



Borough of Ben Avon Heights

Tuesday, March 8<sup>th</sup>, 2022 - Council Meeting Minutes

A quorum is in attendance

**Present:**

Council Members: Brown, Dawley, Lope, Mihalko (arrived at 7:35pm), Stiller

Solicitor: David Mongillo

OTPD: Chief Hanny

Fire: Chief Berie

**Mayor:** Dismukes

Secretary: DiNuzzo

Residents: Jason Brown, Joe Dawley, Jessica DiNuzzo

**Mr. Brown began the meeting at 7 PM.**

1. **Approval of February 2022 meeting minutes: A motion was made by Mr. Stiller. Mr. Lope seconds the motion. Motion passed unanimously.** Mr. Dismukes made note that he was present at the last meeting.
2. **Approval of January 2022 financials: A motion was made by Mr. Dawley. Mr. Stiller seconds the motion. Motion passed unanimously.** Mr. Brown noted that in the January 2022 financials it seemed as if the PA 1 call invoices were extremely high. He requested Ms. DiNuzzo to dig into this and they found out that the Borough paid Avalon their 3<sup>rd</sup> and 4<sup>th</sup> quarter public works invoices at this time. While further looking into the details of these invoices, it was very obvious this was due to the road work in 2021. Mr. Brown asked Mr. Heyl if we would expect large PA 1 call invoices again this year. Mr. Heyl reminded the Council that there is no road program in 2022. Mr. Brown also noted that it's very apparent that from January through May, the Borough has a cash flow issue. He suggested that council should discuss in the future, possibly transferring money in the beginning of the year in the future.
3. **Public Comment:** Jason Brown at 8 Lynton Lane informed Council that he was not too happy on Valley Wastes service this past month. He as a Council member and Council President called our contact at Valley Waste who decided to ride around with the drivers this past week to see what was going on. After his day with the drivers, he was very surprised at how much recycling the Borough does, for such a small Borough. Because of this, he will have a larger truck come through in the future to pick up the recycling. The second note he had for us was that we should remind our residents of items that can and cannot be recycled. A common area of confusion is cardboard and takeout food containers; if these items are not fully cleaned and missing left over food pieces, then that item contaminates the whole bin of recycling.  
Joe Dawley at 19 Canterbury just wanted to let Council know that the Culley's will be hosting a roadside trash pickup this Spring. It was postponed the previous years due to covid.  
Jessica DiNuzzo at 12 Lynton Lane wanted to make Council aware of some wires that are hanging near a pole with something that looks like a box. Mr. Mihalko will check into this.
4. **Fire Report:** For the month of February there were 3 calls: a smoke detector at Shannopin, a false fire alarm at a residents home, and a contractor hit a gas line.

5. **Police Report:** Please see attached report for the month of February. Chief also noted that he dropped off the reflective strips for the stop signs to the Borough. Mr. Stiller will have these installed on the stop signs at the Wilson intersection. Mr. Stiller also noted that the Borough did contact the resident at the corner of Wilson and Penhurst about the hedges and they have acknowledged our request and will trim these come spring time. With spring around the corner, Mr. Stiller will continue to work with Avalon on setting down some additional safety items such as stop bars on the road.
6. **Engineers Report:** Please see attached memo provided by LSSE. Mr. Dawley noted that the section of Canterbury that Columbia Gas had opened up was recently sealed. Mr. Stiller updated council that PennDot came out to review the New Brighton Road drainage issue and they believe that they can fix this by slightly changing the pitch of the road through a micromill. They will be in the area this summer and will continue to update the Borough and at no cost to us. Mr. Stiller also informed Council members that a resident of Oxford had a sinkhole open up in their driveway. They looked into it and the Borough has no lines going into that area where the sinkhole developed. **A motion was made by Mr. Mihalko to advertise the CCTV Lateral Testing Ordinance. Mr. Dawley seconds the motion. The motion passed unanimously.**
7. **Green Space update:** Council is set to meet with Walt's landscaping at the end of March to hopefully complete the contracts.
8. **Cyber insurance:** Mr. Lope updated Council that the Borough received an additional quote specifically for cyber coverage. They have a call scheduled with Jamie Northey, our insurance representative later this month to understand the policy more.
9. **North Hills 4<sup>th</sup> of July Fireworks:** tabled until April.
10. **Action items:** Mr. Brown informed Council the only one outstanding item is the cyber policy and he hopes to have that complete for our next meeting. He would also like to invite Al Cuteri to our next meeting so we can discuss where the Planning Commission is with the drafted zoning ordinance.
11. **Executive session:** No executive session was needed.

meeting ended at 7:38pm

Jessica DiNuzzo, Secretary

March 08, 2022

**Calls for Service - by UCR Code**  
**Incidents Reported Between 02/01/2022 and 02/28/2022**  
**BEN AVON HTS**



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
3620	DISTURBANCES-OTHER (FIGHTS,DISPUTES,ETC)	1			
3855	ROAD DEPARTMENT CALL OUT	6			
3870	MEDICAL EMERGENCY/ ASSIST AMBULANCE	2			
4012	GAS LEAKS & EXPLOSIONS	1			
6008	TRAFFIC ACCIDENT INVOLVING NONINJURY	2			
6310	TRAFFIC POST	3			
7092	ROUTINE PATROL COMPLETED	68			
CITT	TRAFFIC CITATION	2			
<b>Total Calls</b>		<b>85</b>			

***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: **March 8, 2022 Meeting  
Engineering Report**

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

cc:

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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. **Ongoing.***

*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.*

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:

1. *Scope of work required to complete repairs*
2. *Opinion of Probable Cost to complete repairs*
3. *Cost Allocation EDU split by community*

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1 of 2

3. *Preliminary schedule to complete work*
4. *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 was held on February 2, 2022.

**3. Chapter 94 Wasteload Management Report:**

**LSSE submitted the Annual Report on February 25, 2022 (Attachment A).**

**4. MS4 Permit:**

*PaDEP issued MS4 Waiver Approval letter on April 24, 2018. Next permit cycle is September 2023. Waiver will be submitted in by September 2022.*

**5. Miscellaneous Items:**

**1. 19 Cambridge: Resident notified the Borough of significant water seeping from the slope behind their house. LSSE performed a field review and confirmed that the Borough does not have a storm or sanitary sewer in the vicinity of the seep. LSSE has reached out to West View Water to have them inspect their waterline along Briar Cliff Road. West View Water located a leak and has made the repair.**

**6. 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.*

**7. LSA Grant**

**LSSE transmitted resolution for 2022 Sanitary Sewer Lining Repairs for grant application (Attachment B).**

**8. 2018 Roadway Improvement Program**

**LSSE transmitted Maintenance Bond items to Contractor to address on February 25, 2022 (Attachment C).**

**BEN AVON HEIGHTS BOROUGH 2021  
CHAPTER 94 - ANNUAL REPORT**

<b>Chapter 94 Reference</b>	<b>Response</b>
§94.12(a)(4)	There were no sewer extensions constructed in 2021. This area is fully developed and there are no planned sewer extensions or other development known at this time.
§94.12(a)(5)	<p>Routine maintenance is completed by Borough personal and in accordance with Phase II Consent Order (COA) requirements.</p> <p>The Ben Avon Heights O&amp;M Plan was originally prepared in 2010 as required by the 2004 Administrative Consent Order with the Allegheny County Health Department (ACHD). Borough Council approved an update to the O&amp;M Plan at the May 2020 council meeting that included a 5-year rotational schedule for Visual Inspection, Cleaning / CCTV and Manhole Physical Surveys throughout the Borough. This plan was bid out for the initial 5 year program at one time and was awarded to Robinson Pipe Cleaning Company on August 13, 2020.</p> <p>In 2020, sanitary sewer CCTV and cleaning was completed on approximately 3,765 linear feet of sewers along with 16 manhole physicals surveys completed by LSSE in the Cambridge / Briarcliff area (O&amp;M Plan Year 1).</p> <p>In 2021, sanitary sewer CCTV and cleaning was completed on approximately 2,520 linear feet of sewers along with 17 manhole physicals surveys completed by LSSE in the Perrysville/Wilson/Kent area (O&amp;M Plan Year 2).</p> <p>The Phase II COA was executed on October 28, 2021. Exhibit 'B' information is currently under review as part of the 6-month baseline due diligence period. The Ben Avon Heights sanitary sewer system is characterized as below the "Gold Line Standard" and not tributary to municipal SSO's.</p>
§94.12(a)(6)	The general condition of the collection system is commensurate with age and constructed largely with vitrified clay pipe. The system is a separate sanitary sewer system.
§94.12(a)(7)	There are no sewage pumping stations in the Borough.
§94.12(a)(8)	There are no known industrial wastes discharged in the Borough facilities.
§94.12(a)(9)	There are no known sewers where the capacity is exceeded. There were no known sanitary sewer overflows in 2021.



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

Managing Principals:  
Kevin A. Brett, P.E.  
Ned Mitrovich, P.E.  
Jason E. Stanton, P.E.

February 24, 2022

S. O. No. 452-10

**VIA EMAIL ONLY**  
**(benavonheightsborough6@gmail.com)**

Ms. Jessica DiNuzzo, Secretary  
Ben Avon Heights Borough  
12 Lynton Lane  
Pittsburgh, Pennsylvania 15202

**Subject: Commonwealth Financing Authority LSA  
Grant Application  
2022 Sanitary Sewer Lining Repairs**

Dear Ms. DiNuzzo:

Transmitted herewith is the resolution for the 2022 sanitary Sewer Lining Repairs project. Please review and pass the Resolution at the next Council's regular meeting and return same to this office for submission with the LSA Grant Application. The grant application must be submitted by March 15, 2022.

Should you have any questions, please contact Jacob C. Bajek, P.E. directly (Ext. 291).

Sincerely,

A handwritten signature in blue ink that reads "Kevin A. Brett".

Kevin A. Brett, P.E.

CPESC

A handwritten signature in blue ink that reads "John R. Heyl".  
John R. Heyl, P.E.,

KAB/JRH:als

Attachment

ATTACHMENT B

**BEN AVON HEIGHTS BOROUGH  
ALLEGHENY COUNTY, PENNSYLVANIA**

**RESOLUTION NO.**

Be it RESOLVED, that the Ben Avon Heights Borough of Allegheny County hereby request a Statewide Local Share Assessment grant in the amount of \$150,000.00 from the Commonwealth Financing Authority to be used for the 2022 Sanitary Sewer Lining Repairs Project.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Jason Brown, President and Jessica DiNuzzo, Secretary as the officials to execute all documents and agreements between the Ben Avon Heights Borough and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Jessica DiNuzzo, duly qualified Secretary of Ben Avon Heights Borough, Allegheny County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Ben Avon Heights Borough Council at a regular meeting held March 8, 2022 and said Resolution has been recorded in the Minutes of the Ben Avon Heights and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Ben Avon Heights this 8<sup>th</sup> day of March, 2022.

BEN AVON HEIGHTS BOROUGH  
(Name of Applicant)

ALLEGHENY  
(County)

\_\_\_\_\_  
Jessica DiNuzzo, Secretary



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(412) 264-4400 • (412) 264-1200 Fax

Managing Principals:  
Kevin A. Brett, P.E.  
Ned Mitrovich, P.E.  
Jason E. Stanton, P.E.

February 25, 2022

S. O. No. 0452-2018

**VIA EMAIL ONLY**  
**(cshields@shieldspaving.com)**

Mr. Tim Shields, President  
Shields Asphalt Paving, Inc.  
P. O. Box 672  
Valencia, Pennsylvania 16059

**Subject: Borough of Ben Avon Heights**  
**Contract No. 18-R01**  
**2018 Roadway Improvement Program**  
**Maintenance Bond**

Dear Mr. Shields:

This letter is to serve as reminder that prior to the expiration of the 18-month Maintenance Bond, crack sealing will be required to be performed on all roadways paved under this Contract. The following is a list of our findings that need addressed:

1. Oxford Road (Clovelly Road to Biddeford Road): Repair cracking in front of 14 Oxford Road and seal crack at the intersection of Clovelly and Oxford.
2. Banbury Lane (Clovelly Road to Perrysville Avenue): Seal cracks in front of House Nos. 23 and 25.
3. Briar Cliff Road (Clovelly Road to Banbury Lane): Seal cracks in front of House Nos. 3, 5, 7, and intersection of Clovelly and Briar Cliff.
4. Lynton Lane (Penhurst Road to New Brighton Road): Seal cracks in front of House Nos. 8 and 10.

Prior to completing, please notify LSSE and provide a work schedule. All crack sealing shall be sanded upon placement of sealant. All work must be completed before the Maintenance Bond expires on May 10, 2022.

Coraopolis, Allegheny County, PA • Greensburg, Westmoreland County, PA  
Albion, Erie County, PA • Dublin, Franklin County, OH  
Center Township, Beaver County, PA

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ATTACHMENT C

Mr. Tim Shields,  
President Shields  
Asphalt Paving, Inc.  
February 25, 2022  
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Should you have any questions, please contact David L. Kovac, E.I.T. directly (Ext.  
235). Sincerely,

Kevin A. Brett, P.E.

KAB/nlk

cc: Jessica DiNuzzo, Ben Avon Heights Borough (bahb.secretary@gmail.com)  
Jason Brown, President - Ben Avon Heights Borough Council (dryojj@gmail.com)

A handwritten signature in blue ink that reads "Kevin A. Brett". The signature is written in a cursive style with a large, stylized "K" and "B".