

## **Borough of Ben Avon Heights**

### **June 8, 2010 Council Meeting**

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

**Present:** Council Members Cuneo, Cuteri, Dickson, Isherwood, Kolenda, Tucker Arensberg Attorney Gavin Robb, Police Chief Micklos, Fire Chief Buckman, Reporter Paul Cusick, Gateway Engineer Representatives Ruthann Omer and Emily Gaspich, and residents Al and Arlene Grubbs, Phyllis Colaianni, Susann Schneider, Marty and Jen Knuth.

Mr. Cuteri called the meeting to order at 7:30 pm

#### **May 2010 Minutes**

- A motion was made to approve the May 2010 Minutes. They were approved as distributed.

#### **May 2010 Treasurer's Report**

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

**Public Comment** - none

#### **Parking Issues**

– Susann Schneider, a Biddeford Road resident, discussed the letter which she sent to Council about, what she feels is a dangerous road condition, at the intersection of Biddeford and Oxford Roads. She said that vehicles have been parking in and around the intersection which is making it hard to see if pedestrians or vehicular traffic is coming down Oxford Road when turning from Biddeford Road. Mr. Cuteri explained that it is illegal to park within 20 feet of an intersection. Ms Schneider said that cars have been parking there for two months, although she had not called anyone or the police to move the cars. Mr. Micklos said if there is a problem it should be reported to the police so they can enforce, Mr. Cuteri reiterated that if there is an issue call your neighbor and let them know it is a problem or call the police if the problem is not corrected. It was stated that it is hard to determine the extent of the intersection because it is so wide and at an angle. Council decided to paint a 4" wide by 12" long marker, perpendicular to the edge of the road, on each side of the road, 20' from the intersection on all three sides of the intersection. Mrs. Phelps will arrange for the marker painting.

– Jen Knuth, a Banbury Road resident, elaborated on a parking issue which she brought to Mayor Dismukes attention recently. She is concerned about on street parking, by residents at the crest of the hill, on Banbury Road. She asked the residents if they could please park in their driveway, instead of on the street, in an effort to make the area safer for motorist and pedestrians. The request has not resulted in a change. She asked Council to make the area a no parking zone. Currently the BAH parking ordinance only limits overnight parking. Council deferred the discussion until Executive Session. Police Chief Micklos will talk to the residents about the safety concerns and then get back to Council with the outcome of the discussion.

#### **Ben Avon Heights 100 Year Anniversary – June 17, 1913**

- Al and Arlene Grubbs recently accepted an invitation from the Ben Avon Historical Association to spearhead Ben Avon Heights' 100 Year Anniversary Celebration. They would like Council to appoint a Council Member to be their liaison to assist with communication to and from Council. They said that the celebration can be anything that is desired and that they are in the beginning phase of planning. Council will discuss which Council Member would be best suited to be the liaison and then get back to them.

#### **Gateway Engineers**

-Gateway Engineers President, Ruthann Omer, P.E., introduced Emily Gaspich, P.E. LEED AP as Ben Avon Heights' new Gateway representative and direct contact. Emily has 12 years of engineering experience and has handled the following type of projects: road projects, land development, in field construction projects, sanitary and storm sewer projects. Joe Sites, P.E. will continue to be our project manager for the road program and Justin Wagner, P.E. will continue to be our Operations & Maintenance Plan project manager. Emily asked Council if they would like monthly or quarterly engineer reports to provide Council with the overall status of the projects in the borough. Council did not think that would be necessary. Mr. Cuteri asked that a procedure be in place, that whenever we have a project or are asking for services from Gateway, that we receive preliminary documentation and final documentation two weeks in advance of council meetings for review and approval before proceeding to next steps or bidding of work.

#### **2010 Road Paving Project**

- Council reviewed the two bids that were received and opened today for the 2010 Road Paving Project.

After discussion, a motion was made to enter into a contract with T.A. Robinson Asphalt for the following work on Clovelly Road to be paid for with the AIM Loan: Segment 1 - Briar Cliff to Banbury - Base Bid and Add Alternate \$33,679.43, Segment 2 – Banbury to Oxford - Base Bid and Add Alternate \$41,438.33, Segment 3 – Oxford to Stratford - Base Bid and Add Alternate \$44,267.99, Segment 4 – Stratford to Terminus - Base Bid and Add Alternate \$39,234.48 for a total of \$158,620.23. The motion passed unanimously. The general fund will be used to cover any additional costs over the \$158,500 AIM loan amount. Mr. Cuteri questioned the curb lengths within the base bid and alternate bids and requested clarification of the lengths to make sure we are not paying for the curb work twice. Gateway indicated they would have that reviewed.

**Police Report: Police Chief Micklos**

- The written police report was provided to Council.

**Fire Report: Fire Chief Buckman**

- A written fire report was provided to Council. Chief Buckman reported a gas leak at 5 New Brighton Road on Sunday, May 30<sup>th</sup>. The leak was underground behind the home; however the homeowner smelled gas in the house due to the humid conditions that day. Columbia Gas is in the process of repairing the leak.

–Mr. Kolenda and Mr. Cuteri discussed a Gas leak along Clovelly Road which will need to be fixed before the Clovelly Road paving project begins. Mrs. Phelps will put Columbia Gas on notice that all work planned or needed on Clovelly should be completed prior to paving of the road.

**Park**

-Mrs. Phelps reported that Frew Plumbing will be out to do the annual required back flow test. They will also turn on the water.

**Hauling Permit Ordinance**

- The drafted Hauling Permit Ordinance was reviewed and determined that language needed to be added to allow garbage trucks to drive on BAH roads. Mr. Robb will ask Solicitor Vogel to add the language and then send the revised ordinance to Mrs. Phelps to be advertised prior to our July Council Meeting. A motion was made to direct Mrs. Phelps to advertise proposed Hauling Permit Ordinance #306 once the Solicitor adds the requested language. The motion passed. Once the ordinance is approved, Mrs. Phelps will provide Kilbuck Township with a copy of the ordinance so that Kilbuck Township Officials can advise New Gate Road residents of the regulations and permit requirements prior to receiving deliveries in trucks over 18,000 pounds that access Newgate road through Ben Avon Heights.

**Street Opening Ordinance**

- Last month Council approved, by motion, Ordinance #304 which regulated Street Opening in BAH and established a permit fee of \$50 and a requirement of a bond and insurance. Mrs. Phelps reported that she is in the process of sending packets to all of the utility companies letting them know about the updated ordinance, permit, etc. Ms. Omer suggested that BAH call a meeting with all of the utility companies to let them know of the new regulations and permit and to review the requirements. Ms.Gaspich will provide Mrs. Phelps with the contact information for each of the utility companies. Mr. Cuteri offered to attend the meeting with Mrs. Phelps and the utility companies.

**ANTCC: Mr. Cuteri**

- Mr. Cuteri informed Council that the North District Tax Committee has approved the RFP (Request for Proposal) document for tax collectors. The document is on file at the office of the secretary.

**Fire Consolidation Meeting: Mrs. Phelps**

- Mrs. Phelps attended the Fire Consolidation Meeting last month and reported that the study group is meeting regularly and working together to come up with an agreeable solution. It appears that it will be an ongoing process that could take a considerable amount of time. The group will keep BAH informed as they proceed.

**Council entered into Executive Session to discuss legal matters at 9:05 pm.  
Executive Session concluded at 9:20 pm at which time the meeting resumed.**

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

Respectfully submitted,  
Cindy Phelps, Secretary/Treasurer