



**Borough of Ben Avon Heights**

**Tuesday, April 9, 2024 - Council Meeting Minutes**

A quorum is in attendance

**Present:**

Council Members: Berardi, Dawley, Lope, Morris, Neunder, Stiller

Police:

Fire:

Mayor: Dismukes

Solicitor: Mongilio

Secretary: DiNuzzo

Residents:

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

- 1. Approval of March 2024 meeting minutes:** *A motion was made by Mr. Lope to approve the March 2024 meeting minutes. Mr. Morris seconds the motion. Motion passed.*
- 2. Approval of March 2024 financials:** *A motion was made by Mr. Dawley to approve the March 2024 financials. Mrs. Neunder seconds the motion. Mr. Stiller noticed that 340.5 sewer service had an entry of 25,000 which is correct, but the budget shows zero. There should be a line item of \$105,000. Ms. DiNuzzo will send the 2024 budget to the accountant to update the financial reports. Motion passed.*
- 3. Emergency Management:**
  - a. Fire: *No one present for report*
  - b. Police: *Report below. No one present for report*
- 4. Public Comment:** *No public comment*
- 5. Infrastructure and Operations:**
  - a. Engineers report: *(Memo below):*
  - b. Road improvement/ O&M plan: *Mr. Stiller noted prior to the meeting that the cost of the 15 year road improvement plan (RIP) increased from \$845k to \$1.4M. LSSE noted that when this originally was implemented back in 2022, rates for asphalt went up along with inflation. Mr. Stiller noted that Council has been putting aside \$50,000 each year for the roads project and will likely need to raise the yearly contribution. Mr. Dawley raised the question if it would be a good idea to open an account just for roads as road improvement funds are currently being put into the general fund. Council and the solicitor will look into what other Boroughs do and what the pros and cons are.*
  - c. Electronic speed sign update: *Mr. Stiller noted that he walked with LSSE in the area that Council would like to place the three electronic speed signs that are budgeted for 2024. He noted that there is a great deal of existing signage in the areas so they haven't come up with the exact locations yet. Mr. Heyl added that they also need to hear back from PennDot on their rules and regulations of where they can place these signs. Mr. Stiller asked if a road safety grant from PennDot grant that has been advertised could apply for this project, Mr. Heyl will confirm but also added this could take months before getting any feedback on, so this could slow down the project. Council agreed to pursue the grant and decide at a later date how to proceed.*

- d. Sewer easements/LSA grant work: LSSE reported that they did receive more bids this round and Jet Jack was the lowest bid that came in at \$232,000. LSSE suggested waiting until next month to award after reviewing and discussing the sewer easements. Mr. Heyl noted that there are no recorded sewer easements in the Borough, the concern with this is access for the project and that the homeowner could easily build over the sewer line. Mr. Stiller proposed that temporary and manhole easements should be pursued to complete the project as these are the minimum easements required. Mr. Dawley and Mr. Dismukes disagreed and that all the identified easements should be obtained. After discussion, Council will draft the letters for the thirteen properties affected and have conversations with the property owners with talking points prepared by LSSE.
- e. West View Water letter of support: Mr. Stiller noted that West View Water is looking for letters of support while they advocate to improve their water intake location. *A motion was made by Mr. Dawley to approve the letter of support from Ben Avon Heights. Ms. Berardi seconds the motion. Motion passed.*
- f. Courtney Mill update: Mr. Stiller noted that Killbuck Township came up with 3 proposed options for Courtney Mill Road project and are willing to split the cost to repair the road. Mr. Dismukes noted that if drainage is not addressed in any of the options, this will be an issue again in 5 years. LSSE agreed with this position. Mr. Stiller will go back to Killbuck and discuss the concern over drainage and try to get another proposal that includes a drainage solution.

**6. Green Spaces Update:** Mrs. Neunder noted that Trugreens agreement was recently signed so they can begin their treatments. Ms. Berardi noted that their DCNR liaison got back to the subcommittee with a list of landscape engineers to consider for the long-term greenspace plan. She added that many are engineering firms and they would like to down list to about ten before presenting to Council. Mrs. Neunder added that the tennis court net was damaged over the winter; Ms. DiNuzzo ordered a replacement part for this and will be fixed within the next few weeks. She also noted that they will send out a reminder about tennis court sign ups. Mrs. Neunder also added that the A&N contracts are up at the end of the year, and we should start drafting new agreements over the next few months.

