

**BOROUGH OF SEWICKLEY**  
**COMMITTEE OF THE WHOLE MINUTES**  
**TUESDAY, MARCH 13, 2012**

President Robert Hague called the Committee of the Whole Meeting to order at 7:30 p.m. Members in attendance were Susan Aleshire, Bill Cornman, Tom DeFazio, Charles Driscoll, Stan Ference, Carole Ford, Robert Glenn and James Morrill. Others in attendance were Kirsten Stripay and Jennifer Markus of Village Green, John Straka, Rich Webb, Peter Friday, Vince Delie, Brian Dugan, George Olson, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

**COMMENTS FROM THE PUBLIC**

Kirsten Stripay of Village Green Partners addressed Council providing an update on business activities within the Borough. There will be a Soup Crawl with the restaurants this coming Saturday, March 17<sup>th</sup>, as well as several new businesses opening up.

Council reviewed a letter to Party Ants, granting permission for the use of the Gazebo for the annual Pictures with the Easter Bunny at Wolcott Park.

On motion of Mr. Ference, seconded by Mr. DeFazio, Council voted, 9-0, to grant Sewickley United Methodist Church permission to use Thorn Street, between Broad Street and Walnut Street for the 4<sup>th</sup> Annual Sewickley United Methodist Church Street Carnival.

Council reviewed requests for the use of baseball fields from Quaker Valley Recreation Association and the Quaker Valley School District. It appears that there may be a conflict with each organization overlapping in time at the Chadwick Street field. Borough Manager indicated that he would meet with the groups in order to work out the timing aspect and asked that separate motions be made for the use of the fields with that condition. On motion of Mrs. Ford, seconded by Mr. Ference, Council voted, 9-0, to grant the Quaker Valley Recreation Association's request for the use of Borough fields, subject to working out the scheduling concerns. On motion of Mr. Cornman, seconded by Mrs. Ford, Council voted, 9-0, to approve the request of the Quaker Valley School District's use of the fields, subject to working out scheduling.

Peter Friday, a member of the Village Theater Company Committee, addressed Council regarding the theater proposal and development plan. Mr. Friday indicated that the old Ascot property is under agreement for \$1.2 million. Mr. Friday is proposing approximately 22,000 square feet of development. He is looking to have a mixed-use of offices and is looking to develop a public-private partnership for this project. The private group would provide money to the Borough in the event that the Borough would need to create additional parking. Mr. Friday indicates that parking would not be an issue with this development. He would be developing a blighted property. The Borough would be getting a movie theater.

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**COMMENTS FROM THE PUBLIC (continued)**

Mr. Friday indicated that he was requesting a letter agreement with the Borough for the continuation of the project. Mr. Friday introduced a few of the Village Theater Company Board Members. Mr. Brian Dugan of Woodland Road in Edgeworth, addressed Council, indicating that sufficient funds are being raised for this project in order to proceed.

Mr. Glenn asked if there were any revenue projections and how many existing parking spaces would be lost. Mr. Friday indicated that the impact would not be known at this time, but there appears to be sufficient parking for the project.

Council was receptive to the Village Theater effort and Council President Hague appointed Mr. Driscoll, Mr. Ference, Mrs. Aleshire, Mayor Jeffe, Borough Solicitor and Borough Manager to an Ad Hoc Committee to work with the Village Theater Company in developing a letter agreement for Council to review.

President Hague asked if there were any other citizens' comments now and that citizens are also invited to speak when an item is up on the agenda. Mr. Driscoll stated that many people are present because of the Zoning Ordinance request. Mr. Driscoll made a motion, seconded by Mr. DeFazio, to accept the recommendation of the Planning Commission to remove the Place of Worship, Place of Assembly and Public Parks from the R-1 and R-1A Zoning Districts and to have the Solicitor advertise as a pending ordinance. President Hague requested that this item be brought up at the scheduled point as it appears on the agenda. Mr. DeFazio withdrew his second and Mr. Driscoll withdrew his motion.

**COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR**

Mayor Jeffe reviewed the proposed funding request for the Quaker Valley K-9 Committee, which is an average request for the next three years of approximately \$5,500. The Quaker Valley K-9 Committee has just completed a three-year agreement, providing \$11,000 per year for the establishment of the K-9 Unit.

Mayor Jeffe also advised Council that a proclamation was presented to approximately 65 girl scouts from the Glen Oaks Girl Scout Council in Sewickley in recognition of the 100<sup>th</sup> Anniversary (to the date) of Girl Scouting in America.

Council President Hague announced that an Executive Session was held at the beginning of the meeting regarding litigation matters with MCM Ventures.

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**REPORT ON BUILDING INSPECTION. ZONING. PUBLIC WORKS AND  
WASTEWATER TREATMENT PLANT**

Council reviewed the Building Inspector's Report, indicating that ten (10) permits were issued in February, with permit fees of \$1,655.00 on \$23,500.00 worth of construction. Thirty (30) building inspections were performed.

Council reviewed the Wastewater Treatment Plant Report for February, indicating that 14.009 million gallons of sewage were treated. In addition, the digester gas panel is up and producing gas; however, staff has noticed a tear in the dystor. The equipment is still under warranty, and the manufacturer, Westech Corporation, plans to make the repairs within the next week.

Council reviewed the Public Works Report highlighting that County Weights and Measures has checked all meters within the Borough of Sewickley, Christmas lights were taken down, and with the mild weather, the streets are being swept.

Council reviewed the Consulting Engineer's Report. Borough Manager advised that bids were opened on March 12<sup>th</sup> for the Glen Osborne Interconnect Project. A report will be prepared for Council for their March 19<sup>th</sup> Council Meeting.

The Building Inspector's Report, Public Works Report, Wastewater Treatment Plant Report, and Consulting Engineer's Report were received and filed.

**SOLICITOR'S REPORT**

Council reviewed the Solicitor's Report for February, highlighting the easements for the Glen Osborne Sewer Interconnect Project, the Edgeworth Fire Protection Agreement, an Occupancy Permit for 338 Chestnut Street, and an Occupancy Permit for 604 Beaver Street.

Council reviewed the Solicitor's Invoice in the amount of \$11,013.76.

Solicitor Tucker indicated that the Borough of Glen Osborne is still getting easements for the sewer project.

Solicitor Tucker advised that oral arguments on the MCM Ventures case will be heard before the Commonwealth Court on Tuesday, April 17, 2012 at 1:00 p.m. Each side will have approximately 10 minutes for their case.

Council reviewed the Jordan Delinquent Tax and Municipal Claims Report, indicating that \$5,634.27 was collected in the month of January 2012.

The Solicitor's Report was received and filed.

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**BOROUGH MANAGER'S REPORT**

Borough Manager advised that the 2012 Road Project has been advertised and bids are scheduled to be opened on March 30, 2012. The Beaver Road portion has been bid as an alternate bid in two ways, as a weekend project and as a regular project. Given the Route 65 issues that have developed, mainly PENNDOT closing the Ambridge/Aliquippa Bridge, PENNDOT doing road work on Route 65 from the Sewickley Bridge to the Beaver County line, and the Duquesne Light Project in Edgeworth, we envision an increased traffic flow on Beaver Street. By bidding the project this way, the entire road bid would not be affected.

Council reviewed the Roadway Weight Limit Study, prepared by Lennon, Smith, Souleret Engineering. An ordinance was reviewed, with a minor correction, with the removal of Section 2. The ordinance will place a 5 ton weight limit restriction on Walnut Street; a 10 ton weight limit on Beaver Street; a 15 ton weight limit on Broad Street; and a 20 ton weight limit on Blackburn Road. Council asked if additional roads would have a weight limit. Borough Manager advised that a study would have to be done for each and every road. The ordinance has been advertised. Council was in agreement to place the ordinance the Council Meeting Agenda for adoption on March 19, 2012.

