

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, OCTOBER 9, 2012

President Robert Hague called the Committee of the Whole Meeting to order at 7:30 p.m. Members in attendance were Susan Aleshire, Tom DeFazio, Charles Driscoll, Stan Ference, Carole Ford, Robert Glenn and James Morrill. Councilman Bill Cornman was absent due to vacation. Others in attendance were Jennifer Markus of Village Green, Jenny Wagner of the Allegheny Times, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Administrative Assistant Patty Flaherty, representing Kevin M. Flannery, Borough Manager/Secretary, who was attending an ICMA Conference.

COMMENTS FROM THE PUBLIC

Jennifer Markus, of Village Green Partners, addressed Council and provided an update on the Oktoberfest, which took place in the Division Street Parking Lot, on Friday, October 5th and Saturday, October 6th. Jennifer indicated that they had positive feedback and that the event exceeded their expectations, with 693 people attending on Friday and 653 people attending on Saturday. Ms. Markus indicated that Village Green is planning on having an Oktoberfest next year during the first weekend in October. She commented that this was their first fundraiser and that they made money on this event. Council President Hague commented that it was a wonderful event, and Mrs. Aleshire indicated that the business district appeared to be busy all weekend. Mayor Jeffe indicated that there were no incidents reported by the Sewickley Police Department.

Council reviewed an e-mail sent to the Borough regarding Route 65 Construction.

Council reviewed two Right-to-Know requests from Mark Raso, with responses from the Borough Manager.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Jeffe indicated that the Halloween Parade, sponsored by Quaker Valley Rotary and the Borough of Sewickley, will be held on Saturday, October 27th, at 10:30 a.m., and that Trick or Treating in Sewickley will be on Wednesday, October 31st, from 6:00 p.m. to 8:00 p.m.

Mayor Jeffe announced that there will be a Fall Festival at the Mary Roberts Rinehart Park in Glen Osborne.

Mayor Jeffe gave kudos to Village Green Partners for their success with the Oktoberfest.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE TWO**

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR (CONTINUED)

Council President Bob Hague indicated that the 2013 Budget Meeting is on Saturday, October 20th, at 7:00 a.m., and that the public is invited.

Mr. Hague announced that the 5th Annual Pancake Breakfast for Police and Fire is at the Sewickley Academy on Saturday, October 27th, from 8:30 a.m. to 11:00 a.m.

Mr. Hague announced that the Allegheny County Stormwater Management Plan, Region 2, Meeting is on Monday, November 19, 2th, from 6:30 p.m. to 8:30 p.m. Mrs. Aleshire asked if anyone from Sewickley Borough was attending. Mr. Hague indicated he will inquire if anyone from and Borough will be attending and notify Council.

Mayor Jeffe announced that the “Savoring Sewickley” event is at the Sewickley Public Library this coming Sunday, October 14, from 6:00 p.m. to 9:00 p.m.

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

Council reviewed the Building Inspector’s Report, indicating that two (2) permits were issued in September, with permit fees of \$5,690.00 on \$549,000.00 worth of construction. Twenty-Six (26) building inspections were performed, and two (2) property maintenance inspections were performed.

Mr. Glenn referred to the Building Inspection Report, asking for the location of Gray Lane. Mr. Glenn indicated that he went to the Dickson Road/Farren Street area and was concerned about safety issues when driving in that area.

Council reviewed the Public Works Report for September, highlighting the replacement of street signs in compliance with the reflectivity standards, patching streets, and cleaning and painting curbs. In addition, the Public Works Department assisted with the Harvest Festival and the 5K Run.

Council reviewed the Wastewater Treatment Plant Report for September, indicating that 15.744 million gallons of sewage were treated. In addition, the rebuilt #1 Sump was installed in the Digester Building, the #2 Sump was sent out to be repaired. Also, WWTP employees gave assistance to the contractor working at the Boundary Street Pump Station.

Mr. Hague indicated that he was disappointed that the Digester was still down and requested that the Borough Manager forward a memo to Council regarding the status of the Digester.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE THREE**

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

Mr. Hague announced that the Western Pennsylvania Water Pollution Control Association Meeting will be held at the Sewickley Wastewater Treatment Plant on October 19th, indicating that this will be a good opportunity to highlight all the Wastewater Treatment Plant improvements.

Council reviewed a news item regarding a 35% hike for sewer customers in Lock Haven, Pennsylvania. Mr. Ference indicated that Sewickley Borough residents should not have an increase for at least four more years.

Council also reviewed the Consulting Engineer's Report, indicating that work is progressing on the waterline portion of the Osborne Interconnect Project and that the contractor should begin the bores in the next 2 weeks. Work on the Boundary Street Pump Station Project is proceeding as scheduled.

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

SOLICITOR'S REPORT

Council reviewed the Solicitor's Report for September, highlighting work on the Second Addendum to the Glen Osborne Sewage Agreement, pension plans and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$10,664.08. Solicitor Tucker indicated that the amounts for the services rendered in connection with Sewage Services Intergovernmental Cooperation, Condemnation of Property for Sewer Easement and Arden River Development Condemnation Proceedings may be paid from the funds obtained by the bond issue and the 2012 general obligation note. Solicitor Tucker indicated that he will be going through prior bills to advise the Borough Manager and Council the amounts that were paid from general funds in the past and that can be reimbursed.

Council reviewed the Jordan Delinquent Real Estate Tax Report dated September 25, 2012, indicating that \$7,883.05 was collected in delinquent taxes.

Council reviewed Ordinance No. 1309, the Glen Osborne Revised Second Addendum Sewer Services Agreement. Solicitor Tucker advised to table this item until the Council Meeting on Monday, October 15th, indicating that Glen Osborne presented their version of the agreement after Solicitor Tucker had submitted his version.

On motion of Mr. Glenn, seconded by Mr. Ference, Council voted, 7-0, to table the adoption of Ordinance No. 1309, approving and ratifying the terms and conditions of a revised second addendum to Sanitary Sewage Treatment Agreement with the Borough of Glen Osborne.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE FOUR**

SOLICITOR'S REPORT (CONTINUED)

Solicitor Tucker reviewed a letter regarding a Conflict of Interest and appointment of another attorney in two cases, Franklin J. Pounds, Jr. v. Borough of Sewickley, et al and Shawn Haynes v. Borough of Sewickley, et al.

Council reviewed several tax assessment appeals, and a Motion to File Late Appeal on behalf of Ida Mae Cook.

The Solicitor's Report was received and filed.

BOROUGH MANAGER'S REPORT

Since the Borough Manager was not in attendance, Solicitor Tucker presented the Borough Manager's Report on behalf of Borough Manager Flannery.

Solicitor Tucker reported that Nevin Avenue was opened at September 28th and that T.A. Robinson Paving returned on Monday, October 1st to seal the streets. He indicated that the space between the curb and sidewalk was to be backfilled and grass planted on October 8th and 9th. In addition, Borough Arborist Jim Edson and the Borough Manager have reviewed the Nevin Avenue tree planting plan and the plan was reviewed with the Tree Commission at their October 8th meeting. The plan is to plant the trees between October 23rd and October 31st.

Council was advised that stop bars will be placed at the stop signs and that once the stop bars are placed, the Borough crew will paint yellow lines and white crosswalks.

Council discussed the fact that some sidewalks on the lower portion of Nevin were not redone due to a change in the original scope of work for the Nevin Road Project.

Mr. Driscoll asked if a blinking light can be put on the stop sign on Nevin Avenue, with Mr. Hague indicating that he will discuss this issue with the Borough Manager. Mr. Glenn indicated that some trees may need trimmed.

Council reviewed a letter regarding an insurance issue with the road project.

Mr. Hague recommended having an Executive Session after the meeting to discuss possible litigation and the Glen Osborne Revised Second Addendum Sewer Services Agreement.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE FIVE**

BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed documentation indicating that the Borough received a check from the Commonwealth of Pennsylvania in the amount of \$110,859.40; in turn the Borough deposited \$109,973.00 into the Police Pension Fund and \$194,346.00 into the Non-Uniform Pension Fund.

Council reviewed the 2012 PURTA check in the amount of \$4,675.73.

Council reviewed a check in the amount of \$3,966.82 from Crown Communications, which was received the beginning of October.

Council reviewed executed Salt Services Agreements from the Borough of Glen Osborne and the Borough of Haysville.

Solicitor Tucker reminded Council of the 2013 Budget Review Meeting; it is scheduled for Saturday, October 20, 2012, at 7:00 a.m. This meeting will consist of a review of and scheduled tentative adoption of the 2013 Borough of Sewickley General Fund Budget, Sewer Fund Budget and Capital Reserve Budgets, with any required Ordinances and Resolutions. After the budget has been advertised, it is anticipated that the 2013 Budget will be adopted on November 19, 2012. The proposed 2013 Budget was distributed to Council Members at tonight's meeting.

Council reviewed a copy of a check in the amount of \$60,000, received from the City of Pittsburgh, for the Borough of Sewickley 1991 Pierce Fire Truck. After refurbishing the Edgeworth vehicles at a cost of \$15,919.72, there was a balance of \$44,080.78 which was deposited to the Fire Reserve Account.

Solicitor Tucker announced that Mayor Jeffe, Mr. Hague, Mrs. Aleshire, Mr. Ference and Borough staff met with Dr. Clapper, Superintendent of Quaker Valley School District, and Dr. Marrone, Director of Administration. Council reviewed a report on the generator, and the School District indicated that they will test the generator every Monday morning between the hours of 7:00 a.m. and 9:00 a.m.

Mr. Ference indicated that he was at the school between 6:45 a.m. until 7:00 a.m. and that the generator was not running.

Mr. Hague indicated that the agreement with the School District was to test the generator once a week, on Mondays, for ½ hour during the two hour time slot. Mr. Hague indicated he will check with the School District to find out why they did not perform the test on Monday.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE SIX**

BOROUGH MANAGER'S REPORT (CONTINUED)

Mr. Ference indicated that the plans submitted by the School District show the current generator, not the new generator. He indicated that the recollection of the Planning Commission was that the School District was not placing the new generator in the same location as the old generator; he commented that it is a gray area.

Council was advised that the School District met with Chief Ersher and their traffic consultant in anticipation of planning a safer way to have students dropped off and picked up at the school.

Mr. Hague reviewed a letter and a diagram from the School District, detailing the proposed traffic patterns for the area that surrounds the Middle School.

Mr. Ference indicated his concern about residents who need to park across the street from their homes on Street Sweeping Day. He also indicated that a meeting has been scheduled with the neighbors, at 5:30 p.m., on Smith Alley before the QVSD Meeting.

Council reviewed the Unification Plan for One Village Square, the Unification Plan for One Thorn Street, and the Subdivision and Land Development Ordinance (SALDO). All plans have been reviewed and recommended for approval by the Planning Commission. Council reviewed some minor changes in the SALDO made by Allegheny County. The changes have been made and were recommended by the Planning Commission. Resolutions have been prepared for the unification plans, and proposed Ordinance No. 1310 has been advertised for adoption on October 15th, with Solicitor Tucker conducting the Public Hearings.

Mr. Ference announced there was a litigation issue regarding the One Village Square Unification Plan, indicating that Mr. Krey attended the Planning Commission to oppose the plan and had brought a suit against the owners of the property, originally, by eminent domain and then changed it to adverse possession. He indicated that this suit is regarding a sidewalk that straddles the property.

Council reviewed evaluation forms which will be used for staff reviews. It was proposed to Council that the Borough Manager be reviewed at the November 13, 2012 Committee of the Whole Meeting, the Police Chief be reviewed at the December 11, 2012 Committee of the Whole Meeting, and the Solicitor be reviewed at the January 15, 2013 Committee of the Whole Meeting. Mr. Glenn indicated that he had previously suggested revising the forms, with Mr. Hague agreeing that changes were needed, and that the Borough Manager would be advised of the request.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE SEVEN**

BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed a memo from the Borough Manager, listing the dates that holidays will be observed by the employees and when the municipal offices will be closed. The dates include Thanksgiving, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve and New Year's Day. These dates are in accordance with Borough contracts with the Employees' Association and the WWTP Employees.

Council reviewed a Resolution No. 2012-013, a resolution to adopt Borough of Sewickley, Banking Services with First National Bank, Sewickley Branch. Borough Council approved First National Bank to provide bank services to the Borough of Sewickley at the previous Council Meeting.

Council Member Driscoll left the dais because he is employed by First National Bank.

On motion of Mr. Ference, seconded by Mrs. Ford, Council voted, 7-0, to adopt Borough of Sewickley Resolution No. 2012-013, Banking Services with First National Bank, Sewickley Branch.

Mr. Driscoll returned to the dais.

Council reviewed an e-mail from David Saint-Jacques, indicating he is resigning from the Planning Commission due to other commitments.

On motion of Mr. DeFazio, seconded by Mrs. Aleshire, Council voted, 8-0, to accept the resignation of David Saint-Jacques from the Planning Commission.

Council President Hague reminded Council that at the September 17, 2012 Council Meeting, a motion was made by Mr. Ference, and seconded by Mr. DeFazio, to approve the recommendation of the Feasibility Committee in appointing Environmental Planning and Design as the consultant for the project. Discussions took place regarding whether to participate in the program, with Mr. Ference having the only aye vote, and eight Council Members opposing the motion. However, that vote was to be for the approval of the recommendation of the consultant, not if Council wanted to participate in the program. In a review, it was found that a resolution was formally approved in 2007, supporting the application for funds for a \$20,000 grant with the Commonwealth of Pennsylvania. Mr. Hague, therefore, indicated that Council should make a motion to either accept or not to accept the recommendation of the PA Route 65, Ohio River Boulevard Beautification Feasibility Committee to have Environmental Planning and Design as Project Consultant.

**COMMITTEE OF THE WHOLE MINUTES
OCTOBER 9, 2012
PAGE EIGHT**

BOROUGH MANAGER'S REPORT (CONTINUED)

On motion of Mr. Morrill, seconded by Mr. DeFazio, Council voted, 5-3, to reconsider the recommendation of the PA Route 65, Ohio River Boulevard Beautification Feasibility Committee to have Environmental Planning and Design as Project Consultant. The Borough of Sewickley commitment to the joint project with the Borough of Edgeworth is \$3,000, with Edgeworth doing the administration of the project.

The motion to accept the recommendation of the PA Route 65, Ohio River Boulevard Beautification Feasibility Committee to have Environmental Planning and Design as Project Consultant was approved by a vote of 5-3, with Mrs. Aleshire, Mr. Ference and Mr. Glenn voting no.

The Borough Manager's report was received and filed.

EXECUTIVE SESSION

Council went into Executive Session at 8:39 p.m. regarding potential litigation matters. The Executive Session concluded at 8:55 p.m.

ADJOURNMENT

On motion of Mr. Glenn, the meeting adjourned at 8:56 p.m.

Respectfully submitted,

Patty Flaherty
Administrative Assistant/Acting Secretary