

**BOROUGH OF BELL ACRES
BOROUGH COUNCIL REGULAR MEETING MINUTES
MARCH 9, 2020**

REGULAR MEETING

The Regular Meeting of the Borough Council of the Borough of Bell Acres was held at 7:00 p.m. on Monday, March 9, 2020, at the Big Sewickley Creek Volunteer Fire Hall, 1850 Big Sewickley Creek Road, Sewickley, PA 15143

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

A Moment of Silence was given in memory of Mr. Tom Wolber.

PUBLIC DISCUSSION

- ❖ Leonard P. Skultety, Jr. - Professional Forester of Consultant Forestry, LLC
Mr. Skultety stated he is engaged in a timber contract at 2191 Camp Meeting Road. His client would like to remove 49 trees and wants to discuss Bell Acres Ordinance No. 118. He stated that our ordinance is more stringent and restrictive than other municipalities and asked what can be done. A long discussion ensued. Mr. Junker advised that he provide an actual case in controversy. He also stated it is in the hands of the Planning Commission, in which they are currently reviewing the ordinance. Mr. Skultety plans to attend the next Planning Commission meeting on Wednesday, March 11th at 7:00 p.m. to discuss further.

- ❖ Katharine Renner – 125 Sevin Road
Ms. Renner stated that Lewis Hopkins is doing an awesome job on Sevins Road. After the work is completed, she asked if trees could be replanted in order to stabilize the ground. Mr. Kulbacki stated there are plans to plant various trees in the area, just like the trees planted on Turkeyfoot Road.

- ❖ Harry Lavelle – 1667 Big Sewickley Creek Road
Mr. Lavelle inquired about the meaning of a two family dwelling. Mr. Junker stated the Planning Commission reviewed the ordinance and looked at the residential dimensional requirements. They discovered the defined terms weren't consistent. Therefore, two family dwelling is changed to the duplex term.

REGULAR MEETING CALLED TO ORDER

The Regular Meeting was called to order by Mr. Renfrew, President of Council, at 7:26 p.m.

COUNCIL

- (X) Dave Renfrew, President of Council
- (X) Brock Meanor, Vice President of Council
- (X) Chris Abell
- (X) Michelle Veeck
- (X) Megan Wine
- (X) Greg Wagner
- (X) Dennis Young

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 February 2020 has been submitted in writing and made a part of the minutes.

Mr. Wagner expressed his concerns regarding the future state of the Police Department, if the coronavirus gets worse. He stated that a Contingency Plan is needed. Mr. Wagner asked if we can officially talk to experts and see what can be done to execute a plan. A discussion ensued.

Mr. Junker stated his firm is preparing a memo to address these issues at a local government level. Operational questions will be addressed in conducting day to day business and the role of local governments.

Mayor Alvania announced he will contact Bill Bender, our Emergency Management Coordinator.

APPROVAL OF THE MINUTES

MINUTES OF THE REGULAR MEETING

A motion to approve the minutes of the Regular Meeting held on February 10, 2020, was made by Mr. Wagner and seconded by Mr. Meanor. All in favor. Motion carried.

TREASURER'S REPORT

A motion to approve the Treasurer's Report for February 2020 as distributed and ratify payments totaling \$101,651.42 out of the General Fund and \$7,358.83 out of the State Fund, was made by Mr. Young and seconded by Mr. Wagner. All in favor. Motion carried.

OLD BUSINESS

PROPOSED REVISED ORDINANCE NO. 301

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 THE PROVISIONS IN ARTICLE II ON "USE REGULATIONS", TO AMEND THE PROVISIONS IN ARTICLE VI ON "SIGNS", AND TO ADD A NEW PROVISION ON THE EXPIRATION OF CONDITIONAL USES.

RESOLUTION NO. 03092020

A RESOLUTION OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, RESOLVING THAT AT A FUTURE MEETING THE BOROUGH COUNCIL WILL CONSIDER AN AMENDMENT TO THE BOROUGH ZONING ORDINANCE AND TO INVOKE THE PENDING ZONING ORDINANCE DOCTRINE.

Mr. Junker summarized Resolution No. 03092020. This Resolution will officially kick off the enactment process for the proposed revised Ordinance No. 301.

A motion to approve Resolution No. 03092020 to invoke the pending zoning ordinance doctrine for Ordinance No. 301 was made by Mrs. Veeck and seconded by Mr. Abell. All in favor. Motion carried.

PROPOSED ORDINANCE NO. 302

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 SECTION 165-49, ATTACHMENT 6, TABLE OF RESIDENTIAL USE DIMENSIONAL REQUIREMENTS; SECTION 165-5, WORD USAGE AND DEFINITIONS; SECTION 165-18, PURPOSES OF DISTRICTS; SECTION 165-24 TABLE OF USE REGULATIONS AND TO AMEND ANY ADDITIONAL IMPACTED SECTIONS.

Mr. Junker summarized proposed Ordinance No. 302. Council held the required Public Hearing on February 10, 2020, and the ordinance has been advertised for consideration at this meeting.

A motion to enact Ordinance No. 302 was made by Mr. Young and seconded by Mr. Abell. All in favor. Motion carried.

