

Borough of Ben Avon Heights

Tuesday, August 14, 2012 - Council Meeting Minutes

The meeting of council was held at Shannopin Country Club at 7:00 P.M.

A quorum is in attendance

Present:

Council Members: Cuteri, Davis, Georgalas, Keelan

Mayor: Dismukes

Solicitor: Vogel

Ohio Twp. Police: Chief Micklos

Avalon Fire: Carney and Berrie

Secretary/Treasurer: Raves

Residents: Jason Brown, Ted and Niki Dillenburg, Nancy Fardo, Rob and Lori Neubieser, Susann Schneider

The meeting was called to order at 7:04 PM by Mr. Davis:

1. July 2012 Minutes:
- A motion was made by Mr. Cuteri second by Mr. Keelan to approve the July 2012 Minutes. They were approved unanimously as distributed. Mr. Davis abstained
2. July 2012 Treasurer's Report:
- A motion was made by Mr. Cuteri, and second by Mr. Keelan to approve the July 2012 Treasurer's Reports which was approved unanimously as distributed.
3. The Budget Overview: -Noted that the RE Tax collections seemed to be low and the Earned Income Taxes were ahead of schedule. There is no need to be concerned at this time.
4. Public Comment: Susann Schneider, 7 Biddeford Road, stated that she is concerned about Emergency vehicles accessing roads and resident parking issues during construction. Mr. Davis stated that the contractor will ensure that emergency vehicles will be able to access the neighborhood during the work both during the day and in the evenings. Fire Chief Carney stated that they have a smaller fire truck and will work with the contractors regarding scheduling if necessary. And secondly, where will parking be if roads are closed? We cannot have parking on both sides of any of our roads due to the narrowness of the streets. Parking will be worked out as needed. The Rob Neubieser, 25 Briar Cliff Road, did not receive the letter to residents for Briar Cliff Road residents sent by the contractor. Mrs. Raves will forward it to them in the morning.

Mr. Cuteri stated that the contractor will need to provide information regarding road closings throughout the project. For the duration of most of the work, thru traffic in this area will be limited during evening hours, residents and emergency vehicles will have access to the area during off hours.

the work on Briar Cliff to construct the new retaining wall will close that road while the equipment is in place working. Equipment for the wall construction will park on Cambridge and while that is happening, the gate at the bottom of Cambridge will be opened for the residents at the lower portion of Cambridge..

5. Fire Report: Nothing to report from last month.

6. Police Report: - 1 Domestic Disturbance Call, 1 Tree down Call and 2 Ambulance assist calls last month.

Mayor Dismukes brought up the fact that people have been parking along Wilson Road by the park where No Parking is clearly marked. Please instruct your officers to ticket those cars. The parked cars are causing dangerous situations.

7. Revision to Canvassing and Soliciting Ordinance – Chief Micklos discussed how his department is reviewing all the Ordinances within their jurisdiction and will request that specific items become uniform, such as the times allowed for canvassing for ease of enforcement.

He would like the Borough to add that each person canvassing be required to pass Act 33 & 34 clearances that are to be provided by the canvasser, not the Police Department, and have the canvasser prove that they have clearance.

Residents should be made aware that no solicitation signs can be placed on their property as well as no trespassing signs to keep Canvassers away.

We should ask the Ice Cream Truck Drivers to submit an Act 34 Clearance.

This will be discussed in greater detail next month once Lori in the Police Departments Office has a chance to review all Ordinances.

Lori from OT Police Department will forward to the Borough the items of uniformity for the ordinance. Please note, Girl Scouts, and school kids are not covered under these restrictions.

8. Engineer's Report: Submitted to Mrs. Raves by Email and distributed to Council

- a. O&M Plan was changed as requested and submitted to ACHD by the Borough. This is not correct as noted by Mr. Cuteri. The updated O&M plan has NOT been submitted to ACHD.
- b. 2012 Road and Sewer Improvements: Contract awarded to Bridges and Company for the Base Bid and Add Alternate No.3 totaling the project amount of \$560,142.63. Pre-Construction meeting held August 2, 2012. The Borough requested LSSE to prepare Change Order No. 1 and submit to contractor for signatures to provide a Tangent Wall Construction rather than the Soldier Beam wall originally bid for a savings of \$13,000.00. The contractor projects work at Briar Cliff and Banbury Roads on or about August 16, 2012.
- c. Hauling Permit was issued to Bridges and Company for the work described above.

Mr. Cuteri noted that the O&M Plan changes have not been submitted to ACHD as noted in item 1A of the report. We asked for an extension and it was granted.

