

## Borough of Ben Avon Heights

### Tuesday September 9, 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: Berardi, Cuteri, Davis, Isherwood, Keelan, Kolenda

Mayor: Dismukes

Solicitor: Vogel

Ohio Twp. Police: Chief Micklos

Avalon Volunteer Fire Company: Chief Carney

Lennon Smith Souleret, Engineer: Firek

Secretary/Treasurer: Raves

Residents: Martin Knuth, 26 Banbury Lane ,Rob Spoharski, 28 Banbury Lane

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

1. Vote to approve August Minutes: Mr. Cuteri ***made a motion*** to approve the August Minutes as presented. Mr. Kolenda seconds the motion. Mr. Davis addressed the fact that David Raves has volunteered to be on the Joint Planning Panel and asked Mr. Cuteri how many representatives were needed for this post. ***The motion passed unanimously.***
2. Vote to approve the August Treasurer's Report: Mr. Davis ***made a motion*** to approve the August Treasurer's Report that was submitted previously by email to Council. Mr. Cuteri seconds the motion.  
Mr. Davis reviewed the balances in all the Accounts and determined that we owe more money than we have in the Borough's bank accounts. ***The motion passed unanimously.***
3. Fire Report: The Avalon Fire Department removed a cat from inside a resident's walls. No other calls. All went well with the removal of the cat.
4. Police Report: An electronic Police Report was distributed to Council earlier. Chief Micklos stated that the Ordinance call listed was someone working with noisy equipment too early in the morning.  
Officer Philips stopped at the Oxford bus stop on Monday and spoke with those at the stop. Council spent time discussing the Oxford bus stop and the importance of safety at the bus stops and on the streets of the Borough. The consensus is that everyone wants

to keep the area safe for all. Council asks that cars driving on the roadways obey the speed limits and pay particular attention and lower their speed during school bus times. Council asks that pedestrians who use the roadways to and from our bus stops do so cautiously and with respect to the vehicles on the street. Keep to the side of the road as much as possible and walk facing the oncoming traffic lane. Also, do not park on both sides of the street at the bus stops, use one side only during drop off and pick up otherwise you can create a dangerous condition. Both drivers and pedestrians should obey the crossing guards and their direction at all times. In addition, Council has asked the police department to patrol the bus stops to assist in ensuring safety issues are followed by all. A pedestrian area will need to be delineated at the stop to help keep people safe.

Mr. Davis had researched parking Ordinances and noted that some of our parking Ordinances date to the 1920's. Several of the signs noted in the Ordinances are missing. Chief Micklos noted that there are state laws that require clear sightlines must be maintained so a Borough Ordinance is not needed in certain cases.

Public Comment: Mr. Martin Knuth attended this evening to discuss parking along the curve on Banbury Lane; cars parked there frequently belong to the owner of 16 Banbury Lane. Mr. Knuth presented photographs of the area indicating the parked cars and how they obscure the sightlines and photographs of the empty driveway at 16 Banbury Lane. Mr. Davis stated that Council had talked briefly about parking Ordinances just before Mr. Knuth arrived. Mr. Knuth requested that Ordinance No. 246 be revised to extend the no parking area along Banbury to include the area to the driveway of 20 Banbury Lane. Chief Micklos noted that he recalled the department discussing this matter with the homeowners several years ago but will discuss the issue with the owners again. Council asked the Police Chief to warn the homeowner of the State Law, and then if they continue to violate the law, to please enforce the law as permitted by State law.

5. ACORD Board Appointment: Rob Spoharski was approached by Mrs. Raves regarding an open Borough position on the ACORD board. Mr. Spoharski attended the Board's meeting the previous evening and had spoken with Mr. Ed Gould and is willing to accept an appointment by Council. Mr. Cuteri ***made a motion*** to appoint Mr. Robert Spoharski to the ACORD Board. Mr. Berardi seconds the motion. ***The motion passed unanimously.*** Council thanked Mr. Spoharski for his service to the Board.

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

A Hauling Bond was issued for 24 Oxford Road was released. And another permit for 25 Oxford was submitted and reviewed for \$4,500.00.

A memo outlining Roadway Resurfacing vs Reconstruction Budgeting costs was presented. The section of Wilson Road from New Brighton to Penhurst was discussed last month and not recommended for Resurfacing due to drainage issues.

Mr. Keelan noted that we might have to apply "Band-Aid" work on some roads for now till we can afford to rebuild them. A preliminary budget meeting is scheduled for

Thursday September 11<sup>th</sup> to discuss these issues. Another item needed for the budget discussion is how much we need to plan to stay in compliance with the Consent Decree.

7. Mr. Davis had Mrs. Raves attempt to obtain bids from three companies to perform the crack seal maintenance work on the Borough's three roadways that have been rebuilt. Only Tough Seal of Pittsburgh submitted a bid for \$3,295.00. Mr. Isherwood **made a motion** to accept the bid of Tough Seal of Pittsburgh to perform crack sealing along Wilson's new section, Penhurst and Clovelly Roads. Mr. Keelan seconds the motion. Mr. Firek reviewed the bid along with the materials and procedures outlined by Tough Seal of Pittsburgh and agreed with everything specified. **The motion passed unanimously.**
8. New Grading Ordinance: This discussion was tabled till next month.
9. Joint Comprehensive Plan: Council and Mr. Vogel have not been informed regarding the progress of this matter. Mr. Cuteri noted that one representative was needed and that he, Al Cuteri, would serve as the alternate. Mr. Cuteri requested that Mr. Raves attend next month's meeting for instruction from Council and formal appointment. Mr. Vogel will contact the municipalities for information.
10. Executive Session: Council entered into Executive Session at 8:37 PM.  
The meeting resumed at 8:40 PM.
11. Park Fountain Design: Mr. Cuteri showed Council a photograph of a fountain design that he feels would be appropriate for the park. The fountain shown was made of stone with multiple spouts and a spill over for dogs. There would be room to reinstall the existing plaques as well. Council agreed with this type of design.
12. Berkeheimer Tax Services: Mr. Vogel and Mrs. Raves informed Council that Berkheimer has become more nonresponsive to requests for information. Discussion about replacing them with another company took place. Mr. Davis **made a motion** to remove Berkheimer as the Borough's Real Estate Tax collector as of January 1, 2015. Mr. Cuteri seconds the motion. **The motion passed unanimously.** Council asked Mrs. Raves to verify the contract and the provisions necessary to terminate the contract. Mr. Vogel states that they will owe the Borough a "Clean Reconciliation" so we can move forward with a new company without losing information. Mrs. Raves will send a copy of the contract to Mr. Vogel for his review.
13. Jordan Tax Services: Mrs. Raves and Mr. Vogel stated that the working relationship we have had with Jordan has been good regarding the Sewage Account. Mr. Davis **made a motion** to appoint Jordan Tax Services as the Borough's Real Estate Tax Collector as of January 1, 2015. Mr. Cuteri seconds this motion. **The motion passed unanimously.** Mr. Vogel will contact the President of Jordan to inform them of this decision.
14. Executive Session: Council entered into Executive Session at 8:45 PM  
The meeting resumed at 8:55 PM.

15. Leaf Collection: Mrs. Raves has been talking to Walt's Landscaping about scheduling leaf pick-up. Council agreed that pick up will start October 20, 2014 and last pick up will be December 8, 2014.

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

This meeting adjourned at 8:55 P.M.

The next monthly meeting is **Tuesday** October 14th, 7:00 at Shannopin Country Club.

Submitted by Denise Raves, Secretary