

Borough of Ben Avon Heights

Tuesday, May 14, 2019 - Council Meeting Minutes

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

A quorum is in attendance

Present:

Council Members: Brown, Cuteri, Hebert, Smith, Radcliffe

Mayor: Dismukes

Solicitor: Vogel, Tucker Arensberg

LSSE: John Heyl

OTPD: Chief Hanny

Avalon Volunteer Fire Company: Chief Berie

Secretary: DiNuzzo

Residents: Jacquelyn Neunder

Mr. Cuteri began the meeting at 7:00 PM.

1. **April 2019 Minutes:** A motion was made by Mr. Radcliffe to approve the April 2019 Minutes previously distributed to Council by email. Mr. Brown seconds the motion. The motion passed unanimously
2. **May 7, 2019 meeting minutes:** A motion was made by Mr. Radcliffe to approve the May 7 2019 meeting minutes previously distributed to council by email. Mr. Hebert seconds the motion. Mr. Vogel noticed a few minor typo errors in the minutes and pointed them out to council. Mr. Cuteri edited these items while in session. The new updated minutes will be sent to council after the meeting, as well as posting on the website.
3. **April 2018 Treasurer's Report:** This item will be tabled until next meeting as council was not provided a report in time for this meeting.
4. **Police Report:** Chief Hanny reported that for the month of April they had a total of 121 calls for Ben Avon heights. One of those calls was reported as a burglary on Oxford. Some of the neighbors noticed the vehicle and took note. Once the description of the vehicle was provided, it was noted to be a previous foster child who had recently left the residency on Oxford. The resident did want to press charges. Chief also mentioned that there was a vehicle that had pulled off into a driveway off of Perrysville that had a medical issue with a combination of being a diabetic and heroine. Chief also updated the committee on the dumping issue the Borough has been having on Banbury. The Ohio Township police went door to door asking the residents if they had to please stop; he did also note, no one confessed. He did also remind members to please let him know if the problem persists. Mr. Cuteri did ask Chief Hanny if there has been an increase of heroine usage in the area. Chief explained that the usage has remained the same, with an increase of meth.
5. **Fire Report:** Chief Berie noted for the month of April they had a total of two calls: one on Wilson and the other on Banbury. The one on Wilson, the new home owners did not know the alarms were on and the one on Banbury was a down tree. Chief did mention that he did speak with the road crew and requested they inform 911 when a road will be closed, so they can plan accordingly for emergencies. Mr. Radcliffe questioned how they get in and out of Briar Cliff, chief responded because of how narrow the street is, they back out.

6. Engineer's Report (LSSE): Mr. Heyl reported that he spoke with Columbia gas yesterday and they should be complete in the next two to three weeks. He also reached out to the paving company to insure the July start date. There was an issue that occurred this week while Columbia gas was on site on the corner of Banbury and Clovelly, a hole in one of the storm water lines was discovered. Columbia attempted to patch this hole, due to the fact that it was right next to the gas line, but the line continued to crumble and additional holes further away from the gas line. Mr. Heyl then contacted Avalon to see if they would be able to fix this as soon as possible, but their crews were tied up with projects such as the pool to meet the deadline of Memorial Day weekend. Mr. Heyl contacted the company that assisted us with the emergency patch prior, which quoted us at \$12,700 to fix 20 feet of pipe. Mr. Heyl will reach out to some additional companies, Mr. Cuteri requested 2 additional quotes, as well as reach out to Avalon again, as this is not an emergency as Columbia gas made it seem when they called the Borough. Mr. Heyl brought storm water plans for Stratford as a resident questioned who is responsible for this abandoned pipe. Mr. Cuteri will stop by to review and discuss this issue with the resident.

7. HRG (Kyle Beidler): Council introduced themselves to Mr. Beidler. Mr. Beidler explained that Mr. Cuteri reached out to them a few months ago with the request of assisting us in possibly updating our current zoning ordinance. Mr. Beidler proposed to Mr. Cuteri to create a preliminary report and identify any loop holes. With this report, he would then be able to provide a better scope and cost estimate. Allowing the Borough to make a more informed decision financial on whether we can go ahead with this proposed update. Mr. Beidler wanted to hear from council, any concerns they may have and at the next council meeting he wanted to have a prepared audit to share with council. Mr. Beidler also questioned the council on moving forward with the audit, how involved do council want the residents. Mr. Cuteri made a suggestion that the next steps be council provide Mr. Beidler feedback from council, then take that into consideration, provide us with a plan, we would then share that with the community, asking the community their feedback and then finalizing it. Mr. Brown would also like to see the future ordinance to be digitalized, its current state is very hard to read. To add to that, he would like for it to be simplified, so the residents understand what exactly they need to do when looking through the ordinance. Mr. Cuteri did remind council we have carried funds for this project for a long time. Some examples that Mr. Beidler noticed that our ordinance does not address are: wireless communication, solar panels, etc; these would be issues he would like to see council send to him.

