

## Borough of Ben Avon Heights

### Tuesday, June 14, 2011 Council Meeting Minutes

The regular meeting of council was held at Shannopin Country Club at 7:30 P.M.

A quorum is in attendance

#### Present:

Council Members: Cuneo, Cuteri, Davis, Kolenda,

Mayor: Dismukes

Solicitor: Vogel, Tucker/ Arensberg Attorneys

Fire Chief: Buckman

Ohio Twp. Police Chief: Micklos

Borough Engineers: Firek of Lennon, Smith, Souleret Engineering, Inc.

Secretary/Treasurer: Raves

The meeting was called to order at 7:30 PM by President Davis

1. May 2011 Minutes

- A motion was made to approve the May 2011 Minutes. They were approved unanimously as distributed.

2. May 2011 Treasurer's Report

- A motion was made to approve the May 2011 Treasurer's Reports which was approved unanimously as distributed.

3. Public Comment – No public present

4. Police Report: Police Chief Micklos reported there was a Credit card fraud, Medical Emergency, Home lock out, Gas leak, 1 Accident and 4 citations last month.

The One Call Now program should be contacting us to get a geographic map of the Borough. Bob F. will e-mail or place it on a disc for our submission as well as providing several updated printed maps

5. Fire Report: Fire Chief Buckman reported a call for an ongoing gas leak around 2 Perrysville Road. Columbia Gas has not done anything to repair this issue. There was a power outage due to a squirrel that affected Stratford and Biddeford Roads.

6. Council's vacant seat - Mark Davis reported that Jennifer Dickson sent an e-mail to him this morning announcing her immediate resignation from Council. Council must appoint someone within 30 days, or shorter, to fill the empty position.

A motion was made – to appoint Peter Keelan, who ran a write-in campaign for the position to be on the ballot in November and has received the most number of votes in the May Primary Election. Al Cuteri has contacted Mr. Keelan and he is able to fill the position early. The motion was approved unanimously.

An invitation will also be extended to Mr. Andy Kozusko, since he seems to be the other candidate that will be on the fall ballot, to see if he would like to participate in the budget meeting in October so he will have a say, but no vote in next year's budget.

Mayor Dismukes will swear Mr. Keelan in at the next meeting July 12<sup>th</sup>, 2011

It was noted that Matt Wenzel, Judge of Elections, has sent a letter to the County Elections Division to see what the official results of the Primary Election are since we have not received word.

Mr. Vogel will contact the Solicitor of the Elections Bureau to verify the election results and to see what happened with the Tax Collector position on the primary ballot.

7. Delinquent Property – A general Letter was composed and approved to be sent to seven properties in the Borough for various Ordinance infractions. These letters will be in tomorrow's mail with a line specific to the infraction found on their property. These are to be signed by the Mayor and President of Council. We will wait approximately two weeks and send a second letter notifying them that if the work is not completed within two weeks, the Borough will perform the work and they will be charged accordingly.

8. Avalon's work crew – Harry Dilmore contacted the Borough's office to see if we would be interested in hiring the summer crew that he has put together, fondly referred to as "3 Men and a Truck". The price will be \$1,200.00 per week and the cost of any materials needed to perform the work. Council agreed that we could probably use one week of their services. Harry stated that he would forward the insurance information to the Borough once it is received.

Council will put a list of jobs together for this crew and we will request that they work in our Borough late July. Please send all items to the Borough Secretary for compilation.

This will be revisited next month.

A Motion was made to authorizing Denise Raves to schedule Avalon's workmen after consultation with the Mayor and President of Council for \$1,200.00 for a week of work. The motion was approved unanimously.

9. Safe Deposit Box Resolution -Resolution 2011-2 was drafted since last meeting permitting President of Council, the Mayor and or The Borough Secretary to access the Safe Deposit box in Bellevue, two at a time. A motion was made to sign the resolution 2011-2 as written. The motion was passed unanimously.

10. Building Permit procedure. Currently, our process is to send the drawings to the zoning officer and then to Building Inspection Underwriters for a permit. Therefore, our current process does not involve hauling permits or storm water management.

The county is who residents need to go through for plumbing inspection.

We are currently exempt from the MS4 requirements; however, that will change in the future.. All exempt communities were to adopt storm water regulations and if not the existing MS4 requirements were automatically adopted by our community. Therefore, we will need to adopt an ordinance when the new regulations are in effect probably around December 2011. Lennon Smith Souleret, Eng. has an ordinance that we can review and adopt. Each applicant will need to show what they are going to do with the storm water and it will be submitted to the engineers for review. The drawings must address how you are planning to handle the site during the construction process.

You cannot hook up to the sanitary sewer.

A letter was drafted and reviewed revamping our procedure and spelling it out for any resident who wish to apply for a building permit. This letter was reviewed by council and approved with the addition of the need to get Allegheny Plumbing approval and then submit a copy of this approval to the Borough.

We will need to inform "Building Inspection Underwriters" that they need to see a copy of Plumbing, Hauling and Storm water management plan as well as the zoning approval before they are to release a building permit to any applicant.

The job at 1 Canterbury will work with Lennon Smith Souleret in regard to their Storm Water Management and Mrs. Raves will contact them to let them know we need to see a copy of their Plumbing approval from the County.

