



Borough of Ben Avon Heights
Tuesday, October 8th, 2024 - Council Meeting Minutes

A quorum is in attendance

Present:

Council Members: Berardi, Brown, Lope, Neunder (arrived at 7:03pm), Stiller

Police: Chief Hanny

Fire:

Mayor: Dismukes

Solicitor: Mongilio

Secretary: DiNuzzo

Residents: Jacquelyn Neunder 5 Biddeford Road

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

1. **Approval of September 2024 meeting minutes:** *A motion was made by Mr. Stiller to approve the September 2024 meeting minutes. Mr. Lope seconds the motion. Motion passed.*
2. **Approval of September 2024 financials:** *A motion was made by Mr. Lope to approve the September 2024 financials. Ms. Berardi seconds the motion.* Mr. Brown noted that on the all-accounts document, there is a new account listed, this is our roads account. He added that we are \$15,000 in the positive and we transferred money as discussed in previous meetings into the roads account. Looking at the budget vs performance, we've almost collected all of the real estate taxes and are above the projected earned income tax collection. He continued, line 304 building permits, with the new process with Harshman all payments go directly to them, so this is why this is at zero. He also added 340.05 the budget amount is incorrect, it should be \$105,000, he will reach out to the accountant to fix this. Mr. Brown continued, the expense side both the solicitor and engineer lines are high due to the continued projects they are assisting the Borough with. He requested the greenspace committee look into line 410.06 as it seems high. If it's the mulch project, it should probably be assigned a different GL code. Lastly, he added there will be no transfers into or out of the reserve account as there was no need to transfer any money this year. Mr. Stiller stated that we need revised reports from the accountant prior to the budget 2025 work. *Motion passed.*
3. **Emergency Management:**
 - a. Fire: *No fire present.*
 - b. Police: *Report below.* Chief Hanny noted that Ohio Township hosts a Trunk or Treat event on October 26th from 3:30-5:30pm and a Haunted Trail that kicks off at 6pm. Council added that the Borough will host Trick or Treat on October 31st from 6-8pm, and if there is any reason Council needs to cancel due to safety concerns, the make-up Trick or Treat date is the next day, November 1, 2024 from 6-8pm. The Borough will send out notification about this.
4. **Public Comment:** Jacquelyn Neunder at 5 Biddeford Road would like to thank all for the hard work they are doing.
5. **Infrastructure and Operations:**
 - a. Engineers report: *(Memo below):* Mr. Brown raised the question about the recently passed EPA law on lead pipes. He questioned how Council and the Borough should plan to tackle this. Mr. Heyl noted the Borough should reach out to West View Water, as he believes they have started projects in the area addressing these issues. Mr. Stiller stated he would do this. Mr. Heyl also added that there was one returned permit for the speed signs from PennDOT, they will address the issues raised and re-submit.

- b. LSA grant bid for sewer project update: Mr. Heyl noted for this project near Banbury that the contractor is trying to locate the manhole, and should within the next few days—one option was to try and move this line into the street. Mr. Brown questioned if the Borough can use any of the awarded grant monies towards the solicitor and engineer's fees related to the project. Mr. Heyl noted that up to \$12,000 can be billed towards engineering administration work. Mr. Brown would like both the engineer and solicitor to break down their invoices to show the work that has been completed thus far on this project. LSSE will send the documents over to the Borough to sign.
- c. Wilson and Newgate Intersection: stop sign discussion: Mr. Brown noted that this particular intersection, there is no stop sign coming up Wilson. There was a recent incident where a car took out a resident's shrubs on the corner when speeding up Wilson. The engineer pointed out that this particular area of the intersection is Killbuck. Council agreed that a stop sign makes sense at this spot and will reach out to Killbuck on requesting a stop sign being put in.
- d. Cambridge Signage Discussion: Mr. Brown shared with Council that the residents on Cambridge Road have recently had issues with receiving packages and deliveries down to their properties. They would like Council to consider a different sign, which would not be as confusing. Mr. Brown added where the sign currently is, should be moved so it makes more sense for a Cambridge sign. Mr. Stiller will reach out to Avalon on moving the sign to a better location and changing the sign to make it clearer.
- e. Courtney Mill Road (Update): Mr. Stiller noted Killbuck put this road work project out to bid and so far, no bidders. This will most likely need to be bid out in Spring 2025.

6. Green Spaces Update:

- a. Park Maintenance Update: Mr. Lope shared that A&N worked on the area of Briar Cliff that was brought up in prior months meetings as overgrown.
- b. Beautification plan Update: Ms. Berardi noted they do not have a recommendation for a vendor to present to Council this month. She proceeded to update Council on the progress they have made on the beautification plan, while seeking Council's advice on next steps. She noted that they sent letters to 18 vendors and received several responses. She stated that our DCNR representative invited the greenspace committee as well as any Council member who would like to attend a virtual grant workshop on November 7th. Ms. Berardi will share this information with those interested. She also added our DCNR rep. plans to visit our park. Discussion took place on the direction of the project and what the approach would be for grants; Council aligned that grants from several bodies would be applied for to supplement the budgetary needs of the long-term project. Ms. Berardi added that because Ben Avon Heights population is under 5,000, the Borough is eligible for the Small Communities Program, which is a grant that in her opinion is a more desirable match requirement.

Ms. Neunder raised a question for Mr. Lope on how much life is left on our current play structure. Mr. Lope stated that the Game Time rep stated play structures have a lifespan of 15-20 years—our play structure was installed in 2001. Mr. Lope proposed a short-term maintenance plan. With the small updates suggested, it would extend the life by 1-3 years. A total replacement estimate is over \$100,000 which does not include the installation cost. He added the new play structure would also have to comply with the updated ADA laws passed in 2010.

Mr. Brown asked the engineer if there were other grants the Borough and greenspace committee could pursue for funding the greenspaces master plan. Mr. Heyl suggested looking into the LSA grant, which the Borough already was granted and currently using this towards the sewer projects. This grant can also go towards playgrounds and basketball courts. He also added the Borough should look into the GEDF grant and the CDBG grant, all are available to fund greenspace projects. Mr. Stiller addressed the importance of a master plan so they can better plan for funding. Now that these costs for the play structure have been presented, Council could adjust the greenspace budget for 2025 and future years, but likely cannot fund a project of this magnitude without grant funding. His suggestion is to obtain a vendor that can assist with community engagement, drafting a master plan, and providing support through the bid and project management process. The borough would fix the playground structure short term to buy the Borough a few more years before replacing it; meanwhile looking and applying for grants continuously through further phases.

Mr. Brown added Council should think about who they would want to contract to be the project manager, as Council is not experienced in this area and would not know what type of permits to obtain, for example. This vendor would assist the Borough in bidding, due diligence, permitting, and project management. After continued discussion, Council agreed that grants are crucial in the process and would follow DCNR requirements for the park as we have in the past.

- c. Approve Park Maintenance Contractor, vote: Mr. Lope added that he met with the representative from Game Time to update the playground equipment that needs to be replaced. Mr. Stiller questioned if this could possibly be completed in 2024, Mr. Lope added that he has not gotten a response as of yet. Mrs. Neunder questioned if the equipment pieces were out of stock; Mr. Lope didn't believe so. Mrs. Neunder feels this project could be completed in 2024. *A motion was made by Ms. Berardi to approve Game Time as the vendor to update our park equipment. Mrs. Neunder seconds the motion. Motion passed.*

7. Building, Zoning and Code Enforcement:

- a. 18 & 20 Oxford reimbursement for cartway, vote: A motion was made by Mr. Stiller to approve the reimbursement for the cartway between 18 & 20 Oxford Road. Ms. Berardi seconds the motion. Mr. Brown noted that he reached out to previous leadership to see if the Borough reimbursed residents for gravel in this area in the past; he stated that previous Councils had not. Discussion took place; some concerns were raised as to where Council would draw the line with future reimbursement requests over right of ways and paper driveways in the future as there are other examples of this in the borough. Also discussed was whether or not this area was a Borough parcel or a Right of Way / easement. More research will need to go into this topic (led by the solicitor). Mr. Brown would like to table this for November's meeting. Motion tabled.
- b. Zoning Ordinance update: Mr. Brown noted that September's meeting was productive and he added that October's agenda is posted on the Borough website.
- c. Code enforcement issues: There were no issues.
- d. Code Enforcement, Harshman as Code Enforcement, vote: A motion was made by Mr. Lope to approve Harshman as a Code Enforcement for the Borough. Mrs. Neunder seconds the motion. Mr. Stiller just wanted to raise awareness that several of his emails did not get a response from the vendor. Mrs. Neunder wanted to confirm that communication will go out to residents that Harshman will begin Code Enforcement in the borough. Motion passed.
- e. Zoning applications: For the month of September, there was one application submitted for a pergola in the rear with solar panels 22 Clovelly.

8. Administration:

- a. October Working Session Agenda: Mr. Stiller noted they will begin starting on p. 38 with a new table added for setbacks.
 - i. November & December meetings: It was brought up that both of these meetings are close to holidays. Mr. Stiller suggested we move the working sessions to November 19th and cancel December's meeting. Ms. DiNuzzo will advertise the new date for the working session in November. December's meeting is canceled and this information will be posted on the Borough website.
- b. 2025 Budget Meeting Update: Mr. Stiller noted that he and Mr. Brown will begin looking at the budget this week and send each subcommittee their section. The November meeting will be heavily used to work on the budget. The November working session will be used for budget if needed. Council plans to approve the budget in December.
- c. Parking Permit Requests: For the month of September there were no requests for parking permits.

9. Executive session, legal & personnel: 8:29pm

10. Regular session began: 8:57pm

11. Meeting adjourned at: 8:58pm.

Jessica DiNuzzo, Secretary

**CALL SERVICE REPORT GROUPED BY DESCRIPTION
INCIDENTS REPORTED BETWEEN 09/01/2024 AND 09/30/2024
BEN AVON HEIGHTS**

DESCRIPTION	SEPTEMBER CALLS	YTD CALLS
Abandoned Vehicle	0	1
Accident/Hit-Run	0	1
Animal Complaint	0	1
Animal Complaint - Injured/Deceased Deer	0	1
Assist Other Agency	0	1
Burglar Alarm-Business	1	1
Burglary Alarm - Residence	0	1
Civil Dispute	0	1
County Ordinance Violation	0	1
Disorderly Conduct	0	1
Domestic Disturbance	0	2
DPW Request	0	7
EMS Call	1	14
Fire Alarm - Natural Gas	0	1
Fraud	0	1
Harassment	0	1
Juvenile Disturbance	0	1
Local Ordinance Violations- Fireworks Complaint	0	1
Local Parking Ticket	0	7
Lost/Found	1	1
Mental Health	0	1
Parking Complaint	0	3
Parking Tickets	0	29
Police Detail - Crossing Guard	0	6
Police Detail - Directed Patrol	76	610
Property Damage	0	1
Road Hazard	0	3
Suspicious Persons	0	3
Suspicious Incident	1	1
Traffic Citations	1	26
Traffic Complaint	0	2
Traffic Post	0	1
Traffic Stops	0	5
Trees on Wires	0	1
Utility Complaint	0	1
Warnings - Traffic	0	7
Welfare Check	0	1
Wires Down	0	1
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MEMO

846 Fourth Avenue, Coraopolis, PA 15108
(412) 264-4400 • (412) 264-1200 Fax
info@lsse.com • www.lsse.com

TO: Ben Avon Heights Borough DATE: October 2, 2024

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

SUBJECT: **October 8, 2024 Meeting
Engineering Report**

cc:

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)**

2023 O&M Repairs – Contract No. 23-S1 (Re-Bid):

- *Borough was awarded \$149,905.00 LSA Grant*
- *Base Bid and Add Alternate No. 1 were awarded via letter dated August 2, 2024 to Jet Jack, Inc.*
- *Contract Documents were issued to the Borough on August 13, 2024.*
- *The Pre-Construction Meeting was held on August 29, 2024.*
- **A Pre-Construction field meeting was held on September 16, 2024.**
- **The Notice to Proceed was transmitted to the Borough on September 24, 2024.**
- **Contractor initiated field locations for new manhole installations.**

2024 O&M Repairs:

- *PA Small Water and Sewer Grant awarded in the amount of \$257,053.00.*
- *2023 O&M (Year 4) CCTV has been completed.*
- *2024 O&M Budget provided on December 12, 2023.*
- *2024 O&M (Year 5): CCTV and MHPS completed May 6, 2024 along Biddeford Road and Stratford Road. LSSE has developed a repair scope and project design has been initiated. Bidding tentatively scheduled for early 2025.*

3. **MS4 Permit**

MS4 Waiver was approved through 2028.

4. **Canterbury Road Sidewalk and Curb Improvements**

2023 LSA Grant has been submitted. 2024 MTF Grant has been submitted. 2024 GEDTF Grant Application has been submitted. The Grant Application package is attached (Attachment A).

5. **Electronic Speed Sign Permitting**

Permit plans and comment responses for the Traffic Control Devices on New Brighton Road and Perrysville Road were issued to PennDOT on July 31, 2024. Revised permit plans and comment responses were issued in letters to PennDOT on August 20, 2024.

The final executed ARLE Grant application documents were submitted and a copy transmitted to the Borough on June 27, 2024.