Mr. Vogel reported that Alcosan has been holding meetings to inform the public of the work to cut costs for the next phase of the Consent Decree.

9. Keystone Collection List - The list of residents who were not on Berkheimer's list of residents who have paid Earned Income Taxes was submitted to Keystone Collections and they stated that they would notify the residents and pursue collection of Taxes. Mrs. Raves will attempt to get updates from them periodically.

10. Zoning Ordinance Update: Mr. Cuteri has not completed his draft of ordinance revisions.. But will forward his draft changes to Mr. Georgalas. Mr. Georgalas would like to obtain a map of the properties and their lot/ block numbers. Mr. Vogel told him to contact Deb Beiber or the Mapping Department for help.

We do not have a Subdivision or Slope Ordinance and are currently governed by the County's Ordinance. Reworking the Zoning Ordinance will be best done in conjunction with the Comprehensive Plan work we plan to put into place with Kilbuck. Zoning Ordinance changes will need to be forwarded to the County for their review and approval.

Jason Brown, 8 Lynton Lane, asked why Council was considering the Zoning Ordinance changes. It was discussed that all municipalities should allow for various occupancy types and uses included in the Zoning Ordinance. The Comprehensive Plan with Ben Avon, with which our zoning ordinance was drafted, is dated. We are planning a new Comprehensive Plan with Kilbuck Township..

11. New Ordinance restricting Cell Phone Towers. – A draft was submitted by Email to Council for their review. Mr. Vogel with get a draft of this Ordinance to Robert Firek to see if their office has anything to change or add to this matter. We will review again next month.

12. Bank Accounts - Mrs. Raves noted that we will be moving our accounts to Northwest Savings Bank as required by condition of the loan we took out recently and would like to consolidate several unused accounts.

a. The Sinking Fund was required when the Borough took out the AIM Loan. Now that the full amount of that loan has been drawn down, this account is sitting inactive. This account can be deleted when moved to Northwest Savings.

b. It was decided that with the work that will be happening on the Comprehensive Plan we will keep the Planning Commission Account active at this time.

c. The signatures for the accounts at this time will be Denise Raves, Alan Cuteri and Andy Kolenda.

d. The General Account will absorb the Sinking Fund and we will keep the General Account and the loan account separate.

A motion was made by Mr. Cuteri to give Mrs. Raves authority to change the accounts as discussed. Motion was second by Mr. Keelan. The motion passed unanimously. Mr. David abstained from voting.

13. Ordinance regarding Rental Properties: A sample Ordinance was submitted by Mr. Vogel for Council's review. It was decided that the Ordinance distributed by Mr. Vogel was more than necessary for our purposes. For next month Mr. Vogel will submit a sample Ordinance that would help the Borough track who is living within our boundaries and verify that Earned Income Taxes are properly collected.

14. Amending the Hauling Permit Ordinance: A motion was made by Mr. Cuteri to approve the Revised Ordinance as advertised. Mr. Georgalas second this motion. The following discussion occurred: Mr. Georgalas is concerned about the weight limit of Cambridge Road. It was determined that the engineers calculated the weight and determined the current limit.

Mr. Brown, 8 Lynton Lane, asked if this limited moving vans. Yes, the Ordinance would limit the weight of these trucks as well. The moving company would have to either file for a Hauling Permit, or use multiple trucks to get the residents belongings out of the Borough. This Ordinance is to protect the roads, sewers and residents property from damage.

The motion passed unanimously with Mr. Davis abstaining.

15. Sewage Fees: Mr. Cuteri & Mr. Dismukes gave the residents in attendance an overview of the "Wet Weather Decree" and how this work is consuming a large portion of the Borough's budget and is anticipated to become even more costly going forward. The collection of sewage fees will show that we are attempting to collect funds to help to pay for consent decree work. Since West View Water no longer handles the collection of fees we were forced to locate another company to administer this matter.

Mrs. Raves contacted Jordan Tax Services, who has submitted a proposal that was distributed to Council. In addition, we are expecting a proposal from the PA Municipal Services as well. This will be presented at next month's meeting.

Mr. Brown, 8 Lynton Lane asked if properties that are currently on septic systems would be paying for this fee as well. The answer is no, those properties who are not utilizing the sewage system will be exempt from this fee.

16. Executive Session – Council entered Executive Session at 8:19 PM. and resumed the meeting at 8:36 PM.

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

This meeting adjourned at 8:38 PM.

The next monthly meeting is Tuesday September 11th at 7:00 at Shannopin Country Club.

Submitted by Denise Raves