

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, OCTOBER 14, 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, Stan Ference, Carole Ford, Jamie Morrill, Todd Renner, and Larry Rice. Charles Driscoll was absent due to a family emergency. The others in attendance were Jennifer Markus and Alex DeLoia of Village Green Partners, Fire Chief Jeff Neff, Dave Murray, 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 on business activities. Alex DeLoia indicated that there was a great turn out for the Gallery Walk; that Village Green Partners has organized a Trick or Treat event in the Business District; and that the Oktoberfest was so-so this year due to rain and a hailstorm during the day on Saturday.

Jennifer Markus reviewed a Yuletide in Sewickley update, indicating that the music entertainment will include the Allegheny Brass Band playing holiday music, the Lighting of the Village Ceremony and fireworks, and then No Bad Ju Ju will be performing. She indicated that there will be more food options this year which will include food trucks. Yuletide in the Village will commence with Small Business Saturday on November 29th. A Holiday Passport to Sewickley will be offered to all shoppers who spend \$5.00 at any Sewickley business. Ms. Markus also indicated that they are hoping to install a skating rink in the Borough to use throughout the winter months as an activity to help draw people to town.

Ms. Markus indicated that Village Green Partners, Council President Susan Aleshire, Mayor Jeffe and Borough Manager Flannery will be meeting with the Mainstreet organization on October 29th regarding Sewickley's participation in the Mainstreet program.

Dave Murray, owner of property on Ferry Street, addressed Council regarding the recent Ferry Street Road Project. Mr. Murray indicated that he felt he was singled out regarding the installation of the new curbs on Ferry Street. Mr. Murray indicated that he was taken before the Magistrate and lost regarding curb cuts on his properties.

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COMMENTS FROM THE PUBLIC (CONTINUED)

The Borough Manager advised Council that Mr. Murray was taken to the Magistrate because he was only permitted a 10 foot curb cut at one property and he asked the contractor to make it a 20 foot curb cut. In addition, the Borough Manager indicated that on June 4, 2002, Mr. Murray was granted a variance for one 10 foot driveway, and was denied any additional curb cuts. Mr. Murray applied again at the November 6, 2003 Zoning Hearing Board Meeting, and was denied again on a request for additional curb cuts.

Mr. Murray indicated that he measured all of the driveways on Ferry Street and that they are over the 12 foot width requirement as stated in the current Zoning Ordinance.

The Borough Manager indicated that he would review this issue with the road engineers and report back to Council.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Brian Jeffe indicated that the Halloween Parade, sponsored by the Quaker Valley Rotary and the Borough of Sewickley, will be held on Saturday, October 25, 2014, beginning at 10:30 a.m., at the Municipal Building. Mr. Jeffe also stated that Halloween Trick or Treating in the Borough of Sewickley will be on Friday, October 31st, from 6:00 p.m. to 8:00 p.m.

Mayor Jeffe stated that the Sewickley Wine Walk will be on Wednesday, November 5th, from 5:00 p.m. to 9:00 p.m.

Council President Susan Aleshire indicated that the Quaker Valley Council of Governments Recycling Day will be on Saturday, November 1st, from 9:00 a.m. to 1:00 p.m., hosted by the Borough of Sewickley, on Washington Street, behind the Public Works garages.

President Aleshire advised that an Executive Session would be held at the conclusion at the Committee of the Whole Meeting regarding a sewer service contract matter with Aleppo Township and potential litigation matters.

Fire Chief Jeff Neff addressed the Mayor and Members of Council to remind them that Cochran Hose Company is participating in the Hoe Down Chili Cook-Off on Saturday, October 25th, at the Fern Hollow Nature Center. In addition, Fire Chief Neff asked Council to mark their calendars for Saturday, February 7, 2015, as there will be a formal retirement dinner with five Members of Cochran Hose Company retiring.

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

Council reviewed the Building Inspector's Report, indicating that 13 permits were issued, with fees of \$3,288 collected on \$180,850 worth of construction. There were 19 building inspections performed, and 6 property maintenance inspections.

