

Borough of Ben Avon
7101 Church Avenue, Ben Avon, Pennsylvania 15202
Regular Meeting of Council – August 21, 2018
Minutes

Call to Order

President, Jennifer Bett, called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Council Members Present

Jennifer Bett, Earl Bohn, Michele Boyd, Henry Casale, Megan Dolan, and David Stoeckle

Council Members Absent

Kenneth Opiery

Others Present

Melanie Holcomb, Mayor

Anne Sweeney, Esq., Solicitor

James Rupert, Chief, Ben Avon Volunteer Fire Company

Joe Hanny, Chief, Ohio Township Police Department

Dale Regrut, Ben Avon Borough Public Works Foreman

Catherine Houska, member, Tri-Borough Joint Planning Commission

Public Participation

McKenna Maylin of 7225 Brighton Road, Ben Avon, presented text and photo descriptions of a handsome brick wall that she and her husband, Gareth, erected at the perimeter of their front yard to raise their sloping lawn to nearly level and support an architecturally stylish aluminum fence to enclose their pet dog. Mrs. Maylin asked council members to tell her how to proceed given that: the Maylins began construction of the enclosure without obtaining a building permit; the borough code enforcement officer subsequently declined to issue a permit under his finding that the combined height of the masonry retaining wall and the fence atop it would exceed the 3.1/2-foot maximum height of a front-yard fence as specified in Zoning Ordinance 2000-409 (c)(1)(c). Council members, Solicitor Sweeney and Joint Planning Commission Member Houska conducted a discussion with Mrs. Maylin, including the question whether the masonry portion of the structure is properly considered a discrete structure, a retaining wall, rather than a fence and therefore whether the aluminum fence alone is subject to the height restriction, in which case the aluminum fence portion would presumably comply. Guided by the solicitor's advice, council's consensus response to Mrs. Maylin was that she should apply to the Ben Avon Zoning Hearing Board for approval of the structure under a variance.

Approval of Minutes

Motion: Mr. Casale; Second: Mr. Bohn; Motion carried by unanimous voice vote to approve the minutes of the July 17, 2018 meeting.

Approval of Pre-Council Minutes

Motion: Mr. Casale; Second: Mr. Stoeckle; Motion carried by vote of 5-0 to approve the minutes of the August 7, 2018 work session of council, with Mr. Bohn abstaining due to his absence from the work session.

Financial Report - Report given by Henry Casale

Motion: Mr. Bohn; Second: Mr. Casale; Motion carried by unanimous voice vote to approve the financial reports as presented for July, 2018, and accounts payable in the total amount of \$58,767.08.

Administration Report –

No report.

Public Affairs / Communications Report – *Report given by President Jennifer Bett*

Mrs. Bett reported that she continues work preparing a newsletter for Ben Avon residents.

Public Safety/Code Enforcement Report–*Report given by David Stoeckle*

Mr. Stoeckle reported that a spread sheet-style document had been developed and populated with data recording and displaying the number, status and resolution of building code complaints, investigations and enforcement actions.

Public Works Report – *Report given by David Stoeckle*

The paving project is on track to start the week of 9/27 and will take 7 to 10 business days depending on weather. The process consists of two parts: First: milling or removal of the existing top layer of all the roads; Second: begin paving process.

2018 Road Project

Mr. Regrut reported that signs were being produced by the contractor for placement at key locations at the appropriate times along Ben Avon streets warning motorists of road closures ahead due to the upcoming street and sewer construction.

PennDOT Easement Request

Michael Hnat of the Pennsylvania Department of Transportation offered comments and answered questions from council members about a proposed aerial easement agreement that would grant PennDOT rights to conduct maintenance and construction in the space above borough property adjacent to a bridge along Pennsylvania Route 65 in the borough.

Motion: Mr. Stoeckle; Second: Mr. Casale; Motion carried by unanimous voice vote to approve easement agreement. See Attachment D.

Quaker Valley COG Report – *Report Given by Megan Dolan*

Ms. Dolan answered questions about the scope and objectives of a waste recycling committee being formed by QVCOG.

Motion: Mr. Casale; Second: Mr. Stoeckle; Motion carried by voice vote of 5-1 with Mr. Bohn opposed to pass *A Resolution of Ben Avon Establishing Participation in the QVCOG Recycling Committee* with the following change to the draft text: in numbered paragraph 2 of the “Now Therefore” section the passage “municipal manager or secretary or public works director” is deleted and the word “representative” is substituted.

Mayor’s Report – *Report given by Melanie Holcomb*

Digital Communication Application

The mayor reported that she has continued her discussions with a representative of a company marketing the digital communications application Savvy Citizen.

Police Chief’s Report – *Report Given by Chief Joe Hanny*

See Attachment A

Chief Hanny reported that with classes scheduled to resume on Monday, Aug. 27 for Avonworth School students, Ohio Township Police officers would patrol bus routes accordingly; that at the request of Avonworth

School officials the police department would increase coverage of its school resource officer from part time to full time during all hours that Avonworth schools are in session; and that the department had acquired and was training a new police dog to replace one that had been retired.

Fire Chief's Report

See Attachment B

Jim Rupert reported that Ben Avon Volunteer Fire Company had received a financial grant from the Federal Emergency Management Agency to fund the purchase of a clothes washer and dryer for fire fighter turn-out gear.

Solicitor's Report - No Report.

New Business

Savvy Citizen

Motion: Mr. Bohn; Second: Mr. Stoeckle; Motion carried by unanimous voice vote to enter a one-year agreement with Management Science Associates, Inc. of 6565 Penn Avenue, Pittsburgh, at a base cost of \$50 per month to provide communication service through its digital mobile application Savvy Citizen.

Buckeye Pipeline Work

Mr. Regrut reported that Buckeye Pipeline Company crews have been clearing trees and overgrowth along its right-of-way on the hiking trail associated with Avon Park and that to the extent possible have been dragging away cut material for chipping and disposal. Mr. Regrut said Buckeye intends to deliver heavy equipment to excavate and repair portions of its pipeline and that company representatives had agreed to direct delivery of the equipment travel by state roads to the site rather than seek permits to run heavy vehicles over borough streets.

Old Business

Short Term Rental, Parking, Signage Ordinances

Catherine Houska reported that Avalon Borough Council members had submitted a number of general, non-specific comments about the three ordinances under consideration by the Tri-Borough Joint Planning Commission. She urged Ben Avon Council members to promptly submit any comments and proposed textual changes with clear specificity in time for the JPC's next meeting at 7 p.m. on Monday, Aug. 27, at the Avalon Borough Building.

Adjournment

Motion: Mr. Bohn; Second: Mr. Casale; Motion carried by unanimous voice vote to adjourn the regular council meeting at 9:30 p.m.

Respectfully submitted,

Earl Bohn, Council Member for Borough Secretary Terrie Patsch

ATTACHMENT A

CHIEF OF POLICE
JOSEPH P. HANNY



Office
(412) 259-8304

Fax
(412) 259-8306

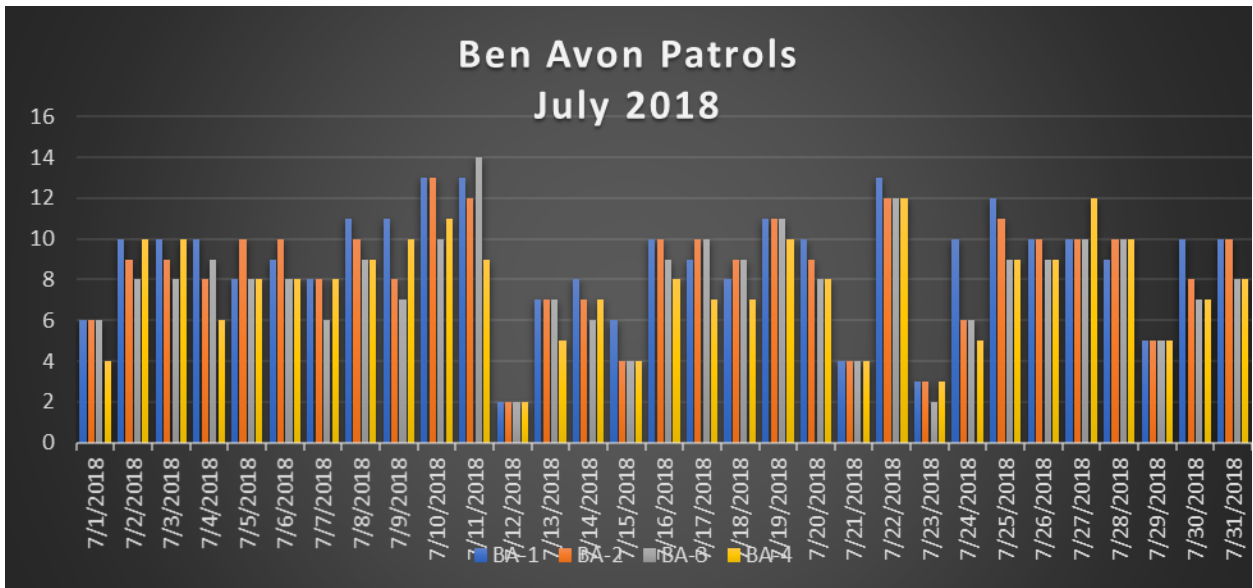
Dispatch
(412) 473-3056

OHIO TOWNSHIP
POLICE DEPARTMENT

Established 1803

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

Ben Avon Patrols July 2018



Year to Date
BA-1 1348
BA-2 1308
BA-3 1259
BA-4 1203

TOTAL 5118

08/10/2018

Call Service Report Grouped by Urcodes
OHIO TOWNSHIP POLICE
07/01/2018 THROUGH 07/31/2018
For Municipality: 05

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<u>CODE</u>	<u>JULY</u> <u>COUNT</u>	<u>YTD</u> <u>COUNT</u>
0501 - ALARM - RESIDENCE	4	18
0503 - ALARM - BUSINESS	1	2
0619 - THEFT-\$200 & OVER-ALL OTHER	0	1
0634 - THEFT-UNDER \$50-FROM AUTO (EXCEPT 0635)	1	1
0637 - THEFT - UNDER \$50 - FROM BUILDINGS	0	1
0639 - THEFT-UNDER \$50-ALL OTHER	2	3
0690 - THEFT - REPORTS	0	2
1100 - FRAUD	0	1
1410 - CRIMINAL MISCHIEF TO AUTOMOBILES	2	6
1490 - CRIMINAL MISCHIEF - REPORTS	0	3
1810 - DRUG VIOLATIONS	1	15
1921 - GAMBLING - NUMBERS & LOTTERY - OPERATING	0	1
2020 - OFFENSES AGAINST FAMILY-CHILD ABUSE	1	2
2112 - DRIVE UNDER INFLUENCE-ALCOHOL-IMPAIRED	0	2
2122 - DRIVE UNDER INFLUENCE - DRUGS-IMPAIRED	0	1
2300 - PUBLIC DRUNKENESS	0	3
2410 - HARASSMENT BY COMMUNICATION	0	4
2440 - DISORDERLY CONDUCT-DISTURBING THE PEACE	1	10
2450 - HARASSMENT	0	4
2633 - DUMPING	0	3
2634 - FIRE CODE (ORDINANCE VIO.)	0	1
2640 - ORDINANCE VIOLATIONS	0	1
2647 - PFA-PROTECTIVE ORDERS	0	8
2656 - THREATS	0	0
2660 - TRESPASSING OF REAL PROPERTY	0	2
2800 - TWP ORD-SOLICITING	0	2
2810 - TWP ORD-ABANDONED VEH (INCLUDING STATE)	0	2
2890 - CURFEW & LOITERING (JUVENILE) - REPORTS	0	2
3000 - FOUND/RECOVERED PROPERTY	0	1
3100 - MOTOR VEHICLE ACCIDENTS	0	4
3300 - SUICIDES	0	1
3400 - MENTAL HEALTH	1	6
3500 - SUSPICIOUS PERSONS	0	2
3502 - SUSPICIOUS CIRCUMSTANCES	1	7
3600 - DISTURBANCES-DOMESTIC	0	7
3610 - DISTURBANCES-JUVENILE	1	1
3620 - DISTURBANCES-OTHER (FIGHTS,DISPUTES,ETC)	1	4
3820 - DISABLED VEHICLE	3	21
3840 - FIRES (INCLUDING ALARMS-FOUNDED/UNFOUNDED)	3	11
3850 - HAZARDOUS CONDITION/ NOT SNOW RELATED	0	3
3855 - ROAD DEPARTMENT CALL OUT	0	12
3860 - LOCKOUTS (VEHICLE/BLDG)	1	6
3870 - MEDICAL EMERGENCY/ ASSIST AMBULANCE	6	53
3880 - OPEN DOORS/WINDOWS - DISCOVERED	2	15
3885 - POST NO PARKING SIGNS	1	3
3900 - TRAFFIC & PARKING PROBLEMS	3	18

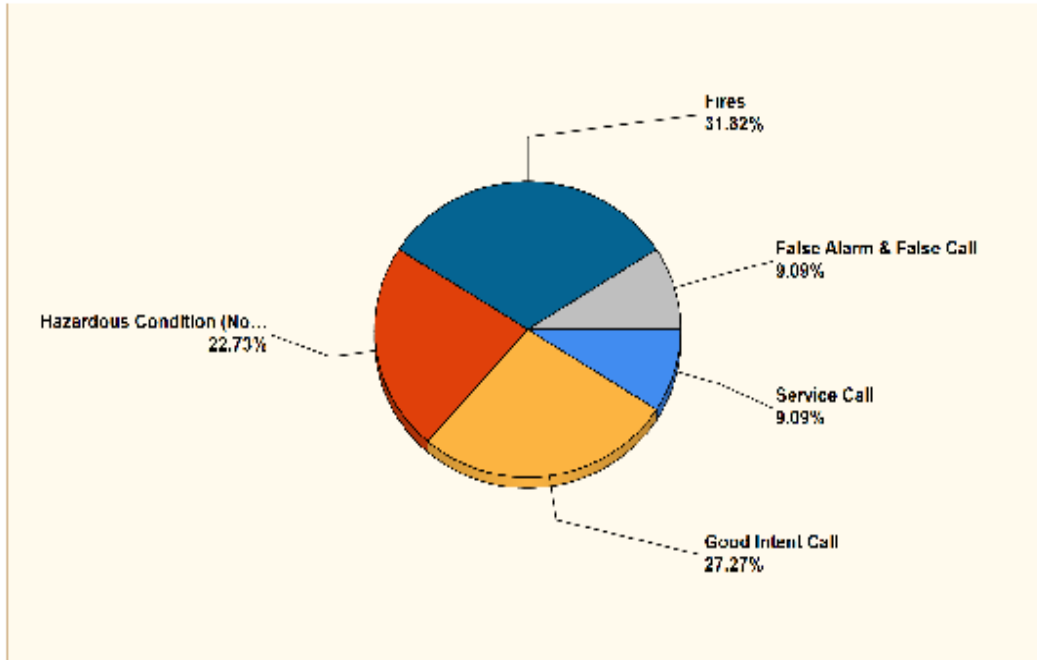
Ben Avon VFC

Ben Avon, PA

This report was generated on 7/22/2018 7:37:53 PM

Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 06/01/2018 | End Date: 06/30/2018



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	7	31.82%
Hazardous Condition (No Fire)	5	22.73%
Service Call	2	9.09%
Good Intent Call	6	27.27%
False Alarm & False Call	2	9.09%
TOTAL	22	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Ben Avon VFC

Ben Avon, PA

This report was generated on 7/22/2018 7:54:48 PM

Incident Type per Municipality for Date Range

Start Date: 06/01/2018 | End Date: 06/30/2018

INCIDENT TYPE	# INCIDENTS
Municipality: AVALON	
551 - Assist police or other governmental agency	1
571 - Cover assignment, standby, moveup	1
611 - Dispatched & cancelled en route	3
740 - Unintentional transmission of alarm, other	2
# Incidents for Avalon:	7

Municipality: BELLEVUE	
100 - Fire, other	2
111 - Building fire	1
440 - Electrical wiring/equipment problem, other	1
# Incidents for Bellevue:	4

Municipality: BEN AVON	
180 - Special outside fire, other	1
412 - Gas leak (natural gas or LPG)	1
483 - Vehicle accident, general cleanup	1
# Incidents for Ben Avon:	3

Municipality: EMSWORTH	
116 - Fuel burner/boiler malfunction, fire confined	1
131 - Passenger vehicle fire	1
180 - Special outside fire, other	1
483 - Vehicle accident, general cleanup	1
611 - Dispatched & cancelled en route	1
# Incidents for Emsworth:	5

Municipality: KILBUCK (TOWNSHIP OF)	
444 - Power line down	1
611 - Dispatched & cancelled en route	2
# Incidents for Kilbuck (Township of):	3

MUNICIPALITY data comes from the Basic Info 3 screen of an incident. Only REVIEWED incidents included.

Prepared By:



Return To:

Site Location:

RW-352 (2/18)

ROW OFFICE PROJ. NO.
COUNTY
S.R. - SECTION
MUNICIPALITY
PARCEL NO.
CLAIMNO.
CLAIMANT

DEED OF EASEMENT (Aerial Easement)

Made on

By

owner(s) of property affected by the construction or improvement of the above mentioned highway, heirs, executors, administrators, successors, and/or assigns, hereinafter, whether singular or plural, called the GRANTOR, and the Commonwealth of Pennsylvania, Department of Transportation, hereinafter called the COMMONWEALTH,

WITNESSETH :

WHEREAS the COMMONWEALTH a plan in the Recorder of Deeds Office of the aforesaid County indicating its authorization to condemn an aerial easement from the aforesaid property; and

WHEREAS the Parties hereto have agreed that, in lieu of condemnation, the GRANTOR will convey to the COMMONWEALTH an aerial easement from the aforesaid property,

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the GRANTOR does hereby grant and convey to the COMMONWEALTH an aerial easement, which includes a surface easement for the accommodation of piers and other appurtenances and a temporary construction easement, between Stations and as shown on the plot plan attached hereto and made a part hereof, said easement to be taken from the premises conveyed or devised to the GRANTOR by of dated recorded in , together with the improvements, hereditaments, and appurtenances to the said easement, if any, except those which may have been agreed to be retained by the GRANTOR.