

**Borough of Ben Avon Heights**

**Tuesday, June 9, 2020 - Council Meeting Minutes**

A quorum is in attendance

**Present:**

Council Members: Brown, Cuteri, Dawley, Mihalko, Neunder, Stiller, Radcliffe

Mayor: Dismukes

Solicitor: Voltz, Tucker Arensberg

OTPD: Sgt. Beck

Secretary: DiNuzzo

Residents: Arlene Grubbs, 21 Briar Cliff Road

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

- 1. Approval of Aprils Financials: A motion was made by Mr. Radcliffe to approve the April financials. Mr. Brown seconds the motion.** Mr. Brown questioned why we were \$10,000 over budget in miscellaneous when we budgeted \$0. Mr. Cuteri stated he and Ms. DiNuzzo need to set up a meeting and discuss what may be being entered into this line item as there should be no items in this line. Mr. Brown also questioned the police budget as we are almost to the budgeted amount. Ms. DiNuzzo noted we pay this quarterly. Mr. Cuteri believes the budget line may include payment of last years fourth quarter if paid in January. Ms. DiNuzzo also noted that we have not received payment from Columbia Gas for the road repavement work, but she is in the works with this. **The motion passed with Mr. Brown opposed.**
- 2. Approval of May 2020 minutes: A motion was made by Mr. Radcliffe to approve the May meeting minutes. Mr. Stiller seconds the motion. The motion passed unanimously.**
- 3. Fire Report:** There was no representation present for Fire.
- 4. Police Report:** For the Month of April there were 99 calls, 93 of those were routine. Sgt. Beck reported that Allegheny County is now in the Green phase, they will begin to engage more with the community. Sgt. Beck also wanted to let council know that he was in communication with Ms. DiNuzzo with the Covid-19 updates but the local news was very up to date with the same information.
- 5. Covid-19 Impact Dates:** Mr. Cuteri reported there were no new Covid-19 impact dates, Allegheny County did go "green" as of June 5<sup>th</sup>, 2020.
- 6. Public Comment:** Arlene Grubbs from 21 Briar Cliff Road was wondering if council would send something out to our community over the recent social justice demonstrations occurring in the country. Mr. Stiller suggested sharing Ohio Townships Police Departments mission statement. Mr. Dismukes said he would reach out to Chief Hanny, as he is sure many others are reaching out for either a statement or update on policy.

**Engineer's Report:**

**Administrative Consent Order (ACO):** Council approved the update to the Operations and Maintenance Plan at the May 2020 meeting. LSSE will prepare structure physical inspections as CCTV work occurs. They will also prepare bid documents for the 2020 televising and cleaning contract planned to go out to bid in July 2020. They will also have an AD for Ms. DiNuzzo to submit to The Citizen for the bidding.

**2018 Road Improvement Program:** Punchlist work is still ongoing, curb work due to the stay at home order is still outstanding. The contractor has been notified to correct the wedge curb on Briar Cliff.

**Storm drains on Cambridge:** Mr. Heyl reported that he has been in contact with Tri-State, but they are now being unresponsive. Will reach out to Avalon for the company they use.

**Sidewalks:** Mr. Heyl created a spread sheet of the curbs in the Borough for council to review. The list consists of the existing sidewalks. He did note that some sidewalks do not meet the minimum of 3 feet width as required by the ADA. Mr. Cuteri also noted the LSSE rated the sidewalks for council to review. Mr. Brown questioned how much of the Borough does not have sidewalks, Mr. Cuteri reminded Mr. Brown that the idea was not to add new sidewalks but improve what is existent. Mr. Radcliffe questioned the rating on some of the sidewalks. Mr. Cuteri requested that Joe Dawley in his capacity of the street committee evaluate the current conditions and provide a report to council for review.

- 7. Park update:** Mr. Radcliffe informed Ms. DiNuzzo that the park bench is fixed and will give her the final invoice to pass along to Ohio Township Police. He also noted that Mr. Cuteri noticed wild hemlock along Briar Cliff that he will have

treated. Mr. Brown questioned if the park was open with the county now in green. Mr. Radcliffe informed council the park was open and he did remove the yellow caution tape.

- 8. Five year budget plan:** Mr. Cuteri provided council with a five year plan that included the curbs replacement plan and combined this with the street reconstruction plan. The money for this project will come out of our annual budget as we continue to pay off the debt. If all goes according to plan, in about 2-3 years we could potentially lower the property tax millage rate. Discussion broke out on sidewalk costs and who is responsible for the replacement cost and what homeowners can or cannot do. Mr. Cuteri reminded council that there is an ordinance in place dealing with sidewalks; Mr. Voltz confirmed. Mr. Cuteri requested that the road committee incorporate the budgets from the document and survey the streets to have a more informed evaluation. The work prepared by LSSE was preliminary and was done from google earth imagery.
- 9. Zoning applications:** For the month of May there were no applications submitted. It was noted that there is construction ongoing at 13 Banbury Road, and there is no zoning approval recorded for that work. Mr. Cuteri will reach out to the zoning officer to contact the resident.
- 10. Comcast Franchise agreement:** There is no contract for council to review as of yet, Tucker Arsenberg is in contact with comcast and other Boroughs.
- 11. Pet Ordinance and Enforcement:** It was brought to councils' attention that residents are leaving dog waste and or full dog waste bags around the Borough. Mr. Cuteri will draft a memo up and refer to the violated ordinance to send out to the community. Mr. Voltz confirmed that the Borough does in fact have two ordinances addressing this issue.
- 12. Resolution for Shannopin Fitness Center Sewer: A motion was made by Mr. Radcliffe to approve Resolution 2020-2 for land revision. Mr. Dawley seconds the motion.** Mr. Mihalko questioned what type of sewer pumping they were installing. The plan showed that this would be pumped laterally. **The motion passed unanimously.**
- 13. Executive session:** began at 8:15 pm

Executive session ended at 8:32pm

Meeting was adjourned at 8:33pm

The next scheduled meeting is July 14, 2020 at Shannopin Country Club

Jessica DiNuzzo, Secretary