Council reviewed a letter from Solicitor Tucker regarding appeals to the Zoning Hearing Board. The research indicated that parties that have made an application which is appealed to the Zoning Hearing Board should be instructed that they cannot proceed until the Zoning Hearing Board has rendered its decision.

On motion of Mrs. Ford, seconded by Mr. Morrill, Council voted, 8-0, to approve the recommendation of the Historic Review Commission to issue a Certificate of Appropriateness for 424 Frederick Avenue, Block and Lot Nos. 506-D-374 and 506-H-60, to erect a single story addition that connects the main building to the cottage, as submitted.

Council reviewed the Public Works Report for September, highlighting work associated with the preparation of equipment for the picking up of leaves, the MS4 Program, the replacement of sidewalks, and the annual maintenance of all litter cans in the Business District.

Council reviewed the Wastewater Treatment Plant Report for September, indicating that 17.447 million gallons of sewage were treated. In addition, 380,426 cubic feet of digester gas was used. Repairs were made to the vector pit, the screening unit, the polymer system, and the bar screen controls.

Council reviewed the Consulting Engineers Report, indicating repairs and unfinished work related to the Ferry Street Sewer and Road Project. KLH Engineers is also working with the County regarding the relocation of Waterworks Road.

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

Council reviewed a Zoning Hearing Board Decision regarding a challenge to the validity of Sewickley Borough Ordinance No. 1317. The Zoning Hearing Board ruled on October 7th that they found the validity challenge proposed by AVK Enterprises is without merit and the challenge to the validity was denied.

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SOLICITOR'S REPORT

Council reviewed the Solicitor's Report for the month of September, highlighting the AVK Enterprises lawsuit, the Subdivision, Land Development and Conditional Use requests, a garage proposal option agreement, and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$7,879.00.

Council reviewed the Jordan Delinquent Real Estate Tax and Municipal Claim Report in the amount of \$18,413.14.

Council reviewed real estate tax assessment appeals.

Solicitor Tucker advised that the Commonwealth hearing date for oral arguments in the Michael M. Lyons vs. the Zoning Hearing Board of the Borough of Sewickley, et al, No. 178CD2014, in the Commonwealth Court of Pennsylvania is scheduled for Monday, November 10th at 1:00 p.m.

Solicitor Tucker also advised that AVK Enterprises Ltd. vs. the Borough of Sewickley and Sewickley Borough Council, No. 2046CD2013, will also be heard in Commonwealth Court on Monday, November 10th in the afternoon.

The Solicitor's Report was received and filed.

BOROUGH MANAGER'S REPORT

The Borough Manager reviewed correspondence of October 2nd from Lennon, Smith, Souleret Engineering regarding the outstanding items associated with the Ferry Street Roadway & Sewer Improvement Project. The Borough Manager advised that since the letter was sent, ten additional items have been completed. The contractor, S & E Utility Contracting, Inc., is working to resolve all issues. A meeting will be held on Monday, October 20th, with the Borough Manager to provide an update to Council.

The Borough Manager reminded Council that the Budget Packets were forwarded to Members of Council on Friday, October 10th, and that the meeting is scheduled for Saturday, October 18th, at 7:00 a.m. The meeting will include a review and scheduled tentative adoption of the 2015 Borough of Sewickley General Fund Budget, Sewer Fund Budget and Capital Revenue Budgets, with advertising and final adoption scheduled for Monday, November 17, 2014.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed the 2014 Foreign Fire Payment for the Cochran Hose Company from the Commonwealth of Pennsylvania, in the amount of \$31,734.83, which has been forwarded to the Cochran Hose Company.

Council reviewed the 2014 state allocation under the Act 205 for Municipal Pension State Aid, in the amount of \$123,925.76. This amount, in combination with General Fund and Sewer Fund revenues, have been deposited into the pension funds, making the Borough of Sewickley 100% compliant with the Minimum Municipal Pension Obligation for 2014.

