via website feedback was received from resident Tim Hunt. He requested information about the 2010 budget. Mr. Davis asked that a procedure be put in place to handle website feedback questions which are addressed to Council. When received, a response email will be sent back stating, "Thank you for your interest in our community! Your comment/question will be discussed during our next Council Meeting which is on _____ at 7:30 pm at _____. You are invited to attend to participate in the discussions and to learn the outcome of your comment/question. Thank you, Council". Mr. Hunt received a similar email response; however he did not attend the meeting. He will be able to view the minutes on the website and see the advertised budget in the Citizen.

Street Repaving: Mr. Davis

Mr. Davis informed Council that the contractor has uncovered a soft spot in front of 4 Penhurst Road which needs to be addressed before they can pave in that area. They plan to excavate the area and then use gravel and screen material to provide a solid base for the asphalt. This has caused a temporary lull in work due to a PA One Call to dig deeper than originally estimated.

- Mr. Davis expressed dissatisfaction with our engineer and the contractor due to the following factors: inconsistent work on Penhurst project, and failure to show for meetings (mainly on the contractor's part).

- The contract stipulates the option to impose a \$300 daily fine for each day the work is not completed past November 1, 2010. Mr. Davis said that he plans to leverage that option.

- Mrs. Dickson informed Council that a section of new concrete next to her driveway apron came out and should be fixed as part of the punch list.

- Mr. Davis also expressed dissatisfaction with the engineer due to a lack of response to requests for future road repaving plans. We have requested solid estimates and a prioritized list for a road repaving plan based on information provided to him from the streets committee in September/October 2009. Questions have also been raised as to the billing method that Gateway Engineers is currently using. Mr. Davis will discuss with our engineer.

- Mr. Dismukes said that we owe the community the following information: 1). Overall road paving plan, 2). A prioritized road paving plan, 3). The projected cost associated with the road paving plan.

- Council discussed the possible need to modify our 2010 budget once we get the above information from our engineer.

- Mr. Davis received an estimate from A. Folino, Inc. (the contractor doing the Penhurst Rd. project) to install wedge curbing to fix some of the known curb and drainage issues in the neighborhood. The estimate came in at around \$7,000 so he decided that he might be able to get the work completed by Avalon Borough or another contractor at a lower cost.

Consent Decree: Mr. Grubbs

- Mr. Grubbs reported that our engineer said the summary of the flow monitoring will be provided in the overall feasibility study. Mr. Dismukes expressed concern over our engineer's response to our and asked Mr. Grubbs to ask him once again.
- Mrs. Phelps provided Council with an invitation to an ALCOSAN public meeting relating to sewage overflows, developing regional sewage plants, and how it all relates to "you", your community and our region. The meeting is on Wednesday, November 18, 2009 at the Avalon Borough Building at 7 pm.

Committee Reports

- Mrs. Cuneo reported that we are now down two ACORD committee members. She will contact Mr. Gould to obtain the detailed information needed to fill the vacancies. Then she will ask our webmaster, Jason Brown, to send a community e-notice and also post it on our website.
- Mr. Cuteri informed Council of the details of the initial North Region Wage Tax Meeting which he and Mr. Isherwood recently attended. The officers/committee members were established as well as other basic organizational items. They will meet every other month. The process will take approximately 3 years to establish the new wage tax collection system.

Adopt-A-Highway

- Mr. Grubbs reported that we only had 6 volunteers to assist with litter collection for our most recent collection on Saturday, November 7th. The event information was sent out via community e-notices and was advertised in the Citizen. Mr. and Mrs. Grubbs, Mr. Kiser and Anna, Kayla and Cindy Phelps participated. It is hopeful that more residents assist in future clean-up days since the program may be in jeopardy without more volunteers.

Lower Wilson Road Issues

- Mr. Davis reported that a 30' long x 5' wide section of Wilson Road (near the hairpin turn) has dropped approximately 4"-6". This section of the road is in Kilbuck Township. Kilbuck Supervisor John Fader will keep Mr. Davis informed of how they plan to handle the situation. They are evaluating their options at this time.

Hauling Permits and Weight Limit Enforcements

- Mr. Dismukes discussed the need to enforce the weight limits on BAH roads and also the need to establish hauling permit procedures and a coordinating ordinance. Weight limit signs also need to be posted throughout the borough.

General Election Results

- Mrs. Phelps will contact the elections division to obtain the write-in results from the General Election.

Ben Avon Heights Reappointments for 2010

- Mr. Davis asked Mrs. Phelps if she could provide a complete listing of our proposed reappointments and committees for 2010
- Mrs. Phelps asked Council if we can invite Jim Georgalas and Jason Brown to our December Council Meeting to discuss their interest in serving on the Zoning Hearing Board in 2010. Council liked the idea. Mrs. Phelps will extend the invitations.

2010 Council Meeting Dates

- Council decided to switch the Jan, Feb & March 2010 meeting nights to Wednesday nights due to Shannopin's schedule. In April through December the meetings will revert back to Tuesday nights. Mrs. Phelps will advertise.

2010 Holiday Luncheon

- Council decided to have their annual holiday luncheon at Shannopin on Friday, December 18, 2009 beginning at 12:30 pm. They will be offering their holiday buffet on that day and we will be sitting in the Mixed Grill. Mrs. Phelps will invite State Representative Mark Mustio and State Senator John Pippy.

**Council entered into Executive Session to discuss legal matters at 8:48 pm.
Executive Session concluded at 9:25 pm at which time the meeting resumed.**

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

Respectfully submitted,
Cindy Phelps, Secretary/Treasurer