

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, MARCH 12, 2013

President Bob 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, Carole Ford, Robert Glenn and Jamie Morrill. Stan Ference was absent due to work. Others in attendance were Larry Rice, Chairman of the Tree Commission, Jennifer Markus, Kirsten Recker and Alex DeLoia of Village Green Partners, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

COMMENTS FROM THE PUBLIC

Larry Rice, Chairman of the Tree Commission, requested that Council take action tonight on the bids received for tree pruning and tree removal. The Tree Commission met last night and unanimously voted to recommend approval of the bids. Mr. Rice indicated that with the weather warming up, time is of the essence to start tree pruning and removals.

Village Green Partners provided an update on work within the Business District. They indicated that 42 businesses have signed up with their program, and they provided notices to all of the businesses regarding the past week's meeting on the Tax Increment Financing District proposal. The Soup Crawl is scheduled for Saturday, March 16th, with 117 registrants to date. The 3rd Annual Sewickley Unleashed, which is the Sewickley Pet Parade, is scheduled for Saturday, May 18th, to be held on Broad Street in the Borough of Sewickley.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Jeffe reminded everyone that the weather should be good for the Soup Crawl on Saturday, March 16th, from 12:00 noon until 3:00 p.m.

Mr. Glenn advised that he met with De Carlo Interiors, a business that he uses for upholstery repairs at his home, and he is having all of the Council chairs on the dais reupholstered. Mr. Glenn stated that he was paying for the cost of reupholstering the chairs. Council and staff were very appreciative of Mr. Glenn's donation.

Council President Robert Hague announced that an Executive Session would be held at the conclusion of tonight's meeting regarding land matters, contracts, and potential litigation. President Hague also provided two articles from news sources regarding the tax assessment appeals in Allegheny County. Both articles alluded to the fact that several municipalities are well over the 5% allowed under the reassessment law. Mr. Hague thanked Council and staff for their due diligence in making sure that the Borough adopted a budget and proceeded to go to Allegheny County Court to have the assessed value approved in compliance with the law.

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

Council reviewed the Building Inspector's Report, indicating that three (3) permits were issued in February, with permit fees of \$741.00 collected on \$29,060.00 worth of construction. Seventeen (17) building inspections were performed.

Council reviewed the Public Works Report for February, highlighting snow removal, the repair of a catch basin on Graham Street, repairs to the leaf machine, removal of Christmas lights in the trees, and the lubing and timing of the 2-hour meters.

Council reviewed the Wastewater Treatment Plant Report for February, indicating that 18.032 million gallons of sewage were treated. In addition, 111,508 cubic feet of digester gas was used.

Council also reviewed the Consulting Engineer's Report, indicating that work is nearing completion for the Boundary Street Pump Station. The Glen Osborne Interconnect Project construction is moving along Route 65. A punch list is being generated regarding the Berger property, and the concrete will be poured for the walls this week. Equipment is expected to be delivered on April 1st, and start up should take place by May 15th.

Council reviewed Zoning Hearing Board Decision on Case No. 12-05 (B-1) for 202 Beaver Street.

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 February, highlighting the spot zoning challenge, work on the buy-sell agreement, Glen Osborne sewer overflows, and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$4,417.67.

Solicitor Tucker reviewed a proposed buy-sell agreement with Two Village Square for a portion of Block and Lot No. 421-A-139, consisting of approximately 12,085 square feet, adjacent to the Green Street Parking Lot. Issues discussed by Council were related to the definition of where the air rights for the Sewickley Village Theater would begin. Upon receipt of the certified appraisal, the value can be determined.

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SOLICITOR'S REPORT (CONTINUED)

Council reviewed an update regarding the Hogan Case, Scottsdale Insurance Claim No. 144319. All federal claims have been dismissed. Allegheny County Court of Common Pleas Senior Judge Judith Friedman is handling the case and the Borough will be filing answers to the plaintiff's complaint. In addition, the Borough's outside legal counsel will seek to have lawsuits consolidated for discovery purposes.

Solicitor Tucker reviewed numerous assessment appeals received to date. He indicated that over the last few days, there seems to be a lull in the amount of assessment appeals received.

The Solicitor's Report was received and filed.

BOROUGH MANAGER'S REPORT

The Borough Manager provided the revised 2013 Road Project list, consisting of the repaving of Nevin Avenue (from Beaver Street to Centennial Avenue), Grimes Street (from Beaver Street to Centennial Avenue), Harbaugh Street and Graham Street, (from Chestnut Street to Route 65), a portion of Centennial Avenue and portions of Dippold Street. The estimated engineering cost was provided including additional work for sidewalks and ADA upgrades.

As previously discussed in past months, Council reviewed the preliminary estimate for the Ferry Street work (from Chadwick Street to Little Street), originally scheduled for this year, but is being delayed due to work being performed by Columbia Gas. Columbia Gas will be replacing the gas line and service connections from Walnut Street, down Bank Street to Ferry Street, to Thorn Street, including most of the side streets. Columbia Gas has indicated that the project will take place from the end of April until August. The estimate for the Ferry Street work, to be done in 2014, is \$701,003. In addition, Columbia Gas will be sending out notices about their informational meeting to all Columbia Gas customers in the repair area. The meeting will be hosted in the Borough of Sewickley Council Chambers on Wednesday, April 3, 2013, from 5:30 p.m. to 6:45 p.m.

The Borough Manager indicated that the 2013 Borough of Sewickley Real Estate Tax Bills were mailed out to all property owners on March 1, 2013. As indicated by Council with the adoption of its Budget in November, the Borough was granted Court approval for the tax millage rate due to the fact that they would be over the 5% limit. Any additional revenues received must be placed into an account for refunds. As of March 7th, the assessed value is presently down to \$459,300,630. There is a reduction of \$13,411,500 in values to date. The report is being updated monthly so that staff and Council can monitor any revenues over \$2,453,704 in real estate tax receipts, and that they are deposited into the escrow account for 2013 real estate tax refunds, as per Resolution No. 2012-016, adopted by Council on November 19, 2012.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Borough Manager stated that the Ambridge/Aliquippa Bridge closed on March 4, 2013 for Phase II work. The bridge is scheduled to open sometime between November 8 and November 14, 2013. The Borough of Sewickley Traffic Sign was placed on Monday, February 25, stating "Ambridge-Aliquippa Bridge Closing March 4 – Please Plan Accordingly" to assist all motorists.

The Borough Manager reviewed a Quaker Valley Council of Government's Recycling Day Public Notice. The Recycling Day is scheduled for Saturday, May 4, 2013 at the Avalon Borough Public Works Department, from 9:00 a.m. to 1:00 p.m. In addition, the Borough of Sewickley will collect tires, electronics and paints on Thursday, May 2, from 12:00 p.m. to 7:30 p.m., to assist Borough of Sewickley residents.

Council reviewed a letter from Randy Rhoades, reviewing a fiduciary assessment regarding the Borough of Sewickley pensions. Mr. Rhodes suggested adding the Blended Index and the Barclays Aggregate Index for benchmarking of the Investment Policy Statement. An SAS 16 audit was recommended for the Borough (and Ameriserv does provide this). All reports from Guyasuta Investments, when presented to Council, will be attached to those Council Minutes as an appendix.

Council reviewed tree bids for the two Tree Commission Contracts. Five companies took bids for Contract No. 2013-TC-001, Pruning of Borough Trees, with three companies submitting bids. On motion of Mr. Glenn, seconded by Mr. DeFazio, Council voted, 8-0, to award the contract for the 2013 Tree Pruning Project to Adler Tree Service, in the amount of \$14,400. For Contract No. 2013-TC-002, Removal of Borough Trees, on motion of Mr. Driscoll, seconded by Mrs. Ford, Council voted, 8-0, to award the contract to Carl's Tree Service and Landscaping, in the amount of \$16,800.

Borough Manager indicated that two public hearings are scheduled for March 18, 2013, at 7:30 p.m. The first hearing is for The Village at Sweetwater, Building 300, Finalization of Lots. At its March 6, 2013 Meeting, the Planning Commission recommended that the finalization of lots be adopted. The second hearing will be for One Thorn Street, LLC, a Conditional Use Request and Land Development for an approximate 30,000 square foot office building. The Planning Commission recommended approval of the Conditional Use and Land Development at its March 6, 2013 meeting, with the following conditions: A) the tree and landscaping plan must be submitted for review by the Tree Commission; B) the proposed loading space is on a portion of land that may be sold to the Borough of Sewickley if such an easement would need to be provided by the owner of that property if it is not the current property owner; C) that Council will need to review and approve the proposed parking plan.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Borough Manager indicated that the Basic Conditions Report for a Tax Increment Financing District was prepared by the Allegheny County Economic Development Office, presented to both Council and the Planning Commission in January of 2013. The Planning Commission asked that a public informational meeting be held on March 6th before the Planning Commission Meeting. The meeting was held at 5:30 p.m. There were 35 people in attendance. Marty Strul and Heather Schultz, of the Allegheny County Economic Development Office, made a presentation and answered several questions. The Planning Commission voted, 5-1-1, to recommend the adoption of a resolution, establishing an area for redevelopment in compliance with the Tax Increment Financing District proposal. Council reviewed a preliminary resolution, and Council was in agreement to place that resolution on the agenda for adoption at the March 18th Council Meeting.

The Borough Manager advised that Kim Turnley, of Mark Turnley CPA, will be present at the March 18th Council Meeting to review the 2012 Audit. A PDF file of the financial statements will be included in the March Council Meeting Packets. Upon a successful review, the final audit will be prepared.

The Borough Manager presented a recommendation for permit parking within certain areas of the Borough of Sewickley. This was originally proposed in 1997 and is being resurfaced in light of several pending and potential projects within the central Business District. The Zoning Ordinance allows shared parking within 700 feet of a subject property. Anything over 700 feet needs Council approval. In particular, the proposed 30,000 square foot office building will be recommended to Council for a permit parking area to complete the requirement of 77 parking spaces for the project. In addition, if Council does establish a parking garage at the Green Street Parking Lot, there will be a time period needed during the construction and/or the removal of Hoey's Run and the building of the parking garage. The recommendation of the Borough Manager is to review parking areas and prepare a map for Council to review, as well as prepare a proposed fee schedule. Several Members of Council were leery of establishing permit parking areas in residential areas, but were in agreement to proceed with the development of the plan in order that a full discussion can take place at the April Committee of the Whole Meeting.

The Borough Manager reviewed a letter regarding the Federal Emergency Management Agency's new requirement for a Flood Insurance Rate Map. They are proposing changes in several areas of Sewickley. Basically, since FEMA has designated areas of the 100 year flood as a 1% annual chance flood, areas formerly referred to as a 500 year flood, are to be designated as areas of a 2% annual chance flood. The Borough Manager proposed that Lennon, Smith, Souleret Engineering assist with re-crafting our Floodplain Ordinance, and that an information meeting with the potential affected property owners be held.

The Borough Manager's report was received and filed.

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EXECUTIVE SESSION

Council went into an Executive Session at 9:30 p.m. The Executive Session concluded at 10:32 p.m.

ADJOURNMENT

On motion of Mr. Driscoll, the Committee of the Whole Meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf