



Borough of Ben Avon Heights

Tuesday, February 8th, 2022 - Council Meeting Minutes

A quorum is in attendance

Present:

Council Members: Brown, Dawley, Lope, Mihalko, Neunder, Stiller

Solicitor: Katie Beers

OTPD: Chief Hanny

Fire:

Secretary: DiNuzzo

Residents: David Prezgay, Greg Mihalko

Mr. Brown began the meeting at 7 PM.

1. **Approval of January meeting minutes: A motion was made by Mr. Stiller. Mr. Dawley seconds the motion. Motion passed unanimously.**
2. **Approval of December 2021 financials: A motion was made by Mr. Dawley. Mr. Lope seconds the motion. Motion passed unanimously.** Mr. Brown noted that a few transfers took place in January vs December which brought us into the negative on a cash basis, but balanced out in January.
3. **Public Comment:** Greg Mihalko 3 Briar Cliff Road brought his concern to Council on how the road seam was handled. His son slipped recently and does not feel this was up to code. He would like the Borough to look at this. Mrs. Neunder questioned which company did this, if it was Liberoni or Shields. Mr. Heyl informed Council that this does meet spec and track is not required. Mr. Mihalko disagrees, any project that he has worked on required some sort of track. Mr. Heyl stated he can report it to them and see if they'll address it, but it is not a requirement. Mrs. Neunder also claims that Biddeford and Stratford look the same.

Dave Prezgay 1 Penhurst Road came to listen in on the Wilson Road report. He also still has concerns for the stop sign area. Mr. Prezgay stated that he's witnessed numerous times cars blowing through the stop sign and continuing through to Wilson towards New Brighton. Most recently, he witnessed this act again but was unable to catch the license plate, but still called to inform Ohio Township Police. Chief Hanny asked if Mr. Prezgay felt these were residents of the Borough. Mr. Prezgay stated it was hard to tell, he feels he knows the residents but wasn't sure. Mr. Stiller noted that he did walk that area with Avalon Public Works and they did note that there was some vegetation blocking the stop sign. Avalon also suggested painting stop bars, as there are currently no stop bars at this intersection. Mr. Prezgay asked if the little LED lights could be put down. Mrs. Neunder added that sometimes the plows rip them up out of the road. Mr. Stiller also added that to do some of these other safety updates there are requirements we need to meet and we may not meet them. Mr. Stiller added a scenario, the people could be blowing through the stop signs because the stop signs are so pushed back so, they may stop but then coast to the corner to see around the corner, that's something that will be really hard to fix. But let's start with the stop bars. Chief Hanny stated signage is always the first step, an email to the residents can also help. He also added that as he stated before, it's an expensive venture but, having a traffic study can significantly benefit the Borough with this. Mr. Mihalko asked Mr. Prezgay if he had an idea if the people doing this lived on Newgate. Mr. Prezgay responded that if he had to guess, there's

a particular black Tesla that zooms through. Mr. Stiller would like to send out a letter to the residents and add the reflective strips to the stop signs already in place. Mr. Stiller wants the residents to know we take this seriously.

4. **Fire Report:** There was no fire present to report.
5. **Police Report:** Please see attached report for the month of January. Chief Hanny also wanted to make the Borough aware that Ohio Township Police will now be wearing body cameras as they received grant money to purchase them. More information will be available on their website soon. Chief Hanny went on to discuss the report that was conducted on Wilson for the speeding concerns that were brought to the Borough's attention. The average speed recorded was 21 miles per hour, which would seem fast on Wilson, being a small road. With the data collected, no cars could have been cited.
6. **Engineers Report:** Please see attached memo provided by LSSE. Council discussed the Consent Decree Phase II and decided they would like to go with the ordinance option. The solicitor will look into drafting an ordinance for council for the March 2022 meeting as this must be adopted by April 2022. Mr. Heyl will also look into the road portion in question on Oxford that the Borough brought to LSSE's attention. This project was completed by Shields, Mr. Heyl will have to look into the contract to confirm if they are still under contract or not. Whether has also been holding up the final punch list with Libberoni.
7. **Review action items from prior meeting:** Council reviewed any lingering items from January and addressed these items to be completed in February. Mr. Brown just updated council that moving forward there will be a working document with action items from meetings that council can review and complete their task item.
8. **Auditor agreement:** Council reviewed and understand they're on a tight deadline to search for another CPA with the 2021 audit due in the next couple months. Council would like to see a 5-year agreement.
9. **Avonworth Municipal Authority 2022 budget:** Council reviewed.
10. **2021 Annual Report:** Mr. Stiller reported that all the information that council provided for each of their areas have been updated to reflect 2021. Mrs. Neunder noted that the family who helped aid with the Easter egg hunt was not included. This will be edited to reflect the family who helped with this. The other question raised was why weren't the committee assignments updated, and Mr. Stiller reminded all that this report is reporting on what happened in 2021.
11. **Executive session:** Began at 7:51pm

