

**BOROUGH OF BELL ACRES
BOROUGH COUNCIL REGULAR MEETING MINUTES
MAY 18, 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, May 18, 2020, via teleconference.

PUBLIC DISCUSSION

No written public comments were submitted and nobody was present at the Big Sewickley Creek Volunteer Fire Hall.

REGULAR MEETING CALLED TO ORDER

The Regular Meeting was called to order by Mr. Renfrew, President of Council, at 7:05 p.m.

COUNCIL

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

MAYOR

(X) Kenneth Alvania, Mayor

BOROUGH ENGINEER

(X) Scott 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 April 2020 has been submitted in writing and made a part of the minutes.

APPROVAL OF THE MINUTES

MINUTES OF THE REGULAR MEETING

A motion to approve the minutes of the Regular Meeting held on April 27, 2020, was made by Mr. Young and seconded by Mrs. Veeck. All in favor. Motion carried.

TREASURER'S REPORT

A motion to approve the Treasurer's Report for April 2020 as distributed and ratify payments totaling \$191,038.29 out of the General Fund and \$2,210.19 out of the State Fund was made by Mr. Meanor and seconded by Mr. Young. All in favor. Motion carried.

OLD BUSINESS

BOROUGH PARK REOPENING

Mr. Young addressed the coronavirus pandemic in relation to the closing of the Borough Park. Mr. Young requested that the barriers be removed and the park be reopened for the kids. All of Council agreed. Mr. Kulbacki will advise the Road Department to remove the barriers and reopen the park.

COMMITTEE REPORTS

BUDGET & FINANCE – Mrs. Veeck

No Report

PUBLIC SAFETY- Dennis Young

COVID 19

Mr. Young reported that a police officer's spouse was exposed to the coronavirus and the police officer went through self-quarantine. Mayor Alvania reported the COVID 19 test came back negative and the officer is working tonight.

PUBLIC WORKS – Mr. Abell

2020 MAJOR ROAD IMPROVEMENT PROJECT

Mr. Kulbacki reported that he signed the documents for the 2020 Major Road Improvement Project.

PROPERTY & SUPPLIES – Mr. Wagner

No Report

GOVERNMENT & LEGISLATION – Mr. Meanor

Mr. Meanor announced the Primary Election will be held on June 2, 2020.

ZONING- Ms. Wine – Excused

ORDINANCE 301 UPDATE

Mr. Junker stated we are still waiting to reschedule the Public Hearing on Ordinance No. 301 that makes changes to the Zoning.

ZONING HEARING BOARD APPEAL - BELL FARM ESTATES

For purposes of information and to be noted in the Meeting Minutes, Mr. Junker reported that in April we received a copy of a zoning land use appeal filed by Mr. Dakan of Bell Farm Estates over a denied variance to construct a large detached garage that is over the 500 sq. ft. threshold. It was denied by the Zoning Hearing Board. Mr. Dakan has appealed. On behalf of the Borough we are in the process of intervening in that case in opposition of the appeal. A conference will be scheduled, at the earliest, not until the end of June. Mr. Junker stated that it be known that Mr. Wagner lives across the street from the homeowner. The Home Owner's Association (HOA) took the position in opposition of the appeal as well. Indication is if it comes to fruition, Mr. Wagner will need to recuse himself from any action that should take place from the Borough so that the neighbors cannot accuse him of having a conflict of interest. We are trying to keep the two worlds separate. Also, to note for the Meeting Minutes that this is the first time we had the opportunity to discuss that filing since it happened. Scott Shoup stated the request was for a 900 sq. ft. structure. An in-depth discussion ensued. Mr. Young suggested that maybe we should have the Planning Commission look at the Zoning Ordinance and enlarge the threshold. Mr. Wagner said it's interesting to note they have a 3 car garage and they want another 3 car garage with double decker stacking so they can put 6 more cars in there. The HOA actually took a look at the variance. There are 12 homes in the HOA and the vote was 11-1 opposing the variance.

ZONING HEARING BOARD – VARIANCE APPLICATION

Mr. Shoup announced that the Zoning Hearing Board received a variance application from Mr. Renfrew. He just wanted the Board to be aware of it. A Public Hearing is scheduled for June 4th. It will be held via Zoom internet. The request is for a front yard variance for a porch roof of approximately 5 ft. Mr. Kulbacki and Mr. Shoup are coordinating the set up for the Zoom meeting. Mr. Renfrew stated that if anything comes to the Board on this matter, he would obviously recuse himself of any action.

NEW BUSINESS

RESOLUTION NO. 05182020

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING AND IMPLEMENTING ACT 15 OF 2020'S PROPERTY TAX RELIEF PROVISION REGARDING WAIVER OF FEES AND PENALTIES.

Mr. Junker summarized Resolution No. 05182020 and advised if Council adopts the Resolution, the borough's tax collector must receive a copy by May 20, 2020.

A motion to adopt Resolution No. 05182020 was made by Mr. Young and seconded by Mr. Abell. All in favor. Motion carried.

ORDINANCE NO. 303

AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF BELL ACRES BOROUGH'S 2020 BONDS IN AN AMOUNT NOT TO EXCEED \$4,700,000 IN ORDER TO REFUND THE BOROUGH'S 2015 BONDS, AND AUTHORIZING ALL NECESSARY ACTIONS TO PUT THE 2020 BOND ISSUE INTO EFFECT.

Mr. Junker announced that Tony Misiti of PNC Capital Markets has joined us. Mr. Misiti has been helping the Borough to consider options for the potential refinancing of the 2015 Series Bond. A couple months ago we had a discussion with Ron Brown, our bond counsel and solicitor of Bell Acres Municipal Authority (BAMA). The rates were going down and were close to our potential 5-year redemption period. At the beginning of April we had a call with Mr. Misiti, Mr. Kulbacki and Mr. Irwin of BAMA to discuss the state of the market which wasn't in considerable flux at the time but was trending positive. If we wanted to take advantage of the potential savings, we needed to act quickly before October when payment is due. PNC Capital put together a presentation of refinancing options. A follow-up call resumed in early May. At that point, we involved Mr. Renfrew, Chair and President of Council, and Mr. Wagner, Representative of the Finance Committee. We discussed the ins and outs as to how we would proceed. We took steps to schedule tonight's meeting, advertise, and tasked Mr. Ron Brown to put together the Bond Ordinance.

Mr. Junker advised there's a savings to be realized through this refinancing and it's recommended that Council approve the ordinance. The ordinance rehires Mr. Brown as Bond Counsel to commit to a 2020 Series Bond, sets parameters for the bond issuance and moves us forward to closing. The Borough will have to go through a ratings call and other applications to get the bond issuance together and then make a submission to the DCED that monitors all local government financing to make sure we are in compliance. The amount proposed is not to exceed \$4,700,000.

Mr. Misiti of PNC Capital Markets further explained what the Ordinance does and what Council can expect in the coming months as we move forward to October and exactly what the ordinance will do on a not-to-exceed perspective. Mr. Misiti also gave a brief update on the viewpoint of the markets.

Mr. Junker noted that Mr. Brown would have joined us tonight; however, he had a conflicting authority meeting. Mr. Brown is available by cell phone, if there are any further questions. In our packet, Mr. Brown provided a summary explanation of the seven important points of the ordinance. If the ordinance is moved and seconded, a Roll Call vote will need to be taken. Several questions were posed by Council and in-depth discussions took place.

A motion to adopt Ordinance No. 303 was made by Mr. Young and seconded by Mr. Meanor. Mrs. Fleming conducted a Roll Call Vote on Ordinance No. 303.

ROLL CALL VOTE:

David Renfrew, President - Yes
Brock Meanor, Vice President – Yes
Christopher Abell – Yes
Michelle Veeck – Yes
Greg Wagner – Yes
Megan Wine – Absent
Dennis C. Young, Jr. – Yes

6 – Yes, 1 – Absent. Motion carried.

OLD BUSINESS

CAMP MEETING ROAD LANDSLIDE

Mr. Young inquired about the repair status of the landslide on Camp Meeting Road. Mr. Shoup stated that he sent an email to Allegheny County on Friday asking several questions. As of today, they have not responded. Mr. Young stated that he is going to contact Cindy Kirk, our county representative. Mr. Renfrew asked if he could also join in on the call.

CORRESPONDENCE

There were other items noted but no further action was needed.

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 7:54 p.m.

Respectfully submitted,

Lisa J. Fleming
Borough Secretary