- a. Review questions for landscape engineers: Mr. Dawley had some suggestions on the list of questions the green space subcommittee came up with to vet partners. The Greenspace team will review these suggestions and send out to council for further review. No vote was needed.

**7. Building, Zoning and Code Enforcement:**

- a. Zoning Ordinance update: Mr. Stiller noted that there were no updates other than the drafted zoning ordinance will be worked on and discussed at the working meeting session on April 23<sup>rd</sup>, 2024.
- b. Zoning applications: Ms. DiNuzzo reported for the month of March there were no applications submitted.
- c. Code enforcement: No properties to discuss.

**8. Administration:**

- a. Working session agenda: Mr. Stiller noted that the agenda for the working session will be zoning ordinance draft editing and discussed the process for the meeting. The meeting is scheduled for April 23<sup>rd</sup>, 2024 from 7-9pm at Avalon Fire Hall. Mr. Dawley mentioned he was concerned with the next steps on ordinances 125 and 240. He also stated that next steps for the residents who received letters were unclear in the March 2024 meeting minutes. Mr. Lope felt it was communicated at the last meeting that everyone can hold off on the notices while Council works through the possibility of consolidating and updating the ordinances. *A motion was made by Mr. Morris to re-open the March 2024 meeting minutes. Mr. Lope seconds the motion. Motion passed. A motion was made by Mr. Dawley to revise the March 2024 meeting minutes to reflect what was stated in the March meeting, specifically that Council will pause enforcement for ordinance 125 letters issued in December 2023 until further action is taken by Council. Mr. Morris seconds. Motion passed.*

**9. Meeting adjourned at: 8:43pm**

Jessica DiNuzzo, Secretary

**CALL SERVICE REPORT GROUPED BY DESCRIPTION  
 INCIDENTS REPORTED BETWEEN 03/01/2024 AND 03/31/2024  
 BEN AVON HEIGHTS**

DESCRIPTION	MARCH CALLS	YTD CALLS
Burglary Alarm - Residence	1	1
Disorderly Conduct	0	1
Domestic Disturbance	1	2
DPW Request	0	7
EMS Call	2	4
Harassment	0	1
Local Ordinance Violations- Fireworks Complaint	0	1
Local Parking Ticket	0	1
Police Detail - Crossing Guard	1	5
Police Detail - Directed Patrol	72	187
Traffic Stops	0	2
Welfare Check	0	1
Traffic Citations	0	3
	77	216



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# MEMO

TO: Ben Avon Heights Borough                      DATE: April 4, 2024

FROM: Kevin A. Brett, P.E.                              S. O. No.: 0452-01  
John R. Heyl, P.E., CPESC

SUBJECT: **April 9, 2024 Meeting  
Engineering Report**

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)**

*PA Small Water and Sewer Grant awarded in the amount of \$257,053.00. **Request for Easements for 2023 Sanitary Sewer O&M issued March 29, 2024 (Attachment A).***

*2023 O&M (Year 4) CCTV has been completed.  
2024 O&M Budget provided on December 12, 2023.  
2024 O&M (Year 5) CCTV to be scheduled.*

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 which included sewer repairs identified in 2020 through 2022 CCTV contract (Years 1 through 3). Bids were opened on November 3, 2023. Bids rejected at December meeting. Surveys completed February 5, 2024 to meet current PA One Call requirements. **The re-bid of the project is scheduled for an April 5, 2024 bid opening. LSSE to provide the Borough with a bid report.***

5. **PA Small Water and Sewer Grant**

*Borough was awarded \$257,053.00 for the remainder of the Years 1 through 3 O&M Repair and a portion of Year 4 and 5 Sanitary Sewer O&M Repairs project. Surveys completed February 5, 2024 to meet current PA One Call requirements. Work has been authorized. Year 5 CCTV schedule to be coordinated with Robinson Pipe Cleaning Company.*

6. **Canterbury Paving**

*Columbia Gas indicated their contractor would address the issue.*

7. **Canterbury Sidewalk and Curb**

a. *2023 LSA Grant has been submitted.*

8. **2024 Road Paving**

*The 2024 Update to the Roadway Operation and Maintenance Report was provided to the Borough on March 7, 2024.*

9. **Electronic Speed Sign Permitting**

**The survey work has been completed. LSSE is preparing the Highway Occupancy Permit application.**