SEWICKLEY BOROUGH'S ACT 537 PLAN MODIFICATION

Mr. Gary Irwin stated that BAMA recommends Alternative 1 and to include the language specified in BAMA's letter to the Borough, as an additional condition for approval. Mr. Junker advised the next step is to implement the approval through a resolution. Mr. Junker stated he will provide a resolution next month. The resolution will also be reviewed by Ron Brown, BAMA's solicitor.

COMMITTEE REPORTS

BUDGET & FINANCE – Mrs. Veeck

POLICE AND NON-UNIFORM PENSION INVESTMENTS

Mrs. Veeck received a letter from Oakmont Capital requesting review of the investment portfolio. Mrs. Veeck and Mr. Wagner will schedule a meeting in a couple weeks.

MUNICIPAL BOND REFINANCING OPTIONS

Mr. Abell requested we look into refinancing the Municipal Bond at a lower rate. Mrs. Veeck and Mr. Wagner will shelter this together.

PUBLIC SAFETY – Dennis Young

Mr. Young reported the police officers submitted their Letter of Intent to negotiate their contract. Mrs. Veeck and Mr. Young will consider future meeting dates.

Mr. Young stated that after considering this year's budget, he proposes that the Borough should require a dissolution agreement with the Fire Department. Mr. Young stated that approximately 20 years ago, there was a dissolution clause in their bylaws; however, there was a complete re-write because of Worker's Compensation. If for any reason, the fire department closes the doors, then the assets should go to the Borough, such as the air packs, new fire engine, etc. A discussion took place and Mr. Renfrew told Mr. Junker that it's a good project to look into.

PUBLIC WORKS – Mr. Abell

AWARD: 2020 MAJOR ROAD IMPROVEMENT PROJECT BIDS

Mr. Abell reported that plans, specifications, and bid documents were prepared by Shoup Engineering for the 2020 Road Improvement Project on various roads.

The project was advertised and sealed bids were received up until 1:30 p.m. on Friday, March 6, 2010, at which time they were opened and read aloud.

Work consists of milling existing asphalt, paving hot mix asphalt binder and wearing courses, inlet adjustment, base repair, new asphalt wedge curbs, other related appurtenances, and miscellaneous work on various roads totaling approximately 3,130 feet in length. Alternate bids were also received for work on three (3) other Borough roads.

The Borough received seven (7) bids for the 2020 Major Road Improvement Project that consists of the following amounts:

BIDDER	BASE BID	ALT. 1 Lewis St.	ALT. 2 Kennelly St.	ALT. 3 Barley Rd.
Shields Asphalt Paving, Inc.	\$155,689.43	\$48,911.04	\$12,984.04	\$56,562.12
Youngblood Paving, Inc.	\$165,357.50	\$54,420.00	\$14,162.50	\$61,917.50
Independent Enterprises	\$169,942.50	\$55,400.00	\$15,182.50	\$64,067.50
El Grande Industries	\$184,507.00	\$57,868.00	\$15,255.00	\$67,235.50
Mele & Mele & Sons	\$187,711.50	\$61,149.00	\$21,136.50	\$69,882.50
Protech Asphalt Maintenance	\$212,471.10	\$67,789.20	\$17,928.90	\$78,114.70
A Folino Construction	\$215,627.00	\$68,875.00	\$19,336.00	\$79,735.00

A motion to award the 2020 Major Road Improvement Project to Shields Asphalt Paving, Inc. for the Base Bid in the amount of \$155,689.43 was made by Mr. Young and seconded by Mr. Wagner. All in favor. Motion carried.

PROPERTY & SUPPLIES – Mr. Wagner

No Report

GOVERNMENT & LEGISLATION – Mr. Meanor

Mr. Meanor received a notice from State Representative Valerie Gaydos informing him that construction on the Sewickley Bridge will begin in April 2020. Mr. Meanor announced the Primary Election will be held on Tuesday, April 28, 2020.

ZONING – Ms. Wine

No Report

NEW BUSINESS

CORONAVIRUS UPDATE

Mr. Junker announced that his firm is preparing a memo with directives for local governments. The cost will be split among nine (9) municipalities their firm represents. In terms of isolation, it will be a valuable piece of information that is not available from the federal, state, or county levels of government. The provisions are applicable to local governments as to the powers and responsibilities for emergency situations. A discussion ensued and Council approved.

LOGGING ORDINANCE DISCUSSION

Mr. Young asked to revisit the logging ordinance discussion. Mr. Young voiced his opinion and reminded everyone that the Borough previously had a logging fiasco that turned into a moderate disaster on the Sevins and Little Sewickley Creek Road area. Mr. Young stated his action to keep the restrictions on the slopes and the erosion settlement.

CORRESPONDENCE

There were other items that should be noted but did not need action at this time.

ADJOURNMENT

There being no further business to transact, a motion to adjourn was made by Mr. Young and seconded by Mr. Wagner. All in favor. Motion carried. Meeting adjourned at 8:24 p.m.

Respectfully submitted,

Lisa J. Fleming
Borough Secretary

