

## Borough of Ben Avon Heights

### Tuesday, October 11, 2011 - 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: Berardi, Cuneo, Cuteri, Davis, Keelan, Kolenda

Mayor: Dismukes

Solicitor: Vogel, Tucker/ Arensberg Attorneys

Fire Chief: Buckman

Ohio Twp. Police Chief: Micklos

NorthWest EMS: Chief Webster & Mark Stauffer, EMT

Secretary/Treasurer: Raves

Ben Avon Representatives: Bett

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

1. A moment of silence was held in memory of Mr. John Koch our past Mayor of 23 years.
2. September 2011 Minutes  
- A motion was made to approve the September 2011 Minutes. They were approved unanimously as distributed.
3. September 2011 Treasurer's Report  
- A motion was made to approve the September 2011 Treasurer's Reports which was approved unanimously as distributed.
4. The Budget Overview has created several questions. The Budget Report is set up to show the entire year, therefore each account will show you where we stand Mrs. Raves will send a report specifically regarding Accounts #d 401.00 general government/ 405.00 payroll expenses/ and 420.00 Health and Sanitation was not budgeted but we have spent \$6,312.01. Consent Decree is located within this account and is under budget. They each seem out of line with where they should be at this time of year.
5. Public Comment – Michael Betts, of Ben Avon, asked council to sign the Fire Protection Contract that was signed and forwarded by their council last week. He made it clear that the Emergency Management and Police Protection contracts hinge on Ben Avon Heights signing this contract. Mr. Betts asked Council to tour Avalon's facilities and review their equipment.

Mayor Dismukes recognized Chief Buckman and his organization, stating that their services have been highly appreciated by our Borough for 15 years; however, Ben Avon's Council has forced Ben Avon Heights to us explore other options. "Please Chief; do not take any of this the wrong way."

In addition, Mayor Dismukes stated that the Emergency Management Services Contract, which was previously agreed upon and signed by Ben Avon Heights, has been put on hold and contingent upon the signing of the Fire Protection Contract along with the Police Protection agreement we presented to Ben Avon.

Mr. Bett concurred.

Council and Mayor Dismukes stated that a meeting was previously scheduled with Avalon for this Thursday evening. After that meeting we will have the information necessary to make our decision and vote at next month's meeting. At that time we will get back to Ben Avon.

6. Police Report: One Alarm and animal complaints.

The chief wanted to notify everyone that Route 65 will be closed in both directions due to the filming of a movie on October 28<sup>th</sup> and 29<sup>th</sup> from Atlantic – Hazelwood Avenues from Friday evening at 5:00 PM thru Sunday morning. Council asked Mrs. Raves to send out an E-Blast to the neighborhood

Mayor Dismukes asked how other townships handle nuisance animals. The Chief stated that there are many different approaches to this problem. Certain animals are protected others are not. Dogs are protected, raccoons are not. Unless the animal is sick, it is the home owner's responsibility.

7. Fire Report: One call for burnt food in kitchen.

8. EMS report: Quiet quarter, two calls in the Borough. They will be patrolling on Halloween evening. A written report was submitted.

9. Engineer's Report: Mr. Cuteri reported on their meeting this month... Reviewed budget estimates for the budget meeting later this month.

Geotechnical Drilling was to begin today, October 11<sup>th</sup> at Briar Cliff.

EPA has required us to track the flow of our storm water inlets. This will cost several thousand dollars next year and for several years thereafter... maybe up to \$50,000.00 when all is done.

We have applied for a grant for work on the Sewer project at Biddeford Road that is estimated at \$180,000. Mr. Isherwood did submit that application.

Another grant has become available for projects with a minimum of \$500,000.00. Work under this grant cannot be part of any other grant submission from the Borough. The engineers and Mr. Isherwood will put that together for our 2012 road project.

We need to do pipe relining at the sanitary sewer at Banbury and Clovelly. This project will be revisited. Camera work will be reviewed.

10. Centennial Committee had not accepted the idea of Mrs. Cuneo as a liaison. Mr. Keelan has volunteered to be this representative.  
The Committee would like to add a tab to the website? We have no webmaster. Contact Mr. Jason Brown to see if he would help to add the tab to the website.  
They would like to put a time capsule in the Park and wondering what Council thinks of that idea. There was no objection to this idea.
11. Three Men and a Truck have cleaned up near the Mihalko's property today. An agreement with Mr. Mihalko's construction company was signed by Mr. Davis to get them working on the curb and storm inlet.
12. PSAB ask that we support waiving the prevailing wage threshold to include all projects under \$200,000.00. Mr. Davis will compose a message that each council member is urged to forward individually and one will be sent from all Council as a unit.
13. Executive Session: Council entered into Executive Session at 8:10 PM to discuss legal matters. Executive Session ended at 8:24 P.M. at which time the meeting resumed.
14. Fire Contract and Emergency Management Discussion - Contract presented regarding the Fire Protection Agreement from Ben Avon Borough does include Santa Fire Truck Ride but not the Halloween.

Ben Avon has stated that they receive approximately \$3,000.00 in private donations from Ben Avon Heights' residents. The current contract is for \$12,100.00 per year with a 3% increase each year thereafter.

Paragraph 11, of the submitted contract, terminates our agreement if Ben Avon Volunteer Fire Department and the Emsworth companies consolidate. There is no advanced notice to our Borough listed as the contract stands today.

A meeting is scheduled with Avalon Thursday evening to discuss what their offer and contract would include. Mr. Davis and Mr. Dismukes will attend that meeting and report back to Council with a comparison of the two contracts.

Please be aware that Ben Avon previously repudiated both snow and leaf contracts without discussion.

The question arose.... Does fire equipment need to be certified? These and other questions will be researched and asked Thursday evening when meeting with Avalon.

If we decide to sign a contract with Ben Avon, there needs to be a stop contract clause if the two fire departments consolidate.

We have an obligation to our residents to explore all our options.

If the decision is to sign a contract with Ben Avon, we will need to clarify that the previously negotiated and signed EMS agreement is the one we will expect to be following.

Again, Chief Buckman has been extremely helpful and the services rendered by his company are not the reason we are looking at a contract with another company. Our regular meeting next month should be when a decision regarding this issue is rendered and all parties notified of our decision immediately.

15. Sewage smell has persisted at 49 Wilson Drive. Frances Harpst has submitted a site drawing of their lot indicating the approximate location of the main sewer line. We will have Printscape make a PDF of the plan and give it to Mr. Isherwood and Mr. Davis for further exploration.

We will need to verify where 49 Wilson's sanitary line connects to the main since it could be a likely location of a problem.

The exploration of this issue could be filed under our O&M plan. We will look into this issue.

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

This meeting adjourned at 9:23P.M.

Note: The next scheduled meeting of Council is October 25th at 7:00 P.M. at Shannopin Country Club. The next monthly meeting is November 9<sup>th</sup> at 7:30 at Shannopin Country Club.

Respectfully submitted,  
Denise Raves, Secretary/ Treasurer