

Borough of Ben Avon Heights
September 8, 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 Davis, Dickson, Cuneo, Cuteri, Grubbs, Isherwood, Mayor Dismukes, Solicitor Vogel, Police Rep. Adams, Fire Chief Buckman, residents Susan Schneider, Paul Blake and Howard Fisher.

Council Vice President Mr. Cuteri called the meeting to order

August 2009 Minutes

- A motion was made to approve the August 2009 Minutes which were approved as distributed

August 2009 Treasurer's Report

- A motion was made to approve the August 2009 Treasurer's Report which passed unanimously

Budget

- A budget meeting will be held before the end of September. Mrs. Phelps will coordinate dates and location. Committees were requested to submit their budget figures either at the meeting or prior to the budget meeting.

- The following items should be added to the budget for consideration: traffic signs, tennis court sign, park mulch/play surface, tree trimming at park, and tennis court repairs.

Public Comment

- Residents Paul Blake, Howard Fisher and Susan Schneider asked Council about the road resurfacing plans. Mr. Cuteri enlightened them with the details of paving Penhurst Road this year and the possibility of paving the balance of the roads next year with long term financing as an option. He also explained that Consent Decree requirements have been depleting our reserves and dominating our budget.

- Mr. Fisher asked why the cost to pave one short road is \$100K. Mr. Cuteri explained that it is necessary to mill down 3", install underdrain, remove existing curbs, replace with new concrete rolled curbs, and install handicap accessible ramps. He also asked how Council will handle the Belgium block along Wilson Drive when Wilson Drive is resurfaced. Mr. Cuteri said we are not sure at this time.

- Mr. Blake mentioned that the curbs around the neighborhood are very uneven and that in many areas storm sewers need to be added (before paving); one area in particular is at the dead end on Clovelly Road. Mr. Blake offered a second set of eyes to review the financing paperwork.

Police Report: Chief Micklos

- BAH had a very quiet month, however there have been more items stolen from unlocked cars

Fire Report: Chief Buckman

- A quiet month was reported in Ben Avon Heights

Street Repaving: Mr. Davis

- The preconstruction meeting will be scheduled over the next two weeks with the intent that the Penhurst paving project begin towards the end of September to the beginning of October. Residents will have access to their driveways in the evenings throughout the project with the exception of the days when the concrete/asphalt is wet/cooling. Lynton Lane will be used as a two-way road for residents during the construction project.

- Long term financing was discussed and the following guidelines provided: 1). the Local Government Unit Debt Act dictates how much money can be borrowed and what type of financing is permitted 2). Under the Act, municipalities are permitted to borrow 250% of the average of 3 years of revenue 3). Under the Act, three types of funding are permitted – General Obligation Bonds, General Obligation

Notes and Tax Anticipation Loans 4). Bond fees (\$40K +) are substantially higher than Note fees (\$10K +) 5). Bond terms (typically 10 to 25 years) can be longer than Note terms (typically max. 10 years). Solicitor Vogel will look into providing more insight with regard to long term financing. Mrs. Phelps will continue her efforts in securing concrete long term financing information for budget purposes.

Tennis Court: Mr. Cuteri

- Mr. Cuteri reported that approximately 37 residents have obtained new tennis court key and signed the usage agreement
- Mrs. Phelps contacted Meneghini Company and was told that they will be out this week to provide an estimate for repairing the bubbling surface

Perrysville Road Berm Asphalt Issue

- Mrs. Phelps reported the tripping hazard to PennDot. They are researching the problem and will get back to the borough. They are also looking into whether we need a permit to place a sidewalk along Perrysville Road, along the side of the park, between the crosswalk and the bus stop.

Consent Decree: Mr. Grubbs

- A new Consent Decree Chair will be needed beginning January 2010. Typically the Chair needs to attend 10 meetings per year at various locations and times. The box of old records will be provided to the Secretary for safekeeping and all current records will be passed onto the new Chair. The next meeting notice should be sent to Council as soon as it is received.
- The flow monitoring phase is complete and now Gateway is requesting feasibility study information.

Resident Issues

- A letter was received from Sandra Nock of 3 Cambridge Road requesting help from Council in dealing with the nuisance of her neighbor's messy tree which drops leaves on her lawn all year and branches from time to time. Solicitor Vogel explained that PA Law states that trees are the homeowners' or property owners' responsibility, therefore this is a neighbor issue. Mrs. Phelps will send Mrs. Nock a letter.
- A request was received from a parent, of a student which utilizes the park bus stop, asking if parking restrictions around the bus stop area, during bus stop times, could be eased. Council discussed the request and authorized the police to allow limited parking near the bus stop around bus times. Police will still ticket anyone that parks in the same area and then goes to the park leaving the vehicle unattended.

Crossing Guard

- The morning crossing guard (park bus stop) unexpectedly submitted his resignation due to health related issues and the back up crossing guard left for a full time job. Mrs. Phelps has an advertisement in the Citizen, and has been asking other boroughs and school districts if they have any candidates. She will continue her search for replacements.

**Council entered into Executive Session to discuss legal matters at 9:43 pm.
Executive Session concluded at 10:04 pm at which time the meeting reconvened.**

Fleming Walker Change Orders

- A motion was made to pay the change orders from Fleming Walker. The motion passed.
- A motion was made to have Walt's Landscaping take down the two dying cherry trees at the park providing they are on park property. The motion passed.

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

Respectfully submitted,
Cindy Phelps, Secretary/Treasurer