

# **Ben Avon Borough**

## **Council Meeting**

### **Minutes**

**April 20, 2021**

The Borough of Ben Avon Council met in a regular voting session on Tuesday, April 20, 2021, virtually and at 7101 Church Avenue for the purpose of transacting General Business. President Jennifer Bett presided and opened the meeting at 7:01 PM with the Pledge of Allegiance.

#### **ROLL CALL**

##### Council Members Present:

Jennifer Bett  
Megan Dolan  
Henry Casale  
Ken Opiery  
Kara Roggenkamp  
David Stoeckle  
Richard Wagner

##### Others Present:

Mayor Melanie Hughes-Holcomb  
Solicitor Anne Sweeney  
Chief Joe Hanny, Ohio Township Police  
Catherine Houska, Joint Planning Commission  
Terrie Patsch, Borough Secretary

**PUBLIC PARTICIPATION** – *There was no public participation*

#### **BOROUGH REPORTS**

##### Mayor's Report

Mayor Holcomb reported she has been in contact with ACCAN and the Health Department concerning the fire at Metalico on Neville Island. The Health Department was on scene and did observe the situation, however, no clear direction was issued to surrounding municipalities. Mayor Holcomb hopes to investigate further and find a solution for future use in an emergency notification system.

Mayor Holcomb stated the interview process for a possible summer intern is near completion with one more interview scheduled in the next few days. A decision should be reached in the next couple of weeks.

The Borough Secretary forwarded a resident's email request to Mayor Holcomb asking for consideration of a sidewalk on Perrysville Avenue. Mr. Opiery will consult with the Public Works Supervisor, and report the findings to Council.

##### Police Report – See Attachment A

Chief Hanny reported in reference to the recent dump fire, there are air quality monitors located on Neville Island, and the Department of Health was monitoring them during that time.

He reported 49 calls in the month of March. Chief Hanny also addressed the shooting incident on Forest Avenue on April 9. A car chase originating and ending in the city found its way to Forest Avenue and shots were fired. Chief Hanny stated an investigation is currently underway.

Fire Department – *No report submitted, in violation of previous agreement*

#### Solicitor's Report

Solicitor Sweeney contacted the Ben Avon Fire Company after forwarding their representatives the proposed Fire Services Agreement and the building lease. As there has been no official response from the Ben Avon Fire Department, she requested feedback. She was able to reach Mr. Silk, Fire Department President, who informed Ms. Sweeney that the Fire Department retained legal counsel and the VFD membership voted to decline to sign the documents. Ms. Sweeney reached out to the Fire Department's legal counsel on two occasions with no response. Mr. Stoeckle also stated that Mr. Silk confirmed to him that the Fire Department was unwilling to sign the documents.

Mrs. Bett stated she will email President Silk and request the required monthly service reports from the past two months be forwarded as per their recent conversation and as is stated in the current signed agreement.

Mr. Wagner also requested Mrs. Sweeney to meet with him on the options to track and document funding received for the Centennial Building Project.

#### **APPROVAL OF MINUTES**

**Motion:** Mr. Opiery; **Second:** Mr. Casale; **Motion Carried** by voice vote to approve the minutes from the March 16, 2021, council meeting with the revision requested by Mrs. Roggenkamp that the Joint Planning Commission report reflect the Climate Action Plan intern was a volunteer for the program, not an actual hire by the Borough. Mr. Stoeckle abstained due to his absence from the meeting last month.

#### **FINANCIAL REPORTS**

##### Revenue and Expense Report

**Motion:** Mr. Opiery; **Second:** Mr. Casale; **Motion Carried** by unanimous voice vote to approve the financial reports as presented for the month of March, 2021.

##### Accounts Payable Report

**Motion:** Mr. Opiery; **Second:** Mr. Wagner; **Motion Carried** by unanimous voice vote to approve the bills presented in the accounts payable report in the amount of \$122,723.65 for the month of March, 2021.

##### Capital Reserve Funds

Mr. Wagner asked for clarification on the amount of money in the Capital Reserve account, which Mr. Opiery confirmed to be \$202,120.00. Mr. Opiery explained that of the \$202,120; \$163,910 is held for current obligations to third party vendors and the available \$38,210 is earmarked for further paving and street projects. Mr. Opiery reminded council that due to uncertainty in the tax revenue last year caused by the pandemic, funds did not get transferred to capital reserve to keep on the conservative side.

#### Capital Reserve Transfer

**Motion:** Mr. Opipery; **Second:** Mr. Wagner; **Motion Carried** by unanimous voice vote to transfer the amount of \$400,000.00 from the General Fund to the Capital Reserve Fund for 2021 street paving and sewer projects.

### **COMMITTEE REPORTS**

#### Administration Committee

Mrs. Bett reported the committee continues to work on a reservation system for the pavilion at Avon Park. A draft list of rules for the park will be presented to Council at the next work session in May.

Mrs. Bett hopes to make a report at the next work session meeting on an alert system to replace the Swift911 program that was dropped by Ohio Township last year due to an increase in cost.

#### Public Affairs/Communication Committee

Mrs. Bett continues work on a newsletter for the Borough. She plans to make updates to the website concerning the Centennial Committee progress and the Climate Action Plan.

#### Public Safety/Code Enforcement Committee – No report given - See Attachment B

#### Public Works Committee

Mr. Opipery stated the advertisement went out in the local paper for two weeks for bids on the paving/sewer projects for 2021. Five contractors requested packets; four contractors submitted bids. Bids were opened on Monday, April 19 at the Borough Building. Submitted bids were received by Dale Regrut, Public Works Supervisor, and Gateway Engineers. Mr. Opipery reported that Gateway recommended Council award the bid to the contractor Mele and Mele in the amount of \$295,630.00.

Mr. Opipery reported bids received:

El Grande	\$372,137.50
Folino	\$327,655.00
Mele	\$295,630.00
Shields	\$320,782.50

On the schedule:

- Dalzell Avenue – Church to Perrysville
- McCurdy – Dalzell to dead end
- Berringer Place – Brighton to Short
- Berringer Place – Short to dead end
- Breeding – Church to Perrysville
- Irwin – Woodland to Ohio River Blvd.
- Forest – Upper Forest – Church to Perrysville

**Motion:** Mr. Opipery; **Second:** Ms. Roggenkamp; **Motion Carried** by unanimous voice vote to award the contract for the 2021 Road Project to Mele and Mele & Sons in the amount of \$295,630.00.

Mr. Opiery reported that Columbia Gas continues work on Dalzell and McCurdy moving meters to the outside of the residences. Their project should be complete in time for the paving to proceed. West View Water has been keeping him apprised of the progress of the water line replacement on upper Breeding Avenue.

During the meeting, Mr. Regrut responded to Mr. Opiery's text concerning the sidewalk question on Perrysville. They will review files at the Borough office and discuss/review with the engineers and the Borough solicitor if necessary.

#### QV COG

Mr. Wagner reported with the upcoming departure of the Executive Director, representatives have interviewed five or six candidates and have narrowed that down to two.

At last count seven municipalities are participating in the glass recycling bins at three different locations – Kilbuck, Avalon and Bellevue. The exact list will be sent out once the details are confirmed. The total cost to Ben Avon will be \$1000. Mayor Holcomb will reach out to Ben Avon Heights to see if they are interested in cost-sharing.

**Motion:** Mr. Wagner; **Second:** Mrs. Roggenkamp; **Motion Carried** by unanimous voice vote to adopt Resolution 2021-04 approving participation in the negotiation process for the solid waste and recycling joint bid.

#### Centennial Building Committee

Mr. Wagner reported the committee has been meeting monthly. He stated that they received approval from Avon Club for the grant to be used for an asbestos inspection. No response has been given on the CITF grant from the city, and Rep. Kulik will investigate the status of the grant request.

#### Climate Action Plan

Ms. Roggenkamp reported the Climate Action Plan group met two times thus far. The volunteer intern that has been working on the plan will be graduating soon and completing her work on the project. The next step will include a draft report, which should be ready by the end of May.

#### Emergency Management

Mrs. Bett stated that Allegheny County requires all municipalities adopt the Hazard Mitigation Plan and by doing so will allow the Borough to receive federal disaster money in the event of an emergency declaration. This adoption process is required every ten years.

**Motion:** Mr. Casale; **Second:** Mr. Opiery; **Motion Carried** by unanimous voice vote to adopt Resolution 2021-03 Allegheny County Hazard Mitigation Plan.

#### **NEW BUSINESS**

##### North Borough's Community Day

Mr. Lee Nelson, North Boroughs Community Day Committee, recently reached out to the Borough Office regarding the annual contribution to the event for the fireworks display. Mrs. Bett shared reservations with the request in light of the guidance from the CDC to allow only small gatherings. Mrs. Roggenkamp asked if the response could state agreement if the regulations would be updated and allow

such a gathering. She felt the community is cautiously optimistic, and would consider pending CDC, State and Health Department recommendations.

#### **EXECUTIVE SESSION**

**Motion:** Mr. Pipery; **Second:** Mr. Stoeckle; **Motion Carried** by unanimous voice vote to adjourn to Executive Session to discuss a contract matter.

**Motion:** Mr. Stoeckle; **Second:** Mr. Pipery; **Motion Carried** by voice vote to resume regular voting session at 9:11 p.m.

**ADDITIONAL BUSINESS** – *No further business was discussed*

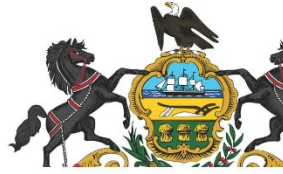
#### **ADJOURNMENT**

**Motion:** Mr. Pipery; **Second:** Mr. Stoeckle; **Motion Carried** by unanimous voice vote to adjourn the meeting at 9:11 p.m.

