

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, JULY 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 (arrived at 7:36 p.m.), Stan Ference (by phone), Todd Renner, and Larry Rice. Jamie Morrill was absent due to work. Carole Ford was on vacation. The others in attendance were Jennifer Markus and Alex DeLoia of Village Green Partners, Don Reinhardt of The Sewickley Café, Peter Floyd, Kim Peterson, Stephanie Sipes, Andrew Frishkorn, Cara Flati, Michele Fedyshin, Mark Limbach, Jennifer Bartling, Brian Turk, Oliver Poppenberg, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

COMMENTS FROM THE PUBLIC

Council reviewed a letter Jane Theherne-Thomas regarding Cochran Street. The Borough Manager suggested writing a letter to Ms. Theherne-Thomas indicating that the section of Cochran Street between Beaver Street and Centennial Avenue is on the 2015 Road Project List.

On motion of Larry Rice, seconded by Todd Renner, Council voted, 6-0, to approve the request of Pizza Roma Restaurant to close Green Street for their 30th Anniversary Celebration on Saturday, September 6th.

On motion of Mr. Renner, seconded by Mr. Rice, Council voted, 7-0, to approve the request of the Sewickley Presbyterian Church to use Grant Street, from Beaver Street to the alley, for the placement of a tent for the Presbyterian Church Day on the Lawn on September 5th and 6th.

On motion of Mr. Renner, seconded by Mr. Ference, Council voted, 7-0, to approve the request of Yarns Unlimited for the 1st Steel Valley Yarn Crawl Celebration.

On motion of Mr. Driscoll, seconded by Mr. Ference, Council voted, 7-0, to approve the Block Party Request for the 600 Block of Maple Lane for Sunday, August 10th, from 3:00 p.m. to 9:00 p.m.

Jennifer Markus and Alex DeLoia, of Village Green Partners, provided an update to Council including a Six-Month Performance Measures Tracking. In addition, they provided comments received to date on a Sewickley Development Survey, and results from business owners on the Parking Recommendation Survey. They presented the new "Shop Local" bag that will be on sale beginning with the Farmers Market this Saturday. They indicated that the Fall Gallery Walk will be on September 12th and 13th, and the Oktoberfest is scheduled for October 3rd and 4th. They made an official request to use the Division Street Parking Lot for the Oktoberfest. In addition, they are preparing a new brochure which should be ready by the Fall Gallery Walk.

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COMMENTS FROM THE PUBLIC (CONTINUED)

Peter Floyd, of 337 Bank Street, commented on the Ferry Street Road Project. He indicated that in his opinion, the concrete work done was of very poor quality, that it was the worse job he has seen, and that the inspector did not do his job. He believes that the curbs are wavy, that the cheapest wood product material was used with a poor construction technique. Mr. Floyd indicated that he had talked to the inspector on site. Mr. Floyd continued, requesting that all of the curbs and sidewalks be removed and redone before the road is paved.

Stephanie Sipes, of 202 Henry Avenue, addressed Council on the poor workmanship and sloppiness of the Ferry Street Road Project General Contractor. She indicated that there have been construction materials and debris stacked in front of her house for over a month.

Andrew Frishkorn, of 322 Ferry Street, indicated to Council that he had met with the Borough Manager to review some retaining wall and sidewalk issues that he had with the Ferry Street Road Project.

Kim Peterson, of 200 Frederick Avenue, indicated that there is concrete spattered on her garage from the pouring of the new concrete and that some of the retaining wall has gaps. She requested that these items be fixed. In addition, there was a large water break at Frederick Avenue and Henry Avenue and the hole needs to be repaired by the Water Authority.

Don Reinhardt, owner of The Sewickley Café and who resides at 100 Dippold Street, addressed Council regarding Night Mart. He indicated that he was very confused with the fact that Council has entertained Village Green Partners to assist with events in the Borough of Sewickley, and certain other individuals have started the monthly Night Mart events. He was very upset that food vendor trucks were brought in on June 27th; specifically, the Miss Meatballs Food Truck was placed in front of his restaurant. He requested that no food vendors be present at the next Night Mart. The Borough Manager stated that a letter was sent to the organizers of the Night Mart, indicating that all Certificates of Insurance needed to be presented to the Borough by July 15th in order that the event could take place and that food vendors could be present at Night Mart. The Borough Manager indicated that the Borough Office had received the Certificate of Insurance from the Sewickley Valley Chamber of Commerce for the event, but that no Certificates of Insurance have been received from any food vendors.

On motion of Mr. Driscoll, seconded by Mr. Cornman, Council voted, 7-0, to not allow outside food vendor trucks at the Night Mart on July 25th or August 29th. Council President Susan Aleshire indicated that she would like to see the local Sewickley restaurants participate in the Night Mart.