8. Public Comment: Ms. Jacquelyn Neunder who resides at 5 Biddeford Road attended council to voice her concern over a few items. She's interested in staying in the know with future items such as the update to our zoning ordinance, as this could affect new residents for years to come. What initially sparked her interest in attending the meeting was the fact that she was not thrilled with the \$2000.00 price tag for the "Welcome to Ben Avon Heights" sign which the residents recently voted on. She would prefer to see that money be spent elsewhere, such as an ADA accessible swing, as our current park does not have any ADA compliant park equipment. A few other issues she has with the park are the woodchips in the play area, as these are not conducive to those who are handicapped. She also questioned why there couldn't be a lower basketball hoop where there is currently no hoop for the younger kids, as she does understand why there is not a full basketball court. Mr. Cuteri explained that our basketball court has been vandalized twice, and was very costly to fix, therefore council decided to not have two hoops. Mr. Cuteri indicated that much of the park equipment was installed after a group of mothers got together and put a plan in place to get the park updated with new equipment. We just went through a safety evaluation and update to the equipment. The chips under the swings is a safety product designed for this application.

Mr. Dismukes also discussed that we've been on a long-term program to update some of the streets and curbs in the Borough, which required us to raise our millage rate. Mr. Cuteri also mentioned that we have spent three quarters of a million dollars over the past 10 year to comply with the federal consent decree known as the wet weather project. Mr. Cuteri thanked Jacquelyn for her attendance and input and mentioned community input is welcomed and that we work as a community with regard to changes and projects.

9. Zoning Application Submission Report: Ms. DiNuzzo reported for the month of April, there were two applications submitted: 17 Oxford for a fence and 15 Penhurst for a small shed. 10 Stratford did apply for a

variance, the zoning board will meet at 10 Stratford on May 15th to review the property. There was an issue with 17 Oxford, they had started to build a structure in their front yard and had not submitted a zoning application. Mr. Price stopped by the residents and explained to them that they must take the structure down, they residents did as asked.

- 10. Councilman Brown's concerns related to new Borough sign (Brown):** Mr. Brown does not have an issue with the sign itself, Mr. Brown thought it would have been conducive to have an option in the survey for residents to vote that they did not want the sign. Moving forward, he would like to see options that cover all options that they could have. Mr. Cuteri indicated that the meeting where we discussed the survey and survey options was when this should have been brought up. Once council agreed to the process we cannot change it based in individual requests.
- 11.** Mr. Cuteri also mentioned that if council members have an item that needs to go on the agenda, they should send this topic to both Mr. Cuteri and Ms. DiNuzzo a week in advance of the meeting.
- 12. Update on noxious weeds and invasive trees on Borough property, total cost estimate:** Mr. Radcliffe informed council that the state of Pennsylvania is considering this "tree of heaven" a noxious weed, there are parts in the eastern part of the state that are being quarantined. Mr. Radcliffe received two quotes, one from Davey Tree for \$2800.00 and the other from Bartwood for \$7500.00. Both companies have a different approach to our issue, Mr. Radcliffe prefers Davey Trees approach but, would like to incorporate some items that Bartwood had planned to do. Mr. Radcliffe drove by the area before council this evening and he now noticed that there are 5 tree groupings, which means a new grouping has sprung. Mr. Radcliffe noted some of the side effects of these trees are the pollen, if you have allergies, if you come in contact with the bark of the tree, you can develop dermatitis, and if you come in contact with the leaves or sap of the tree it can cause heart issues. Mr. Radcliffe would like to do phase one, which would be removal of the trees later in the season. Once the "tree of heaven" is addressed, Mr. Radcliffe would like to then begin working on the landscaping of the hillside. He provided council examples of the type of ground covers that would be presentable. Mr. Brown questioned how much the landscaping portion of this would be, Mr. Radcliffe was quoted at about \$4,000.00, but believes he can get the cost down. Mr. Brown is concerned once this landscaping project occurs, that people may begin to play there.
- 13. Centennial Ben Avon Heights FaceBook page: (Stiller/Brown):** On Behalf of Mr. Stiller, Mr. Brown mentioned to council that there has been some confusion between who runs the official Ben Avon Heights page and the Centennial page. Ms. Radcliffe oversees the Centennial page and has done a wonderful job with the information she has provided. Council all agrees that Ms. Radcliffe, Mr. Stiller and Mr. Brown work together on the content that they post for the community.

- 14. Executive Session:** Council agreed that there was no need for an executive session.

This meeting adjourned at 9:07 PM.

The next monthly meeting is Tuesday June 11, 2019 at the Shannopin Country Club.

Respectfully submitted,
Jessica DiNuzzo, Secretary