Regular meeting resumed at 7:56pm

Meeting ended at 7:57pm

Jessica DiNuzzo, Secretary

February 07, 2022

Calls for Service - by UCR Code

Incidents Reported Between 01/01/2022 and 01/31/2022



BEN AVON HTS

Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
2626	FALSE FIRE ALARM	2			
3855	ROAD DEPARTMENT CALL OUT	10			
3870	MEDICAL EMERGENCY/ ASSIST AMBULANCE	3			
3900	TRAFFIC & PARKING PROBLEMS	1			
4026	WIRES AND POLES DOWN	1			
<hr/>					
6310	TRAFFIC POST	1			
7092	ROUTINE PATROL COMPLETED	79			
CITT	TRAFFIC CITATION	1			
		Total Calls	98		

MEMO



846 Fourth Avenue, Coraopolis, PA 15108
(412) 264-4400 • (412) 264-1200 Fax

TO: Ben Avon Heights Borough

FROM: Kevin A. Brett, P.E.
John R. Heyl, P.E., CPESC

SUBJECT: **February 8, 2022 Meeting**
Engineering Report

DATE: February 1, 2022 S. O. No.: 0452-01

cc:

Following is a summary of the engineering services provided since the last Engineering Report:

1. **Phase II Consent Order and Agreement (COA):**

The Phase II COA was released by ACHD on September 1, 2021. A meeting was held with Borough Representatives on September 29, 2021 to review the order. ACHD is requesting that signed COAs be forwarded back to ACHD by October 31, 2021. LSSE reviewing the

Exhibit ‘B’ information as part of the 6-month baseline due diligence period. A report documenting the findings of this review will be drafted for submittal to ACHD in April / May 2022.

*Borough Council approved the update to the Operations and Maintenance Plan at the May 2020 meeting. Work was awarded to Robinson Pipe Cleaning Company in the amount of \$39,072.50 as noted in letter dated August 13, 2020. A repair scope for the Year 1 area including an Opinion of Probable Cost has been drafted. Four manholes were unable to be located, and CCTV for two sewer lines were incomplete because of access issues. A repair scope for Years 1 and 2 of the O&M Program has been submitted to the Borough for review. LSSE to assist Borough with the preparation of Bid Documents for the repair scope identified by the Borough. **LSSE transmitted an updated Sanitary Sewer O&M Budget on January 17, 2022 (Attachment A).***

A draft memorandum discussing O&M planning as it relates to COA requirements is provided for review and comment at this evening’s meeting (Attachment B).

2. ALCOSAN Regionalization:

Ben Avon Borough sent a March 19, 2020 letter in regards to the potential repairs and maintenance required to transfer ownership over to ALCOSAN for a portion of the multi-municipal sanitary sewer line tributary to ALCOSAN POC O-18. The letter mentions splitting up the cost of repairs and maintenance based on tributary EDUs from each upstream community. LSSE has prepared a summary of available information. To evaluate this methodology fully, the following information is required for review:

N:\PROJ\452\452-01\2022 Meetings\02 February.docx

1. *Scope of work required to complete repairs*
2. *Opinion of Probable Cost to complete repairs*
3. *Cost Allocation EDU split by community*
4. *Preliminary schedule to complete work*
5. *Draft Agreement for Repair / Maintenance of the shared sewer facilities*

LSSE awaiting additional information from Ben Avon Borough to proceed. A meeting to discuss O-18 Regionalization / Phase II COA status for all municipalities in the O-18 sewershed is being held February 2, 2022.

3. Chapter 94 Wasteload Management Report:

LSSE is preparing the Annual Report. A Service Order Authorization has been provided to the Borough for the work on February 1, 2022 (Attachment C).

4. MS4 Permit:

PaDEP issued MS4 Waiver Approval letter on April 24, 2018. Next permit cycle is September 2023. Waiver will be submitted in early 2023.

5. 2021 Roadway Improvement Program

*Project was awarded to A. Liberoni, Inc. in the amount of \$255,408.74 (Base Bid, Add Alternate Nos. 1, 2, 3, 4, 5 and 6) as noted in letter dated March 23, 2021. Pre- Construction Meeting held on April 23, 2021. LSSE transmitted Change Order No. 1 to the Borough for execution on July 16, 2021; this change order is for extra storm sewer work on Bidderford Road and the removal of the concrete sidewalk on Oxford Road. Concrete work has been completed. LSSE transmitted Partial Payment No. 1 in the amount of \$148,399.28 as noted in letter dated September 12, 2021. Final walkthrough was held on November 29, 2021. . LSSE transmitted Partial Payment No. 2 in the amount of \$133,970.81 as noted in letter dated January 10, 2022. **Final Walkthrough held on January 10, 2022; LSSE issued updated punchlist letter on January 25, 2022 (Attachment D).***