

**BOROUGH OF SEWICKLEY**  
**COMMITTEE OF THE WHOLE MINUTES**  
**TUESDAY, AUGUST 11, 2015**

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, Jamie Morrill, Jeff Neff, Carole Ford, Todd Renner, and Larry Rice. The others in attendance were Jennifer Markus and Alex Lancianese of Explore Sewickley, Richard Webb, Del Miller, Peggy Standish, Cindy Mullins, Sandra Lane, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

**COMMENTS FROM THE PUBLIC**

Jennifer Markus and Alex Lancianese, of Explore Sewickley, provided updates on events in the Borough of Sewickley, including *Balance on Broad*, scheduled for Saturday, August, 22<sup>nd</sup>, from 8:00 a.m. to 12:00 p.m.; three businesses will be opening up shortly, Two Rivers Olive Oil, Zoey Shutka Art Studio, and Odessa Café. They presented a completed copy of the Main Street Application, and barring any additional comments, their intent is to forward the application to the Commonwealth of Pennsylvania by August 21<sup>st</sup>.

They provided an update on loading zones, in which they hosted two public meetings and conducted a survey of the businesses in order to gain information to assist Council. They provided notes from the sessions and individual comments made by those attending. They recommend the best option would be not to implement an overall loading zoning plan for the Borough at this time, but to address the one area that is a safety concern with the crosswalk and the bus stop across from Rite Aid. Moving the crosswalk doesn't really solve the issue with the delivery trucks sitting at the bus stop, often times, with the trucks running. The recommendation is to increase enforcement so the trucks do not park there. In their opinion, the majority of trucks are for Rite Aid; perhaps, they should use the Rite Aid loading dock off of Centennial Avenue. Members of Council thanked them for providing this information.

Council reviewed a letter sent by Melissa Farlow to the Sewickley Presbyterian Church, regarding 202 Beaver Street, in which Council and Borough staff was copied regarding items associated with the court case with the neighbors adjacent to the church property and the settlement. The Borough Manager advised that Ms. Farlow believes that some of items agreed to in the court resolution have not been done correctly.

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**COMMENTS FROM THE PUBLIC (CONTINUED)**

The Borough Manager advised that in consultation with the Code Enforcement Officer, the occupancy permit has been issued, and the lighting standard test for the lighting of the lot has been met and approved within the permitted ranges. The Borough Manager recommends that a letter be sent to Ms. Farlow, indicating that all items associated with the Borough's Zoning Ordinance and Building Codes have been met, that an occupancy permit was issued, and that for any item that was directly related to a court settlement per the court settlement papers, the parties would have to go back to court to get that resolved.

Council reviewed a letter request from Richard Webb, suggesting that Council form a Public Budget Committee, similar to the one offered by the Quaker Valley School District, for the purpose of obtaining input on the annual budget process. Mr. Webb, of 26 Beaver Street, was in attendance, indicating that this could be an educating and informing session. Members of Council asked Mr. Webb if he had attended any previous budget meetings of the Borough. He indicated that he had not. Mrs. Ford indicated that the budget process is a very public process and that citizens are more than welcome to attend and that the same information is provided.

The Borough Manager advised that he had spoken to John Sheline, the Director of Finance of the Quaker Valley School District. He indicated that they have three additional sessions for the administrative staff to meet with a committee. The members of the committee, basically, e-mail the school district, indicating they would like to attend the budget meetings. The first session is about revenues, the second session is about expenditures, and the third session is just general comments. Mr. Sheline indicated that none of these meetings are publicly advertised.

The Borough Manager indicated that the Borough's budget process is very transparent. The Borough's budget is designed to reflect its vision, strategy, and priorities. The budget process is a continual process that is reviewed during the entire month.

Mrs. Aleshire indicated that as a Member of Council, she likes having the Council Members present for all budget sessions, as they are the decision makers; they get to hear from the Department Heads and citizens on all of the subjects, and she is happy with the way the process is working.

Council invited Mr. Webb to attend the Capital Budget Meeting on October 5<sup>th</sup> and the Budget Session on October 17<sup>th</sup>.

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**COMMENTS FROM THE PUBLIC (CONTINUED)**

Council reviewed a request from the Quaker Valley School District regarding the use of War Memorial Park for their cross country team. On motion of Mr. Neff, seconded by Mrs. Ford, Council voted, 9-0, to approve the Quaker Valley School District Cross Country request for the 2015-2016 season.

Council reviewed an Antique Motorcycle Show request, to be held on Beall Way, on Sunday, August 23, 2015, from 11:00 a.m. to 5:00 p.m. The Borough Manager advised that the Certificate of Insurance has been received and all of the adjoining property owners have been advised. On motion of Mr. Morrill, seconded by Mr. Driscoll, Council voted, 9-0, to approve the request.

Del Miller, of Locust Place, was in attendance, and asked if the police could enforce the noise ordinance at the hospital, with trucks backing into the loading zone. In addition, he would like the police to further inspect and verify that the trucks using the loading zone are applying some sort of a traffic wedge in order that their vehicles do not move. Mr. Miller indicated that in light of the recent ice cream truck that got away from the loading zone and caused some damage to his personal vehicle, he would like to see this enforced. Mayor Jeffe and the Borough Manager are to meet with Chief Ersher to review, and then forward a reply to Mr. Miller.

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

Mayor Brian Jeffe reported that the Jaguar Car Show had more than 65 vehicles and was very well received this past Saturday. He indicated that it is good to see that the event is increasing in promotion and attendance.

Mayor Jeffe reminded Council that the final Night Mart for 2015 is on Friday, August 28<sup>th</sup>, and the 25<sup>th</sup> Annual Sewickley Harvest Festival is on Saturday, September 12<sup>th</sup>, from 10:00 a.m. to 5:00 p.m.

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

Borough Council reviewed a proposal from Carl Walker Construction regarding a parking garage, of approximately 180 spaces, on the Green Street Parking Lot location. Mr. Chris McElhaney, from Carl Walker Construction, was present to answer questions. Carl Walker had indicated their willingness to work with the Borough to build a garage. Carl Walker has estimated the cost of building the garage to be \$5.2 million, and the installation of parking machines will be approximately \$700,000. Carl Walker is willing to borrow the money to build the garage and install the machines, with the Borough being able to buy the project back within a timeframe of no longer than five years from the completion of the project. From a legal review, Solicitor Tucker advised that the project would have to be bid out. Mr. MacIlaney indicated that they would be fine with the bid specifications for the financing of the machines and the building with the purchase being within five years.

Several Members of Council expressed the desire to proceed to a least get the bid advertised and to receive bids. This way, a firm financial dollar number would be known before the execution of a contract would take place for the construction of a garage.

On motion of Mr. DeFazio, seconded by Mr. Morrill, Council voted, 8-1, with Mr. Neff voting, no, (as he wanted additional financial information that was not available at this time) to proceed to prepare a bid package for the Green Street Parking Garage. In addition, Solicitor Tucker is going to review all aspects of approvals associated with the Department of Community and Economic Development for the project.

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

Council reviewed the Building Inspector's Report, indicating that 6 permits were issued, with fees of \$971.00 collected on \$20,100.00 worth of construction. There were 19 building inspections performed, and 6 property maintenance inspections.

On motion of Mr. Rice, seconded by Mr. Morrill, Council voted, 9-0, 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 replace the front porch and add a Nevin Avenue side terrace, as submitted.

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

Council reviewed the Public Works Report for July, highlighting work done in the Borough parks due to the high foliage from heavy rains, storm damages, and the cleaning of catch basins related to storm issues, with nine heavy rain events in July. Public Works installed handicapped parking spaces on Walnut Street and repaired the stone wall outside the elevator at the Borough Building.

Council also reviewed the Safety Checklist for all Borough parks and playgrounds.

Council reviewed the Wastewater Treatment Plant Report for July, indicating that 24.006 million gallons of sewage were treated. In addition, 348,455 cubic feet of digester gas was used. Wastewater Treatment Plant personnel worked on replaced failed power supply for the digester building gas detection unit, changed the transpactor gear box oil, and had the Gantry crane inspection.

Council reviewed the NPDES Permit Renew Application for the Borough of Sewickley Wastewater Treatment Plant. In addition, copies of the letters to the DEP, Allegheny County Health Department and adjoining municipalities were included.

KLH Engineers worked with Wastewater Treatment Plant personnel in preparing a 5-Year Capital Plan that was reviewed by Council. This plan will be discussed further during the Capital Budget Meeting and Regular Budget Meetings of Borough Council.

Council reviewed the McDonald Street Smoke Study Report, indicating that the smoke test conducted on July 28<sup>th</sup> indicated that one house still has its downspouts connected, there was an open cleanout on one of the properties, and there are two catch basins on the railroad tracks that are in need of cleaning and repair. The Borough Manager is meeting with Norfolk Southern on Thursday to get Norfolk Southern to address the issue.

Council reviewed the Consulting Engineers Report.

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 July, highlighting the Firemen's Insurance Co. lawsuit related to the accident at the Wastewater Treatment Plant, the sale of the Waterworks Park land to Allegheny Land Trust, preparation of the Sewer Service Agreement with Haysville Borough, the Village Theater Building Code Compliance Letter, and tax assessment appeals.

Council reviewed the Solicitor's Invoice in the amount of \$9,610.50.

Council reviewed real estate tax assessment appeals.

Council reviewed the Jordan Delinquent Real Estate Tax and Municipal Claim Report in the amount of \$12,026.48.

Solicitor Tucker advised that in the Commonwealth vs. Lawrence Oswald, No. SA-2744, of 2014, there has been no additional action. Both parties are waiting the decision of the judge.

Solicitor Tucker reviewed a telephone conversation with the solicitor of Haysville Borough regarding the proposed Sewer Service Agreement. The letter indicated that they were looking for drawings and maps, and asked if Sewickley was going to prepare the draft ordinances that are required and undertake any condemnation actions. Solicitor Tucker advised that he and the Borough Manager will be meeting to formulate answers to the questions from Haysville Borough.

Solicitor Tucker reviewed the Village Theater building code issue in which the outside third party review agency, Code.sys, indicated that even though the Borough had provided a letter indicating that the property in front of the proposed Village Theater Building, which is owned by the Borough, would not be used for any construction and would be maintained as a park, as well as providing the lease agreement between the Borough of Sewickley and Village Theater Group for the land. Code.sys asked Council to create a resolution to establish the property as a public park. Solicitor Tucker advised that the resolution indicates that it will be a public park as long as the theater building remains. Should the theater building be torn down and not replaced, the land would not be restricted to a public park.

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**SOLICITOR'S REPORT (CONTINUED)**

On motion of Mr. Rice, seconded by Mrs. Ford, Council voted to adopt Resolution No. 2015-13, establishing a public park on Block and Lot No. 421-A-100, on Walnut Street.

Solicitor Tucker advised that he will be meeting with Attorney Thomas regarding the Cartons' Maple Lane property donation to the Borough.

The Solicitor's Report was received and filed.

**BOROUGH MANAGER'S REPORT**

The Borough Manager provided an update on the 2015 Road Project, indicating that Columbia Gas has less than ten connections to make on Cochran Street. They expect to be done by August 14<sup>th</sup>, at which time, it is planned that Liberoni will begin to mill both Cochran Street and Centennial Avenue. On Wednesday, August 19<sup>th</sup>, the base paving coat will be applied. After that time period, there will be approximately two weeks before Liberoni comes back and completes all of the handicapped accessible ramps. The final paving is to occur, most likely, the week of September 14<sup>th</sup>, or the week before that. In addition, the Tree Commission will place 46 trees in the road project area. Twenty of the trees have been ordered by the Borough Arborist, and the intent is to have them installed by the end of August. Duquesne Light has confirmed that they will be replacing all of the street lights with the new LED lights, as requested and paid for by Council.

The Borough Manager reviewed the 2016 Road Projects, which includes Broad Street, from Route 65 to Beaver Street; Broad Street, from Beaver Street to Hill Street; Straight Street, from Centennial Avenue to Hill Street; work on Blackburn Road, the engineering and design for the Orchard Terrace wall; and Fountain Street, from Centennial Avenue to Hill Street. In addition, the proposed bid will include alternates for night and weekend paving of Broad Street to assist in the Business District, and we will have the replacement of the lighted crosswalks on Broad Street, at Frederick Avenue and School Street.

Council was in agreement to place the motion onto the agenda for the August 17<sup>th</sup> Council Meeting, to approve the 2016 Road Projects. This will allow an easier communication between the Tree Commission and the residents regarding any trees in these affected areas. The Tree Commission is planning to meet with all residents on affected streets during the month of October as a way to improve communications regarding Road Projects.

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

The Borough Manager indicated that the two municipal parking lots, Division Street and Green Street, have been marked with green dots, designating where the spaces will be made 11 feet wide. This will be done to accommodate vehicles that are larger than when the parking lots were first established. Council was in agreement to proceed with widening the spaces in the Division Street Parking Lot, and to wait to do the Green Street Parking Lot until such time there is a resolve with the Green Street Parking Lot Garage.

The Borough Manager advised that the 2016 Budget Schedule will include a meeting with Department Heads and Capital Budget on Monday, October 5, 2015, beginning at 6:30 p.m.; and the General Budget Meeting will be on Saturday, October 17, 2015, beginning 7:00 a.m. Mr. DeFazio has indicated that he will be out of town on Monday October 5<sup>th</sup>. All other Council Members will be available for both meetings. In addition, the budget will be discussed at the October 13<sup>th</sup> Committee of the Whole Meeting and the November 10<sup>th</sup> Committee of the Whole Meeting, as well as the October 19<sup>th</sup> Council Meeting, with a tentative adoption scheduled for Monday, November 16, 2015.

The Borough Manager recommended that Sewickley Borough submit a letter and application to Allegheny County Health Department Director Karen Hacker, to be included in the *Live Well Allegheny* Program. The Borough has fulfilled the requirements established by Allegheny County, and it recommended that Council adopt Borough of Sewickley Resolution No. 2015-015, for August 17<sup>th</sup>, with submittal to Dr. Karen Hacker at the Allegheny County Health Department. Council was in agreement to place the matter on the agenda for Monday.

The Borough Manager provided a report on the Municipal Separate Storm Sewer System Project, commonly known as MS4. Council reviewed Ordinance No. 1233, which is a revision to the current Stormwater Management Rules and Regulations. The ordinance has been revised in its entirety, to be compliant with the request of the Department of Environmental Protection.

In addition, proposed Ordinance No. 1336, establishing the Municipal Separate Storm Sewer System (MS4) Prohibited Discharge Ordinance, which relates directly to the items that cannot be discharged into the waters of the Commonwealth, has been scheduled for adoption on August 17<sup>th</sup>.

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

The Borough Manager indicated that the Borough is preparing Resolution 2015-015, which is the Municipal Separate Storm Sewer System (MS4) Minimum Control Measure Plan. This resolution would be for the period of one year, mostly likely until October of 2016. Borough Council will be adopting a new resolution every year, reviewing the Minimum Control Measure Plan. These are goals and objectives that will be decided each year, and verification and documentation will be necessary to prove that these goals and objectives have been met.

The Borough Manager indicated that Kevin Brett and staff, of Lennon, Smith and Souleret Engineering, will be at the Council Meeting on Monday, August 17<sup>th</sup>, at 6:45 p.m., to provide the Municipal Separate Storm Sewer System Education Program. It will include the Members of Council, the Solicitor, and the Mayor, as well as Members of the Cochran Hose Fire Company. In addition, all the remaining employees of the Borough will be educated at a future date.

The Borough Manager reviewed proposed MS4 items for Borough properties in order to reduce storm water inflow into the system.

Council reviewed a letter to Boards and Commissions, with recommended 2016 Meeting Schedules. The schedules are requested to be back to Council by the beginning of September in order that an advertisement can be placed.

The Borough Manager advised that the Council of Governments Rock Salt Contract has been signed and sent back. The Borough is now preparing letters to the four municipalities that are provided road salt services, with a note indicating that the price may increase due to compliance with the Municipal Separate Storm Sewer System requirements associated with the salt shed.

The Borough Manager reviewed the proposed Shade Tree Commission Ordinance which was reviewed by the Tree Commission. The ordinance has been forwarded to Solicitor Tucker for a final review. The Tree Commission intends to provide a final recommendation at their September 14<sup>th</sup> Tree Commission Meeting, and has indicated that Council will do the same at the September 15<sup>th</sup> Committee of the Whole Meeting. It is anticipated that a public hearing and advertisement of the new ordinance will occur for 30 days, with a tentative adoption at either the October or November Council Meeting.

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

The Borough Manager advised that we have received a donation in the amount of \$150 from the Jaguar Club of Pittsburgh.

Council reviewed the 2015 Allegheny County School Districts Tax Millage Listing.

The Borough Manager's Report was received and filed.

**ADJOURNMENT**

On motion of Mr. Renner, the Committee of the Whole Meeting adjourned at 9:46 p.m.

Respectfully submitted,

Kevin M. Flannery  
Borough Manager/Secretary

KMF:pmf