

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, AUGUST 12, 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, Jamie Morrill, Todd Renner, and Larry Rice. The others in attendance were Jennifer Markus and Alex DeLoia of Village Green Partners, Fire Chief Jeff Neff, Assistant Fire Chief Jed VonHofen, Larissa Dudkiewicz representing the Sewickley Herald, 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, were in attendance and provided an update and a “Shop Local” brochure. They indicated that the space on Walnut Street, where Tournesol was located, has been leased out, with the new business to open by Labor Day. Lex & Lynne has renewed their lease at the current space next to Vivo Restaurant, and they will also be opening an additional space in International Images. Alex DeLoia reported that some of the feedback from the Jaguar Car Show indicated that the show was not very well attended, there were not as many vehicles as in previous years, and generally lacked a strong support. Alex also indicated that the “Taste of the Market” will be at St. James Farmers Market on August 23rd, and that Table Magazine and Chris Bonfili from B Gourmet will be there. In addition, Ms. DeLoia indicated that the Fall Gallery Walk is scheduled for September 12th and 13th.

Council thanked Village Green Partners for the update.

Council reviewed a Right-to-Know Request from Attorney William Rogers III, requesting information on the Chapter 94 Waste Load Management Report and the Borough of Sewickley Wastewater Treatment Plant Audit, which were provided to him.

In addition, Council reviewed a Right-to-Know Request from Cathy Bubas, in which she was directed to the Community Center, to inquire about the expenditures of the Community Center for the year.

Council reviewed an e-mail request from Rhonda McFarland, asking for reconsideration in allowing food truck vendors at the August Night Mart, scheduled for Friday, August 29th. Council was not inclined to change their position, and encouraged Village Green Partners to ask the all of the restaurants in Sewickley to participate in the event by having a table or booth in the August Night Mart.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE TWO**

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Brian Jeffe stated that August Night Mart will be on Friday, August 29th; and the Sewickley Harvest Festival is scheduled for Saturday, September 6th, from 10:00 a.m. to 5:00 p.m. and will include "Public Safety Days".

Mayor Jeffe encouraged everyone to attend the ribbon cutting ceremony for the Village Green Partners building on September 5th.

Mayor Jeffe reminded Council that interviews for a full-time police officer positions were held at the last meeting. On motion of Mr. Cornman, seconded by Mr. DeFazio, Council voted, 8-0-1, with Mrs. Ford abstaining, to hire Doug Maust as a full-time police officer, effective Monday, September 1, 2014.

Charlie Driscoll stated that homeowner Mr. Craig Rippole, rebuilding the house at 613 Centennial, complimented Borough staff for their assistance in obtaining the necessary approvals to build a new house on the property.

Stan Ference said that the street light is out in front of the comic book store.

Council President Susan Aleshire stated that there was an Executive Session before tonight's Committee of the Whole Meeting regarding a potential litigation matter and a real estate matter.

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

Council reviewed the Building Inspector's Report, indicating that 7 permits were issued, with fees of \$5,102 collected on \$446,277 worth of construction. There were 34 building inspections performed, and 9 property maintenance inspections.

Council reviewed the Public Works Report for July, highlighting work associated with several sidewalk repairs at 752 and 760 Ohio River Blvd., 14 Beaver Street, 524 Academy Avenue, and 26 Linden Place. In addition, the Public Works Department assisted with the Night Mart on July 25th, and is in receipt of the new Borough dump truck.

Council reviewed the Wastewater Treatment Plant Report for July, indicating that 21.281 million gallons of sewage were treated. In addition, 409,386 cubic feet of digester gas was used. Repairs were made to an aeration coupling in Basin No. 2, and calibration performed on the flow meters in the plant and pump station.

Council reviewed a letter from the Allegheny County Department of Health, indicating that all pump stations are found to be operational, with no major defects at the time of inspection.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE THREE**

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

Council reviewed the Consulting Engineers Report regarding the Ferry Street Sewer Replacement Project. KLH is working to close out the sanitary sewer portion of this project.

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

SOLICITOR'S REPORT

Council reviewed the Solicitor's Report for July, highlighting AVK Enterprises vs. the Borough of Sewickley, the Floodplain Ordinance, the Rock Tax Assessment Appeal, two Right-to-Know Requests, Herbicides Spraying, and the Village Theater Lease.

Council reviewed the Solicitor's Invoice in the amount of \$11,098.00.

Council reviewed the Jordan Delinquent Real Estate Tax and Municipal Claim Report in the amount of \$7,052.23.