Borough Manager reviewed the Ambridge/Aliquippa Bridge closure, indicating that a letter was provided to the Sewickley Herald, letters were forwarded to the three Beaver County Commissioners, the Beaver County State Senator, and three Beaver County State Representatives. Borough Manager stated that Senator Vogel and Representative Matzie had indicated that were going to ask PENNDOT for more money for traffic details. Borough Manager reminded Council that the Ambridge/Aliquippa Bridge replacement is a Beaver County project, administered by PENNDOT, and that traffic details were only going to be provided from March 5<sup>th</sup> through March 16<sup>th</sup>.

Borough Manager also advised that Allegheny County gave notice on March 2<sup>nd</sup> that Blackburn Road was going to be closed for repairs for approximately two to three weeks.

In addition, all Borough employees were provided with the PENNDOT Field Office Phone Number for the bridge project to pass on to the public.

Borough Manager indicated that on Friday, March 2<sup>nd</sup>, Bob Firek, of Lennon, Smith, Souleret Engineering, and he walked Beaver Street, from Academy Avenue to Blackburn Road. There are several areas of spalling on the road. Spalling occurs when the asphalt mixture is either too dry or is worked too much, i.e. hand work areas which have a tendency to break the bonds between the liquid and the stone. We have already had a meeting with Shields Paving. The necessary repairs will be done when the weather gets warmer and the plant is open, which will be sometime after April 21<sup>st</sup>.

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**BOROUGH MANAGER'S REPORT (continued)**

Borough Manager advised that with the execution of the Comcast Franchise Agreement, a grant in the amount of \$7,693.00 was delivered to the Borough for the PEG Channel operations.

Borough Manager advised that the annual Quaker Valley COG Recycling Day is scheduled for Saturday, May 5<sup>th</sup>. Aleppo Township will be hosting the event. The Borough will be providing additional information on the website and the PEG Channel.

Council reviewed a letter and listing from John Weinstein, County Treasurer, regarding the Senior Citizens Relief Program. Any additional applicants will need to complete a form and forward it to the County of Allegheny.

Borough Manager advised that the Borough of Sewickley real estate taxes for 2012 were mailed out on February 29, 2012.

Borough Manager reviewed three quotes for the Nevin Avenue Tree Removal Project. The quotes were received from Taylor Tree, in the amount of \$19,220; Carl's Tree Service, in the amount of \$25,700.00; and Adler Tree Service, in the amount of \$28,200.00. Mr. Driscoll indicated that he would like to have the Borough Arborist review the trees to see if two or three trees can be saved from removal as these trees are very large and provide shade to properties on Nevin Avenue. Borough Manager to have the Borough Arborist review this item. Council was in agreement to place on the agenda for Monday the awarding of the Nevin Avenue Tree Removal contract.

Council reviewed a project sheet, updating the easements for the Glen Osborne Interconnect Project. Borough Manager also advised that the bid opening resulted in the bids being significantly higher than estimated. This was due to changes requested by Glen Osborne and changes in the land area from the original start of the project. Borough Manager indicated that John Mowry will present a formal report for Monday's meeting. Borough Manager indicated that they will also be reviewing other options that may be available in order to complete the new Pump Station Interconnect Project.

Borough Manager reminded Council that the Los Payasos Unification Plan Public Hearing will be before Council on Wednesday, March 19, 2012. This was recommended by the Planning Commission at its meeting on March 7<sup>th</sup>.

In addition, the Planning Commission had a preliminary review of a Conditional Use Request for 352 Beaver Street. It is a proposed first floor retail space and a second floor apartment. The Planning Commission has scheduled a hearing on the Conditional Use Request on Wednesday, April 4<sup>th</sup>; therefore, a motion will be on the agenda before Council for April 16<sup>th</sup>.

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**BOROUGH MANAGER'S REPORT (continued)**

In addition, the Borough Manager advised that the Planning Commission has recommended that Places of Worship, Places of Assembly and Public Parks no longer be permitted in R-1 and R-1A as conditional uses, and the Solicitor is to advertise as a pending ordinance.

