



Borough of Ben Avon Heights

Tuesday, June 13<sup>th</sup>, 2023 - Council Meeting Minutes

A quorum is in attendance

Present:

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

Police: Hanny

Fire:

Mayor: Dismukes

Solicitor: David Mongilio

Secretary: DiNuzzo

Residents: Betsy Radcliffe 14 Wilson, Joe Rattay, Jim Georgalas

Call to Order: Mr. Brown started the meeting at 7pm

- 1. Roll Call:** There was a roll call of Council Members. A quorum is present.
- 2. Approval of May 2023 meeting minutes:** *A motion was made to approve the May 2023 meeting minutes by Mr. Stiller. Mr. Lope seconds the motion.* Mr. Radcliffe and Mr. Brown noted a few typographically errors. Ms. DiNuzzo will fix it and Mr. Brown will post these. *The motion passed with approved edits.*
- 3. Approval of May 2023 financials:** *A motion was made by Mr. Radcliffe to approve the May 2023 financials. Mr. Stiller seconds the motion.* Mr. Lope noted there were a few double entries, Mr. Brown noted he also caught the storage invoice. He also noted we are in good standings; the real estate taxes seem to be coming in. He also added the Verizon franchise fee is off, but that's because Council budgeted incorrectly. Mr. Stiller asked Ms. DiNuzzo if we typically received our liquid fuels by now, she said she would check into this. *The motion passed.*
- 4. Fire Report:** *There was no fire present to present.*
- 5. Police Report:** *See below for the police report.*
- 6. Public Comment:** Betsy Radcliffe at 14 Wilson Drive, came to Council to express her frustrations over the Planning Commission and their lack of record keeping. She had specific issues with the format of the June Planning Commission meeting including limited ability for public comment. Mrs. Radcliffe also raised issues that the Zoning Ordinance is still not user friendly and is unclear and vague. She also commented about controls over multi-Family dwellings both in the ordinance and in borough enforcement--at the May meeting, a resident at 19 Banbury acknowledged that their detached garage is indeed an accessory dwelling unit, and at the meeting last week, it was disclosed that the 24 Banbury property is going to be listed as a "Wonderful Craftsman style home with a detached garage offering great options for living space (has a full bath), studio or home office." Mrs. Radcliffe also raised concerns about dissemination of information by the Borough, the lack of availability of Planning Commission Meeting minutes, notifications of events by the

Borough, and non-zoning ordinance related issues such as the Borough not posting an agenda for the June Council Meeting to the website and not posting the minutes from the April Council meeting. Mrs. Radcliffe concluded by asking the Borough to improve transparency and process with the Zoning Draft process going forward. Mr. Brown apologized for the items from Council not being available on the website, they will do better moving forward.

Joe Rattay at 9 Biddeford Road questioned if we can go back and look at the properties in question to see if they were approved or not. Mr. Brown confirmed that both the Zoning Officer and Zoning Hearing board would have these records.

Jim Georgalas at 15 Banbury Lane came to express his concerns of the state of the drafted zoning ordinance and how important it is to keep the Ben Avon Heights charm.

- 7. Engineers report:** *See below for LSSE report. A motion was made to look into CTTV not to exceed \$3,000 by Mr. Stiller. Mr. Lope seconds the motion. Motion passed. A motion was made to amend the agenda to include the SOA by Mr. Radcliffe. Mr. Stiller seconds the motion. Motion passed. A motion was made to approve the SOA for \$17,500 by Mr. Stiller. Mr. Radcliffe seconds the motion. Motion passed.*
- 8. Green Spaces Update:** Mr. Radcliffe informed Council that he found a company that will repair the tennis court for \$3,792.78, they were the only company that came out and were close to what we budgeted for. A motion was made to use the company and not to exceed \$3,000 not without prior written consent by Mr. Dawley. Mr. Lope seconds the motion. Mr. Radcliffe also added that there has been a weed problem over by Banbury Lane, Briar Cliff, Cambridge and had A&N Lawn weed Wack that area. Mr. Radcliffe also noted that the greenspace committee had their first meeting at the park. Mr. Dawley added that he still feels this committee seems rushed in the decision making. Mr. Brown noted he would like an update at each meeting so we can track the progress. Council also makes the final decision on what the committee requests. Mr. Radcliffe added that Mrs. Neunder noticed that the playground had already lost about 2 inches of mulch. They obtained a quote from A&N which was \$3,800. Mr. Dismukes suggested a community event laying down the mulch. Mr. Radcliffe confirmed that Ms. Fary suggested this as well, he will work with Ms. Fary in researching how much mulch would cost to deliver.
- 9. Planning Commission Update:** Mr. Brown noted that Council agrees with all comments residents have submitted, and also agrees that the June 6<sup>TH</sup> 2023 meeting did not run as smoothly as it could have. He also added that he has requested all Planning Commission meeting minutes from AI, so they can be approved and posted. A motion was made for the Planning Commission to provide minutes of all Planning Commission meetings since the beginning of the ordinance change process in 2017 by Mr. Stiller. Mr. Radcliffe seconds the motion. Motion passed. Mr. Brown also added that he requested by the Planning Commission to have the updated drafted zoning ordinance on Friday June 23<sup>rd</sup>, 2023. At that point, Council should review this to fix anything that they find and then share with the public. Mr. Radcliffe hopes to see Maggie Goods comments in the draft as she went to great lengths to edit the document from front to back. Mr. Dismukes added that they specifically spoke to HRG informing them to accept her comments. The solicitor added that once Council receives the document, they can make additional changes to it, before sending it back to the county. You have to submit those at least 45 days before the public hearing. A motion was made for a comment response document from the Planning Commission on what comments were addressed or not addressed by the county comments by Mr. Dawley. Mr. Stiller seconds the motion. Motion passed. Mr. Radcliffe requested that all Council members be copied on this email.
- 10. Storage Update:** Mr. Lope informed Council that there is a space available for \$70 dollars a month. We will need to move everything out at the end of the month to change leases. Council agreed and will do this at the end of July early August.
- 11. Zoning Applications:** Ms. DiNuzzo reported for the month of May there were 2 applications approved.
- 12. Executive Session:** Began 8:11pm
- 13. Regular session:** Began 8:33pm
- 14. Meeting adjourned at:** ended at 8:34pm

June 12, 2023

**Calls for Service - by UCR Code**  
Incidents Reported Between 05/01/2023 and 05/31/2023  
**BEN AVON HTS**



Code	Description	Primary Count	Secondary UCR Count		
			Code 2	Code 3	Code 4
1590	WEAPONS - REPORTS	1			
3400	MENTAL HEALTH	1			
6310	TRAFFIC POST	1			
7092	ROUTINE PATROL COMPLETED	72			
		<b>Total Calls</b>			
					<b>75</b>



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: **June 13, 2023 Meeting  
Engineering Report**

DATE: June 6, 2023

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)**

*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.*

A SOA for the 2023 Sanitary Sewer O&M Repairs project tasks was provided at the May 2023 Council meeting.

A SOA for the 2023 O&M CCTV/MHPS tasks was provided at the April 2023 Council Meeting.

3. **MS4 Permit**

*MS4 Waiver was approved through 2028.*

4. **LSA Grant**

**Borough was awarded \$149,905.00 for the 2023 Sanitary Sewer O&M Repairs project. LSSE provided a scope summary in a memorandum dated May 3, 2023.**

5. **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.*

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6. **Canterbury Paving**

*As requested, LSSE reviewed pavement failure on Canterbury Drive. It appears the pothole formed around a gas valve. LSSE reached out to Columbia Gas and they indicated someone would review the situation.*

7. **Canterbury Sidewalk and Curb**

*As requested, LSSE prepared Opinion of Probable Costs for Sidewalk and Curb Replacement*