Respectfully Submitted,

Terrie Patsch  
Borough Secretary

CHIEF OF POLICE  
JOSEPH P. HANNY



Office  
(412) 259-8304

Fax  
(412) 259-8306

Dispatch  
(412) 473-3056

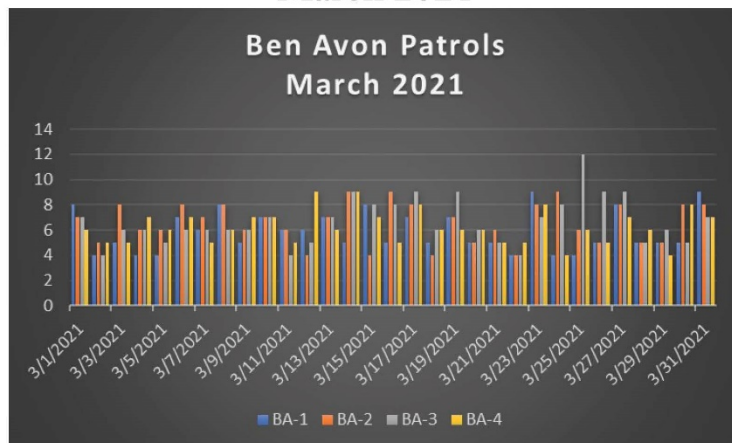
## OHIO TOWNSHIP

POLICE DEPARTMENT

*Established 1803*

Allegheny County, Pennsylvania  
126 Lenzner Ct, Sewickley, Pa. 15143

### Ben Avon Patrols March 2021



BA-1 174

BA-2 196

BA-3 200

BA-4 187

TOTAL = 757

4/13/2021

## Call Service Report Grouped by Urcodes

OHIO TOWNSHIP POLICE  
3/01/2021 THROUGH 3/31/2021  
For Municipality: 05

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<u>CODE</u>	<u>MAR COUNT</u>	<u>YTD COUNT</u>
0501 - ALARM - RESIDENCE	0	1
0590 - BURGLARY - REPORTS	0	1
0810 - SIMPLE PHYSICAL ASSAULT	0	1
1100 - FRAUD	2	2
1440 - CRIMINAL MISCHIEF - ALL OTHERS	0	2
1810 - DRUG VIOLATIONS	1	1
2020 - OFFENSES AGAINST FAMILY-CHILD ABUSE	1	1
2112 - DRIVE UNDER INFLUENCE-ALCOHOL-IMPAIRED	0	1
2300 - PUBLIC DRUNKENESS	0	1
2440 - DISORDERLY CONDUCT-DISTURBING THE PEACE	0	1
2626 - FALSE FIRE ALARM	2	3
2633 - DUMPING	1	1
2647 - PFA-PROTECTIVE ORDERS	0	2
2656 - THREATS	1	1
2800 - TWP ORD-SOLICITING	0	2
2810 - TWP ORD-ABANDONED VEH (INCLUDING STATE)	0	1
2900 - LOST/MISSING PERSONS	0	1
3100 - MOTOR VEHICLE ACCIDENTS	2	3
3310 - ATTEMPTED SUICIDES	0	1
3320 - DOA	0	1
3400 - MENTAL HEALTH	0	2
3502 - SUSPICIOUS CIRCUMSTANCES	3	4
3600 - DISTURBANCES-DOMESTIC	2	5
3610 - DISTURBANCES-JUVENILE	1	2
3620 - DISTURBANCES-OTHER (FIGHTS, DISPUTES, ETC)	0	1
3820 - DISABLED VEHICLE	1	5
3840 - FIRES (INCLUDING ALARMS-FOUNDED/UNFOUNDED)	0	1
3850 - HAZARDOUS CONDITION/NOT SNOW RELATED	1	1
3855 - ROAD DEPARTMENT CALL OUT	0	12
3860 - LOCKOUTS (VEHICLE/BLDG)	0	2
3870 - MEDICAL EMERGENCY/ ASSIST AMBULANCE	10	22
3880 - OPEN DOORS/WINDOWS - DISCOVERED	2	9
3900 - TRAFFIC & PARKING PROBLEMS	2	6
4020 - SUSPICIOUS AUTO	0	2
4022 - SUSPICIOUS PERSON	0	1
4026 - WIRES AND POLES DOWN	0	1
4027 - TREES DOWN	1	1
4091 - CIVIL DISPUTES	0	1
5002 - LOST & FOUND - FOUND ANIMAL	1	1
5012 - LOST & FOUND - MISSING JUVENILE MALE	0	1
5504 - ANIMAL COMPLAINTS - DOG BITES	1	1
5506 - ANIMAL COMPLAINTS - STRAY ANIMALS	1	1
5590 - ANIMAL COMPLAINTS - REPORTS	0	1
6006 - TRAFFIC ACCIDENT INVOLVING INJURY	1	1
6008 - TRAFFIC ACCIDENT INVOLVING NONINJURY	2	2
6610 - TRAFFIC RELATED - MOTORIST AID	0	1
6612 - TRAFFIC RELATED - SIGNALS-SIGNS OUT	0	1
7010 - POLICE NOTIFICATIONS/INFO	3	8
7016 - FOLLOW UP INFORMATION	1	1
7504 - ASSIST OTHER AGENCIES - OTHER POLICE	1	3
9008 - ADMINISTRATION - CLERICAL	1	2

4/13/2021

**Call Service Report Grouped by Urcodes**  
OHIO TOWNSHIP POLICE  
3/01/2021 THROUGH 3/31/2021  
For Municipality: 05

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CODE

911 - 911-HANG UP  
CITT - TRAFFIC CITATION  
CITW - WARNING  
CKWE - WELFARE CHECK

<u>MAR COUNT</u>	<u>YTD COUNT</u>
1	3
1	3
0	6
2	6
<hr/> 49	<hr/> 148





April 16, 2021

Ben Avon Council  
Ben Avon Borough  
7101 Church Avenue  
Pittsburgh, PA 15202

Subject: Monthly Code Enforcement, Zoning, and Building Permit Report.

Dear Council,

The following are updates on action items since the previous Council meeting.

#### CODE ENFORCEMENT

##### New complaints being investigated:

###### **243 Dalzell Avenue – Home-Based Business**

04.16.21 Notice of violation sent 04.13.21 for operation of a home-based business that does not meet the Ordinance requirements for No Impact.

###### **6907 Merton Rd – Stormwater Discharge**

04.16.21 Notice of violation received 04.06.21 allowing 10 days remediation of a stormwater violation. Stormwater was discharged in a manner that caused a nuisance to neighboring properties. This is an IPMC violation. Reinspection showed the discharge re-routed. Item to be closed.

##### Ongoing investigations/Citations:

###### **308 Spruce Run Road – Trash, Vehicles**

09.11.20 Notice sent allowing for 30 days remediation for removal of trash and vehicle.

10.16.20 Reinspection scheduled for 10.26.20.

11.13.20 Reinspection took place on 10.26.20. Portions of property were cleaned, but not everything. Citation filed with Magistrate.

##### Engineering & Surveying

100 Courson Hill Road  
Washington, PA 15301  
T: 724-503-4125

Office@HarshmanLLC.com

www.HarshmanLLC.com

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##### Codes & Zoning

2455 Park Ave  
Washington, PA 15301  
T: 724-993-4505

Permits@HarshmanLLC.com

12.11.20	Citations open; monitoring for scheduling
01.15.21	Magisterial Hearing scheduled for 02.02.21.
02.12.21	Magisterial Hearing rescheduled to 03.10.21.
03.12.21	Magisterial Hearing held on 03.10.21. Judge continued for 60 days to allow for remediation completion.
04.16.21	Magisterial Hearing continued until 05.11.21 to allow for remediation.

**54 Forest Ave – Retaining Wall**

04.13.20	Notice sent 04.13.20 allowing for a period to remediate the deteriorating retaining wall.
05.12.20	Reinspection scheduled for 05.13.20
06.15.20	Property posted 05.13.20. Citation to be filed with Magistrate.
07.15.20	Citation filed with Magistrate.
08.12.20	Magisterial Hearing scheduled for 09.02.20
09.11.20	Magisterial Hearing held on 09.02.20. Property owner did not appear.
10.16.20	Appeal period of Magisterial Hearing ended 10.02.20.
11.13.20	Monitoring.
12.11.20	Daily Citations filed with the Magistrates office following the expired appeal period. Magisterial Hearing scheduled for February 2, 2021.
01.15.21	Property owner deceased. Citations cancelled by Magistrate. Had to refile under spouse.
02.12.21	Citations open. Legal representative of property owner contacted Code Enforcement to discuss remediation.
03.12.21	Magisterial Hearing held on 03.10.21. Judge continued for 90 days to allow for property owner council and Borough solicitor to discuss remediation.
04.16.21	Magisterial Hearing continued until 06.08.21 to allow for remediation.

Tallied new complaints investigated are as follows:

- Structures – 0
- Trash / Rubbish / Junk – 0
- Grass / Trees - 0
- Other – 2

**MAGISTERIAL HEARINGS**

None

**RENTAL INSPECTIONS**

None



## BUILDING & ZONING PERMITS

### **Building Permits:**

1. No new permits issued.

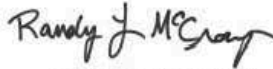
### **Zoning Permits:**

1. 201 Dalzell Avenue – Stoop
2. 8830 Church Avenue - Fence

Please contact our office at any time with questions.



Jarrod D'Amico, BCO  
Director of Codes and Zoning



Randy McCray, CZO  
Code & Zoning Technician

cc: File 19.159