11. Trees at the Park – A review of several dead trees were presented by Mrs. Raves. Two bids were obtained, one from Tall Timber Tree Experts and a second from Walt's Landscaping. These bids were not for the exact same work.

One large dead Hemlock along New Brighton, Two dead Elms behind the backstop, and the 4 Ash trees along Lynton Lane were discussed. Mrs. Raves is to get bids from the two bidders for the exact same work... The agreed upon route is to remove all 7 of the trees discussed as well as the 5 stumps located in the grassy area. It seems to be prudent to remove all 4 Ash at this time, rather than attempt to treat them, since they appear to be infested with the Emerald Ash Borer and Council was anticipating adding parking to that side of the park in the future.

12. 2010 Audit Review – Copies if the Audit were distributed... all appears to be in order per the report forwarded from Hosack, Specht, Muetzel & Wood LLP Certified Public Accountants. They stated that they have filed one copy with the Department of Community and Economic Development and a copy with the Prothonotary of Allegheny

County, as well as a copy of the condensed statement to our local newspaper for publication.

13. Engineer's Report –

A. 4 Bid packages were picked up for the work on Banbury Road; however, no bids were submitted for the work even after extending the bidding period for one week. Mr. Firek suggested we wait till next year and combine it with other work for an early spring bid process.

A review of the three alternate packages took place. And it was determined the best thing to do for now is try to get a curb installed at this time to aid the homeowner.

Mr. Davis will put our curb detail out for bid and present the bids at our next meeting.

B. T.A. Robinson, a change order for the work performed under the 2010 Road Project was worked out between Lennon Smith Souleret Engineering... the result was Change Order #2 (Final) for \$15,766.72. This was signed and the paperwork for the final drawdown of the AIM loan will be submitted. T.A. Robinson's work is complete however Columbia Gas still has work outstanding.

C. The storm sewer work at Clovelly that was completed last month seems to be working at this time.

D. CCTV work Year 6 - was completed in the missing sanitary sewer locations in the Biddeford/ Stratford area. This was unsuccessful in the completion of mapping of the Sanitary Sewer lines. It has been determined that the best way to proceed is to do Dye Testing from 10 houses to determine the missing areas of connectivity. It is the engineer's opinion that the sewer system in the area of Biddeford and Oxford will need to be replaced. A cost estimate was submitted at this time for that work totaling \$177,600.00.

E. MS4. By December of this year we will need to file a permit. We have been exempt in the past; however, that will not be the case after December of this year.

Currently, we do not need to adopt an Ordinance till the new permits are due. At this time LSSE states we are in compliance with regulations by asking homeowners to comply with the County's regulations.

F. TriState Maintenance's close out Change Order for Year 6 CCTV work was reviewed.

*A motion was made to sign Change Order #1 (Final). The motion passed unanimously.*

G. LSSE has submitted on behalf of Ben Avon Heights the Municipal Planning Information for Ben Avon Heights and Avalon for their submission to Alcosan. The semiannual report is due in July.

H. LLSE is hosting a lunch and learn July 30<sup>th</sup> at Neville Island Sports Center. New MS4 Storm Water requirements for municipalities will be reviewed as well as the new ADA requirements for signage. Size and reflectivity of the signs will be covered. Lunch is included. All are welcome.

14. Executive Session: Council entered into Executive Session to discuss legal matters at 9:00 pm. Executive Session ended at 9:20 p.m. at which time the meeting resumed.

15. Emergency Management Services –

Mayor Dismukes and Mr. Davis met with Mr. Bob Jones Mayor, Michael Dufresne, Jr. Emergency Management Coordinator, Lloyd Corder and Michael Betts regarding Emergency Services.

Our Fire Department Agreement with Ben Avon is up at the end of December 2011. Our payments to the department were approximately \$11,000.00/ year. They are proposing that our "Fair Share" (calculated in the same manner as the park agreement) will now be \$77,000.00. The "Fair Share" option was one of several payment options, none of which were agreed to and are subject to continuing discussion.

We will be talking to Avalon and Ohio Township to review what their fees would be.

A second meeting with Michael Dufresne, Jr. took place. And a discussion about the adoption of a joint Emergency Management Plan took place. This agreement is in the process of being completed... once ironed out; Mayor Dismukes will forward it to Council for their review. It is generally a chain of command agreement and we should be careful to pay for only the emergency responses in our community. Training will be needed and we are obligated to have this all in place.

We had received a bill for Emergency Management Services several months ago for \$1,500.00. That payment is not necessary since the "One Call Now" program will take the place of the Command Center. There will be some costs related to the Command Center and we are waiting for an estimate regarding what they may be.

The Citizen printed, Friday June 10<sup>th</sup>, that Ben Avon Heights was "in" along with Emsworth who has proclaimed that they are in favor of the Fire District Consolidation; however, no meeting between Emsworth and Ben Avon Heights has taken place.

Mrs. Raves will contact Chief Buckman to receive two years of the Fire Reports so we can see the percentage of calls that the Fire Department responds to in our Borough during an average time period

The plan is to negotiate the Emergency Management agreement before the Fire agreement.

16. A motion was made to adjourn the meeting. The motion passed. This meeting adjourned at 9:35 P.M.

Note: The next scheduled meeting of Council is July 12<sup>th</sup> at 7:30 P.M. at Shannopin Country Club.

Respectfully submitted,  
Denise Raves, Secretary/ Treasurer