

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
OCTOBER 11, 2016

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, Sean Figley, Jeff Neff, Todd Renner, and Larry Rice. The others in attendance were Jennifer Markus, Alex Lancianese, Peter Floyd, Peter Friday, Tanya Goodman, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

COMMENTS FROM THE PUBLIC

Ms. Markus, of Explore Sewickley, provided an update highlighting work with DCED on the grant applications for Main Street. She indicated that the new restaurant, Bruneaux, opened on October 4th, the Grant Opening Party for One Village Square is on October 20th, GloBlow will have their Ribbon Cutting Ceremony on October 28th, and Barberry Handmade has moved into the old IDEAS space. In addition, the Chamber of Commerce has submitted a letter committing a \$5,000 pledge contribution for the new signage at the entrance of Sewickley, at Route 65 and Broad Street. Several Members of Council complimented Explore Sewickley on the Oktoberfest event.

Ms. Markus also indicated that they have raised \$8,750 for Light Up Night.

Council reviewed a letter from the restaurant, 424 Walnut, located on Walnut Street, requesting the use of two parking spaces in front of the restaurant on Fridays and Saturdays, from 4:30 pm until close. They would like to be able to provide a valet service, taking patrons' cars to an off-street lot. The Borough rents spaces for \$5.00 per day, and 424 Walnut is willing to pay \$40 per month, with a six month advance for the rental. The Borough Manager recommended approval based upon the fact that the normal metered parking timeframe is from 8:00 am to 5:00 pm, and the Borough would lose only a ½ hour of metered time each Friday. On motion of Mr. DeFazio, seconded by Mr. Renner, Council voted, 7-0-1, with Mr. Rice abstaining, as he is a member of St. Stephens Church, to approve the request for six months to use 2 parking spaces in front of 424 Walnut for valet parking on Fridays and Saturdays.

Peter Floyd, of 337 Bank Street, addressed Council regarding the 2016 Paving Project. He indicated that he is of the opinion that the alley off of Frederick Avenue to Elwick Street is truly a private alley, as it is only used by the properties adjacent to the alley. He questioned Council on paving the alley and for providing paving to the Parish Mansions parking lot, adjacent to the alley. He wanted to be sure that the taxpayers weren't footing the bill for the paving of a private lot.

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COMMENTS FROM THE PUBLIC (CONTINUED)

The Borough Manager indicated to Mr. Floyd that in preparation of the project back in mid-2015, Parish Mansions approached Council, and at the July 14, 2015 meeting, Council was in agreement to add the parking lot to the road project, conditioned upon Parish Mansions paying for the parking lot, including the cost of engineering. Final approval of the 2016 Road Project was at the August 17, 2015 Council Meeting. It was also agreed that this would help with the stormwater control on the parking lot, going onto the public alley and the adjoining streets. The Borough Manager indicated that the project was done, and the material costs were approximately \$5,549.72, and the Borough added a 7% engineering charge for a total cost of \$5,938.20. Parish Mansions has been billed for the project.

Mr. Floyd was then critical of the handicapped aprons placed off of the alley by Elwick Street. When he measured it, he believes it is off by an inch. The Borough Manager indicated that the walk-through was September 22nd, a check list was prepared, and the Borough is holding approximately \$100,000 of the contract until such time everything is correct. The Borough Manager indicated that he is meeting with the engineers to be sure that the handicapped ramps are installed correctly. Mr. Floyd then criticized Council that the alley is a private alley, used exclusively by Parish Mansions, and that the Borough should sell the alley. Council thanked him for his comment.

John Sebastian Valois, President of the Quaker Valley Council of Governments (QVCOG), and Susan G. Hockenberry, the Director of the Quaker Valley Council of Governments, made a presentation before Council on the new direction for the Quaker Valley Council of Governments. Ms. Hockenberry reviewed a presentation, outlining steps to build a consensus for goals and objectives for the QVCOG. Council was invited to take a survey with a link that was provided by the QVCOG, and all Members of Council were invited to the November 19th presentation by Rick Vilello, Executive Director of the Governor's Center for Local Government Services, DCED. The meeting will take place a 6:30 p.m. at the Emsworth Municipal Building. Mrs. Aleshire encouraged all Members of Council to attend.

Council reviewed a Handicapped Parking Recommendation from Chief Ersher, to place a handicapped space on Broad Street, near the Car Barn Shops. Council was in agreement to place a resolution on the agenda for adoption.

Peter Friday complimented Council on the vibrancy and new restaurants in Sewickley. He believes that there is now stability in the real estate market in Sewickley. He thanked Council for their support in his ongoing projects.

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COMMENTS FROM THE PUBLIC (CONTINUED)

Council addressed the request for final approval of the parking plan for 417 Thorn Street of Mr. Friday. Mr. Neff indicated that in a 2013 letter, it was stated that the use of the parking lot at the First Church of Christ Scientist of Sewickley was not permitted under the zoning ordinance at the time. Solicitor Tucker indicated that with changes to ordinances since that time, Council could approve that location for parking spaces for 417 Thorn Street. On motion of Mr. DeFazio, seconded by Mr. Driscoll, Council voted, 7-1, with Mr. Neff voting no, to approve the Parking Plan for 417 Thorn Street.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Mayor Jeffe complimented the Borough Administration, Borough Staff and all of the Department Heads for their work preparing for the October 1st Public Budget Meeting, in which the 2017 Budget was tentatively adopted.

Mayor Jeffe stated that the Sewickley Halloween Parade, sponsored by the Quaker Valley Rotary and the Borough of Sewickley, will be held on Saturday, October 29th, at 10:30 a.m. In addition, Halloween Trick or Treating will be held on Monday, October 31st, from 6:00 p.m. to 8:00 p.m.

Council President Susan Aleshire stated that the Heritage Valley Health System Turkey Trot will be on Thanksgiving Day, Thursday, November 24th, at 8:30 am at War Memorial Park.

Council President Aleshire announced that interviews for the Council Position in Ward II were held before the Council Meeting at 7:00 pm, and one candidate, Tanya Goodman, was interviewed for the position. On motion of Mr. DeFazio, seconded by Mr. Neff, Council voted, 8-0, to appoint Tanya Goodman, of 315 Henry Avenue, to Council for Ward II, with the term to expire December 31, 2017, with response received from Ms. Goodman by October 19th.

Council President Aleshire announced that an Executive Session was held on the Erick M. Murrer and Sherri C. Murrer v. Borough of Sewickley, GC-16-001719.

Council President Aleshire asked for a volunteer from Council for the Planning Commission Liaison position as the November 2nd meeting will be the last meeting for Mr. Renner.

Council President Aleshire also reminded everyone that the Pancake Breakfast, held by Sewickley Academy for police and fire services is on Saturday, October 22nd.

Mr. DeFazio indicated that he will not be in attendance at the October 17th meeting, as he will be on vacation. Mr. Figley indicated that he will not be at the October 17th meeting, as he has a three week Reserved Duty assignment outside of Sewickley.

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

Council reviewed the Building Inspector's Report, indicating that 10 permits were issued, with fees of \$1,538.00 collected on \$29,800.00 worth of construction. There were 30 building inspections performed.

On motion of Mr. Cornman, seconded by Mr. Driscoll, Council voted, 8-0, to approve the recommendation of the Historic Review Commission, to issue a Certificate of Appropriateness for 416 Thorn Street LP, Block and Lot No. 421-A-184, to erect a ground sign, as submitted.

Council reviewed the Public Works Report for September, highlighting the continuation of cleaning and organization of materials at the Glen Mitchell Storage Site, continued work on the Municipal Separate Storm Sewer System (MS4), cleaning and identifying catch basins in need of repair, assistance with the Harvest Festival, the installation of a handicapped parking spot approved by Council at Hill Street and Fountain Street, and the painting of crosswalks and yellow lines throughout the Borough.

Council reviewed the Wastewater Treatment Plant Report for September, indicating that 20.014 million gallons of sewage were treated. In addition, 450,969 cubic feet of digester gas was used. WesTec finished the dystor repairs to the bubble, trees were trimmed at the Wastewater Treatment Plant, and all equipment in the secondary building is now on plant water system; no city water is being used.

Council reviewed the Consulting Engineers Report, dated October 6, 2016. Councilperson Neff indicated that the sinkhole that developed last week was a result of bad performance of the contractor seven years ago; they did not properly cap a discontinued storm sewer. Stefanik Generation Contracting repaired the cap properly.

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 September, highlighting a letter from the Officer of the Auditor General, in agreement with Sewickley's letter, the Murrers' lawsuit, the demolition ordinance, and research on medical marijuana.

Council reviewed the Solicitor's Invoice in the amount of \$4,164.75.

Solicitor Tucker reviewed real estate tax assessment appeals for settlement and discontinuance.

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SOLICITOR'S REPORT (CONTINUED)

Council reviewed the Jordan Delinquent Real Estate Tax and Municipal Lien Claim Report of September 1, 2016, in the amount of \$3,914.56.

Council reviewed proposed Ordinance No. 1347, relating to the repair and removal of dangerous buildings, as well as the procedural guidelines. This ordinance has been advertised and is scheduled for adoption at the October 17th Council Meeting.

Council reviewed a letter from Attorney David Abrams, of Abrams Law Firm, regarding 418 Walnut Street. The Borough has prepared a response letter. It appears that Mr. Abrams thinks that the Village Theater is a Borough project and is pursuing a request for payment for roofing services at the project. The Borough indicated that the Borough is not the owner of the project, and that there are no bonds held by the Borough for this project other than the bonds for public improvements and the protection of Hoey's Run.

Solicitor advised that the attorneys for the Borough's insurance company have indicated that a settlement offer has been made regarding Erick M. Murrer and Sherri C. Murrer v. Borough of Sewickley lawsuit, Case No. GC-16-001719. The insurance company has indicated that they would like to settle the case for \$24,000, and that the Borough will not be seeking any reimbursements for the cost of the demolition and that the Borough has no interest in obtaining a deed for the land. The land will remain the property of Erik & Sherri Murrer. On motion of Mr. DeFazio, seconded by Mr. Renner, Council voted, 8-0, to instruct Solicitor Tucker to inform the insurance company and all parties that the Borough is willing to settle the case for the amount stated, and will not be seeking any reimbursement costs for demolition, nor will the Borough seek to have any interest in the deed of the land, and further, authorizes the appropriate officers of the Borough to take any actions necessary to settle the case.

The Solicitor's Report was received and filed.

BOROUGH MANAGER'S REPORT

Council reviewed a walkthrough report as of September 22, 2016. Several items have been completed since then. Lawn restoration, and sealing are complete, the detour construction signs and sandbags have been removed, as well as filters from catch basins. The other items are scheduled to be completed by the end of October.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager indicated that Duquesne Light did a walkthrough October 6 and 7 to verify all pole removals to date and to develop a schedule for the next 90 days for additional removals. There are several poles in town where the top 12 to 14 feet have been cut, which clearly indicates that all subs, such as Verizon and Comcast, have removed their wires from the poles. This has been ongoing since December of 2015. The Borough Manager indicated that within the next 90 days, if those poles are not removed, the Borough will move up the chain of command at Duquesne Light, including letters to the Pennsylvania Utility Commission.

The Borough Manager reviewed the McDonald Street/Maple Lane Storm Sewer Emergency Repairs Project, indicating that the installation of the pipe and the neighboring driveway has been completed, the apron for the driveway was poured on Monday, and the forms have been set from the driveway to the Wastewater Treatment Plant Pump Station. The Borough Manager indicated that he hopes that the final tally on the cost of the project will be ready for the November Committee of the Whole Meeting.

Borough Manager reviewed the Hoey's Run LLC Public Hearing for the Conditional Use and Land Development, which was held on Wednesday, October 5, 2016 before the Planning Commission. The result at the Planning Commission was to recommend to Sewickley Borough Council to approve the Conditional Use and Land Development for Hoey's Run, LLC for Block and Lot Nos. 508-N-229 and 508-N-257 in the C-1 Zoning District to construct two condominium buildings with the following 7 conditions:

1. Approval of Variance for a Loading Space/Governor's Drive by the Zoning Hearing Board
2. All Items Addressed in Letter from Lennon, Smith, Souleret Engineering, Inc., dated 10/4/16
3. Review of Geotechnical Report by Lennon, Smith, Souleret Engineering, Inc.
4. Only 1 Parking Space Eliminated on Blackburn Road
5. Receipt of Sewer Services Letter from Sewickley Borough
6. Receipt of Homeowner's Association By-Laws and other Related Documents
7. Receipt of As-Built Drawings in conformance with Allegheny County and Borough standards

The Borough has also received a letter from the applicant, asking for an extension of the Public Hearing to Monday, November 21, 2016, at 7:30 pm. The applicant is in agreement to pay any and all legal costs associated with re-advertising.

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BOROUGH MANAGER'S REPORT (CONTINUED)

On motion of Mr. Renner, seconded by Mr. Rice, Council voted, 8-0, to approve the request of the applicant, Hoey's Run, LLC, for the extension to Monday, November 21, 2016, at 7:30 pm, for a Public Hearing on the Conditional Use and Land Development Plan. The applicant will be responsible for all additional costs of advertising.

The Borough Manager advised that at the October 1st Budget Meeting, Sewickley Borough Council tentatively adopted the budget which has a .037% spending increase. This results in no additional real estate taxes for 2017. The millage rate remains the same at 6.25. It also provides for approximately \$230,000 of road work and \$206,000 for the Borough's 50% share of the grant to upgrade the 3 traffic signals on Route 65. The Sewer Fund Budget was tentatively adopted with a \$7.00 per month increase in capital debt fees and an 8% increase in usage fees. It should be noted that no increase of fees or debt occurred during the previous 7 years. Council reviewed the advertisements for the budget, and the tentative budget will be on display, with final adoption scheduled for Monday, November 21st. The Budget will be discussed at future Council Meetings until the time of adoption. In addition, by the end of October, a copy of the Budget Document will be placed in the Sewickley Public Library, and a notice will be provided on the Sewickley Borough Website and on the Sewickley TV Channels of Comcast 765 and Verizon 38.

Mon., Sept. 19 - 6:00 pm to 7:20 pm	Capital Requests from Department Heads
Sat., Oct. 1 - 7:00 am	Review of 2017 Budget Expenditures, Service Levels, Capital Programs & Revenues & Public Comment Anticipated Tentative Adoption of 2017 Budget
Mon., Oct. 17 - 7:30 pm	Review of Proposed 2017 Budget & Public Comment
Tues., Nov. 15 - 7:30 pm	Review of Proposed 2017 Budget & Public Comment
Mon., Nov. 21 - 7:30 pm	Scheduled Adoption of 2017 Budget

The Borough Manager indicated that the 2016 Budget calls for the purchase of a Ford truck for Public Works. The Borough Manager indicated that he had discussions with Ford Motor Credit and that the company is willing to provide the Borough with a 3-year loan payment for the ownership of the truck. The Borough Manager indicated that normally under the 2016 approval of the Budget, the truck would be bought under the state's Co-Star's Program, saving the money for advertising, however, because of it being a 3-year loan for the truck, the Borough Manager asked Council for a motion on the agenda to approve that financing for the purposes of the audit. Council was in agreement to place the motion on the agenda for Monday.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager advised that we have received a letter from the Tribune Review indicating that no Proof of Publications will be provided after November 1st, which is the date that the Tribune Review will no longer publish a newspaper. The Borough Manager indicated that the Borough will advertise the Budget, the proposed ordinances maintaining the millage at 6.25, and the sewer rate increases in the Sewickley Herald on October 20th and 27th, and will also advertise in the Pittsburgh Post-Gazette on November 4th and 11th. Due to this timing issue, it was felt that in the spirit of transparency, to advertise in both places. However, the Borough Manager asked for a motion to approve the Pittsburgh Post-Gazette as an official paper to advertise in due to the issue of the Pittsburgh Tribune Review not publishing a paper any longer. On motion of Mr. Rice, seconded by Mr. Renner, Council voted, 8-0, to approve the Pittsburgh Post-Gazette as one of the official papers to advertise in.

Council reviewed the following holidays for the Borough of Sewickley, per contractual obligations:

- Thursday, November 24, 2016 – Thanksgiving
- Friday, November 25, 2016 – Observance of Veterans Day
- Friday, December 23, 2016 – Observance of Christmas Eve
- Monday, December 26, 2016 – Observance of Christmas Day
- Friday, December 30, 2016 – Observance of New Year's Eve
- Monday, January 2, 2017 – Observance of New Year's Day

Please note that with Christmas Eve, Christmas Day, New Year's Eve and New Year's Day being on the weekends, the day before and the day after the event are considered holidays.

Council reviewed the schedule for Staff Performance Evaluations, indicating that review of the Borough Manager, handled by Mr. DeFazio, will take place at the November 15th Committee of the Whole Meeting Schedule; the Police Chief's review, to be handled by Mayor Jeffe, will take place at the December 13th Committee of the Whole Meeting; and the review of the Solicitor, to be handled by Council President Susan Aleshire, will take place at the January 10, 2017 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 Performance Evaluation. This will include comments from staff also.

Council reviewed 2 letters from Citizens Bank indicating that approximately \$737 is being returned to the Borough because of deposit discrepancies. This money has been put into the General Fund.

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BOROUGH MANAGER'S REPORT (CONTINUED)

The Borough Manager indicated that the Borough of Sewickley is participating in the Sustainable Pennsylvania Community Certification Program. This program ranks municipalities by way of Bronze, Silver, Gold or Platinum, as they are committed to sustainability and transparency in their communities. The resolution is a requirement of the program. It should be noted that this is one of the new requirements across the Commonwealth of Pennsylvania, and in particular, the Allegheny County Banner Community is asking all of its Banner Communities to participate.

Council reviewed the 2016 Foreign Fire Payment from the Commonwealth of Pennsylvania, which is a pass-through to the Cochran Hose Company, in the amount of \$32,168.65. This is determined by the population of the municipality, and 50% is determined by the market value of the real estate in the municipality compared to the state average.

Council reviewed the state allocation under the Act 205, Municipal Pension State Aid. The dollar amount received this year is \$148,737.97. This requires the Borough to deposit \$298,518.03 into the fund. It should be noted that the Borough is 100% in compliance with the Minimum Municipal Pension Obligation for 2016.

Council reviewed the proposed Allegheny County Ordinance for Stormwater Management. This is the County's proposed ordinance, scheduled to be adopted within the next couple of months. The Borough has forwarded a copy to the Members of Council, staff and the 2 engineering firms for their review and comments. Comments are to be provided by October 28th.

The Borough Manager's Report was received and filed.

ADJOURNMENT

On motion of Mr. Driscoll, the Committee of the Whole Meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf