

## Borough of Ben Avon Heights

### Tuesday August 12, 2014 - 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: Davis, Isherwood, Keelan, Smith

Mayor: Dismukes

Solicitor: Vogel

Ohio Twp. Police: Chief Micklos

Avalon Volunteer Fire Company: Chief Carney, President Zivic

Lennon Smith Souleret, Engineer: Firek

Secretary/Treasurer: Raves

Residents: Jan and Bob Frisch

The meeting was called to order at 7:01 PM by Mr. Davis:

1. Fire Report: Lightning strike on Wilson the family is well. Mr. Zivic, President of the Fire Company, came to thank Council for signing the 10 year contract extension and he reminded everyone of the upcoming Christmas tree sale.
2. Police Report: Nothing out of the ordinary for last month.
3. Vote to approve July Minutes: Mr. Isherwood ***made a motion*** to approve the July Minutes as presented. Mrs. Smith seconds the motion. ***The motion passed unanimously.***
4. Vote to approve the July Treasurer's Report: Mr. Davis ***made a motion*** to approve the July Treasurer's Report as submitted, by emails. Mr. Isherwood seconds the motion. Mrs. Raves informed Council that we are behind in refunds for Real Estate Assessment Appeals. Those checks are being sent out after today's meeting. Mr. Davis asked why the Real Estate Collection amount is so much lower than what was projected. The reason is that people have not paid their taxes yet this year. Mr. Davis asked Mrs. Raves to get an estimate from Berkheimer and Keystone Collections as to where we will be with income for 2014 based on mailings. Because of Shannopin's Assessment reduction, our income will be reduced by approximately \$25,000.00 per year. Mr. Davis asked about the two loans. The AIM loan has 2 outstanding payments, one due this

year and the final payment is due in 2015. The Northwest Saving's Bank loan is in it's first year of the ten year payments. **The motion passed unanimously.**

5. **Public Comment:** Bob Frisch, 15 Devon Lane, reported that he has a discussion with John Sullivan, Manager of Ohio Township, and noted that they would be interested in doing overlay paving work in Ben Avon Heights. Mr. Davis informed Mr. Frisch that he also had a discussion with Mr. Sullivan and that he discovered that their crew was not available to do any additional work in 2014. Mr. Davis also contacted Avalon to see if their crew would be able to do any work on the beginning section of Wilson along the park in 2014. Several meeting were scheduled; however, for various reasons each was cancelled. Avalon does not have a milling machine but stated that they could look at the section of road.

Mr. Davis and Mr. Harry Dilmore, of Avalon, had a discussion reviewing the condition of Courtney Mill Road after Mr. Dilmore met with West View Water Authority. It was reported that West View Water is planning to replace their line along the beginning section of Courtney Mill Road in 2015 and will then repair that section of roadway. The importance of adding crack sealing maintenance program to the newly paved roads was discussed.

Mayor Dismukes noted that there will be budget meetings in September and October discussing the roadway repair budget and invited Mr. Frisch to attend. Mr. Frisch stated that he would be there and will bring additional residents to discuss Roadway Resurfacing in particular.

A review of the Sewer Fund took place. Mr. Firek noted that BAHB will be required to pay our share of whatever the communities below us are required to do under the ACO. Budget Meeting is scheduled for Wednesday October 22, 2014 at 7:00 PM at Shannopin Country Club. Mayor Dismukes said Mr. Frisch would be notified of the September date as well.

6. **Engineer's Report:** Mr. Firek stated that the Borough's ACO Feasibility Report was submitted in July.

Partial Payment No. 8 (Final Payment) for the 2012 Roadway and Sewer Project and the Final Change Order No. 6 were presented by Mr. Firek for Council's approval. Mr. Isherwood **made a motion** to approve both Change Order No. 6 final and Partial Payment No. 8 (final) presented by Lennon Smith Souleret Engineering for the 2012 Roadway and Sewer Project. Mr. Keelan seconds the motion. **The motion passed unanimously.** Mr. Davis abstained.

A Hauling Permit was issued for 24 Oxford Road.

Specific road discussions took place; they are all in, "Really bad shape," and they are at the end of their life expectancy. Mr. Firek informed Council that it is his opinion that simply resurfacing the beginning section of Wilson Road would last maybe 3 years. He stated that the substrate imperfections would telegraph through and break up the new surface within that time. Wilson Road requires major drainage work and is not a good

candidate for the Mill and Fill type of resurfacing especially with the amount of traffic on the road. In his opinion, this would not be a good expenditure.

Cambridge Road and Courtney Mill Roads; however, are areas where Mr. Firek would consider a Mill and Fill type of resurfacing. For Cambridge Road, he suggests adding a concrete curb along the downhill left hill side of the roadway and a wedge curb along the other. In his opinion, from the manhole to the bottom of the road this work would cost approximately \$37,000.00.

No discussion took place regarding Courtney Mill Road due to the impending West View Water work.

Mr. Firek noted that one problem we have as a Borough in obtaining roadway bids is that our projects are small. Contractors see large portions of roadway surface as the most profitable. Mr. Firek informed Council that it would be best to put any road resurfacing work out to bid early in the year, late February or early March is the target we should be aiming for regarding bidding.

Council is in agreement that crack sealing should be added to the maintenance plan immediately for the newly rebuilt roads.

Mr. Firek was requested to give Council a square yard estimate for various types of Mill and Fill as well as Reconstruction for Council's consideration while in budget meetings. That way Council will be able to calculate the extent of road reconstruction for 2015

7. **New Grading Ordinance:** Sample Ordinances were presented by Mr. Vogel. Council quickly reviewed these samples and decided that further review would be necessary before in depth discussions could take place. Mrs. Smith stated that a new Ordinance would need to be clear so residents can understand. Mayor Dismukes questioned the scope and scale of the Ordinance so we have a clear guideline as to when permitting is required. It was discussed that the need to prevent grading into neighboring properties would need to be addressed as well as rainwater run-off and the need to have reviews before beginning building construction.

It was noted that the State requires permits if 5000 sq. feet of soil is disturbed as does Allegheny County review needed if 50' x 100' (or 5000 sq. ft.) is disturbed.

Council will review the two samples for next month's meeting.

8. **Joint Comprehensive Plan:** **Mr. Davis made a motion** to pass Ordinance No. 326 Intergovernmental Cooperation Agreement authorizes participation in the agreement to hire a professional company to prepare a multi-municipal comprehensive plan. **Mrs. Smith seconds this motion.** Discussion took place noting that Kilbuck Township has withdrawn from the agreement. So the parties who are involved are... Ben Avon, Ben Avon Heights, Belleview and Avalon. Mr. Vogel stated that none of the other members have met to ratify this agreement; he expects those meetings to take place in the near future. **The motion passed unanimously.**

Mrs. Raves noted that David Raves has offered to sit on a panel once this process begins.

9. Street Lights: Mr. Davis noted that there were two street lights that are burnt out. One at the intersection of Wilson and Penhurst and another at the corner of New Brighton and Oxford. Mrs. Raves noted that she had called Duquesne Light that morning to replace those units. Discussion took place regarding the spottiness of the street lights throughout the Borough. It was decided that unless a citizen calls a specific need to Council's attention, the street lights should be left as is.

10. Parking Ordinances: Mr. Davis has reviewed the current Parking Ordinances and stated that there are places in the Borough where parking is forbidden; however, the signs denoting this are missing. This situation makes the Ordinances unenforceable. Mr. Davis will do a review of the Borough with the Police Chief and come to Council with an updated plan in the next few months. We will need to have a discussion with the Police Chief at next month's meeting.

11. Executive Session: Council entered into Executive Session at 8:37 PM.

The meeting resumed at 8:55 PM

12. ACORD Park Volunteer List: Mayor Dismukes reminded Council that we need to find a replacement for Mr. Ed Gould on the ACORD board. A list of residents was circulated and reviewed. Members of Council will contact the persons who have been identified as good candidates for this committee to get a feel for interest.

13. Executive Session: Council entered into Executive Session at 9:09 PM

The meeting resumed at 9:45 PM Mr. Cuteri arrived the meeting during Executive Session.

14. Revote to approve Payment for 2012 Roadwork Final Payment: Mr. Cuteri arrived at the meeting approximately 9:00 PM. Mr. Vogel asked for another vote to approve Payment No. 8 (Final) and Change Order No. 6 for the 2012 Roadway Resurfacing and Sewer Work since with Mr. Davis' abstention there was not a Quorum on record. **Mr. Cuteri made a motion to approve partial payment No. 8 (final) and Change Order No. 6 for the 2012 Roadway and Sewer Project. Mr. Keelan seconds the motion. The motion passed unanimously.** Mr. Davis abstained.

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

This meeting adjourned at 9:49 P.M.

The next monthly meeting is **Tuesday** September 9th, 7:00 at Shannopin Country Club.

Submitted by Denise Raves, Secretary