

## Borough of Ben Avon Heights

### Tuesday, December 12, 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: Berardi, Davis, Georgalas, Isherwood, Keelan, Kolenda

Solicitor: Vogel

Ohio Twp. Police: Sgt. Adam Beck

Avalon Fire: Chief Carney

NorthWest EMS: Justin Webster

Secretary/Treasurer: Raves

The meeting was called to order at 7:03 PM by Mr. Davis:

1. November 2012 Minutes:
  - ***A motion was made*** by Mr. Berardi second by Mr. Isherwood to approve the November 2012 Minutes. They were ***approved unanimously***. Mr. Davis abstained.
2. November 2012 Treasurer's Report:
  - ***A motion was made*** by Mr. Berardi, and second by Mr. Isherwood to approve the November 2012 Treasurer's Reports which was ***approved unanimously as distributed***. It was noted that we remained well within the 2012 Budget.
3. Public Comment: No Public present. No feedback from the Public in response to the Mayor's letter.
4. Fire Report: No calls to report. The Christmas tree fundraiser is going well. Santa in the Park will take place on the 24<sup>th</sup>. The Community Club will contact the Fire Department to coordinate this event. I will ask the Community Club to notify the Police and EMS group of times as well.
5. Police Report: General Calls to report, all quiet.
6. EMS Report: 3<sup>rd</sup> Quarter Report, 5 Calls with a 4.4 min average response time. Mr. Webster requested a list of Council's meeting dates for 2013.
7. Engineer's Report: Engineer not in attendance but submitted a report.
  - a. A recap of Borough's ACO, Semi-Annual Progress Report sent in July.
  - b. A recap of the 2012 Road and Sewer Improvements with the fact that LSSE approved the 4th payment for the amount of \$55,368.04.
  - c. MS 4, The NPDES General Permit and Request for Waiver forms were sent to PADEP on September 14, 2012. Mr. Firek called the Borough and described

the fact that a map will need to be developed in the spring. Bob's estimate to have LSSE handle this map was approximately \$2,500.00.

- d. FEMA proposing changes to the Flood Insurance Rate Maps. LSSE urges Council to consider adoption of an Ordinance that meets the National Flood Insurance Program requirements.

Discussion took place questioning if this was necessary. Mr. Vogel will ask the Engineers if there is a "Simple" Ordinance that would cover this requirement.

The Storm Sewer Mapping is due in February. Mr. Isherwood and Mr. Davis will handle this task. Mr. Georgalas asked if they would count the Street Lights at the same time.

8. 2013 Budget: A **motion was made** by Mr. Berardi to approve the 2013 Budget as Advertised. This was Second by Mr. Keelan. The **motion passed unanimously**.
9. 2013 Tax Levy. – Discussion took place regarding the ruling by Judge Wettick that Municipalities do not have to pass an actual rate until June 15<sup>th</sup> or 10 days before Real Estate Bills are mailed. The 2013's Assessments will be the Base going forward and the Appeals will change that base. The Ordinance that the Borough advertised and the one on the table for vote is a formula that states we are basing the millage on 105% of what was collected in the year 2012. Our actual rate will be finalized in the spring. A **Motion was made** by Mr. Berardi to Approve the Ordinance as written (formula of 105% of 2012's collections.) And second by Mr. Kolenda. This **motion passed with a vote of 5 to 1**. With Mr. Georgalas voting against.
10. Sewage Fee Ordinance. A **motion was made by** Mr. Berardi and Second by Mr. Isherwood to Pass Ordinance No 318 instituting a Sewage Fee as advertised. The **motion passed unanimously**. Additional discussion took place to approve Advertisement of the Act 20 agreement for Jordan Tax Services to collect the Sewage Fee for the Borough. A **motion was made** by Mr. Berardi and Second by Mr. Keelan to advertise this agreement. **The motion passed** unanimously.
11. Insurance Proposal – Mr. Berardi reviewed the proposed Insurance Rates submitted by Higbee Insurance Agency for the 2013 Year. Council approved this proposal.
12. Auditor's Proposal: Mrs. Raves reviewed the proposal submitted by Hozack, Specht, Muetzel & Wood CPA's. This proposal is \$50.00 over what was paid last year and within our budget. Council approved this proposal.
13. Engineer's Proposal: Lennon Smith Souleret Engineers submitted their rate schedule for the year 2013. Mr. Cuteri had reviewed the fees and submitted his approval before the meeting took place. Council approved this proposal.
14. Subdivision Request: Hampton Technical Associates has submitted a request for a subdivision proposal at the Niklaus Subdivision; however, a formal submission has never been received. After lengthy discussion, Council agreed that sufficient information was not submitted on the drawing, nor are they willing to sign the drawings based on the Engineer's proposed verbiage. Mr. Vogel will request that the County review this matter in relationship to their subdivision Ordinance as well as request information from the neighboring communities as to their review of this issue.

This matter has brought another issue to Council's attention... The large sign erected just off Newgate Road at Shady Knoll appears to be located in Ben Avon Heights Borough. Tom Price, the Zoning Officer will be contacted to review this sign and to verify if it meets our Zoning requirements.

Executive Session: Council went into Executive Session at 8:15 PM.

The meeting resumed at 8:25 PM

Council informed Mrs. Raves that they agreed to give her a \$2,000.00 bonus. Mrs. Raves thanked Council.

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

This meeting adjourned at 8:30P.M

**The next monthly meeting is Tuesday January 8th at 7:00 at Avalon Council Chambers.**

Submitted by Denise Raves, Secretary