

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, NOVEMBER 11, 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, Susan Kaminski and Jan Pereira of Village Theater, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

President Aleshire indicated that an Executive Session was held from 6:45 p.m. until 7:30 p.m. for the Borough Manager Personnel Review and litigation matters.

COMMENTS FROM THE PUBLIC

Jennifer Markus and Alex DeLoia, of Village Green Partners, were in attendance and provided an update on business activities. They indicated that the Wine Walk drew an estimated 800 visitors. They distributed the Yuletide in Sewickley Holiday Passports, and were pleased to announce that they have raised \$29,900 in sponsorships for Light Up Night activities. There will be an Open House at the Village Green offices on Thursday, November 13th, with Mambo and the Slippery Mermaid hosting, and sponsored through an association with Pittsburgh Magazine. They also announced that House 15143 will set up a Wrapping Station at 436 Beaver Street during the Christmas season.

Council reviewed a Boy Scout project submitted by Sam Perry. The project is designed to mark the trails in War Memorial Park, indicating the distances of the trails. Council was appreciative of the Boy Scouts.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Brian Jeffe stated that Light Up Night will be Friday, December 5th, beginning at 5:00 p.m. to 9:00 p.m., with the Santa Parade occurring on the next day, December 6th, at 10:30 a.m.

Mayor Jeffe presented the K-9 Report for June through August of 2014.

Mayor Jeffe indicated that he will be doing a Ribbon Cutting Ceremony on November 18th for Lex & Lynne.

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COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR (CONTINUED)

Council President Susan Aleshire announced that there was an Executive Session before tonight's Committee of the Whole Meeting for a Personnel Review of the Borough Manager and litigation matters.

Tom DeFazio, Chairman of the Borough Manager Review, indicated that Council has reviewed the Borough Manager's performance for 2014, and in regards to the performance directive established by Council, made a motion, seconded by Bill Cornman, to award the Borough Manager an 8% bonus for 2014. Council voted, 9-0, to approve.

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 \$4,097 collected on \$409,170 worth of construction. There were 28 building inspections performed, and 3 property maintenance inspections.

Council reviewed the Public Works Report for October, highlighting work with the picking up of leaves, the MS4 Program, the placement of Christmas lights in the trees, and the maintenance of all litter can liners in the Business District.

Council reviewed the Wastewater Treatment Plant Report for October, indicating that 19.158 million gallons of sewage were treated. In addition, 401,954 cubic feet of digester gas was used. Repairs were made to the Chlorine No. 2 Contact Tank and the bar screen.

Council reviewed the Consulting Engineers Report, indicating that a mandrel test is needed to complete the Ferry Street Sewer Project.

Council reviewed the Zoning Hearing Board Decision in Case No. 14-08 in which a variance was granted.

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

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SOLICITOR'S REPORT

Council reviewed the Solicitor's Report for the month of October, highlighting the Haysville Sewer Service Agreement, a Spot Zoning Appeal, the preparation of an ordinance regarding Killed In Service Benefit for the police, and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$10,826.75.

Council reviewed the Jordan Delinquent Real Estate Tax and Municipal Claim Report in the amount of \$11,679.76.

Council reviewed numerous real estate tax assessment appeals, tax appeal hearings and conciliations.

Council reviewed a motion to enforce the Consent Order of Court received from the attorneys representing Melissa Farlow and Randy Olson vs. the Presbyterian Church. This is provided as information only as there is no violation of the Consent Order alleged against the Borough of Sewickley.

Council reviewed a memo from Solicitor Tucker on the Draft Property Maintenance Ordinance, indicating that there may be duplication of effort, indicating that there may be some overlap in some areas, and that he is working with the Code Enforcement Officer to revise certain portions of the proposed Property Maintenance Ordinance.

Council reviewed Firemen's Insurance Co. of Washington, D.C. vs. KLH Engineers, Inc. et al, GD 14-17951.

Solicitor Tucker reviewed a proposed ordinance on sewer fees, reflecting the Sewickley Water Authority's change with their billing, going from quarterly billing to monthly billing. The quarterly \$75 debt service charge will now be \$25 per month, and instead of being charged a minimum of 12,000 gallons per quarter, the bill will reflect a minimum of 4,000 gallons per month.

The Solicitor's Report was received and filed.

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BOROUGH MANAGER'S REPORT

The Borough Manager reviewed November 6th correspondence from Lennon, Smith, Souleret Engineering regarding the Ferry Street Roadway & Storm Improvement Project, indicating that three items need completed. The first item is the mandrel test, which is a test that confirms that the pipe has maintained its shape underground. The second item concerns a sign on the tunnel wall that must meet the requirements of Pennsylvania Department of Transportation Publication 236 for Signs. The third item addresses water ponding on Ferry Street past the tunnel, heading toward Chadwick Street. The Borough Manager indicated that S & E Utility is working to resolve these matters.

The Borough Manager reported that the Act 44 Compliance Disclosure Forms for the annual reporting regarding pensions have been received from First National Bank and Hallett Associates.

Council reviewed a Public Notice that was advertised in the Sewickley Herald and a chart listing the individuals that would like to renew their positions on their respective board or commission. It has always been the procedure of Borough Council to advertise for expired term positions even if current board and commission members would like to be reappointed. There will be public interviews for the positions before the December 9th Committee of the Whole Meeting and before the December 15th regular Council Meeting.

Council reviewed two letters to perspective sewer tap fee customers, indicating to them that a savings could occur if they would buy their taps before the effective date of Monday, December 15, 2014.

The Borough Manager reviewed the Borough of Sewickley 2015 Budget. The Capital Budget was reviewed at a public meeting on September 22nd and the Sewer Fund, General Fund and Capital Reserve Budgets were reviewed at a public budget meeting on Saturday, October 18th. There was a tentative approval of the budget at the October 18th meeting, with anticipated final adoption at the Council Meeting on Monday, November 17th. The millage for 2015 is recommended to be at 6.5 mills. The recommendation for the 2014 millage rate was 6.4 mills minus the additional monies received in 2013 from the new assessments, to be compliant with the reassessment law. An amount of \$180,000 was left over from the revenues of the real estate tax receipts which were credited against the 2014 Budget for real estate taxes, establishing a millage of 5.95 for 2014. The 6.5 mills for 2015 will allow for additional projects.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed a memo from Municipal Benefits Services, indicating that a Rate Mitigation Account has been established by Municipal Benefits Services. The Rate Mitigation Account was established to assist the clients of Municipal Benefits Services who have had good experience and exceptional results regarding their health care services and incorporate wellness into their program. The Borough qualified for a \$13,240 rate mitigation benefit. The Borough will utilize the portion of unrestricted funds for wellness benefits, and leave the restricted funds in the account to handle a possible severe rate spike over the next two years as the healthcare scene changes in Western Pennsylvania.

The Borough Manager advised that a meeting will be held with all full-time employees on Thursday, November 13th, at 2:30 p.m., to discuss healthcare benefits and to go over the Highmark Insurance plan and the continuation of services per the Consent Decree with UPMC facilities. The employees will receive their pension statements, which the Borough prepares every two years, and a draft Pension Plan Document. These documents have been prepared in conjunction with Solicitor Tucker and Christine Ehringer of Hallett Associates, and include all of the ordinances that have been enacted since the creation of the pension funds in the mid-1980's. The goal is to provide a draft to the employees, have a 45 day review period, adopt the plans as separate ordinances, and then print Pension Plan Books for distribution to all employees and their beneficiaries.

The Borough Manager reported that there will be a Public Hearing on the Zoning Amendment Proposal from the Martin Wise/Zamagias properties on November 17, 2014. The ordinance was reviewed and has been advertised, and the Planning Commission, at its November 5th Meeting, approved the proposed ordinance.

Council reviewed several renderings of the Elmhurst residential property development at 801 Ohio River Blvd, the former Country Inn property. The proposal is for 26 units, with 10 single family residences and 4 townhouse buildings, comprised of 4 units each, for a total of 16 units. The development is being established under the guidelines of the Pennsylvania Planned Community Act. Charter Homes, of Lancaster, PA, is the developer, and they have been before the Planning Commission for two preliminary reviews. The Planning Commission has indicated that a full hearing will be held before the Planning Commission on Wednesday, December 3, 2014, with a hearing before Council on Monday, December 15, 2014.

Council reviewed the initial design of the new Howard Hanna office building, to be located at its same spot. Howard Hanna is making a preliminary application review on December 3rd to the Planning Commission, with an expectation of a full public hearing on Wednesday, January 7, 2015.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager reviewed proposed specifications for the sale of approximately 32 acres of land at Waterworks Park, with a minimum bid price of \$250,000. The land would remain zoned Open Space, and the prospective buyer must agree in writing to the terms and conditions as outlined in the Rivers Conservation Study, dated February 11, 2011. The Allegheny Land Trust has received a \$250,000 grant in order to purchase the land, but it still must be bid out, with the expectation that Allegheny Land Trust will be the bidder. In addition, Council asked that one of the conditions of the sale to be a permanent easement for the road through that portion of Waterworks Park in order to get to the Communications Tower.

Council reviewed proposed suggestions regarding the sale of the Green Street Parking Lot. Council was in agreement to establish a price of \$250,000 for the land, and that a garage must be built within 6 months of the purchase of the land. Initial specifications showed the type of garage to be built, that the garage would be taxable, that the proposed garage would meet the current Sewickley zoning height restrictions, and that the parking garage would have a parking system that could work with the Borough of Sewickley parking system. Council also requested that the minimum amount of spaces for the garage be 150 spaces, with at least 55 spaces, or 1/3 of the spaces, being available for public parking. The Borough Manager will prepare specifications in a form for final review by Council at the December Committee of the Whole Meeting, with a bidding process to occur in January of 2015.

Council reviewed a drawing that was presented previously for the Village Theater Subdivision, moving 11,810 square feet to the rear of the property on Walnut Street due to the complications of building over Hoey's Run, and with the front portion being established as a park setting for the Borough.

The Borough Manager reviewed the Hoey's Run Project, which originally was to encapsulate the current Hoey's Run piping. The project cannot be done due to the location of the pipe. Lennon, Smith, Souleret Engineering are preparing to close out the contract with Fasciano Construction as they were unable to complete the design-built project. In addition, Lennon, Smith, Souleret have arranged for an emergency permit to do the repair work on the Hoey's Run culvert at the end of the Walnut Street property. The final recommendation for award of the project will be on Monday, November 17th. It is anticipated that the cost will be approximately \$10,000.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager reviewed the Department of the Auditor General's Police and Non-Uniform Pension Plan initial pension audit documents, indicating that the Borough of Sewickley is compliant with the pension audits for both the Police and Non-Uniform Pensions.

The Borough Manager indicated that two projects were being recommended for demolition, located at 14 Dickson Road and 326 Sprott Way. These will be submitted to the Quaker Valley Council of Governments and the Allegheny County Community Development Block Grant for review and approval.

The Borough Manager reminded Council that the Police Chief Review will be handled by Mayor Brian Jeffe and occur at the December 9th Committee of the Whole Meeting. The Solicitor Review will be at the January 13, 2015 Committee of the Whole Meeting and handled by Council President Susan Aleshire.

The Borough Manager's Report was received and filed.

ADJOURNMENT

On motion of Mr. Driscoll, the Committee of the Whole Meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf