

**BOROUGH OF SEWICKLEY**  
**COMMITTEE OF THE WHOLE MINUTES**  
**TUESDAY, APRIL 12, 2011**

President Robert Hague called the Committee of the Whole Meeting to order at 7:30 p.m. Members in attendance were Susan Aleshire, Bill Cornman, Charles Driscoll, Carole Ford, and Glenn Ford. Tom DeFazio and Stan Ference were absent due to personal reasons. Others in attendance were Terry Brennan, Kirsten Stripay and Jennifer Markus of Village Green, Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery.

President Robert Hague stated that public interviews were held before the Committee of the Whole Meeting with Patrick J. Keane, Mike Glenn and Andrew Klaber for the open Council seat in Ward II. In addition, on Monday, April 18, Council will interview Todd Renner for the Council position.

**COMMENTS FROM THE PUBLIC**

Council reviewed a Right-to-Know Request from Bill Pierce, asking for contract information for the Borough copiers. Borough Manager advised that Mr. Pierce is a sales person for a copy machine company.

On motion of Mr. Driscoll, seconded by Mr. Ford, Council voted, 6-0, to approve the Request of Sewickley United Methodist Church to use Thorn Street, from Broad Street to Walnut Street, on Saturday, August 13, 2011.

Council reviewed a letter from and to Mrs. Jane Theherne-Thomas regarding road repairs. The letter indicated that the Borough follows an approved schedule of road repairs, pursuant to rankings by the Borough Engineer, and is adhering to those rankings. Mrs. Theherne-Thomas indicated in her response letter that she was startled by the dollar amount needed to fix the roads, but is confident that the Borough will make the necessary repairs to Cochran Street within the next couple of years.

On motion of Mr. Ford, seconded by Mr. Driscoll, Council voted, 6-0, to approve the request of Dang Wilson to use Chadwick Street tennis courts, from 9:00 a.m. to 11:00 a.m., the week of July 18 through July 22, 2011.

Terry Brennan, of Chadwick Street, complimented the Borough staff and the Public Works Department for their outstanding efforts with snow and ice removal this winter.

Kirsten Stripay and Jennifer Markus, of Village Green, provided an update on the efforts with the Borough of Sewickley Business District. They worked out the placement of banners on twenty poles on Broad Street and Beaver Street. Exploresewickley.com and sewickleyspace.com will be operational as of the week of May 9, 2011. Ms. Stripay indicated that the Building Owners Meeting is Thursday, April 14<sup>th</sup>, at 9:00 a.m., in the library.

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

Mayor Jeffe reviewed the Memorial Day Parade Committee Meeting Minutes. The Memorial Day Weekend events are scheduled for May 27 through May 30, 2011.

Mayor Jeffe wished to thank the K-9 Committee on a very successful paddle tennis tournament that was held recently at the Edgeworth Club.

Mayor Jeffe also indicated that the Gallery Walk is scheduled for April 29<sup>th</sup>, May Mart is on May 7<sup>th</sup>, and Sewickley Unleashed will be held the following Saturday, on May 14<sup>th</sup>.

Council President Hague announced that there would be an Executive Session at the conclusion of tonight's meeting regarding personnel matters.

President Hague indicated that the Quaker Valley Council of Governments Recycling Day will be held on Saturday, May 7, 2011 at the Sewickley Municipal Building entrance on Washington Street. President Hague also indicated that May Mart is also scheduled for Saturday, May 7.

Borough Manager Kevin M. Flannery reviewed the information on the Management Discussion and Analysis, pursuant to the 2010 Borough of Sewickley Audit, indicating:

- The February 2010 Winter Storm caused several increases in expenses:
  - \$45,237.77 additional costs for snow and ice materials
  - \$35,739.46 additional costs for snow clearing and removal
  - \$24,201.70 additional costs for outside equipment and services to clear snow
  - \$23,896.92 additional costs for tree removals and trimming due to impact of snow

Total costs for the February 2010 Winter Storm was \$129,075.85 minus a FEMA/PEMA Grant of \$24,603.89. Net additional cost to Borough is \$104,471.96.

- Costs associated with the Aleppo Sewickley Osborne (ASO) Joint Zoning Ordinance were \$11,520 higher than budgeted.
- Costs associated with review and audit of the Borough of Sewickley Zoning Ordinance were \$90,365 higher than budgeted.
- Gasoline costs were \$12,000 higher than budget due to increases in costs of oil.

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

- The Borough of Sewickley continued to coordinate and pay for the Sewickley Valley Rivers Conservation and Management Project. The project addresses storm water issues in the fifteen communities surrounding Sewickley. The Borough was awarded a \$160,000 grant for the project which was cancelled by Pennsylvania agencies due to the budget crisis. The project was completed in December 2010.
- The Borough of Sewickley continued to complete the Dewatering Building and Headworks Project at the Wastewater Treatment Plant. The \$5,507,768.00 project is scheduled to be completed by July 1, 2011.
- The Borough of Sewickley was able to complete sewer service agreements with the Borough of Glen Osborne for a new interconnect and the Township of Aleppo to provide sewer services. This will allow for growth of customers for sewer services.
- The Borough of Sewickley completed ACT 537 Plans for the Borough of Glenfield and Haysville at a cost of \$53,149.50. However, the PA DEP Program for reimbursement of ACT 537 plans was cancelled.
- The Borough of Sewickley initialed an aggressive program for the collection of delinquent real estate program which produced \$123,425 in additional revenues.
- Earned income taxes exceeded budget by \$7,000; however, Business Privilege Tax receipts were down \$90,000 or 55%.
- The road infrastructure continues to be a concern in that the Borough of Sewickley is allocating \$600,000 per year for road improvements and is not at the Engineer's recommended annual level of \$1.2 million.

Borough Manager indicated that this is a requirement of the Governmental Accounting Standards Board (GASB).

Borough Manager indicated that the 2010 Municipal Annual Audit and Financial Report (GASB), required for the Department of Community and Economic Development, was forwarded to Allegheny County and to the Commonwealth of Pennsylvania as of March 31, 2011. The GASB Report, as reviewed, is a more detailed report, showing true accrual accounting. Auditor Kim Turnley expressed that the Borough of Sewickley conforms to the GASB requirements and is to be commended for completing this type of reporting.

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

Kim Turnley reviewed several of the exhibits, indicating that the fund balance in the General Fund went down approximately \$218,000, related to cost overruns with the snow storm in February, the increased cost to complete the zoning audit and ordinance, and monies to a Capital Reserve Account to complete the Rivers Conservation Plan. Mrs. Turnley also indicated that pursuant to discussions with the Borough Manger, it is very clear that the Borough of Sewickley, through the last nine years, has worked and completed numerous regional projects. Some of these projects did not receive the necessary reimbursements from the individual communities and from the Commonwealth of Pennsylvania, as funding was removed from the Pennsylvania Budget and its agencies.

Borough Manger reviewed a chart indicating that in the last nine years, the Borough of Sewickley has utilized \$824,000 of monies generated in Sewickley Borough to advance regional topics. These include the Leaf Compositing Facility, Visioning Study, Rivers Conservation, parks, sewer services and zoning regulations. Very clearly, the Borough Manager stressed that the Borough officials should be complimented in the leadership roles that they have completed; however, it is time over the next year or two to take a back seat and allow the reserves to grow in the Borough's Reserve Accounts. Borough Manager indicated further that in review of the history of the Borough's financial statements, very clearly, in the mid-1980's, Council utilized reserves (as well as not putting money in the road program) to fight the expansion at St. Stephen's Church; that cost was approximately \$400,000.

In the very late 1990's, the reserves were, once again, very high and Council successfully fought Verizon to have the Sewickley phone numbers included in the Pittsburgh Phone Book. That cost to the Borough of Sewickley was in excess of \$260,000. In 2002, the next initiative was to take a leadership role in providing services in order to see if there could be efficiencies and effectiveness created through a regional approach. Borough Manager strongly recommended that any future joint initiatives be reviewed regarding the cost, equal participation by municipalities, and if there was a potential for any funding, whether a state grant or private foundation grant, and that the necessary funds are borrowed in order that the projects can be successfully completed. In addition, future projects should have a detailed financial cost analysis which would include the benefit to be received and an expected rate of return by money, program, effectiveness, efficiency and time. As a review of the history is indicated, the majority of these projects take multiple years, and there is a tendency to forget about a multiple year project.

Borough Auditor Kim Turnley indicated to Council that after this initial presentation and a review, a finalized audit will be prepared. The Borough Manager asked that all comments be forwarded to the Borough Manager's Office by the end of April in order that the final audit could be accepted, received and filed at the May 16<sup>th</sup> Council Meeting.

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

Council reviewed the Building Inspector's Report, indicating that nine (9) permits were issued in March, with permit fees of \$4,264.00 on \$297,422 worth of construction. Seventeen (17) building inspections were performed, and two (2) property maintenance inspections were performed.

Council reviewed the Public Works Report for March, highlighting leaf collection, the preparation of the parks for spring and summer, and repairs to the leaf machine and street sweeper. In addition, the catch basin on Beaver Street and Academy Avenue was repaired. All meters were lubed and timed, preparing for the 2011 inspection. Every three years, Allegheny County Bureau of Weights and Measures inspects all of the parking meters.

Council reviewed the Wastewater Treatment Plant Report for March, indicating that 38.480 million gallons of sewage were treated, and 0 cubic feet of digester gas was used, which is due to the renovation project. The Headworks and Dewatering Facility Project is on schedule and the replacement of the Dystor and cleaning of the tank will be completed in conjunction with the project by June 30, 2011.

Council reviewed the Consulting Engineer's Report for the month of March, indicating that the Borough is waiting for the Part 2 Construction Permit from DEP for the Glen Osborne Interconnect Project. This permit has been sitting on someone's desk for over four weeks. Borough Manager is to contact State Senator John Pippy and State Representative Mark Mustio for assistance in obtaining this permit.

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

**SOLICITOR'S REPORT**

Council reviewed the Solicitor's Report for March, highlighting the bond issue, Officer Dizak, health insurance, health savings accounts, the Quaker Valley School District Developer's Agreement, a release for the Sewickley Unleashed and legislation for the enactment of the health insurance buy-out.

Council reviewed the Solicitor's Invoice for the month of March in the amount of \$3,988.58.

Solicitor Tucker reviewed an ordinance pertaining to the establishment of an IRS Section 125 Cafeteria Plan. This is to meet the necessary requirements in order that medical benefits are not taxed.

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**SOLICITOR'S REPORT (CONTINUED)**

Council reviewed tax assessment appeals for the month. In addition, the Jordan Tax Service Delinquent Tax Report for March 2011 indicated that \$11,562.23 was collected.

Council reviewed the postponement of a Sheriff's Sale for Block and Lot No. 421-C-319, at 14 Dickson Road.

Borough Solicitor indicated that MCM Ventures, Ltd. versus the Zoning Hearing Board of the Borough of Sewickley, No. S.A. 10-1222, indicated that Judge James has issued an Opinion and Order of Court to quash the appeals of Mike Lyons and Cliff Krey.

Solicitor Tucker indicated that a preliminary conversation with MCM Ventures indicated that MCM Ventures is in the process of determining that a bond would be required if any further appeals were filed.

The Solicitor's Report was received and filed.

**BOROUGH MANAGER'S REPORT**

Borough Manager indicated that the 2011 Road Project will be completed by August 21, 2011. The change in schedule is due to assisting Columbia Gas with their installation of a new line on Beaver Street, from Academy Avenue to, approximately, Blackburn Road.

Council reviewed information on the Gallery Walk, scheduled for Friday, April 29<sup>th</sup> and Saturday, April 30<sup>th</sup>. In addition, Council reviewed preliminary information for Sewickley Unleashed, which is scheduled for Saturday, May 14, from 10:00 a.m. until, approximately, 5:00 p.m. Sewickley Unleashed has been able to obtain prime sponsorships from four radio stations and one television station. A crowd of over 7,000 people is expected.

Borough Manager requested the exercise of the First Option on the Rock Salt Contract. Council was in agreement to place the matter on the agenda for the April 18, 2011 Council Meeting.

Council reviewed a picture indicating that the plaque for the Walnut Street Landing and the Chestnut Street Boat Launch Projects, commonly known as the Riverfront Park Phase III Project, has been installed. This completes all necessary requirements of the grant.

Borough Manager reviewed a lien request for Beaver Hall Associates, indicating that \$4,798.12 was due the Borough for the lien filed on the properties related to the installation of a sidewalk at the property by the Borough.

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

Council reviewed a notice from PennDOT regarding the 2011 Liquid Fuels payment. The payment, in the amount of \$83,144.42, was deposited into the Liquid Fuels Account.

Borough Manager reviewed a letter to Kurt Dizak, a former employee in the Borough of Sewickley Police Department, reaffirming the decision of Council in April 2010, to terminate Mr. Dizak from the Borough of Sewickley Police Department. Mr. Dizak had a pending Workers' Compensation Benefit Hearing on the case, and on March 31, the Workers' Compensation Judge approved the agreement. Borough Manager then forwarded a letter to Kurt Dizak, indicating that all benefits from the Borough of Sewickley will cease as of April 30, 2011. The necessary continuation of benefits forms (COBRA) have been forwarded to Mr. Dizak. In addition, the letter indicated that Mr. Dizak was due \$41,073.52 (minus any outstanding healthcare contributions due from the employee) for various benefits associated with the Employment Contract.

Council reviewed a report from Simplex Grinnell Fire Safety System. There is approximately \$1,100 of repairs necessary in the Borough Building which will be completed by the end of April.

Borough Manager presented recommended changes regarding patch repairs associated with brick, concrete and asphalt roads. Council was in agreement to have the Road Engineer prepare an ordinance establishing the standard for Borough of Sewickley Road Repair. The proposed ordinance will be reviewed at the May 10<sup>th</sup> Committee of the Whole Meeting.

Borough Manager commented on the Money Manager GPS Online Banking System that was recently installed in the Borough Manager's Office. The system alerts the Borough staff of any ACH payment scheduled to be drawn out of Borough accounts, and before being released from the accounts, approval must be given. As an example, Borough Manager stated to Council that on March 28 all of the refinancing of the bonds of Borough loans and general obligation bonds were completed; however, on April 1, the bank sent an ACH alert to the Borough requesting approval for the withdrawal of the bank loan payments. The Borough was able to deny the transactions.

Borough Manager presented a check in the amount of \$7,305.77 from Municipal Risk Management as a 2009 dividend from the Property and Liability insurance. He also presented a check in the amount of \$6,209.27 from Municipal Risk Management as a 2009 dividend from the Workers' Compensation Pooled Trust. Council was in agreement with Borough Manager's recommendation to place funds in Capital Reserve No. 3.

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The Borough Manager's report was received and filed.

**EXECUTIVE SESSION**

Council went into Executive Session at 9:16 p.m. regarding labor contract matters. The Executive Session concluded at 9:53 p.m.

**ADJOURNMENT**

On motion of Mr. Driscoll, seconded by Mr. Cornman, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Kevin M. Flannery  
Borough Manager/Secretary

KMF:pmf