Mr. Hague asked for any comments from people in attendance.

Rich Webb, of 26 Beaver Street, indicated that this is a public policy issue and a change is necessary. He presented a letter to the Planning Commission, asking for the removal of the designations of Place of Worship and Place of Assembly as permitted conditional uses in the R-1 and R-1A Residential Districts. He believes that this was an unintentional consequence by the Planning Commission and that the change is necessary to protect residential properties.

John Straka, of 59 Beaver Street, also provided a letter to the Planning Commission and asked Council for the removal of the designations. Mr. Straka indicated that he had asked the Planning Commission recommendation be accepted because without it, there is a threat to residential character. Mr. Straka indicated that he was not completely sure that the Planning Commission's interpretation of the Religious Land Use and Institutional Persons Act of 2000 (RLUIPA) was pertinent to a Place of Worship and Place of Assembly in Sewickley.

Vince Delie, of 247 Thorn Street, indicated that he has come to the same conclusion and asked that the recommendation of the Planning Commission be carried through. He fully realizes that originally there were small churches in the Sewickley area, that they have grown, and they have to provide other services as a way to support the mission of individual churches. He supports Mr. Straka and Mr. Webb in their efforts also.

George Olson, of 238 Thorn Street, addressed Council, indicating that the land surrounding the Coyle house was the main house for the John Little tract of land and that preservation of the house is necessary.

Borough Manager advised that the Presbyterian Church completed the transaction with the sale of the Coyle house property to the church, and in the afternoon on Tuesday, March 13<sup>th</sup>, the church made applications with the Borough for a demolition permit, a conditional use permit and a unification plan. It is the understanding of the Borough that the applications are legitimate and that any change proposed this evening would not affect the applications received by the church. If an ordinance is passed tonight, it will affect all applications after tonight.

On motion of Mr. Driscoll, seconded by Mr. DeFazio, Council voted, 8-1, with Mr. Glenn voting, no, to authorize the advertisement of a pending ordinance that would remove Places of Worship, Places of Assembly and Public Parks from the R-1 and R-1A as conditional uses.

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**BOROUGH MANAGER'S REPORT (continued)**

Borough Manager advised that Mr. Glenn and he will meet with Kim Turnley on Wednesday, March 14<sup>th</sup> to preview the audit. The full audit will be presented at the March 19<sup>th</sup> Council Meeting.

Borough Manager reminded Council that a picture of Council will be taken before the Monday, March 19<sup>th</sup> Council Meeting at 7:25 p.m. If the weather is nice, the Borough Manager suggested taking the picture outside, in front of the building.

Borough Manager reported that the Port Authority of Allegheny County is planning to terminate the Route 14 Bus Service to the Sewickley area. The route, basically, runs from downtown Pittsburgh to Ambridge and back. During the past week, there were numerous hearings on proposed route terminations and reduction in services. The Borough Manager stated that there are many Sewickley residents who utilize the bus service to Pittsburgh, and there are numerous people who use the bus service to and from Sewickley to go to the hospital and to shop in the Business District. The Borough Manager suggested that the Borough of Sewickley begin talks with the Boroughs of Leetsdale, Edgeworth and Glen Osborne about the possibility of the Beaver County Transit Authority Bus that leaves Ambridge and proceeds down Route 65, travel through the four communities instead of traveling on Route 65, in order to pick up riders. This will involve a coordination effort between the Beaver County Transit Authority and the Port Authority of Allegheny County and, most likely, the Public Utility Commission. Borough Manager indicated that he understands the economies of scales, savings and efficiencies, but there would be a disservice to the Sewickley area if there was no public bus transportation at all. Council was in agreement with the Borough Manager and encouraged the Borough Manager to proceed in soliciting the other communities in this effort.

The Borough Manager's report was received and filed.

**ADJOURNMENT**

On motion of Mr. Ference, seconded by Mr. DeFazio, the Council Meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Kevin M. Flannery  
Borough Manager/Secretary

KMF:pmf