

**MINUTES OF MEETING1  
OF SEWICKLEY BOROUGH COUNCIL  
MUNICIPAL BUILDING  
SEWICKLEY, PENNSYLVANIA**

**AUGUST 15, 2011**

The Meeting was called to order at 7:30 p.m. with President Robert Hague presiding and leading the Meeting in the Pledge of Allegiance.

Roll Call showed the following members present:

Susan Aleshire	William Cornman	Charles Driscoll
Stanley Ference	Carole Ford	Glenn Ford
Charles Driscoll	Robert Glenn	

Mr. DeFazio was absent due to personal reasons.

Also present were Mayor Brian Jeffe, Borough Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

There were 25 visitors.

President Hague took time to honor Sewickley resident Ernie Williams, who passed away earlier in the day. Mr. Williams was a decorated World War II pilot who flew over 90 combat missions. President Hague stated that Mr. Williams was a true gentlemen, who was proud of his family and community.

Approval of Minutes:

On motion of Mr. Glenn, seconded by Mr. Ference, the Minutes of the Regular Council Meeting of July 18, 2011 were approved and the reading of same dispensed with as copies were provided to the Members of Council, Mayor and Solicitor. The vote was 8-0.

On motion of Mrs. Ford, seconded by Mr. Driscoll, the Committee of the Whole Minutes for August 9, 2011 were approved 8-0.

Comments from the Council President, Members and Mayor:

Mayor Jeffe stated that the 21<sup>st</sup> Harvest Festival is Saturday, September 10, 2011 from 10 a. m. to 5 p. m. sponsored by the Quaker Valley Rotary and the Sewickley Kiwanis.

**SEWICKLEY COUNCIL MINUTES  
AUGUST 15, 2011  
PAGE TWO**

Mayor Jeffe also read a letter of appreciation to Alfred “Sonny” Abercrombie for his services to the Memorial Day Parade Committee

Statement of Citizens:

Marshall Morgan, owner of the property currently occupied by Clearview Bank and Sharp Edge, has an opportunity to lease the middle section of the building for a dance studio which would be an excellent draw for the town. He expressed support for the passage of the proposed Zoning Ordinance to expedite the opening of the dance studio.

Mr. Dick Lampl, co-owner of 429-435 Broad Street, addressed Council regarding an October 20, 2010 letter to the Planning Commission requesting that offices be permitted on the first floor of buildings in the Village Overlay. He stated that the Planning Commission has not responded to the request.

Unfinished Business:

On motion of Mr. Ference, seconded by Mr. Driscoll, Council voted, 8-0, to adopt Borough of Sewickley Ordinance No. 1295 establishing Civil Service Commission Rules and Regulations pursuant to Act 91 of 2010.

On motion of Mrs. Ford, seconded by Mr. Ference, Council voted, 8-0, to adopt Borough of Sewickley Resolution No. 2011-013 establishing a residential handicapped parking space at 325 Ferry Street.

New Business:

Solicitor Tucker announced that it is time for a Public Hearing on the proposed new Zoning Ordinance. Court Stenographer Donna McMullen swore in all those wishing to speak during the public hearing. Solicitor Tucker called on the Borough Manager to address the advertising of the ordinance. Borough Manager stated that the proposed Zoning Ordinance had been forwarded to all adjacent municipalities and Allegheny County Economic Development Office. There were no comments received from the adjacent communities and the Allegheny County Economic Development forwarded a nine page response document. In addition, the ordinance was advertised three times in the Allegheny County Times and the Sewickley Herald. The ordinance was also available on line at the Borough’s website and the Borough Manager stated that about 75 website hits were received on the proposed ordinance.

**SEWICKLEY COUNCIL MINUTES**  
**AUGUST 15, 2011**  
**PAGE THREE**

Mr. Andres Schwartz, consultant with Environmental Planning and Design, addressed Council regarding the proposed Zoning Ordinance and reviewed the Allegheny County Economic Development comments. He indicated that if the document was adopted at this meeting, the Planning Commission could review the items as requested by Allegheny County and then resubmit to them and have the review back within a thirty day timeframe.

Mr. Lyons of 956 Beaver Street stated that he is opposed to the OMU District in the Ordinance because he believes it to be spot zoning.

Mr. Tom Rostek of 858 Thorn Street stated the he his property is surrounded on three sides by the Sewickley Manor property. He does not believe anything should hold up the adoption of the ordinance but believes surface parking defined is ambiguous and that the Planning Commission should look at multiple principal buildings and building envelope definitions.

Clifford Krey of 158 Sebago Lake Drive, Sewickley and owner of several commercial properties stated that the Village Overlay District should be eliminated. It violates federal law regarding ADA requirements. Mr. Krey offered to forward case law on the issue to the Borough. He said that he is placing six FOR SALE signs on his properties.

Joan Miles of 801 Hill Street and a member of the Planning Commission stated there were changes made to allow offices on the 1<sup>st</sup> floor in C-1. She stated that from a planning prospective you want the business district to have a continuous flow of retail in order that the customer is welcomed to shop. The C-1 offices are on the edges of the business district. Ms. Miles also stated that she would recommend that the Ordinance be returned to the Planning Commission and then after the Commission reviewed all items the document could be returned to Council.

Mary Lyn McGinn, owner of property at Sewickley Manor, asked that the Ordinance be adopted tonight in order that the new ordinance allows the Sewickley Manor to proceed to make the changes related to the demolition of their parking garage and new parking plan. The Sewickley Manor has developed the plan and the adjoining property owners are in support of the plan.

Solicitor Tucker closed the Public Hearing and discussion was opened to Council. Mrs. Aleshire stated that we should send the ordinance back to Planning Commission for them to respond and provide the necessary changes.

Mr. Driscoll stated his preference for adopting the Ordinance and then sending it back to the Planning Commission. He feels that it is a good ordinance and the changes are minor.

**SEWICKLEY COUNCIL MINUTES  
AUGUST 15, 2011  
PAGE FOUR**

Mr. Ference, who is the Council representative to the Planning Commission, stated that he would prefer that the Ordinance be sent back to the Planning Commission and that they be given a month to provide the review.

Mr. Cornman made a motion, seconded by Mr. Driscoll, to accept the recommendation of the Planning Commission to adopt the new Borough of Sewickley Zoning Ordinance No. 1296. President Hague requested a Roll Call Vote.

Roll Call Vote 58

	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Mrs. Ford	x		
Mr. Ford	x		
Mr. Glenn		x	
Mr. Hague		x	
Mrs. Aleshire		x	
Mr. Cornman	x		
Mr. DeFazio			x
Mr. Driscoll	x		
Mr. Ference		x	
	4	4	1

Mayor Jeffe voted yes for the adoption of the Ordinance and broke the tie.

President Hague, Mrs. Aleshire and Mr. Ference publicly thanked Joan Miles and David St. Jacques and all members of the Planning Commission and the staff of Environmental Planning and Design for their hard work in getting this important document done.

On motion of Mr. Ference, seconded by Mr. Driscoll, Council voted, 8-0, to accept and order received and filed the H. A. Berkheimer, Inc. 2010 Earned Income Tax Audit as prepared by Michael P. Nardone, CPA.

Approval of Accounts:

On motion of Mr. Ference, seconded by Mr. Driscoll, Council voted, 8-0, to approve the General Fund account payables for the month of August 2011, as presented.

On motion of Mr. Driscoll, seconded by Mr. Cornman, Council voted, 8-0, to approve the Sewer Fund account payables for the month of August 2011, as presented.

**SEWICKLEY COUNCIL MINUTES  
AUGUST 15, 2011  
PAGE FIVE**

The July 2011 General Fund and Sewer Fund Budget reports were received and filed.

The July 2011 Statement of All Funds report was received and filed.

The July 2011 Profit and Loss Summary report was received and filed.

The Labor and Vendor report was received and filed.

The July 2011 Legal Expenses Monthly Report was received and filed.

Department and Commission Reports:

The following reports and minutes were received and ordered filed:

Police Report for Council, July 2011

Mr. Driscoll asked if there can be an increase in foot patrols in town.

Mr. Cornman stated that when he owned a business in town, the officers did check business doors at night.

Cochran Hose Report, July 2011

Planning Commission Minutes, August 3, 2011

Tree Commission Minutes of August 8, 2011

Listing of Botanical and Common Names of Trees

Borough Manager:

On motion of Mrs. Ford, seconded by Mr. Driscoll, Council voted, 8-0, to advertise an ordinance on Earned Income Tax pursuant to Act 32.

Council reviewed PENNVEST Debt Satisfaction Agreement.

Council reviewed fuel prices for the month of July.

Council reviewed letter from United States Senator Pat Toomey regarding transportation funding.

Borough Manager advised that deposits were made to the Borough Pension plans from class action suits from the 1990's regarding Prudential Securities.

Borough Manager reviewed the Municipal Employees Insurance Trust 2011 Wellness Campaign which will include blood draws as well as flu shots.

**SEWICKLEY COUNCIL MINUTES**  
**AUGUST 15, 2011**  
**PAGE SIX**

On motion of Mr. Ference, seconded by Mr. Glenn, Council voted, 8-0, to accept the SHACOG Road Rock Salt Bid in the amount of \$55.83 per ton.

On motion of Mr. Ference, seconded by Mr. Cornman, Council voted, 8-0, to approve the 2012 Budget Schedule as follows:

<u>Monday, October 3, 2011 – 7:00 p.m.</u>	<u>Capital Budget and Department Heads</u>
Saturday, October 22, 2011 – <i>7:00 a.m. to Noon</i>	Budget Review of Expenditures and Revenues for General Fund, Sewer Fund and Capital Reserves. <u>If Council in Agreement:</u> Motion to advertise tentative budget for adoption.
<u>Monday, November 21, 2011 - 7:30 p.m.</u>	<u>If Council in Agreement:</u> Motion to adopt 2012 Budget

The Borough Manager's Report was received and filed.

Solicitor's Report:

Solicitor Tucker reviewed Sheriff's Sale notice for First Commonwealth Bank vs. Ascot Leasing, Inc. and Ascot Imported Cars, Inc.

Solicitor Tucker reviewed lawsuit filed by John Farnan which is being defended by the insurance company.

On motion of Mr. Ference, seconded by Mr. Cornman, Council voted, 8-0, to approve Certificate of Vacancy for Council 2<sup>nd</sup> Ward, a two year term, due to the death of Dean S. C. Williams.

The Solicitor's Report was received and filed.

Tax Collector's Report:

On motion of Mr. Ference, seconded by Mrs. Ford, Council voted, 8-0, to accept and order received and filed, the tax collector's report and exonerations for the Month of July 2011.

**SEWICKLEY COUNCIL MINUTES  
AUGUST 15, 2011  
PAGE SEVEN**

Adjournment:

On motion of Mr. Ference, seconded by Mrs. Ford, Council voted, 8-0, to adjourn at 9:53 p.m.

Respectfully submitted,

---

KEVIN M. FLANNERY  
Borough Manager and Secretary

---

ROBERT HAGUE  
President of Council