

**BOROUGH OF SEWICKLEY**  
**COMMITTEE OF THE WHOLE MINUTES**  
**TUESDAY, MARCH 10, 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, Carole Ford, Jeff Neff, Todd Renner, and Larry Rice. Jamie Morrill was absent due to work. The others in attendance were Alex Lancianese and Jennifer Markus of Village Green Partners, Fred Jizzie, Maggie Setlet, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

Council President Susan Aleshire announced that Council was in Executive Session from 7:00 p.m. to 7:25 p.m. regarding a litigation matter in Case No. SA 2744-2014.

**COMMENTS FROM THE PUBLIC**

Jennifer Markus and Alex Lancianese of Explore Sewickley provided an update on activities, indicating that the Soup Crawl has 27 sponsors for the event, and there will be 17 stops, including Cochran Hose Company. As of this date, 400 tickets have been sold, with the expectation that the event will be sold out, with 500 tickets sold.

The Sewickley Gallery & Art Walk is scheduled for April 10<sup>th</sup> and 11<sup>th</sup>. So far, there are 13 stops for the event. Explore Sewickley will be on Pittsburgh Today Live on April 6<sup>th</sup> to promote the event.

Jennifer Markus indicated that the Explore Sewickley Happy Hour was last week, and had over 30 attendees. Plans were reviewed regarding the four committees for the Main Street Initiative, which are Economic Restructuring, Organization, Promotion, and Design.

Alex Lancianese asked Council for permission to have a Yoga and Wellness Event on June 27<sup>th</sup>, from 8:00 a.m. to 12:00 noon, on Broad Street, between Thorn Street and Beaver Street, and asked if the street could be closed. On motion of Charlie Driscoll, seconded by Tom DeFazio, Council voted, 8-0, to approve the request for the Yoga and Wellness Event on Saturday, June 27<sup>th</sup>, from 8:00 a.m. to 12:00 noon.

Alex Lancianese indicated that they attended the Ohio River Trail Council Initial Public Meeting on February 24<sup>th</sup>. In discussions with the Borough Manager, Explore Sewickley has been asked to assist the Borough Office in working with the Ohio River Trail Council.

Alex and Jennifer indicated that they will be attending the Pennsylvania Downtown Center Annual Statewide Conference in June in Lancaster. They are working hard to complete their Main Street Designation.

In addition, Jennifer announced that they will probably be moving their office to a new location as the Slippery Mermaid Sushi Bar is going to expand into their space.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE TWO**

**COMMENTS FROM THE PUBLIC (Continued)**

Council reviewed an annual request from Dang Wilson regarding the use of Chadwick Street Park tennis courts for the Quaker Valley Elementary School Tennis Club on Tuesday evenings, from April 7<sup>th</sup> through May 26<sup>th</sup>, from 6:00 p.m. to 7:00 p.m., and on Saturday mornings, from April 4<sup>th</sup> through May 30<sup>th</sup>, from 9:00 a.m. to 11:00 a.m.; and the annual Tennis Camps during weeks of June 8<sup>th</sup> through June 12<sup>th</sup> and June 15<sup>th</sup> through June 19<sup>th</sup>, from 8:30 a.m. to 1:00 p.m. On motion of Carole Ford, seconded by Larry Rice, Council voted, 8-0, to approve the request.

The Borough Manager reviewed Right-to-Know requests regarding the 2015 Road Bids from CMD Group of Norcross, Georgia; and Signature Information Solutions, out of Trenton, New Jersey, regarding the 2014 Delinquent Tax List. The Borough Manager commented that while these are technically Right-to-Know requests, very clearly, these are companies looking for ways to enhance their business.

On motion of Mr. DeFazio, seconded by Mr. Renner, Council voted, 8-0, to approve the Chadwick Street Ball Field use by the Quaker Valley High School Girls Softball Team and the Quaker Valley Recreation Association.

Council reviewed a request from the Jaguar Car Club to have the 2015 Jaguar Car Show Event to be held on Broad Street instead of in the Division Street Parking Lot. Council was in agreement to grant the request. On motion of Mr. Rice, seconded by Mr. Neff, Council voted, 8-0, to approve the request of the Jaguar Car Club, to have the event on August 8<sup>th</sup> at the Broad Street site.

Council reviewed a request from a teacher at the Quaker Valley Middle School to have a 5K Race in Sewickley on Wednesday, June 4<sup>th</sup>, between 8:30 a.m. and 9:30 a.m. Several Members of Council expressed that the Borough of Sewickley has already established the Wounded Warrior, the Sewickley Unleashed, the Quaker Valley Recreation Association, and the Heritage Valley Health System 5K races as the four races to be held in the Borough of Sewickley. Each of the races comes with a cost that is absorbed by the Borough of Sewickley, and Council was not inclined to add any additional races to the 2015 calendar year. On motion of Mr. Renner, seconded by Mr. DeFazio, Council voted, 8-0, not to grant the request submitted by the Quaker Valley Middle School for a 5K Race on June 4<sup>th</sup>.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE THREE**

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

Mayor Brian Jeffe stated that Officer David Yurkovac has completed one year of service as of Monday, March 9<sup>th</sup>. He is an excellent addition to the Borough of Sewickley Police Department.

Mayor Jeffe wanted to compliment all of the Borough workers, especially the Public Works Department, for their excellent work with snow removal on the streets of the Borough of Sewickley during this past winter.

Mr. DeFazio asked if a resolution can be placed on the agenda for Monday, approving Sweetwater Center for the Arts for small game of chance. Mr. DeFazio stated that this is similar to the resolution that was done for the Friends of the Library. Sweetwater Center for the Arts is planning to have a raffle at a future event. Council was in agreement to place the matter on the Council Meeting Agenda for Monday, March 16<sup>th</sup>.

Council President Susan Aleshire indicated that the Soup Crawl is Saturday, March 14<sup>th</sup>, from 12:00 noon to 3:00 p.m.

Council President Aleshire reviewed a letter from Senator Matt Smith, agreeing with Council's position in opposition to Senate Bill No. 4.

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

Council reviewed the Building Inspector's Report, indicating that 3 permits were issued, with fees of \$710 collected on \$47,000 worth of construction. There were 20 building inspections performed, and 4 property maintenance inspections.

Council reviewed Zoning Hearing Board Decisions in Case No. 14-07 and Case No. 14-11 in which variances were granted to the applicants.

Council reviewed the Public Works Report for February, highlighting activities, including the 21 days of snow removal, cleaning out the Borough garage, and the patching of streets.

The Borough Manager also reviewed a letter regarding MS4 duties for one of the Public Works personnel who will spend approximately 40% of his time dedicated to Storm Water Management.

Council reviewed the Wastewater Treatment Plant Report for February, indicating that 18.98 million gallons of sewage were treated. In addition, 260,025 cubic feet of digester gas was used.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE FOUR**

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

Council reviewed the Consulting Engineers Report, indicating that Allegheny County Public Works will be opening bids in the month of March for the Waterworks Road Project; and in conjunction with the 5-Year Plan for the NPDES Permit Renewal, Wastewater Treatment Plant personnel are evaluating the treatment process to reduce the odors at the Wastewater Treatment Plant.

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 the month of February, highlighting the Charter Homes and Neighbors Developers Agreement, the Green Street Parking Garage Specifications, Pension Plan Ordinances, the Firearm Regulation Ordinance, the Larry Oswald Appeal, and a potential challenge to the award of the Road Construction Project Contract.

Council reviewed the Solicitor's Invoice in the amount of \$14,708.95.

Solicitor Tucker indicated that the real estate tax assessment appeals were basically settlements or continuances in Allegheny County.

The Solicitor advised that the Commonwealth Court has decided not to have a reargument in the Michael M. Lyons vs. the Zoning Hearing Board of the Borough of Sewickley et. al., Case No. 178-CD-2014. This would leave Mr. Lyons with the alternative of trying to appeal to the Pennsylvania Supreme Court.

Council reviewed the Jordan Delinquent Real Estate Tax Municipal Claim Report in the amount of \$3,667.74.

Council reviewed proposed Ordinance No. 1328, which amends and restates the Borough of Sewickley Police Pension Plan; and Ordinance No. 1329, which amends and restates the Defined Benefit Employees' Association Pension Plan. Solicitor Tucker indicated that the "plan" is referenced twice and he will remove the first "plan" from that ordinance and Ordinance No. 1330, the Defined Contribution Pension Plan for the Employees' Association. Upon adoption of the ordinances, Employee Booklets will be prepared on each of the pensions. It should be noted that the Defined Contribution Pension Plan is for all new hires in the Borough of Sewickley, effective January 1, 2015, excluding the employees, which under Pennsylvania Law, must be in the Defined Benefit Pension Plan.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE FIVE**

**SOLICITOR'S REPORT (CONTINUED)**

Solicitor Tucker advised that Larry Oswald appealed his conviction of violation of the grass ordinance. Mr. Oswald was represented by Fair Shake Environmental Legal Service, a non-profit law firm, and they engaged an environmental expert from the University of Pittsburgh, a professor from the Department of Biological Services, who indicated that almost none of the vegetation on Mr. Oswald's property should be considered a weed, and that this type of vegetation provides a strong ecological benefit. Solicitor Tucker indicated that the judge continued the case until June 23<sup>rd</sup> in order for the Borough to retain an expert to review Mr. Oswald's property. Council Members were not of the opinion to hire an expert in the matter. On motion of Todd Renner, seconded by Larry Rice, Council voted, 8-0, to continue with the prosecution before Judge Gallo, indicating that it is the proper enforcement of the ordinance and provides the necessary health, welfare and safety to all of the residents of Sewickley. The motion passed, 8-0.

In addition, Mr. Renner made a motion, seconded by Mr. Rice, with Council voting, 8-0, to have the Borough Manager and Borough Solicitor review and revise the definition of weeds as it pertains to grass and vegetation ordinances in the Borough of Sewickley.

Solicitor Tucker reviewed proposed Ordinance No. 1331, regarding provisions to the regulation of firearms. Basically, the ordinance is to comply with 18 Pa. C.S. § 6120(a), preempts all firearms regulations by municipalities. The ordinance has been advertised for adoption for the Council Meeting on Monday, March 16<sup>th</sup>.

Council reviewed four proposed loading and unloading zones for the Business District. They are located on Beaver Street, by the Liquor Store; near the intersection of Locust Place and Centennial Avenue; on Broad Street, in front of Wolcott Park; and Walnut Street, in front of the Borough's proposed park area. This will result in a loss of approximately 11 parking spaces, and would require an amendment to the ordinance, changing the distance for loading zones to 600 feet. Council was in agreement with the proposed spaces and the Borough Manager suggested that the information be forwarded to Explore Sewickley. Explore Sewickley, through their contract with the Borough, would disseminate the information to all businesses and the Borough would set aside time at the April Committee of the Whole Meeting to hear comments and opinions from the Business District regarding the proposed loading zones. From that discussion, an ordinance change may be drafted for Council.

Council reviewed a proposed Ordinance No. 1332, which prohibits parking at all times on the south side of Beaver Street, between Academy Avenue and Little Street. Currently, parking is permitted on Sundays, and will be removed as the Presbyterian Church has provided additional off-street parking. This will make it safer for both lanes of traffic on Beaver Street.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE SIX**

**SOLICITOR'S REPORT (CONTINUED)**

Solicitor Tucker reviewed the Allegheny Land Trust Application for the Exemption of Real Estate Taxes for the portion of land that was sold to Mr. Rock, who then deeded approximately 9 acres back to the Allegheny Land Trust.

The Solicitor's Report was received and filed.

**BOROUGH MANAGER'S REPORT**

The Borough Manager advised that the 2015 Road Improvement Project Residents Meeting was held on Tuesday, February 24<sup>th</sup>, with approximately 27 people attending. Most of the residents' questions were regarding the cost of the concrete to replace their sidewalks. In addition, there were questions regarding the amount of trees to be removed. It was explained that the Borough Arborist and the Tree Commission reviewed the tree removals in January, and most of the trees had overgrown the space and the curbs, and the trees were leaning into the roadway. The Borough Manager advised that there is a preconstruction meeting with the contractor on Monday, March 16<sup>th</sup>, after which a letter will be sent to all the effected properties on Centennial Avenue and Cochran Street. In addition, the Borough Manager advised that a weekly e-mail will be provided to those residents who have signed up for information on the 2015 Road Project.

The Borough Manager reviewed the Green Light-Go Program grant submission to PennDOT, which is a 50-50 match, for improvements for innovative technologies, including adaptive signals. The Borough is very much aware of the need to improve traffic signals on Route 65 at Chestnut Street, Broad Street and Walnut Street, and this grant would qualify. The preliminary cost is estimated at \$414,000.00, with the Borough being responsible for approximately \$207,000.00. The application was sent and received by the due date of February 27<sup>th</sup>. Awards will be made in July or August, with construction to be in early 2016. Borough Council was in agreement with submission of the grant.

The Borough Manager reviewed changes to the Statement of Investment Policy, as discussed with representatives of First National Bank pursuant to their attendance at the February 16<sup>th</sup> Council Meeting. Their proposal was reviewed and two minor items were suggested. Council was in agreement to place a resolution on the Council Meeting Agenda to adopt the Statement of Investment Policy at the March 16<sup>th</sup> Council Meeting.

The Borough Manager reviewed an application for a liquor license transfer from North Braddock, PA to the Slippery Mermaid North, LLC, located at 611-613 Beaver Street. Notices, advertisements and postings of the property have occurred, and the recommendation is for the liquor license to be transferred into the Borough of Sewickley.

**COMMITTEE OF THE WHOLE MINUTES**  
**MARCH 10, 2015**  
**PAGE SEVEN**

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

The Borough Manager reviewed the bid results for the Pruning Project, which went to Tall Timber Tree Experts; and the Removal Project, which went to Carl's Tree Service. A motion accepting the recommendation of the Tree Commission will be on the Council Meeting Agenda for Monday. The crews plan to start the work the week of March 16<sup>th</sup>, with completion the first week of April.

The Borough Manager advised that a letter was forwarded to Alexis Communale, the new President of the Sewickley Valley Chamber of Commerce, asking for a copy of the new by-laws of the Chamber of Commerce. In addition, since it has been awhile since the Chamber of Commerce was involved in doing events, Ms. Communale was advised of the policy in which submissions must be made to staff, reviewed, with a recommendation forwarded to Council in order that the Chamber of Commerce may attend Council Meetings and ask to sponsor specific events.

The Borough Manager advised that there are two Public Hearings scheduled for March 16<sup>th</sup>. The first Public Hearing is on the Waterworks Park Revised Plan of Lots –Subdivision, Revised Parcel A. This is the tract of land of approximately 31.884 acres, in which was the successful bid of Allegheny Land Trust. The Planning Commission recommended approval at its March 4<sup>th</sup> Planning Commission Meeting.

The second Public Hearing is on the Green Street Plan of Lots – Revised Subdivision, which would create three separate parcels on the Borough owned property. The Planning Commission also recommended approval of this subdivision.

Council reviewed an updated report regarding the Borough Retreat Meeting of January 26<sup>th</sup>. All goals and comments have been prioritized, per Council's ranking. It will be the duty of the Borough Manager and Department Heads to provide additional information on the subjects in the upcoming Committee of the Whole Meetings.

The Borough Manager reviewed the annual copy of Department of Auditor General Form AG385, regarding compensations for pension calculations, which has been submitted.

The Borough Manager reviewed a memo to all Department Heads and office staff indicating that Ordinance No. 1327 was adopted by Council, adding provisions related to the maintenance of exteriors of buildings. Any reports, comments or known violations are to be forwarded to Nancy Watts, Code Enforcement Officer.

**COMMITTEE OF THE WHOLE MINUTES  
MARCH 10, 2015  
PAGE EIGHT**

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

The Borough Manager indicated that two resolutions are necessary for the Demolition Projects associated with 923 Dickson Road and 326 Sprott Way. The resolutions are regarding the financial requirements needed and establishing a blighted property. Council was in agreement to place the resolutions on the agenda for approval.

The Borough Manager reminded Council that the Green Street Parking Lot bid Opening is set for March 16, 2015 at which time bids will be opened, a tabulation made, and a report will be presented to Council at its March 16<sup>th</sup> Council Meeting.

The Borough Manager indicated that he is recommending an ordinance, establishing on-street permit parking. The location would be on Walnut Street, from Rose Alley to Bank Street. There are approximately 25 marked on-street parking spaces. There are no meters present there. With Council considering removing 11 existing parking spaces for the proposed Loading and Unloading Zones and a potential temporary loss of 55 Green Street Parking Lot spaces, it is recommended that an on-street permit parking be established. Signs would be placed designating the area of Permit Parking Area Only. It would be Monday through Friday, 8:00 a.m. to 6:00 p.m. The permit would be a monthly placard that must be placed on the dashboard by the owner of the vehicle with a suggested cost per month of \$35. Council was in agreement to pursue the drafting of an ordinance and requirements for the on-street parking.

The Borough Manager's Report was received and filed.

**ADJOURNMENT**

On motion of Mr. Rice, the Committee of the Whole Meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Kevin M. Flannery  
Borough Manager/Secretary

KMF:pmf