

BOROUGH OF BELL ACRES
BOROUGH COUNCIL REGULAR MEETING MINUTES
December 12, 2022

REGULAR MEETING

The Regular Meeting of the Borough Council of the Borough of Bell Acres was held at 6:00 p.m. on Monday, December 12, 2022, at the Big Sewickley Creek Fire Hall, 1850 Big Sewickley Creek Road, Sewickley, PA 15143.

PUBLIC COMMENT

Mr. Glenn Bohn of 107 Barley Road – Mr. Bohn made comment regarding Ordinance 313 – Lighting. Mr. Bohn said that a well-lit community is a safe community. Spot lights are adequate to have for letting your pet out and possibly check for coyotes is a good idea. We do need adequate lighting to make our neighborhood safe.

INVITED GUESTS

REGULAR MEETING CALLED TO ORDER

The Regular Meeting was called to order by Mr. Renfrew, President of Council, at 6:07 p.m.

COUNCIL

- (X) David Renfrew - President of Council
- (X) Brock Meanor - Vice President of Council
- (X) Christopher Abell
- (X) Lane Grafton
- (X) Carmee Murphy-Horton
- (X) Charles Kulbacki
- (X) Michelle Veeck - via Remote Teleconference

MAYOR

- (X) Kenneth Alvania, Mayor

BOROUGH ENGINEER

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

BOROUGH SOLICITOR

- (X) Robert Max Junker – Babst Calland

STAFF

- (X) Lisa Fleming – Borough Manager
- (X) Jill Palko – Borough Secretary

MAYOR'S REPORT

The Mayor's Report for the month of November 2022 has been submitted in writing and made part of the minutes.

APPROVAL OF THE REGULAR MEETING MINUTES

A motion to approve the minutes of the Regular Meeting held on November 14, 2022, was made by Mr. Kulbacki, seconded by Mr. Meanor. All in favor. Motion carried.

APPROVAL OF THE SPECIAL MEETING MINUTES

A motion to approve the minutes of the Special Meeting Minutes held on November 17, 2022, was made by Mr. Meanor, seconded by Mr. Kulbacki. All in favor. Motion carried.

APPROVAL OF THE SPECIAL MEETING MINUTES

A motion to approve the minutes of the Special Meeting Minutes held on November 28, 2022, was made by Mr. Kulbacki, seconded by Mr. Meanor. All in favor. Motion carried.

TREASURER'S REPORT

A motion to approve the Treasurer's Report for November 2022 as distributed and ratify payments totaling \$251,041.08 out of the General Fund and \$8,372.71 out of the State Fund was made by Mr. Meanor, seconded by Mr. Abell. All in favor. Motion carried.

OLD BUSINESS

Discussion of Proposed Ordinance No. 313 – Regulate Lighting Within the Borough

PROPOSED ORDINANCE NO. 313

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 165 IN THE CODE OF THE BOROUGH OF BELL ACRES, "ZONING", AS AMENDED, TO REGULATE LIGHTING WITHIN THE BOROUGH.

If Council takes action: A motion to advertise for a public hearing and potential enactment of proposed Ordinance No. 313 at the _____ regular meeting as recommended by the Planning Commission was made by ____, seconded by ____.

No action taken.

This is to be discussed at the Planning Commission meeting held in December 2022.

PROPOSED ORDINANCE NO. 314

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 153 OF THE CODE OF ORDINANCES, "TAXATION," TO IMPLEMENT THE PROPERTY TAX PENALTY WAIVER PROVISIONS REQUIRED BY ACT 57 OF 2022.

A motion to enact proposed Ordinance No. 314 was made by Mr. Kulbacki seconded by Mr. Meanor. All in favor. Motion carried.

COUNCIL MEMBER REPORTS

BUDGET & FINANCE - MICHELLE VEECK

Budget & Finance – Michelle Veeck

On November 28, 2022, the proposed 2023 Bell Acres Borough Budget was prepared, filed, and subsequently advertised with:

- Receipts totaling \$2,156,261.00, carryover of \$61,074.60
- Expenses totaling \$2,217,335.60

Resolution No. 12122022 – Adoption of Budget for the Year 2023

RESOLUTION NO. 12122022

A RESOLUTION OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING THE 2023 BUDGET

A motion to adopt Resolution No. 12122022 for the adoption of the Borough Budget for the Year 2023 was made by Mr. Meanor, seconded by Mr. Kulbacki. All in favor. Motion carried.

Proposed Ordinance No. 315 – Fire Tax

PROPOSED ORDINANCE NO. 315

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, TO LEVY AND COLLECT ANNUALLY A FIRE TAX BY CREATING A NEW ARTICLE VI IN CHAPTER 153 OF THE CODE OF THE BOROUGH OF BELL ACRES, "TAXATION"

A motion to enact proposed Ordinance No. 315 – Fire Tax was made by Mrs. Horton, seconded by Mr. Kulbacki. All in favor. Motion carried.

Resolution No. 12122022A – Tax Resolution for the Year 2023

RESOLUTION NO. 12122022A

A RESOLUTION OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, FIXING THE TAX RATES FOR THE FISCAL YEAR 2023.

A motion to adopt Resolution No. 12122022A – Tax Resolution for the Year 2023 was made by Mrs. Horton and seconded by Mr. Kulbacki. All in favor. Motion carried.

PROPOSED ORDINANCE NO. 316 – Fixing Annual Compensation for Members of Council

PROPOSED ORDINANCE NO. 316

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 279, FIXING ANNUAL COMPENSATION FOR MEMBERS OF COUNCIL.

A motion to enact proposed Ordinance No. 316 – Fixing Compensation for Members of Council was made by Mr. Abell, seconded by Mrs. Horton. All in favor. Motion carried.

Proposed Ordinance No. 317 – Senior Citizen Tax Relief

PROPOSED ORDINANCE NO. 317

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ARTICLE III OF CHAPTER 153 IN THE CODE OF THE BOROUGH OF BELL ACRES, “TAXATION”, TO AMEND THE BOROUGH OF BELL ACRES “TAX ASSESSMENT LIMITATION PROGRAM”

A motion to enact proposed Ordinance No. 317 – Tax Assessment Limitation Program was made by Mrs. Horton seconded by Mr. Kulbacki. All in favor. Motion carried.

PUBLIC SAFETY – BROCK MEANOR

Resolution No. 12122022AA - Part-Time Police Officers

RESOLUTION NO. 12122022AA

A RESOLUTION OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA PROVIDING FOR THE APPOINTMENT OF WILLIAM E. DREYER, BRIAN M. JAMESON, MATTHEW J. PICCININI, AND LARRY K. VIERLING, AS PART-TIME POLICE OFFICERS; SETTING FORTH THEIR RESPECTIVE TERMS OF OFFICE, COMPENSATION, DUTIES AND OBLIGATIONS.

A motion to adopt Resolution No. 12122022AA was made by Mr. Meanor, seconded by Mr. Kulbacki. All in favor. Motion carried.

PUBLIC WORKS – CHRISTOPHER ABELL

Resolution No. 12122022B – Authorizing Electronic Auction Sale

RESOLUTION NO. 12122022B

A RESOLUTION OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, DECLARING CERTAIN PERSONAL PROPERTY OF THE BOROUGH AS SURPLUS AND AUTHORIZING ITS DISPOSITION BY ELECTRONIC AUCTION SALE.

A motion to adopt Resolution No. 12122022B to advertise and authorize the solicitation for bids on the sale of the Borough’s 2005 Ford F550 Truck, Western Snow Plow and Hy-Way Super Salt Spreader on Municibid.com was made by Mr. Abell, seconded by Mr. Meanor. All in favor. Motion carried.

2022 Road Improvement Final Payment Request to Shields Asphalt, Inc.

A motion to approve the final request for payment to Shields Asphalt, Inc. for the 2022 Road Improvement Plan in the amount of \$78,280.00 was made by Mr. Abell, seconded by Mr. Meanor. All in favor. Motion carried.

PROPERTY & SUPPLIES – CHARLES KULBACKI

Mr. Kulbacki stated that we applied for several grants and are in a holding position for now. The total is approximately \$200,000.

GOVERNMENT & LEGISLATION – CARMEE MURPHY-HORTON

No report.

ZONING – LANE GRAFTON

No report.

NEW BUSINESS

Resolution No. 12122022C- Administer and Enforce the Borough Construction Code, the Uniform Construction Code, and the Pennsylvania Construction Code

RESOLUTION NO. 12122022C

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, DESIGNATING THE METHODS BY WHICH THE BOROUGH WILL ADMINISTER AND ENFORCE THE BOROUGH CONSTRUCTION CODE, THE UNIFORM CONSTRUCTION CODE, AND THE PENNSYLVANIA CONSTRUCTION CODE AT WITHIN THE BOROUGH.

A motion to adopt Resolution No. 12122022C was made by Mrs. Horton, seconded by Mr. Meanor. All in favor. Motion carried.