Council reviewed several real estate tax assessment appeals.

Solicitor Tucker provided a letter regarding herbicide, pesticide and insecticide applications pursuant to a request from a citizen at the last meeting. The research clearly indicates that the Pennsylvania Pesticide Control Act of 1973 specifies that the Secretary of the Agriculture is responsible for all rules and regulations pertaining to herbicides, pesticides and insecticides applicators and applications. Specifically, the Borough cannot enforce any additional requirements with their own ordinance. The Borough Manager indicated that Duquesne Light has advised that when they spray in the area next year, they will forward a copy of the advertisement placed in the Tribune Review and the Allegheny Times. The Borough Manager indicated that a letter will be forwarded to Mr. Lavery to update him on this issue.

Solicitor Tucker reviewed proposed Ordinance No. 1322, which is the Floodplain Management Regulation Ordinance. This ordinance has been prepared in consultation with Lennon, Smith, Souleret Engineering, has been reviewed by the Pennsylvania Department of Community and Economic Development, and has received approval to be advertised for adoption. If Council does adopt the ordinance at it Monday, August 18th meeting, signed copies of the ordinance will be forwarded to the respective state consultant and DCED to indicate the Borough's compliance with the new regulations. With these regulations being adopted by the Borough, those properties within the Borough of Sewickley will continue to be able to receive flood insurance.

The Solicitor's Report was received and filed.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE FOUR**

BOROUGH MANAGER'S REPORT

The Borough Manager provided an update on the Ferry Street 2014 Road Project. The contractor has about 35% of the punch list items completed. All repairs are scheduled to be completed by August 29th. The Borough has not paid the contractor since June. There have been no bills submitted by the contractor at this time.

The new signage for the Ferry Street one-way has been ordered and expected to be installed during the week of August 18th.

Columbia Gas is on schedule for gas line replacement and repairs of sidewalks.

All of the spot repairs have been completed on the other roads, and Laurel Asphalt will be in at the end of the month to begin to repair all of the white markings at the crosswalks and replace the red inserts at the crosswalks.

The Borough Manager indicated that on Tuesday, August 5, a meeting was held with Facchiano Contracting, the architect/engineer for Village Theater, the Borough Engineers, Jan Pereira from Village Theater, and Mayor Jeffe. The project is a design/bill project, which means that the design occurs as the information has been developed. Facchiano Contracting has completed the design, the review is being conducted by the engineers, construction is expected to begin by the end of August, and hopefully, the project will be completed by the second week in October. This works in conjunction with the Village Theater plans to go before the Planning Commission on October 1st, and before Council on October 20th.

The Village Theater lease was reviewed by Council. On motion of Mr. DeFazio, seconded by Mr. Driscoll, Council approved, 9-0, a motion to authorize acceptance of the Village Theater Lease and authorize the necessary officers of the Borough to execute the lease.

The Borough Manager reviewed a letter from Sewickley Heights, responding to the Borough of Sewickley letter commenting on the 2014 amendment regarding Sewickley Heights' 2009 Comprehensive Plan. The letter clearly states that there will be potential opportunities for sanitary sewer services in certain sections of Sewickley Heights. The Borough Manager will begin to have discussions with the Borough Manager of Sewickley Heights.

The Borough Manager reviewed a catch basin in need of repair at 613 Centennial Avenue, indicating that this repair will occur in 2014 as we prepare for the 2015 Road Project, which is Centennial Avenue. Mr. Driscoll asked if there was a potential savings by asking the Sewickley Water Authority to extend their paving to cover the entire width of Centennial Avenue, and then to address the road at a future point. The Borough Manager indicated that the road is in need of a complete rebuild, including the catch basins, the curbs and the road itself with the installation of a proper base for the road.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE FIVE**

BOROUGH MANAGER'S REPORT (CONTINUED)

Mr. Ference reviewed the Borough's requirements for Street Opening Permits and asked if the 12 month timeframe to have the road repairs completed could be reduced. The Borough Manager indicated that he would contact the utility companies as well as several road restoration companies to gain more details.

Council reviewed a notification from the Allegheny County Treasurer John Weinstein, listing the School District Tax Millage Rates in Allegheny County.

The Borough Manager reviewed a letter and the contract specifications for the Quaker Valley Council of Governments CD39 Demolition Projects, which have been awarded, but due to Allegheny County, have not been initiated yet..

Council reviewed the Tuskegee Airmen Memorial of Greater Pittsburgh Audit for 2013. The audit was provided to the Borough.

Council reviewed a check from the Jaguar Club of Pittsburgh, indicating a \$150 annual donation for utilization of the streets of Sewickley for the car show.

The Borough Manager proposed a 2015 Budget Schedule, with a recommendation that the Department Head Meeting and Capital Budget Review be scheduled for Thursday, September 25th, at 6:30 p.m., and the Budget Meeting be scheduled for Saturday, October 11th or Saturday October 18th. Mr. Rice was not available on October 11th, and Mrs. Aleshire was not available on October 18th. Mr. Rice indicated that he may be able to participate for portions of the meeting by phone. Council was in agreement to schedule the Budget Meeting for Saturday, October 11th.

The Borough Manager indicated that two Members of Council provided suggestions for a Property Maintenance Code. The Borough Manager is recommending that the first three sections of the 1996 BOCA Property Maintenance Code be reviewed for incorporation as the Borough's Property Maintenance Ordinance. Council was in agreement to have a draft prepared for the September 9th Committee of the Whole Meeting for review by Council, with a possible enactment in October.

Council reviewed letter to Boards and Commissions asking for their review and approval of the 2015 Meeting Schedule.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE SIX**

BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager reviewed the South Hills Area of Council Governments (SHACOG) and Quaker Valley Council of Governments (QVCOG) bid received for road salt for 2014/2015. While four companies were contacted, only Cargill submitted a bid. The base bid price is 35% higher than it was in 2013. The Borough Manager indicated that he has sent letters to the four municipalities in which the Borough of Sewickley provides salt, indicating that they will need to verify a tonnage requirement, and they will need to be responsible for 80% of that tonnage requirement, regardless if it snows or not. Also, due to the 125% cap that was part of the bid, there is a 10% surcharge to be added to the cost per ton. The Borough Manager indicated that a motion to accept the bid will be on the Council Agenda for Monday, August 18th.

The Borough Manager reviewed real estate tax refunds, indicating that there are additional tax refund payments equaling \$47,218.30 for consideration for Monday's Council Meeting. This would bring the total refund amount to \$422,112.81. This indicates that the Borough has exceeded the peak of the real estate tax refunds. When the 2014 Budget was adopted, refunds to date were \$160,000, and an additional \$180,000 was set aside to be applied against the 2014 real estate taxes which allowed the millage rate to be reduced to 5.9 mills, from 6.5 mills. Several problems have occurred in that the County has taken more than a year to process the appeals, causing some refunds to be for 2 years for some taxpayers. It is estimated that 40 more appeals are pending. The appeals appear to be very favorable in the Business District. The preliminary estimate of the total value of the appeals would most likely necessitate that the millage rate go back to 6.53, or slightly higher, in 2015.

Council reviewed a rebate check from the PA One Call System.

Council reviewed a notice from the Borough of Edgeworth Zoning Hearing Board indicating that a Zoning Hearing Board Variance Hearing is scheduled for August 26, 2014 for the establishment of a drive-through Starbucks coffee shop in the Borough of Edgeworth, located next to the Burger King on Ohio River Blvd. and in front of the new Esmark Building.

The Borough Manager advised that Sharon Pillar has resigned from the Planning Commission. On motion of Jamie Morrill, seconded by Todd Renner, Council voted, 9-0, to accept her resignation, and expressed many thanks for serving on the Planning Commission.

The Borough Manager indicated that Green Street Partners, LLC would like to come before Council at the Monday, August 18th Council Meeting, to discuss the possibilities of building a parking garage by a private entity. Council was in agreement to have Green Street Partners, LLC make a presentation to Council.

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 12, 2014
PAGE SEVEN**

BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager reviewed a letter from the Township of Aleppo, requesting a credit for sewer payments made to Sewickley Borough due to problems with their master flow meters. The Borough Manager recommended that there be a one-time credit allowance in the amount of 50% of Aleppo Township's request, which would be \$50,230. This would include a release of claim executed by Aleppo Township. The Borough Manager suggested reminding Aleppo in a letter that it is Aleppo's responsibility to maintain and repair their equipment. On motion of Mrs. Ford, seconded by Mr. Morrill, Council voted, 9-0, to approve the Borough Manager's recommendation.

Fire Chief Jeff Neff stated to Council that he is working with the Borough Manager on modifications to the fire horn and will be giving Council more detailed information.

The Borough Manager's Report was received and filed.

ADJOURNMENT

On motion of Mr. DeFazio, the Committee of the Whole Meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf