

**BOROUGH OF SEWICKLEY**  
**COMMITTEE OF THE WHOLE MINUTES**  
**TUESDAY, APRIL 15, 2014**

President Susan Aleshire called the Committee of the Whole Meeting to order at 7:30 p.m. Members in attendance were Bill Cornman, Tom DeFazio, Charles Driscoll, Stan Ference, Carole Ford, and Todd Renner. Jamie Morrill was absent due to business and Larry Rice was absent for personal reasons. The others in attendance were Jennifer Markus and Alex DeLoia of Village Green Partners, Fire Chief Jeff Neff, Nancy Watts, Susan Kaminski, Jan Pereira, Joan Miles, Peggy Dury, Phil Petrunak of the Allegheny Times, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

**COMMENTS FROM THE PUBLIC**

Jennifer Markus and Alex DeLoia, of Village Green Partners, present Council with the First Quarter Performance Criteria. Village Green Partners is also working on summer events within the Borough of Sewickley and with Table Magazine to be at the Farmers Market for selected food promotions. In addition, Jennifer Markus announced that they hope to have the Welcome Center open on September 5<sup>th</sup>, at 611 Beaver Street. The Village Green Advisory Committee is working on ways to promote the Borough of Sewickley Business District.

On motion of Mrs. Ford, seconded by Mr. DeFazio, Council voted, 7-0, to approve the St. James Annual Field Day Request for use of Bank Street and Park Place on Friday, May 23<sup>rd</sup>, from 9 am to 3 pm.

Margaret Dury, of 316 Beaver Street, addressed Council regarding Sewickley people who feel they have certain entitlements. Mrs. Dury is a resident at the Beaver Street condos, and she indicated that in recent months, approximately 10 to 20 cars have been using their governor's drive. She indicated that people are rude and discourteous, and in particular, they are using it for a turn around. The Borough Manager indicated that he would talk to the Police Chief and that suggestions would be forwarded to Mayor Jeffe in order that he may communicate with Mrs. Dury on this issue.

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

Mayor Brian Jeffe congratulated the Memorial Day Parade Committee, of which he is Chairman, on being selected the Sewickley Herald's Citizen of the Year. The Mayor indicated that he is very proud of the Committee, and that the Committee works very hard during the year to provide the best Memorial Day Parade and weekend events in Pennsylvania.

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE TWO**

**COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR (CONTINUED)**

Mayor Jeffe also reviewed the proclamation in support of “Standing Firm”. The Borough of Sewickley is a Member of “Standing Firm” which advocates ending partner violence in the workplace.

Mayor Jeffe presented the 2014 Allegheny County Banner Community Certificate. He indicated that he was very honored to accept on behalf of the Borough of Sewickley, and wanted to congratulate and thank Borough Council, Borough staff and Borough employees for their work in receiving this Banner Community Award for the second straight year.

Mayor Jeffe reminded everyone that it is Local Government Week, and that a few activities were planned, including the 1894 Minute Book and the 1900 – 1906 Book of Warrants, which showed the early municipal accounting, being available for the public to view, and a tour of the Wastewater Treatment Plant on Thursday afternoon.

Council President Susan Aleshire indicated that the Quaker Valley Council of Governments Recycling Day is Saturday, May 10<sup>th</sup>, from 9 am to 1 pm, at the Bellevue Municipal Building.

Mr. Renner indicated that he will be in Columbus on business and will be unable to attend the Council Meeting on April 21<sup>st</sup>.

**PUBLIC HEARING CONTINUED ON 923 DICKSON ROAD**

A Public Hearing continued on 923 Dickson Road. At this time, Council President Susan Aleshire turned the meeting over to Solicitor Richard Tucker for the continued Public Hearing from the March 17<sup>th</sup> Council Meeting on 923 Dickson Road – Dangerous Building and Recommendation for Demolition. Court Reporter Nancy Grega administered oaths to all parties offering testimony. It is noted that at the March 17, 2014 Public Hearing, Mr. Percy Hogan, one of the owners of the property, was in attendance, representing 923 Dickson Road. At the continuation hearing, neither Mr. Hogan nor Dr. Gloria Coates were present nor did they provide any notice as to why they were not in attendance at the continued Public Hearing. The Public Hearing was continued from the March 17<sup>th</sup> date to tonight’s meeting at the request of Mr. Percy Hogan.

Nancy Watts reviewed the circumstances of the Dangerous Building. She indicated that the property, in accordance with the records, was scheduled for a hearing for a demolition back in January of 1996. Since that time, there has been no movement, progress, applications for Building Permits, or engineering studies related to the structural integrity of the property.

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE THREE**

**PUBLIC HEARING CONTINUED ON 923 DICKSON ROAD (CONTINUED)**

Nancy Watts offered in her testimony her July 29<sup>th</sup> letter, indicating that it was a Notice of Violation – Dangerous Building due to substantial damage to supporting members of a structure. The building had no utilities; the windows were broken and not boarded to prevent easy access. The exterior walls had steep cracks, leaned out, and were not secured to the foundation. The exterior doors were broken; the front porch stoop was dilapidated and could fall at any time. The roof soffit fascia was very deteriorated. The roof itself was very concave, indicating that it was disintegrating. The chimney has pulled away from the outside wall, and numerous bricks and mortar were noticed. The entire yard is filled with numerous miscellaneous items.

Fire Chief Jeff Neff testified that he has reviewed the building and it does pose as dangerous; the building needs to be demolished as it is a public safety hazard.

The Borough Manager introduced the August 28, 2013 letter submitted by Mr. Hogan, requesting a hearing before Borough Council. Council reviewed the matter, and at the February 17<sup>th</sup> Council Meeting, Council made a motion to have a Public Hearing on the Dangerous Property at 923 Dickson Road, Block and Lot No. 421-D-9, for Monday, March 17, 2014, beginning at 7:30 p.m.

The Borough Manager indicated that at the hearing on March 17<sup>th</sup>, Mr. Hogan indicated that he would like a continuance. He was in agreement that the demolition should occur. He was worried if there would be any expenses incurred by him to have the property demolished. Mr. Hogan indicated that he would meet with the Borough Manager to review these items. The Borough Manager reviewed a letter dated April 3<sup>rd</sup>, the date of a meeting with Mr. Hogan, indicating that Council was continuing the hearing until Tuesday, April 15, 2014, at 7:30 p.m.; however, Council, if the parties were in agreement for the demolition, there would be no additional hearing. The letter further indicates that Council has received a Quaker Valley COG Grant for the demolition. There would be no outlay of capital by Mr. Hogan or Dr. Coates for the demolition. The only financial obligation is that the land would have lien placed on it by the County of Allegheny for the cost of the demolition, which was estimated at \$8,000. The Borough Manager, again, indicated that no phone calls, letters, or acknowledgement were received from Mr. Percy Hogan or Dr. Coates. The Borough Manager also indicated that he had discussions with Mr. Hogan and during the discussions of April 3<sup>rd</sup>, Mr. Hogan indicated that if the property were to be demolished, could he be given 2 weeks' notice before the demolition in order that he may remove items from the house. Council was in agreement with the Borough Manager's recommendation.

The Public Hearing was closed.

On motion of Mr. DeFazio, seconded by Mrs. Ford, Council voted, 7-0, to approve the demolition of 923 Dickson Road, Block and Lot No. 421-D-9, and to have the Borough Solicitor forward decision letter to Mr. Hogan and Dr. Coates.

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE FOUR**

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

Council reviewed the Building Inspector's Report, indicating that 5 permits were issued, with fees of \$2,390 collected on \$195,000 worth of construction. There were 19 building inspections performed and 5 property maintenance inspections.

The Borough Manager advised that the Village Theater Group received preliminary approval at the April 2<sup>nd</sup> Planning Commission Meeting. In addition, a request for a loading zone/drop off for the Village Theater on Walnut Street will be on the agenda for Monday, pursuant to the Minutes of the April 2<sup>nd</sup> Planning Commission Meeting.

On motion of Mr. Ference, seconded by Mr. Cornman, Council voted, 7-0, to approve the recommendation of the Historic Review Commission to issue a Certificate of Appropriateness for 905 Beaver Street, Block and Lot No. 421-F-207, to erect a carriage house/garage with a turret attachment to the principal building, as submitted.

Council reviewed Zoning Hearing Board Decisions for Case No. 13-06 and Case No. 14-01.

Council reviewed the Public Works Report for March, highlighting the winter snow removal dates and street cleaning dates. Leaf collection took place from March 24<sup>th</sup> through April 11<sup>th</sup>. The report indicated the lubing and timing of the 10-hour parking meters, preparation of the parks and spring and summer use and preparation of the hanging baskets in the central business district.

Council reviewed the Wastewater Treatment Plant Report for February, indicating that 20.454 million gallons of sewage were treated. In addition, 64,251 cubic feet of digester gas was used. Repairs were made to the Huber Screen and Blower and No. 1 Rotating Assembly was replaced at the Maple Lane Pump Station.

Council also reviewed the Chapter 94 Municipal Wasteload Management Report for the Borough of Sewickley Wastewater Treatment Plant NPDES Permit No. PA0020681. The report reviewed the 2013 Operational Year and indicated that for the next 5 years, the Borough of Sewickley Wastewater Treatment Plant is not to be hydraulically overloaded or organically overloaded.

Council complimented the Wastewater Treatment Plant Staff on their continuing good work.

Council reviewed the Consulting Engineers Report, indicating that the Seibert Avenue Pump Station To Do List will be completed by the first week in May.

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

**COMMITTEE OF THE WHOLE MINUTES**  
**APRIL 15, 2014**  
**PAGE FIVE**

**SOLICITOR'S REPORT**

Council reviewed the Solicitor's Report for March, highlighting the sale of the lot in Water Works Park, the Village Theater lease, 2014 Bond Refinancing for the Glen Osborne Interconnect Project, AVK Enterprises, and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$5,412.00.

Solicitor Tucker reviewed various real estate tax assessment appeals, including the filing of real estate assessment appeals by the Quaker Valley School District on properties that were purchased in 2013. This is due to the assessments of the properties being less than the purchase price.

Solicitor Tucker presented a review of a Social Media Policy. This policy was prepared by the Borough of Sewickley Safety Committee and was recommended to Council. The Borough Manager asked that if Council is in agreement with the Social Media Policy that a resolution be placed on the agenda for adoption at the Monday, April 21<sup>st</sup> Council Meeting. Council was in agreement to proceed.

Council reviewed the Jordan Delinquent Tax and Municipal Claim Report in the amount of \$1,519.90.

Solicitor Tucker advised that the Borough is working with the Village Theater Group on the lease. Currently, the only item left to be addressed in the lease is Hoey's Run. Borough Council is reviewing all options. After meeting with the engineers on the Hoey's Run issue.

Solicitor Tucker advised that the Borough has received a signed ordinance and agreement with the Borough of Glen Osborne for Police Services.

Solicitor Tucker advised that the Waterworks Closing was completed and check for the remaining amount due of \$311,500 has been forwarded to the Borough.

Solicitor Tucker reviewed the Michael M. Lyons versus Zoning Hearing Board et al, No. 178 CD 2014.

Solicitor Tucker reviewed AVK Enterprises, Ltd. versus Borough of Sewickley and Sewickley Borough Council, No. 2046 CD 2013, in the Commonwealth Court of Pennsylvania, regarding scheduling.

Solicitor Tucker advised that the Sheriff's Sale was postponed for 897 Dickson Road.

**COMMITTEE OF THE WHOLE MINUTES**  
**APRIL 15, 2014**  
**PAGE SIX**

**SOLICITOR'S REPORT (CONTINUED)**

Solicitor Tucker reviewed the Museum/Cultural Zoning Amendment, scheduled for a Public Hearing at the April 21<sup>st</sup> Council Meeting. Solicitor Tucker advised that in discussions with the Borough Manager, Cliff Krey presented a revised map, asking that the Village Overlay District be reduced by approximately 25 properties out of the current approximately 80 properties. Mr. Krey indicated at the Planning Commission that he would file a lawsuit if the Museum/Cultural Zoning Amendment passed. He offered to Solicitor Tucker, if his (Mr. Krey's) proposed Village Overlap was approved that he would consider withdrawing all legal action, including all action associated with Commonwealth Court of Pennsylvania No. 2046 CD 2013, regarding the One Thorn Street, LLC property development.

Solicitor Tucker confirmed that following the Public Hearing, Council has the option of taking the information into consideration and can meet in Executive Session to discuss. Council can also take the information and make a decision at the meeting on April 21<sup>st</sup>, or can take all the information under consideration and make a decision at their next meeting, which would be at the May 13<sup>th</sup> Committee of the Whole Meeting.

The Solicitor's Report was received and filed.

**BOROUGH MANAGER'S REPORT**

The Borough Manager reviewed the Columbia Gas projects, indicating that Columbia Gas is working on sidewalks and brick repairs, which are scheduled to be completed by the week of April 21<sup>st</sup>. It is our understanding that the asphalt plant will begin production sometime around April 17<sup>th</sup> to April 19<sup>th</sup>. We envision that all of the asphalt repairs with the 2013 work for Columbia Gas (which is basically from Walnut Street to Ferry Street) will be completed by the second week of May.

The Borough Manager reviewed the proposed Columbia Gas work for 2014, indicating that a Resident Informational Meeting for the Columbia Gas work was held on Thursday, March 27<sup>th</sup>. In attendance were Susan Aleshire, Bill Cornman, Carole Ford, Mayor Jeffe, and approximately 50 residents. Borough officials and Columbia Gas reviewed the project areas and answered questions on the work to be performed.

The 2014 Columbia Gas Project is estimated to be a 12 to 14 month project. Over 97% of the work will be done in the customers' sidewalk areas. There are 290 new connections to be made to the buildings in the area from Ferry Street to Dippold Street, from Route 65 to the Ohio River. Columbia Gas has set up an e-mail database to advise customers. It is our understanding that Columbia Gas and their subcontractors will be on site of the week of April 21<sup>st</sup> to begin work.

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE SEVEN**

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

The Borough Manager indicated that the new water line has been installed, sanitized, and has met all pressure requirements. During the week of April 7<sup>th</sup> through April 11<sup>th</sup>, new water taps are being provided to the residential units. All sidewalks in the area should be removed by April 15<sup>th</sup> and 16<sup>th</sup>, and the machines will be in to do the slip lining of the curbs. Residents are using the parking spaces on Grant Street and Little Street. It appears that they are a week ahead of schedule.

Council reviewed the signed proposal for Trans Associates to prepare the One-Way Traffic Study for Ferry Street. It is anticipated that the study will be back to the Borough by the May Committee of the Whole Meeting.

The Borough Manager advised that the majority of comments regarding the Cochran Hose Company Feasibility Study focused on the cost factor, with most of the responses indicating that remodeling the current building was not the best decision.

The Borough Manager indicated that he has expressed to Council leadership that we should first resolve the Cochran Hose Company Contract with the Borough of Sewickley before we engage in the Cochran Hose Company Feasibility Study. The main reason is that the Borough of Sewickley has contracts to provide fire services to the Borough of Haysville, the Borough of Glen Osborne, and the Borough of Edgeworth, and that should be the primary issue that needs to be resolved first. The Borough Manager stated that we can negotiate with Cochran Hose Company on the new contract in a relatively short time and then proceed to discuss the feasibility of a fire station.

In addition, the Borough Manager strongly recommended that it be done through a Capital Campaign in which 50% of the final cost is raised in commitments, through pledges and donations, before we proceed to complete the project. It is believed there is an opportunity to receive numerous contributions for the project from the communities where we provide fire services, versus it being paid for by the Borough of Sewickley taxpayer.

The Borough Manager advised Council that the Parking and Financial Feasibility Study was attached and was received on Friday, April 4<sup>th</sup>. The plan summarizes current and future parking conditions, and indicates that a parking garage should be built. It discusses a planning level financial analysis and provides two conceptual layouts. Of particular note, it clearly indicates that all Borough related parking fees be doubled, and that every two years, Borough Council review parking rates, with a recommendation for a potential 10% increase every two years in order that sufficient finances are available to pay for all items. Mr. Hoda has indicated that he is available to attend the May 13<sup>th</sup> Committee of the Whole Meeting or May 19<sup>th</sup> Council Meeting should Council wish him to be present. Council was in agreement for a Public Comment Session on Monday, May 19<sup>th</sup>.

**COMMITTEE OF THE WHOLE MINUTES**  
**APRIL 15, 2014**  
**PAGE EIGHT**

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

Council reviewed a memo to Nancy Watts and the Historic Review Commission, indicating Council's request that the Solar Panel Ordinance be designed exclusively for the Historic Districts and that a time period of approximately 2 years be engaged to review all applications and construction of solar panels in the Historic Districts. In discussions with the Historic Review Commission, it is estimated that the proposed Historic Review Ordinance would be to Council by May 19<sup>th</sup>.

The Borough Manager advised that he had a meeting with Roy Kraynyk, Director of Land Protection with the Allegheny Land Trust. Mr. Kraynyk was interested in discussing an opportunity for an additional 30.2 acres to be purchased and deeded to the Allegheny Land Trust.

Attached is a map indicating that the land is directly adjacent to what was purchased by Mr. and Mrs. Rock. The reason the Land Trust wants to purchase the land is that it is where Davies Run begins and is an important wetland area as indicated in the "Rivers Conservation Study" managed by Sewickley. This is actually the beginning of what is called Davies Run, which runs down through Waterworks Park, crosses over Waterworks Road, runs along Nevin Avenue, down Cochran Street, behind the Nevin property, and then goes behind the Glen Osborne side of Boundary Street, crosses underneath Beaver Street, and then proceeds down under the Critmore Medical Center, and under Route 65 to the Ohio River.

This project would also be in compliance with the major study that the Borough of Sewickley spearheaded, Rivers Conservation, and a recommendation was made to Council that the Borough proceed to have the company that appraised the 13 acres, appraise this land, and that value then be reviewed by Borough Council for possible sell of the land to Allegheny Land Trust. The Borough has maintained the land with trees, and it is very clear that Allegheny Land Trust will also maintain the land with trees. The opportunity for the Borough to put additional monies into the Subsequent Years Budget Fund is a win-win. They are in agreement to grant the easement for the road that goes up to the Crown Communications Tower. This does not affect our Rifle Range or the remaining acreage. If the land is sold to the Allegheny Land Trust, the monies received are recommended to be deposited into the Subsequent Budget Years Fund. On motion of Mr. Driscoll, seconded by Mr. Cornman, Council voted, 6-1, with Mr. Ference opposed, to getting an appraisal done of the proposed 30.2 acres to be purchased by the Allegheny Land Trust.

The Borough Manager reviewed the UCC Quarterly Reports for third and fourth quarter of 2013. These now will be done on an electronic basis in order that they are completed on a quarterly basis.

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE NINE**

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

The Borough Manager reviewed the Federal Emergency Management Floodplain Model Ordinance. Previously, FEMA sent a request in April 2013, which provided Council with a new FEMA Floodplain Map, indicating that if there were any comments to be made, to forward them to FEMA within a certain timeframe. With this in mind, the next step is to create an Allegheny Floodplain Ordinance that is applicable to all of the communities in Allegheny County. FEMA has outlined the procedure and prepared a draft model ordinance. The model ordinance is approximately 48 pages, and if Council is in agreement, Solicitor Tucker and the Borough Manager will review the proposed ordinance and design it to fit to the needs of the Borough of Sewickley, and to be in compliance with Allegheny County in order that the County may review it in June, advertise it in July, and hopefully, adopt the ordinance in August, which would be ahead of schedule, in order that a copy of the adopted ordinance must be back to FEMA by September 26, 2014.

The Borough Manager reviewed with Council correspondence from SHACOG Purchase Alliance regarding rock salt and the exercise of the third option year. The Third Option Year would increase by \$.63 per ton, from \$57.52 to \$58.15. Council was in agreement to have a letter prepared for enactment at the April 21<sup>st</sup> Council Meeting.

Council reviewed the Liquid Fuels Tax Payment for 2014. It should be noted that this reflects an approximate 5% increase in the funds previously indicated in the fall of 2013, a result of the gasoline tax increase.

The Public Utility Realty Tax Act requires that the RCT900 Tax Filing be submitted. This goes to the state, and sometime in October, a PURTA check will be received for approximately \$4,000.

Council reviewed a copy of a dividend for \$8,777.25 on the MRM Property and Liability Trust Program. The Borough belongs to the Municipal Risk Management Pool for Property and Liability as well as Workers' Compensation. The trust works as the insurance company, and savings or profits are returned back to the member groups. As the years go on, the Borough Manager believes that our dividend will increase. Council also reviewed a copy of the MRM Property and Liability Trust Dividend Report.

In addition, Council reviewed a copy of a check in the amount of \$30,290.22 as the Workers' Compensation Pool Trust dividend.

The Borough Manager indicated that this is why we maintain our membership in MRM Property and Liability Trust. We have actively worked to meet all of the criteria, including retaining Optimus Risk Management as our Safety Consultant, and it has proved to be effective. The checks have been deposited into the new reserve account "Subsequent Years Budget Fund".

**COMMITTEE OF THE WHOLE MINUTES  
APRIL 15, 2014  
PAGE TEN**

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

The Borough Manager reviewed a copy of the proposal and advertisement as well as a list of the Requests for Proposals for Pension Investment Manager, as authorized by Council. The proposals were sent to 10 companies, with 3 companies seeing the ad and asking for the proposal requirements. It should be noted that 2 of the companies that were on the previous list, 3 years ago, declined to participate at this time.

The Borough Manager indicated that Bank of America has responded to the Borough, indicating that they will not release the Borough of the current arrangement. They will, however, refinance, either with an additional \$1,200,000, or refinance all of the new notes at 3.56%. In doing the math, if everything were refinanced with Bank of America it would cost the Borough an additional \$273,000 in interest payments. We are proceeding with Janney Montgomery to complete the financing. Attorney Dan Perry of Tucker Arensburg and Alisha Phillips of Janney Montgomery will forward a timetable and ordinance for advertising and enactment. It is anticipated that the ordinance will be adopted at the May 13<sup>th</sup> Committee of the Whole Meeting.

The Borough Manager presented Borough of Sewickley Resolution No. 2014-003, which is an inducement ordinance regarding the final refinancing of the Glen Osborne Sewer Interconnect Project. On motion of Mr. Driscoll, seconded by Mr. Ference, Council voted, 7-0, to adopt Borough of Sewickley Resolution No. 2014-003.

The Borough Manager's Report was received and filed.

**ADJOURNMENT**

On motion of Mr. Driscoll, the Committee of the Whole Meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Kevin M. Flannery  
Borough Manager/Secretary

KMF:pmf