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COMMENTS FROM THE PUBLIC (CONTINUED)

Mr. Reinhardt also asked if Village Green Partners could do less with studies and reports and do more advertising. He indicated that the town is almost at a 100% occupancy rate, and that there should be more done with advertising than doing studies.

In addition, Mr. Reinhardt asked Council to not do any more parking studies.

Cara Flati, of 201 Grant Street, indicated that she had signed the petition to eliminate the Sewickley Fire Horn, and asked if she could have ten years' worth of records regarding fire calls. The Borough Manager will review and provide as soon as possible.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Brian Jeffe stated that he had received a phone call from Sweetwater Center for the Arts, complimenting the Borough for their assistance with the Art Brew Event on Saturday, July 12th.

Mayor Jeffe read a commendation to Officer Frank Lesniak for his use of the Stop Stick, a tire deflation device, during a recent police chase.

Mayor Jeffe reminded Council that the police interviews are scheduled for Monday, July 21st, beginning at 6:30 p.m., with each officer having approximately 20 minutes for his interview. Hopefully, a decision can be made on August 12th, with the official swearing in of the new full-time police officer taking place on August 18th, with the start date of September 1, 2014. The Mayor reminded Council that this is a budgeted item for 2014.

Mr. Driscoll commented that upon exiting the Green Street Parking Lot on Walnut Street, a bicycle rider on the sidewalk crashed into his car. Mr. Driscoll indicated that there is a blind spot when pulling out of the parking lot, and he asked if the Police Department could review the area for some safety evaluations to assist in making people aware of vehicles and pedestrians in movement.

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

Council reviewed the Building Inspector's Report, indicating that 9 permits were issued, with fees of \$9,840 collected on \$830,105 worth of construction. There were 21 building inspections performed, and 5 property maintenance inspections.

Council reviewed the Public Works Report for June, highlighting work associated with the clean-up, trimming and mulching of all Borough Parks, the sweeping of the Sewickley Bridge, painting crosswalks and white lines, and sidewalk repairs associated with Borough tree roots. In addition, the Public Works Department assisted with the Night Mart on June 27th and the Quaker Valley Association 5K Race on June 14th.

Council reviewed the Wastewater Treatment Plant Report for June, indicating that 21.364 million gallons of sewage were treated. In addition, 342,415 cubic feet of digester gas was used. Repairs were made to a storm sewer at Academy Avenue and Beaver Street, and roots were removed at River Avenue and Maple Lane.

Council reviewed a letter to Normal Ruffing at the Allegheny County Health Department regarding sewage odors and the Borough's efforts to reduce the odors produced by the Wastewater Treatment Plant.

Council reviewed the Consulting Engineers Report, indicating that all of the sanitary sewers have been installed with the Ferry Street Road 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 June, highlighting the Spot Zoning Appeal, the Haysville Sewer Service Agreement, AVK Enterprises vs. the Borough of Sewickley, and the Temporary Use Permit for Howard Hanna due to the fire at their office building.

Council reviewed the Solicitor's Invoice in the amount of \$7,810.50.

Council reviewed the Jordan Delinquent Tax and Municipal Claim Report in the amount of \$4,988.45.

Council reviewed various real estate tax assessment appeals and 8 Orders of Settlement and Discontinuance with respect to appeals of property in the Borough of Sewickley.

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SOLICITOR'S REPORT (CONTINUED)

Council reviewed Ordinance No. 1319, the Sewer Tapping Fee. Solicitor Tucker indicated that it has been properly advertised in the Sewickley Herald and Tribune Review. The adoption of the ordinance is scheduled for Monday, July 21st. Council also reviewed a letter from Aleppo Township Authority Chairman Anthony Lisanti indicating the Aleppo Township Authority's preference to have a professional consultant review Sewickley's Tapping Fee Calculations.

President Aleshire asked that the effective date of the ordinance be changed to Monday, December 15, 2014. This is being suggested to encourage development in the adjoining municipalities who are serviced by the Sewickley Wastewater Treatment Plant. This can definitely help with growth in the Township of Aleppo. Keeping the rate at \$1,144 until December 15th will allow people to prepay for their sewer tapping fees. President Aleshire asked that the ordinance be adopted on Monday, with an effective date of December 15th, so that as of December 16, 2014, the tapping fee will be \$4,000. President Aleshire stated that it is good business practice for the Borough to review and update its Sewer Tapping Fee based upon the upgrades made to the Wastewater Treatment Plant in 2009, 2010 and 2011, and the recent work completed with the Seibert Street Pump Station. Hopefully, many individuals can take advantage of the \$1,144 tapping fee before December 15, 2014.

Council was in agreement with President Aleshire's request.

Solicitor Tucker advised that the Michael M. Lyons vs. Zoning Hearing Board of the Borough of Sewickley et al, No. 178 CD 2014 in the Commonwealth Court of Pennsylvania is scheduled for a hearing on November 10, 2014 before the Commonwealth Court.

Solicitor Tucker also advised that in the AVK Enterprises, Ltd. v. Borough of Sewickley and Sewickley Borough Council – No. 2046 CD 2013, he has requested additional time to file the response because Solicitor Tucker was not served with the amended brief on the case.

The Solicitor's Report was received and filed.

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BOROUGH MANAGER'S REPORT

The Borough Manager reviewed the 2014 Road Project, indicating that the contractor is behind schedule to mill due to work being performed on another jobsite. The milling is scheduled to begin on Wednesday afternoon, and continuing on Thursday. It is possible that a base coat can be applied by Friday, 18th, with, hopefully, all work completed with the top coat by Tuesday, July 22nd. The Borough Manager also indicated that the joint work with the Sewickley Water Authority for the spot paving repairs on approximately 12 areas in town will begin with milling on Thursday and Friday, with paving being done on Monday, July 21st and Tuesday, July 22nd.

The Borough Manager reviewed the Ferry Street Traffic Condition Report Summary Sheet and indicated that a complete copy was distributed to all property owners on Ferry Street, and that the summary and proposed traffic pattern map were sent to all properties who were invited to the Ferry Street Residents Meeting in March.

Peter Floyd addressed Council regarding Ferry Street, indicating that parking is only necessary for 2 or 3 residences. He said it would probably be best to just put up "No Parking" signs. He is of the opinion that if the residents are in favor of a one-way street, then he would be in favor of a one-way street.

Stephanie Sipes, of 202 Henry Avenue, indicated that her big concern is speeding on Ferry Street and would hope that any plans would include reducing the speeding traffic on Ferry Street.

Michele Fedyshin, of Ferry Street, indicated that the one-way from Bank Street, to Ferry Street to Little Street will, in her opinion, add considerable travel time for those living on Ferry Street. She said that the traffic pattern on Ferry Street is working adequately right now.

Andrew Frishkorn, of 322 Ferry Street, indicated that he was not in favor of any additional work being done on Ferry Street, but indicated the need for parking on Ferry Street. He questioned whether there would be any delays in the winter months with snow removal on Ferry Street. The Borough Manager indicated that there would be no delays with snow removal.

Mark Limbach, of 307 Thorn Street, reviewed the report and he is of the opinion that there would be no congestion at the 5 points, at the intersection of the tunnel, Bank Street, Ferry Street and Grant Street.

Jennifer Bartling, of 230 Ferry Street, spoke in favor of the Traffic Condition Report, and asked Council to approve it.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Brian Turk, of 279 Ferry Street, addressed Council in support of the Traffic Report's recommended one-way. In addition, he asked that the road be paved and that no additional road construction occur. He also thanked Council for taking the time to listen to all of the residents at the meeting tonight regarding Ferry Street.

Oliver Poppenberg, of 232 Grant Street (whose rear property is on Ferry Street), recommended that Council accept the study.

Kim Peterson, of 200 Frederick Avenue, asked if it would be better for the Police Department to do more speed control on Ferry Street.

Michele Fedyshin addressed Council, stating that regardless of Council's decision on the one-way on Ferry Street, she wanted to thank Council for taking the time to listen to everyone regarding the Ferry Street issue.

The Borough Manager reminded the audience that the matter was tabled at the previous regular monthly Council Meeting, and the issue must be the first thing taken off the table at the July Meeting for action by Council.

The Borough Manager advised that the DEP General Permit has come in for the Hoey's Run Culver Rehabilitation Project, the contracts have been executed and a Construction Meeting is scheduled for Thursday, July 17th. Construction is expected to begin the first week of August.

The Borough Manager reviewed the Act 13 Gas and Well Fund contribution to the Borough of Sewickley in the amount of \$254.23. In addition, there was a check in the amount of \$261.75 for a Right-to-Know Request related to the Village of Sweetwater, and a remittance for the Buckle Up Program in the amount of \$1,623.96 for the work done in May and June.

Council reviewed the revised public official bond, increasing the Business Privilege Tax Bond from \$73,000 to \$76,000, for the period of May 2014 through May 2015.

The Borough Manager indicated that a letter was sent to Alexis Communale regarding Sewickley Night Mart and the requested Certificates of Insurance. Council previously addressed the issue at the beginning of the meeting.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager indicated that a transition meeting was held regarding pension management services with Hallett and Associates and First National Bank. Council reviewed letters reflecting actions necessary for the transition. In addition, the Borough Manager advised that all retirees will be sent a letter indicating that First National Bank will be paying the retirees as of August, 2014.

The Borough Manager reviewed the proposed Sewickley Valley YMCA Subdivision and Zoning Map Amendment, which is for the house that is located on the Sewickley YMCA property at 349 Backbone Road. The Executive Director or the caretaker of the YMCA used to live in this house. The YMCA is proposing to subdivide, with the house being on its own lot, with the possibility of selling the property as a residential property. The subdivision request and the zoning map amendment were reviewed, and the Planning Commission recommended that both actions be taken by Sewickley Borough Council.

The Borough Manager reviewed the second hearing, which is the request of Mr. and Mrs. James Rock, for subdividing the 13.6 acres of property they bought from the Borough of Sewickley in Waterworks Park in the beginning of the year. They wish to take approximately 4 acres of the property, adjacent to their current residential property in Sewickley Heights, and have it rezoned residential. The other part of the subdivision would be 9.6 acres that will remain open space, which they are going to sell or deed to the Allegheny Land Trust. The Planning Commission recommended the subdivision, but did not recommend the rezoning.

Council reviewed a letter from the Township of Aleppo Commissioners, indicating that they will be forwarding the second of four tap-in fee payments the end of July. There will be two tap-in fees, in the amount \$100,000 each, for 2015 and 2016.

The Borough Manager reviewed a train derailment event, indicating that Fire Chief Jeff Neff and Cochran Hose Company and numerous other departments, including the Greater Pittsburgh Airport Fire Company, successfully controlled the situation. They are to be commended for their work. Cochran Hose Company had several sections of 1-3/4" hose damaged by diesel engine fuel, and the foam product used to extinguish fires will need replaced. Chief Neff is working with Allegheny County Hazmat and Norfolk Southern for replacement for those products. The Borough Manager advised that the railroad worked on the clean-up and restoration of the tracks from July 3rd through July 8th. The track was up and running by Sunday, July 6th.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed an emergency tree removal at 804 Ohio River Blvd. The Borough Manager and Council reviewed pictures, indicating that the tree was cut associated with waterline restoration work which increased the possibility of the tree falling. The tree was located approximately 8 feet from Ohio River Blvd., was over 100 feet high, and had an approximate weight between 33 and 35 tons. The tree was in danger of falling onto Route 65, so it was removed by Bartlett Tree Service, with the assistance of Borough Public Works and Wastewater Treatment Plant employees.

The Borough Manager also reviewed a letter to the Sewickley Water Authority indicating that the tree was compromised, and offering the services of Borough Arborist Mr. Edson for any additional waterline work or repairs that take place around or near trees.

The Borough Manager proposed the Pennsylvania Floodplain Ordinance, as prepared by the Borough Manager and Kevin Brett of Lennon, Smith and Souleret Engineering. This is a uniform draft that has been marked up specifically for Sewickley. The draft has been forwarded to Leslie Rhoades, the consultant for the Commonwealth of Pennsylvania, and she has approved the draft on behalf of PEMA and FEMA. The Borough Manager is recommending that an ordinance be advertised for adoption in August, and then it can be forwarded to Leslie Rhoades and PEMA and FEMA in order that the Borough meets the time deadline of Friday, September 26th. Council was in agreement to place the matter on the agenda for Monday.

Council reviewed pictures, indicating that the sidewalks have been installed at the Chadwick Street Ball Field, as well as in the bleacher area. In addition, a concrete pad was placed under the area where the Port-A-John services the field.

Council reviewed a copy of the budget letter to the Department Heads, asking for their proposed Capital Budgets and 2015 Operating Budgets by August 15th.

The Borough Manager reviewed the Automated Red Light Enforcement Grant Program which is funded by revenue collected from the Running Light Program in the City of Philadelphia. These monies are then distributed across the Commonwealth of Pennsylvania for numerous applications. In order to assist with one of our goals in updating the traffic signals on Route 65, we have worked with Trans Associates to submit an application under this program with a request in the amount of \$300,000. This would pay for new traffic signals, controllers and detections, as outlined in the application presented.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed pictures showing the clearing of the playground area at War Memorial Park, now having an area of approximately 35 to 40 feet of open area around the two playgrounds.

The Borough Manager reviewed Allegheny County Economic Development Project Year 40 Housing Demolition Grant. Council was in agreement to place approving the agreements on the agenda for Monday, July 21st.

The Borough Manager's Report was received and filed.

ADJOURNMENT

On motion of Mr. Ference, the Committee of the Whole Meeting was adjourned at 9:57 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf