



Borough of Ben Avon Heights

Tuesday, November 9th, 2021 - Council Meeting Minutes

A quorum is in attendance

Present:

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

Mayor: Dismukes

Solicitor: Katie DeBeers

OTPD: Chief Hanny

Fire: Chief Berie

Secretary: DiNuzzo

Residents:

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

1. Approval of October meeting minutes: A motion was made by Mr. Radcliffe. Mr. Stiller seconds the motion. Motion passed unanimously.
2. Approval of Septembers financials: A motion was made by Mr. Brown. Mr. Stiller seconds the motion. Mr. Brown Had a few questions on the budget performance as he feels we're off and wonders if we're not getting interest from certain accounts. He also had a question on 309 as the report claims we have not received any reimbursements from Avonworth. Ms. DiNuzzo responded that, that's wrong as we have been paid twice so far, so something is misclassified. Mr. Brown also questioned the bank fees and questioned why they're so high. Mr. Cuteri responded that this must also be misclassified as the Borough did not take out any loans this year. Mr. Stiller asked if the accountant could just pull the invoices that hit that line. Mr. Cuteri stated he was making notes on these lines in question so we can show the accountant what we have questions on. Mr. Brown had one final question on the snow removal as he feels the amount is high. Ms. DiNuzzo reminded Mr. Brown that in December 2020 we had some high invoices due to the large snowfall we had in early December, which would then not have hit our account until January 2021. The motion passed unanimously.
3. Police Report: For the Month of October there were a total of 83 calls, which included patrols, and the one DUI Chief Hanny informed us about last meeting. Chief Hanny asked if Mr. Cuteri had any questions on the traffic study he sent for review. Mr. Cuteri noted that after Chief left the last meeting there were two residents who had concerns about speeding and stop signs. Mr. Stiller met with Avalon's department of public works to get their thoughts on the areas we're having issues with. The intersection is Wilson and Penhurst, people are blowing through those stop signs coming down Wilson. There are a few reasons why council feels this is happening, one, the resident at 3 Penhurst has some bushes that need to be cut back, two it's a very steep hill and there are no stop bars or lines on the ground. Avalon suggested putting a crossbar down, a very clear crosswalk, are write "STOP". Chief Hanny suggested the Borough conduct a traffic study. There are state laws that go into crosswalks, ADA compliant, proper signs, etc. If you do this on your own you run the risk of if someone is crossing through that crosswalk and it's not correct, puts the Borough at a disadvantage. Mr. Stiller asked who the Borough would conduct a traffic study through. Chief Hanny informed Mr. Stiller the Borough would do this through an engineering company. Mr. Stiller also brought up that the residents suggested other means such as speed humps. Chief Hanny tends to suggest not using speed humps as they're difficult for emergency vehicles and the snowplows and are extremely noisy. Mr. Stiller asked if you could enforce speeding on a 15 mile per hour speeding? Chief Hanny stated no, the state law is 25 miles per hour, and with the speeding tracking devices they have they can't start pulling people over

10. There are some special areas where the speed limit was lowered, but those areas cannot be enforced by my department. Mr. Radcliffe requested a speed box be placed on Wilson, he suggested putting it around his property where the speed sign is and it's near the intersection. Chief Hanny said he'll put our request on the rotation, this collects speed, time, and location.

- 4. Fire Report:** For the month of October there was nothing to report.
- 5. Engineers Report:** LSSE reported that over two years for the CCTV work will be 137,000 for total repairs. Mr. Cuteri responded the CCTV work will be coming up on the 3rd year next year. LSSE reminded council that this is a maintenance program that should be complete in the next 7-year cycle. Mr. Cuteri asked if this could be broken up in chunks rather than done all at once, LSSE confirmed. Mr. Cuteri asked council if they would like a map and break down of what each section was. LSSE will provide this for council to review. Mr. Mihalko asked about the change order on the roadway program. LSSE stated they currently have completed the milling and paving on Biddeford and Stratford, tomorrow they are scheduled to mill Devon and Kent and to be complete with everything by Friday. The 148,399 Mr. Mihalko questioned was the partial payment request submitted. The change order number one was for Oxford and the catch basins. Mr. Cuteri requested an updated report in a week or two on where we are, what we've spent and what we're anticipating on. Mr. Radcliffe reminded Mr. Heyl that Libberoni has not fixed the issue on Devon Lane. Shannopin is having Duquesne light replace two poles to run the new service to the new building. Mr. Dismukes mentioned that the crack sealing that was recently put down looks good, but he doesn't think it's complete and was not sure what the contract was for. There was some confusion on to who did the work. Ms. DiNuzzo reminded council we discussed that shields would be back to seal the roads in which they did work on. Mr. Heyl will revisit the contract to confirm it was complete.
- 6. Public Comment:** There was no public present at this meeting.
- 7. Authorize advertisement of annual budget: *A motion was made by Mr. Brown to Advertise the annual budget. Mr. Mihalko seconds the motion. Motion passes unanimously.***
- 8. Review draft ordinances: Millage, budget resolution, interest, and penalty provisions:** Mr. Brown questioned if we had to do this every year as it seems as if we have a millage ordinance every year at the end of the year. Mr. Cuteri added it's the law. He also noted that the fiscal year was listed incorrectly.
- 9. ALCOSAN letter:** Mr. Cuteri asked if council wanted to fix the fee for the Borough, so it doesn't increase the cost every year. Mr. Stiller noted that our current agreement with Jordan Tax doesn't have any language about the ALCOSAN bills, it's all based on real estate. He asked Ms. DeBeers if we could move to a per invoice billing with them. Mr. Cuteri stated he did think there was a sewer contract that would be separate from real estate. Mr. Brown states he feels they're charging us twice, would like to investigate it. Mr. Stiller would like to go to a flat rate per invoice with Jordan Tax. Mr. Cuteri reminded council there are only a handful of companies that do this service, therefore there might not be a lot of negotiating room. Mr. Brown claims if you have a conversation with them, they go by what's stated in our ordinance. Council agreed finding the agreement would be conducive in moving forward with this topic.
- 10. Review salt agreement:** Mr. Brown asked what's different in this one. Mr. Cuteri noted it went up 5 dollars on the rate. Mr. Mihalko asked if the plows cause any damage who is at fault. Mr. Cuteri stated that they carry liability insurance and it's under section 5 of the agreement. Mr. Mihalko noted he feels they're careful but just wanted to confirm. ***A motion was made by Mr. Stiller to adopt the salt agreement. Mr. Brown seconds the motion. Motion passed unanimously.***
- 11. Review public works agreement:** Mr. Brown asked the same question, what did it change from last year. Mr. Cuteri noted it also went up 5 dollars on the rate. ***A motion was made by Mr. Stiller to adopt the public works agreement. Mr. Brown seconds the motion. Motion passed unanimously.***
- 12. Recycling issues:** Ms. DiNuzzo stated that there had been numerous complaints this past week where residents saw the garbage truck also take their recycling. The response Ms. DiNuzzo received from Valley Waste was if the driver felt the recycling was contaminated, they would also take the recycling with trash. A resident also reached out to their customer service and shared the response they received from Valley Waste which was a completely different response; they told the resident they put all the trash and recycling in one truck and sort it when they get back to the site. Council requested Ms. DiNuzzo to send a letter that clearly defines how they're handling recycling, and why it's not being picked up separately. Council wants something in writing from them, that they're complying with their contract. Mr. Brown also requested that representation attend our next meeting to discuss this as well.

**Ben Avon Heights Borough
12 Lynton Lane
Pittsburgh PA 15202**

Mr. Radcliffe would like Ms. DiNuzzo to send a letter out to residents addressing when it's appropriate to put trash curbside as discussed back in September. He found a letter sent out to residents from Valley Waste on when they suggest trash should be curbside which is Sunday evenings. Ms. DiNuzzo will send this letter via email out to residents.

- 13. Judge of elections:** This past election Allegheny County provided us a Judge of Elections. Mr. Cuteri asked council what we should do if we should send another notice out. MS. DiNuzzo stated we can, there was absolutely no interest in the past. Mr. Stiller added that there was a section on the ballot for Judge of Election, so we'll see once the results come in who may have been written in. Ms. DiNuzzo noted the election results are not officially in yet.
- 14. Children at play sign update:** Mr. Stiller informed council he walked the whole Borough with Avalon for the sign project. They agreed that two signs should go up at the intersection of Oxford and Biddeford. Avalon are currently finishing up some other projects and they still need to do the lines at Perrysville as they were short on paint and labor and now the temperatures is too cold. The temperature shouldn't stop them from putting the signs up.
- 15. Green Spaces:** Mr. Radcliffe informed council that Walt has new equipment and seems to be working better. Still waiting on Allegheny fence to finish the work on the basketball fencing. He's followed up twice with them and he wanted to note they have not been paid yet, as the work is not complete.
- 16. Holiday Luncheon:** Ms. DiNuzzo informed council our Holiday luncheon will be December 17th at Shannopin Country Club. She will send a formal invitation shortly.
- 17. Executive session:** started at 8pm

Meeting resumed at 8:08pm

Meeting ended at 8:09pm

The next scheduled meeting is January 11th, 2022, at 7:00 pm at Avalon Volunteer Fire Department

Jessica DiNuzzo, Secretary