



Borough of Ben Avon Heights

Tuesday, April 11th - Council Meeting Minutes

A quorum is in attendance

Present:

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

Police: Officer Harzell

Fire:

Mayor: Dismukes

Solicitor: David Mongillo

Secretary: DiNuzzo

Residents:

Call to Order: Mr. Stiller began the meeting at 7 PM.

- 1. Roll Call:** There was a roll call of Council Members. A quorum is present.
- 2. Approval of March 2023 meeting minutes:** *A motion was made to approve the March 2023 meeting minutes by Mr. Stiller. Mr. Dawley seconds the motion.* Mr. Mihalko had some questions about the grant we submitted for the park. Mr. Brown noted this was not the space on the agenda to discuss this. Mr. Lope wanted to confirm that Mr. Dawley made the motion for the parking ordinance since he later opposed it. Mr. Stiller noted you can make a motion for an item then oppose to item when called to vote upon it. *The motion passed.*
- 3. Approval of March 2023 financials:** *A motion was made by Mr. Stiller to approve the February 2023 meeting minutes. Mr. Lope seconds the motion.* Mr. Brown noted we are \$88,000 below in income this year, this is to be expected as real estate tax collection does not start coming in until June. He also noted we are down \$4,000 in collected earned income tax. Mr. Brown and Ms. DiNuzzo will be working with the accountant to check on some uncleared transactions that date back to 2022. We want to make sure there are no open unpaid invoices with our vendors. *Motion passed.*
- 4. Public Comment:** *No public present*
- 5. Fire Report:** *No fire present due to training*
- 6. Police Report:** *Police report provided below for the month of March*
- 7. Northwest EMS report:** There were 5 responses for Ben Avon Heights for the past quarter. Average response time was 9 minutes and 50 seconds. Mr. Radcliffe asked if Ben Avon Heights was being serviced from Ben Avon. Mr. O'Connor confirmed. The McKees Rocks bridge construction has made it more challenging recently.
- 8. Engineers report:** *See below for LSSE report.* Mr. Dawley wanted to add that he felt very rushed in the decision-making last meeting on the DCRN grant. He appreciated the efforts put forward by Mrs. Neunder with the community survey, but it felt very rushed. Mr. Brown asked Mr. Heyl if we could deny the grant if

we were awarded. Mr. Heyl noted that you can always deny, but there is always a chance that you will not be granted again in the future. Mr. Radcliffe asked when we may find out when we are awarded.

- a. **Grants update:** Mr. Stiller informed Council that we were awarded the LSA grant money for sewer repairs in the amount of \$149,000 which will go toward sewer lining improvements and catch-up for deferred repairs. Mr. Stiller offered that he will work with Mr. Heyl and LSSE to scope out the project to make use of the grant money.
- b. **Canterbury Sidewalks:** Mr. Mihalko noted some residents reached out to him with concerns over the sidewalk on Canterbury. As noted in the memo from LSSE, the borough was not awarded the money we applied for to repair these sidewalks. Mr. Brown noted we will now need to look at the next steps to take to repair these sidewalks. He added that residents are liable for sidewalk repair according to borough ordinances.
- c. **Other** - Mr. Stiller asked about the pothole on Canterbury which Mr. Heyl stated he reached out to Columbia Gas and they will be addressing. Mr. Stiller also asked about the catch basin on Banbury since it clogged during a prior week's wet weather event. It was concluded by LSSE that the clog was caused by surface debris and not any clog in the pipe in the system.

- 9. Planning Commission Update:** Mr. Brown noted that next meeting, Council members should review the latest draft ordinance before May's meeting. Ms. Ludwig and Mr. Griffith presented to Council the latest version that included responses to the county's suggestions. Some of the comments they did adapt were with certain terms like basement, carport, floor area, building height, story – all of those building codes; she noted they did change a few so they were consistent with building code. She also noted that they did add another yard type example to show a multiple frontage lot, a lot with say three front yards. They also changed the term architectural easements regarding front porches; they felt calling that an architectural easement was confusing, so they decided to call it front porch easement. Mr. Brown added that Council will comment next meeting so they have time to review and that it would be on the agenda in May to approve back to the county.
- 10. Green Spaces Update:** Mrs. Neunder noted that A&N started their park services this week. Mr. Mihalko requests green spaces come up with a master plan for what they would like to do so Council will not feel rushed. Both Mr. Mihalko and Mr. Dawley said they would help the green spaces committee with creating a strategic plan for the park. Mr. Stiller added that the team should have a plan ready for October when budget discussions begin.
- 11. Motion to Approve Child Molestation Policy for Insurance Coverage:** Mr. Brown noted to continue this coverage the Borough needs to adapt a Child molestation policy. *A motion was made by Mr. Radcliffe to adopt the child molestation policy. Mrs. Neunder seconds the motion.* Mr. Lope questioned who would need to sign this, if it was just new hires or our current crossing guards. Mr. Mihalko asked if our crossing guards need any background checks. Ms. DiNuzzo confirmed that was part of the hiring process. *Motion passed.*
- 12. Easter Service in the Park:** Mr. Brown noted that he approved this for 2023 as this date already happened. *A motion was made by Mr. Radcliffe to approve the 2023 Easter services in the park. Mr. Mihalko seconds the motion. Motion passed.*
- 13. Zoning Applications:** Ms. DiNuzzo reported for the month of March there were no applications submitted
- 14. Executive Session:** began at 8:01pm
- 15. Regular session:** began at 8:12pm
- 16. Meeting adjourned at:** 8:13pm

Jessica DiNuzzo, Secretary

April 11, 2023

Calls for Service - by UCR Code
Incidents Reported Between 03/01/2023 and 03/31/2023
BEN AVON HTS



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
3855	ROAD DEPARTMENT CALL OUT	2			
6614	TRAFFIC RELATED - CARELESS DRIVER	1			
7092	ROUTINE PATROL COMPLETED	76			
Total Calls		79			

MEMO



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

TO: Ben Avon Heights Borough

DATE: April 5, 2023

S. O. No.: 0452-01

FROM: Kevin A. Brett, P.E.

cc:

John R. Heyl, P.E., CPESC

SUBJECT: **April 11, 2023 Meeting**

Engineering Report

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

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

Task for the remainder of the Order include continued O&M and reporting of SSOs.

2. **Sanitary Sewer Operations and Maintenance (O&M):**

Repair scope for the 2021 and 2022 have been drafted and project has been submitted for a PA Small Water Grant. PA Small Water Grant application has been submitted. 2023 O&M CCTV has been completed. An SOA for the 2023 O&M tasks is provided for action at this month's meeting (Attachment A).

3. **MS4 Permit:**

MS4 Waiver was approved through 2028.

4. **LSA Grant**

Borough was awarded \$149,905 for Sewer Lining Repairs. An SOA for the final design and construction phase services for this project will be provided upon receipt of the funding agency documentation.

5. **MTF Grant**

Grant was not awarded.

6. **2018 Roadway Improvement Program**

LSSE transmitted Maintenance Bond items to Contractor to address on February 25, 2022.

Contractor to address area that was missed.

7. **Basketball Court Resurfacing**

LSSE provided preliminary opinion of probable costs on March 1, 2023. LSSE submitted a DCNR grant application for Park Improvements on April 5, 2023.

8. **Canterbury Paving**

As requested, LSSE reviewed pavement failure on Canterbury Drive. It appears the pothole formed around a gas valve. This road was paved under the 2018 Roadway Improvement Program by Shields Asphalt Paving, Inc. The scope of work did not include a full pavement reconstruction for this street. The maintenance bond for this contract expired in February of 2022.

Being that the failure has occurred around the gas shutoff valve, it could have occurred due to improper compaction of material around the valve when it was installed. LSSE reached out to Columbia Gas and they indicated they would have someone review the situation.