



Borough of Ben Avon Heights

Tuesday, June 8th, 2021 - Council Meeting Minutes

A quorum is in attendance

Present:

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

Mayor: Dismukes

Solicitor: Vogel, Tucker Arensberg

OTPD: Chief Hanny

Fire: Chief Berie

Secretary: DiNuzzo

Residents:

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

- 1. Approval of May meeting minutes: A motion was made by Mr. Radcliffe. Mr. Brown seconds the motion. The motion passed unanimously.** Mr. Stiller questioned where the zoning meeting minutes were as they had a lot of public comments in them. Ms. DiNuzzo explained they will be included in July's information as she had to devote her time towards the ARPA local recovery fund.
- 2. Approval of April financials: A motion was made by Mr. Radcliffe. Mr. Brown seconds the motion. The motion passed unanimously.** Mr. Stiller had concern over the fact that we're not showing any tax as of yet.
- 3. Police Report:** Chief Hanny reported for the month of May there was a total of 88 calls; a tree was down, one traffic complaint, a couple citations issued, other than that a really quiet month. Mr. Dismukes had a question for Chief Hanny. He stated there was a delivery person double parked, which completely blocked the street. Mr. Dismukes stated that he had a photo of the car. Chief Hanny stated they can reach out to the driver and remind them to not block streets when delivering.
- 4. Fire Report:** Chief Berie reported for the month of May there was 2 calls: a tree was down and a fire alarm at a resident's house due to cooking. He also mentioned that Shannopin reached out asking if they could park across from the fire house, but Chief noted that is also the same day as Avalon's 4th of July events. Council suggested reaching out to Giant Eagle, they daycare on Camp Horne and the Avonworth High school. Chief asked Ms. DiNuzzo if Shannopin would like a fire truck on site for the fire works, Ms. DiNuzzo was not sure but would reach out to Shannopin to see. Chief Berie also mentioned to council that the requirements have changed to volunteer, opening it up to more who may be interested.
- 5. Engineers Report:**
 - a. 2021 CCTV status:** LSSE reported that the CCTV work has been completed with the exception of two sections of pipe that comes up through a resident's yard. As soon as their smaller camera gets fixed, they'll come back and video that section. LSSE also found 4 manholes that are buried. Mr. Cuteri suggested that we need to instruct residents not to cover the manholes. LSSE will provide the Borough a map showing what properties have buried manholes.
 - b. Road repair schedule of work:** LSSE reported that they would be working on Devon for one more week and then moving onto Stratford and Biddeford. They will not pave the roads until the curb work is complete. Regarding the curb that was put in incorrectly, LSSE brought this to their attention. Mr. Cuteri stated they have to comply with the contract. Mr. Cuteri asked if LSSE let them know of the lack of communication on the work and LSSE indicated they stated notification was provided to the residents being affected. Ms. DiNuzzo noted that she still has not received the communication shared

with these residents as originally requested. LSSE will remind them to provide this to the Borough. Ms. DiNuzzo added it would be helpful to let Valley Waste know. Mr. Radcliffe informed council that Liberoni is there every day, the large garbage truck can't get through. Valley Waste is sending one of their smaller trucks on Tuesdays.

- c. **Developers' agreement with Shannopin update:** Mr. Vogel sent the developers agreement to LSSE, he also stated that Shannopin provided the plan information. LSSE asked if Mr. Vogel had also written a storm water agreement. Mr. Vogel responded he can do that as well. LSSE also added that when they are done, they are supposed to provide a record plan with B&P's.
- d. **ALCOSAN updated regulations:** Mr. Vogel reviewed the updated regulations on behalf of the Borough and hoped to find a sample ordinance within, but did not. Mr. Vogel asked LSSE what would be the best way to integrate this. Mr. Heyl stated ALCOSAN wants you to adopt the pre-treatment plan which is for industrial sites. You can choose not to adopt but ALCOSAN will continue to hound you until you do. He also added that you can adopt this by resolution. Mr. Vogel will drafter a resolution for Julys meeting.
- e. **Sewer letter from Ben Avon:** LSSE sent a memo a few hours before the meeting, so most likely was not reviewed by council. LSSE stated that for them to be able to commit to the cost sharing agreement that Ben Avon has proposed, as long as they can confirm that long section up over the hill is separation of cost, it would be appropriate. Mr. Cuteri asked what this was based on, LSSE replied that it's based on houses. Mr. Cuteri questioned if they had taken into account the street of houses no on sewer. LSSE responded that the number is based on what is on that specific line. They also added that they need to see their scope, opinion of cost, and how they're anticipating doing the EAU split. They're scheduling stuff so LSSE can evaluate. LSSE's only concern is they will try and apply this to the main interceptor that takes it all down to ALCOSAN. Mr. Dismukes asked what Ben Avon's assumption on EAU flow was. LSSE responded that they did not go with EAU flow but used the number of houses. Mr. Dismukes added that the standard assumption is 400 for EAU but could be as low as 350; Ben Avon Heights has flow data. LSSE corrected Mr. Dismukes as the Borough has data of flow leaving the Borough but not at the interceptor. Mr. Vogel wanted to confirm that Mr. Cuteri would send Ben Avon a letter but it would just be for this smaller part of the project. Mr. Cuteri confirmed.

6. Public Comment: There was no public present

7. ARPA local recovery fund application: The first week in June Mr. Cuteri was notified of a grant that the Borough would now be eligible to apply for. Much like the CAREs act last year, due to the small numbers of applicants, they opened up the requirements allowing more to apply. The Borough will be notified soon on how much and if they were granted the monies.

8. Abandoned vehicle ordinance: Mr. Vogel had sent along a few neighboring towns ordinances for council to review. Mr. Cuteri liked the idea of the property maintenance idea. Mr. Vogel stated he really would like councils' feedback before drafting this. Mr. Radcliffe stated that the language we currently have in the zoning ordinance covers almost all of what he would like to see in the abandoned vehicle ordinance. Mr. Stiller questioned if we should add any sort of penalties, Mr. Brown agreed. Mr. Vogel will draft something up for the next meeting with the obnoxious vegetation, the language Mr. Radcliffe would like in, and if there is anything else you would like added in, he can add in. Mr. Radcliffe also added that he would like to have something added in about storing boats and RVs for an extended time. Mrs. Neunder felt this was a little too restrictive.

9. Greenspaces: Mr. Radcliffe informed council the that ADA swing will be going in tomorrow, it came in a few weeks ago but the company could not send someone out until this week to install. He also added that he was going to have the swing installed towards Lynton Lane so the child will not have sun in their face. The tennis court will be cleaned, repaired and painted over the next week, as well as painting park equipment. The new basketball backboard will also be installed within the next few weeks and the old one will be permanently removed. Mr. Mihalko caught an individual dumping at our new greenspace by Briar Cliff and Cambridge. They will return to remove the rest of the bags they left. Mr. Cuteri asked Mrs. Neunder if she had made any progress with the play structure project she is overseeing. Mrs. Neunder responded that she had surveyed some neighbors.

10. Planning Commission Hearing: Mr. Cuteri informed council that the Planning Commission Hearing is set for June 17TH, at 7pm at Shannopin country club, everything has been advertised. Council does not have to attend, if they are not on the planning commission, you ae attending as public. Mrs. Neunder asked if we

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emailed this to the residents. Ms. DiNuzzo noted it's posted on our website, social media and The Citizen. Mr. Cuteri asked what the next steps were. Mr. Vogel stated the planning commission makes their recommendations at the next council meeting in July, and then at that point council can either accept as is as send down to county for review or if there are a lot of changes to it, council may need additional meetings.

11. Verizon Agreement: A motion was made by Mr. Radcliffe to accept the Verizon agreement. Mr. Brown seconds the motion. Mr. Vogel noted there were a few changes, the contract was for 5 years, not 10 and they can terminate within 6 months' notice. It's also a percentage of revenue, not a flat fee. **The motion passed unanimously.**

12. Executive session: There was no executive session this meeting.

Meeting ended at 7:58 pm

The next scheduled meeting is July 13th, 2021 at 7:00 pm at Shannopin Country Club

Jessica DiNuzzo, Secretary