Council reviewed a letter from Janney Montgomery regarding the U.S. Securities and Exchange Commission Municipalities Continuing Disclosure Cooperation Initiative. The Borough of Sewickley bond issues are in compliance with this initiative.

The Borough Manager reviewed the holiday schedule for the Borough Office from Thanksgiving until the day after New Year's Day.

The Borough Manager presented a Staff Performance Review Schedule, with the Borough Manager being reviewed at the November 11th Committee of the Whole Meeting, headed by Mr. DeFazio. The Police Chief review, headed by Mayor Jeffe, will be at the December 9th Committee of the Whole Meeting. The review of the Solicitor, to be handled by Council President Susan Aleshire, will take place at the January 13, 2015 Committee of the Whole Meeting. As in the past, the coordinating person will work with Council Members in providing a review and soliciting comments regarding each staff person.

The Borough Manager reviewed three Public Hearings for the October 20th Council Meeting. The first hearing is a continuation for One Village Square, LLC Subdivision, Conditional Use and Land Development at 417 Walnut Street. The second hearing will be the Mendicino, Turk and Murray Subdivision Plan, which was continued from the September 15th Council Meeting. The third hearing will be the Green Street Plan of Lots Revised Subdivision for 418 Walnut Street. This is the Borough's subdivision of the 11,810 square feet, which was required per the lease with Village Theater.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager reviewed a memo to all full-time employees regarding health care. The Borough of Sewickley will continue to provide Highmark Health Insurance. The memo reviewed the consent decrees and all new benefits to be provided by Municipal Benefits Services Trust. The Borough Manager further recommended that all employees review with their spouses, significant others and families their list of doctors and verification of continued Highmark services. It was also suggested that if any of their doctors are within the UPMC group, to make an appointment in 2014 as that would qualify them for the continuum of one year of services in 2015.

Council reviewed a Local Services Tax Public Official Bond from Berkheimer. The bond is being raised from \$16,000 to \$21,000.

The Borough Manager presented initial specs regarding the potential bid of the Green Street Parking Lot, for the building of a parking garage with either commercial or residential atop it, staying within the zoning ordinance height, and that the property will be bid according to the assessed value. The property would also be taxable. The bid would require that a minimum of 190 parking spaces be built and maintained for the life of the property, and that any parking system being utilized in the garage would be compatible with any computerized or mobile parking application that the Borough would place in the Borough of Sewickley. Council Members will review and forward any comments to the Borough Manager, with a final review of the Green Street option in November, and an anticipated bid date in December.

The Borough Manager reviewed a proposed Right-of-Way Agreement for the relocation of Waterworks Road. The agreement has been reviewed by Attorney Steve Bovan of Tucker Arensberg. If Council was inclined, the Right-of-Way Agreement would be placed on the agenda for approval on Monday, October 20th. Council was in agreement to do so.

The Borough Manager recommended the preparation of land specifications for the sale of approximately 30.2 acres in Waterworks Park. The bid would be structured in order that Allegheny Land Trust would have the opportunity to obtain the property. The bid would require a minimum bid amount of \$260,000. The land would have to be monitored and maintained as Open Space, and the successful bidder would have to agree to maintain the land in conjunction with the Sewickley Valley Rivers Conservation Management Plan.

Council asked that final bid specifications be prepared.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Council reviewed an ordinance, which has been advertised, that removes the Killed in Service Benefit for the Uniform Pension Plan. This was a part of the negotiations with the successful adoption of the Police Contract for 2014 through 2018. Secondly, there will be the adoption of a resolution, indicating police contributions are not required for the Police Pension Plan for the years 2012, 2013 and 2014.

The Borough Manager's Report was received and filed.

EXECUTIVE SESSION

Council went into Executive Session at 9:15 p.m. The Executive Session concluded at 9:38 p.m.

ADJOURNMENT

The Committee of the Whole Meeting was adjourned on the motion of Mr. Ference.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf