

Borough of Ben Avon Heights
January 19, 2010 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, Isherwood, Kolenda, Mayor Dismukes, Solicitor Vogel, Police chief Micklos, and Fire Representative Rupert

Mayor Dismukes was sworn in as reelected Mayor of Ben Avon Heights by District Magistrate Tara Smith.

The following reelected Council Members were sworn in by Magistrate Smith: Richard Berardi, Alan Jesse Cuteri and Mark Davis. Newly elected Council Member Andrew J. Kolenda was also sworn in. Reelected Real Estate Tax Collector Cindy Phelps was sworn in by Magistrate Smith.

Mayor Dismukes called the meeting to order at 7:35 pm

Mr. Davis was nominated for the office of council president and was unanimously voted to serve as council president

Mr. Cuteri was nominated for the office of council vice president and unanimously voted to serve as council vice president

Mayor Dismukes turned the gavel over to Council President Davis and then the following Council Committees and Appointments were decided upon:

2010 Council Committees

Streets/Lights/Water	Mark Davis/Rick Berardi/Andy Kolenda
Fire/Police	Mayor Dismukes
Finance	Mayor Dismukes/Al Cuteri/Mark Davis/Cindy Phelps
Community Affairs	Kim Cuneo
Sewers/Consent Decree	John Isherwood
Recreation	Alan Cuteri/Jennifer Dickson
Planning Commission	Alan Cuteri
Insurance	Rick Berardi
North District Wage Tax	Alan Cuteri/John Isherwood

2010 Council Appointments

Solicitor	Tucker Arensberg Attorney John Vogel
Secretary/Treasurer	Cindy Phelps
Engineer	Gateway Engineers Engineer Paul Gaus
Fire Chief	Ben Avon Volunteer Fire Company Chief Gary
Zoning Officer	Tom Price
Zoning Hearing Board	David Raves/Heather O'Brien/Jason Brown
Building Inspector	Building Inspection Underwriters of PA
Emergency Management Coordinator	Albert Wichmann
Judge of Elections	Matt Wensel
ACORD Board	Ed Gould/Ken Bernauer/Jason Brown/Dan Scrabis
Auditors	Hosack, Specht, Muetzel & Wood LLP
Earned Income Tax Collector	Berkheimer & Associates
Elected Real Estate Tax Collector	Cindy Phelps
Deputized Real Estate Tax Collector	Berkheimer & Associates
Planning Commission Members	Alan Cuteri/Tom Jackson/Gregory Mihalko/Mark Davis
Legal Advertising	The Citizen
Bank	First Niagara

December 2009 Minutes

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

December 2009 Treasurer's Report

- A motion was made to approve the December 2009 Treasurer's Report which was approved unanimously. The 2010 Year-To-Date Budget Overview Report was reviewed.

Public Comment: None

Police Report: Police Chief Micklos

- The written police report was provided to Council. Chief Micklos discussed a barking dog issue and advised Council and residents to call the police if they are having problems with barking dogs. This is a Disorderly Conduct issue and can be handled by the police. He urges residents to call 911 WHEN the dog is barking so that the police can catch the dog barking.

Fire Report: Fire Representative Rupert

- A quiet month was reported and the written report was provided

Authority for Improvements in Municipalities (AIM) Loan – 1.79%: Mrs. Phelps

- The Department of Economic Development provided a required ordinance, which council unanimously **approved to be advertised**, to increase the indebtedness of BAH in the amount of \$158,500 at the rate of 1.79% for the 2010 Road Paving Project.

Street Repaving: Mr. Davis

- Folino has been paid in full (\$90,637.74) for the Penhurst Road paving project. The one punch list item should be completed as soon as the weather permits. It includes fixing the damaged cement next to Dickson's driveway apron
- The 2010 Street Repaving Program, as developed by Engineer Gaus, will include milling, base repairs, drainage and resurfacing along Wilson Drive and Clovelly Road since these two roads were determined to be in the worst condition.

Consent Decree

– Gateway will put together a bid package this month or next month to install one manhole on Banbury Lane and one manhole on Briar Cliff Road. The estimate for the manhole installation is \$8,000. Then this spring another bid opening will occur for the final round of camera work. The estimate is \$5,000 and has been budgeted.

Committee Reports

- Mrs. Cuneo reported that she will have the Annual Resident Report out by the end of this month. Council discussed sending the report via the website or a community e-notice but decided to continue to send it via the mail.
- Mr. Berardi reported that the Borough's Insurance Package will be switched to Glatfelter Insurance Group because they offered the same coverage but with higher limits and a lower premium.

Street Opening Permit Procedures

- Council discussed the current street opening permit procedures and ordinances and decided that the Borough needs to have written technical standards in place for patching/repairing the road when street opening is necessary. Mrs. Phelps will contact our engineer obtain the technical standards. Once these standards are in place the utility companies will need to be notified of our standards along with the current ordinances. Tim Fell was mentioned as a possible street opening permit oversight person. If Council is interested, contact Chief Micklos for his contact information.

Council entered into Executive Session to discuss legal matters at 8:30 pm. Executive Session concluded at 8:38 pm at which time the meeting resumed.

- A motion was made to increase Secretary/Treasurer Cindy Phelps' annual salary to \$18,000 for 2010. Council unanimously approved the motion.

– A motion was made to accept a settlement in the amount of \$18,000 for damages to the Briar Cliff Road retaining wall by the Don Farr Moving Van in November 2008. Council unanimously approved the motion.

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

Respectfully submitted,
Cindy Phelps, Secretary/Treasurer