Mr. Renfrew – asked according to the agreement with PCS – if we take BIU – can we be certain that PCS will continue to do the work that they initially started. Mr. Junker stated that this resolution will terminate PCS, Inc. If outstanding issues and PCS was paid for them, then they should finish project started. This resolution appoints BIU the sole inspector for the Borough.

Mr. Kulbacki – asked if we are doing this because they are cheaper? Mr. Abell asked – is this saving the Borough money? Mr. Renfrew reiterated that the issues is/was no responsiveness in some instances this past year.

Resolution No. 12122022D – Eliminating Contributions by Members of the Police Department into the Police Pension Fund for the Year 2023

RESOLUTION NO. 12122022D

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY PENNSYLVANIA ELIMINATING CONTRIBUTIONS BY MEMBERS OF THE POLICE DEPARTMENT INTO THE POLICE PENSION FUND FOR THE YEAR 2023.

A motion to adopt Resolution No. 12122022D was made by Mr. Kulbacki, seconded by Mrs. Horton. All in favor. Motion carried.

Proposed Ordinance No. 318 – Amending Chapter 165 in the Code of the Borough of Bell Acres, “Zoning,” to Repeal Duplicative Sections regarding the Planning Commission

PROPOSED ORDINANCE NO. 318

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 REPEAL DUPLICATIVE SECTIONS REGARDING THE PLANNING COMMISSION SET FORTH AS ARTICLE XIII

A motion to advertise proposed Ordinance No. 318 – Amending the General Zoning Ordinances to Repeal Article XIII and schedule a public hearing for the February 13, 2023 regular meeting was made by Mrs. Horton, seconded by Mr. Meanor. All in favor. Motion carried.

Discussion of the Planning Commission and Possible Appointments of Planning Commission Members.

The discussion resulted in members of Council wanting five total Planning Commission Members or to have three members on Planning Commission (PC).

Mr. Abell and Mr. Kulbacki along with Mayor Alvania strongly agree that a five member PC be approved. This was how they have worked in the past and this has gone very well for all.

Mr. Junker stated the Municipal Planning Code (MPC) will allow Council to direct as to how many members will be on the PC. They can also have alternates if they would want to go that course.

Mr. Meanor requested a Roll Call Vote to have this discussion tabled for the January 9, 2023 Council meeting and to have other residents have the opportunity to submit a letter of interest.

Roll Call Vote:

Yes – Mr. Meanor, Mrs. Horton, Mrs. Veeck and Mr. Renfrew. **No** – Mr. Abell, Mr. Kulbacki, Mr. Grafton. The discussion will continue in the January Council meeting with the majority vote of 4 Yes.

Mr. Abell requested a straw vote to ask who at present time wants the 5 members vs. 3 members for the PC.

Correction

Mr. Abell, Mr. Kulbacki, Mrs. Veeck, Mr. Meanor – voted for 5 members

Mr. Grafton, Mrs. Horton – voted for 3 members

Mr. Renfrew was undecided at this time.

Reappointment to the Bell Acres Municipal Authority

A motion to reappoint Gary Irwin to the Bell Acres Municipal Authority for a five-year term ending December 31, 2027 was made by Mr. Kulbacki, seconded by Mr. Meanor All in favor. Motion carried.

Reappointment to the Environmental Advisory Council

A motion to reappoint Chris Popovic as a member of the Environmental Advisory Council for a three-year term ending December 31, 2025, was made by Mr. Kulbacki, seconded by Mr. Abell. All in favor. Motion carried.

A motion to reappoint Steve Pietropaoli as a member of the Environmental Advisory Council for a three-year term ending December 31, 2025, was made by Mr. Meanor, seconded by Mr. Kulbacki. All in favor. Motion carried.

Resignation of Timothy M. Carland - Zoning Hearing Board Solicitor

A motion to accept the resignation of Timothy M. Carland, Bell Acres Borough's Zoning Hearing Board Solicitor effective December 1, 2022, was made by Mr. Kulbacki, seconded by Mr. Abell. All in favor. Motion carried.

CORRESPONDENCE

There are other items that should be noted but do not need action at this time.

ADJOURNMENT

There being no further business to transact, a motion to adjourn was made Mr. Meanor. by seconded by Mr. Kulbacki. All in favor. Motion carried. Meeting adjourned at 7:53 pm.

EXECUTIVE SESSION

An Executive session was held to discuss the Chief of Police Contract.

Respectfully submitted,

Jill A. Palko
Borough Secretary