

**BOROUGH OF BELL ACRES
BOROUGH COUNCIL REGULAR MEETING MINUTES
NOVEMBER 12, 2018**

PUBLIC HEARING

A Public Hearing of the Borough Council of the Borough of Bell Acres was held at 7:00 p.m. on Monday, November 12, 2018, at the Big Sewickley Creek Volunteer Fire Hall, 1850 Big Sewickley Creek Road, Sewickley, PA 15143

The purpose of this meeting is to gather input from the public pertaining to the proposed Zoning Ordinance No. 295:

ORDINANCE NO. 295

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 165 IN THE CODE OF THE BOROUGH OF BELL ACRES, "ZONING", TO AMEND OR PROVIDE FOR THE REGULATION OF MEDICAL MARIJUANA GROWERS / PROCESSORS AND DISPENSARIES, INJECTION WELLS, GEOPHYSICAL / SEISMIC TESTING, AND SIMILAR AND DISSIMILAR USES.

A court reporter was present to take a verbatim transcript of the hearing.

The Public Hearing was called to order by Mr. Young, President of Council, at 7:00 p.m.

COUNCIL

- (X) Dennis Young, President of Council
- (X) David Renfrew, Vice President of Council
- (X) Chris Abell
- () Brock Meanor - Excused
- (X) Michelle Veeck
- () Greg Wagner - Excused
- (X) John Walliser

MAYOR

- (X) Kenneth Alvania, Mayor

BOROUGH ENGINEER

- (X) Richard Shoup – Shoup Engineering, Inc.

STAFF

- (X) Charles Kulbacki, Borough Manager
- (X) Lisa Fleming, Borough Secretary

PUBLIC DISCUSSION

There being no further business to transact, a motion to adjourn this Public Hearing was made by Mr. Renfrew and seconded by Mrs. Veeck. Motion carried. Public Hearing adjourned at 7:17 p.m.

REGULAR MEETING

The Regular Meeting of the Borough Council of the Borough of Bell Acres was held on Monday, November 12, 2018, at the Big Sewickley Creek Volunteer Fire Hall, 1850 Big Sewickley Creek Road, Sewickley, PA 15143.

PUBLIC DISCUSSION

WAYNE FORTUNA

Mr. Wayne Fortuna of 108 Hamilton Drive announced that the Ladies' Auxiliary and the Big Sewickley Creek Fire Department are working on fundraisers. They want to place a digital sign in front of the fire hall. They talked to the surrounding neighbors who did not have a concern about it. Mr. Kulbacki advised Mr. Fortuna to contact the Borough's Zoning Officer, Mr. Scott Shoup of Shoup Engineering and he will guide you in the right direction. Mr. Young directed Mr. Richard Shoup to inform Scott Shoup of the request.

TRACY BENSON

Tracy Benson of 2280 Camp Meeting Road reported that the Ladies' Auxiliary and the Big Sewickley Creek Fire Hall raised approximately \$3,500 from the recent spaghetti dinner fundraiser.

REGULAR MEETING CALLED TO ORDER

The Meeting was called to order by Mr. Young, President of Council at 7:21 p.m.

- (X) Dennis Young, President of Council
- (X) David Renfrew, Vice President of Council
- (X) Chris Abell
- () Brock Meanor - Excused
- (X) Michelle Veeck
- () Greg Wagner - Excused
- (X) John Walliser

MAYOR

- (X) Kenneth Alvania, Mayor

BOROUGH ENGINEER

- (X) Richard Shoup – Shoup Engineering, Inc.

BOROUGH SOLICITOR

- (X) Robert Max Junker – Babst Calland

STAFF

- (X) Charles Kulbacki, Borough Manager
- (X) Lisa Fleming, Borough Secretary

MAYOR'S REPORT

The Mayor's Report for the month of October has been submitted in writing and made a part of the minutes.

TASERS FOR POLICE OFFICERS

Mr. Renfrew commented on the request to purchase tasers for the police officers. Mr. Renfrew believes that the police department should devise a standard policy and training procedures before the tasers are purchased and put it in the budget for next year. Mr. Young directed the Borough's Solicitor, Mr. Junker, to work with Chief Korol in establishing and reviewing operational procedures.

APPROVAL OF THE MINUTES

MINUTES OF THE REGULAR MEETING

A motion to approve the minutes of the Regular Meeting held on October 8, 2018, was made by Mr. Abell and seconded by Mr. Walliser. All in favor. Motion carried.

TREASURER'S REPORT

A motion to approve the Treasurer's Report for October 2018 as distributed and ratify payments totaling \$135,176.91 out of the General Fund and \$6,445.66 out of the State Fund, was made by Mr. Abell and seconded by Mr. Renfrew. All in favor. Motion carried.

OLD BUSINESS

ORDINANCE NO. 295

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 165 IN THE CODE OF THE BOROUGH OF BELL ACRES, "ZONING", TO AMEND OR PROVIDE FOR THE REGULATION OF MEDICAL MARIJUANA GROWERS / PROCESSORS AND DISPENSARIES, INJECTION WELLS, GEOPHYSICAL / SEISMIC TESTING, AND SIMILAR AND DISSIMILAR USES.

A motion to adopt Ordinance No. 295 was made by Mrs. Veeck and seconded by Mr. Abell. All in favor. Motion carried.

A motion to authorize the optional post-enactment advertisement was made by Mr. Walliser and seconded by Mrs. Veeck. All in favor. Motion carried.

ALLEGHENY LAND TRUST

Allegheny Land Trust requested financial assistance for the Big Sewickley Creek Watershed Project. Mr. Junker stated that this was discussed previously and he spoke with Thomas Dougherty, Vice President of Development & External Affairs, of the Allegheny Land Trust regarding their request and whether the 501(c) designation was in place. He noted that Mr. Wagner had concerns and Mr. Junker did not have the authority to spend the money and must be brought to Council to vote. Mr. Roy Kraynyk of the Allegheny Land Trust spoke and stated that they are reaching out to other communities for contributions to the project as well. Mr. Young stated that it must be determined whether or not the 501(c) is still valid.

COMMITTEE REPORTS

BUDGET & FINANCE – Mrs. Veeck

Approval of the 2019 Preliminary Borough Budget with:

- Receipts totaling \$1,994,654
- Expenses totaling \$1,984,102

A motion to approve the 2019 Preliminary Borough Budget was made by Mrs. Veeck and seconded by Mr. Renfrew. All in favor. Motion carried.

A motion to advertise to the Public for a 2019 Budget Workshop Meeting to be held on Monday, November 26, 2018, at 7:00 p.m. at the Borough Offices at 1153 Camp Meeting Road, Sewickley, PA was made by Mrs. Veeck and seconded by Mr. Renfrew. All in favor. Motion carried.

PUBLIC SAFETY – Mr. Renfrew
TASERS FOR POLICE OFFICERS

A motion to re-direct the Police Chief of devising standard operating procedures and training programs to our police force for the implementation and use of tasers was made by Mr. Renfrew and seconded by Mrs. Veeck.

Mr. Junker stated that it must be open for public comment, since it was an add-on to the Agenda. Mr. Young asked if there was any public comment.

Mrs. Diane Abell of 717 Camp Meeting Road asked if there has been a problem and if there has been a public safety issue. Mr. Young stated that there was a situation years ago involving Officer Brown where he was forced into an altercation that resulted in him being on workers compensation for about 8-9 weeks. The altercation could have been avoided, if he could have used a taser. Mr. Young stated that, personally, he believes we should give the officers whatever is necessary to safely return home to their families.

All in favor. Motion carried.

Mr. Young directed Mr. Kulbacki and Mayor Alvania to relay to Chief Korol that our solicitor is available to him during this process for advice and recommendation.

PUBLIC WORKS – Mr. Abell
SALT SHED

Mr. Abell stated that he spoke with Carl Bohn, Public Works Supervisor, and Mr. Kulbacki regarding salt, which is a big issue at this time of year. Mr. Bohn advised that the Borough has little ability to store the amount of salt that's necessary and there is no place to store cinders. Mr. Bohn's wish list is to construct a salt storage facility. The existing facility almost collapsed this year. Their theory is to use the old building for cinders.

Mr. Kulbacki explained the proposed location of the new storage facility and its important usefulness. The Borough can only store so much then we have to use tarps to cover the rest. He further explained that when the salt is stored outside, it freezes and jams the spreader. The second issue is trying to get salt, like all the other communities, at the same time. Lastly, it's a safety issue. This would alleviate the clumping and the workers climbing to try and bust up the salt. He advised that the cost is approximately \$50,000.

Mr. Young advised Mr. Kulbacki to have all the information available for the Budget Meeting. He stated that he is not opposed to this, but would like to have more information from this company.

Further discussions took place regarding the salt storage facility. Mr. Junker questioned if this is on COSTARS and advised that this may have to go out for public bid. He stated that about \$20,000 is a bidding threshold. If it goes out for public bid, it would require a performance bond and a bid bond. Another question raised by Mr. Junker was if there is an environmental issue with DEP.

Mr. Renfrew stated that it would make sense for the Borough Engineer to look into this. Therefore, Mr. Young directed Mr. Richard Shoup to check into the requirement of storing salt on the ground and if special flooring is required. Mr. Young also advised to check the warranty, see if COSTARS is acceptable, and if there are similar structures on COSTARS.

5-YEAR ROAD IMPROVEMENT PROGRAM

Mr. Abell reported that back in June 2018, Diane Abell, Chairperson of the Planning Commission, conducted an interview with Carl Bohn regarding the Borough's Comprehensive Plan. Mr. Bohn stated that he would like to see the borough roads asphalted - instead of tarred and chipped. Mr. Abell talked with Scott Shoup, Mr. Bohn, and Mr. Kulbacki regarding this and they steamrolled ahead with a 5-Year Road Plan. Mr. Kulbacki stated that \$150,000 is already budgeted for the year 2019 for the 5-Year Road Improvement Plan. Mr. Young stated that Mr. Kulbacki has been a godsend because everything he thinks about, Charlie already has it taken care of.

PROPERTY & SUPPLIES – Mr. Wagner – Excused

No Report

GOVERNMENT & LEGISLATION – Mr. Meanor – Excused

No Report

ZONING – Mr. Walliser

STORM WATER MANAGEMENT ORDINANCE NO 296

ORDINANCE NO. 296

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING CHAPTER 147 OF THE BOROUGH'S CODE OF ORDINANCES, "STORMWATER MANAGEMENT", TO PROVIDE FOR THE REGULATION OF STORMWATER WITHIN THE BOROUGH PURSUANT TO THE ALLEGHENY COUNTY ACT 167 PHASE 2 STORMWATER MANAGEMENT PLAN.

A motion to adopt Ordinance No. 296 was made by Mr. Walliser and seconded by Mr. Abell. All in favor. Motion carried.

COMPREHENSIVE PLAN – PUBLIC SURVEY RESULTS

Mr. Walliser reported that the Planning Commission received an extraordinary response from the survey and great outreach with the postcards.

A motion to continue working with Pashek + Associates to complete The Comprehensive Plan Update over a two-year period from 2019 to 2020 at an estimated cost of \$31,210 was made by Mr. Walliser and seconded by Mr. Abell. All in favor. Motion carried.

Mr. Kulbacki noted that the cost is covered in the Preliminary Budget.

NEW BUSINESS

RHODES PROPERTY SIMPLE SUB-DIVISION

Mr. Troy Holsopple, Civil Engineer, from J. R. Gales & Associates, Inc. presented the Estate of John David Rhodes Property Plan drawings of the two tax parcels changing the original lot line. Mr. Shoup reported that there are no issues, just a minor clerical issue. It was noted that the Planning Commission and Shoup Engineering approved the Rhodes Sub-Division Plan.

A motion to approve the Rhodes Property Simple Sub-Division was made by Mr. Walliser and seconded by Mr. Abell. All in favor. Motion carried.

TRANSFER OF SEWAGE BOND FUND

In a letter from Gary Irwin, Chairman of the Bell Acres Municipal Authority (BAMA), the Authority requests that the Sewage Bond Fund be officially transferred from Bell Acres Borough to the Bell Acres Municipal Authority. All stipulations of the bond have been met with approximately \$179,000 remaining in the account. Mr. Kulbacki requested that the Borough authorize an official audit from Mark A. Turnley, CPA, of all the bond funds. Mr. Renfrew stated that Council needs to stipulate how the monies will be used for capital improvements as a condition of the transfer.

A motion to return the Sewage Bond Fund money, under the stipulation to use for capital improvements of the sewage system, and to authorize Mr. Kulbacki to go ahead and request an official audit from Mark A. Turnley, CPA, of all the bond money was made by Mr. Renfrew and seconded by Mr. Abell.

A further discussion took place regarding the stipulations and transfer of funds.

All in favor. Motion carried.

CORRESPONDENCE

There is correspondence that should be noted, but no action was needed.

ADJOURNMENT

There being no further business to transact, a motion to adjourn was made by Mr. Renfrew and seconded by Mr. Abell. All in favor. Motion carried. Meeting adjourned at 8:19 p.m.

Respectfully submitted,



Lisa J. Fleming
Borough Secretary