

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, JANUARY 11, 2011

President Robert Hague called the Committee of the Whole Meeting to order at 7:30 p.m. and wished everyone a Happy New Year. Members in attendance were Susan Aleshire, Bill Cornman, Tom DeFazio, Stan Ference, Carole Ford, and Glenn Ford. Dean Williams was absent due to illness, and Charles Driscoll was absent due to work. Others in attendance were Solicitor Richard Tucker, Borough Manager Kevin M. Flannery, Kirsten Stripay and Jennifer Markus of Village Green, Cindy Joseph and Jeremiah Jackson from Sewickley Academy, and Larissa Dudkiewicz of patch.com. Mayor Brian Jeffe was absent due to work.

COMMENTS FROM THE PUBLIC

Cindy Joseph and Jeremiah Jackson, representatives from Sewickley Academy, presented a check to Council in appreciation for public safety services, in the amount of \$362.50. This donation is from the third annual Community Breakfast held in November, with proceeds benefiting public safety services in the Borough of Sewickley and the Borough of Edgeworth.

Council applauded and thanked Ms. Joseph and Mr. Jackson for their efforts.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Council President Hague indicated that Mayor Jeffe would like to have evaluations and feedback forwarded to him for the Police Chief review to be held on Monday, January 17th.

President Hague announced that an Executive Session was held at the December 1, 2010 Special Council Meeting regarding litigation matters on the MCM Ventures lawsuit.

President Hague announced that an Executive Session will be held at the conclusion of tonight's Committee of the Whole Meeting regarding personnel matters.

President Hague announced that the annual Council Retreat will be held on Monday, January 31, 2011 at the Edgeworth Club, beginning at 5:30 p.m.

Mr. Meyer from Guyasuta Investments, Inc. provided Council with a pension update

Mrs. Ford indicated that the Allegheny County Boroughs Association Dinner is on Saturday, February 5, 2011.

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

Council reviewed the Building Inspector's Report, indicating that seven (7) building permits were issued in December, with permit fees of \$3,574.00 collected on \$287,381.00 of construction costs. Thirteen (13) building inspections were performed, and two (2) property maintenance inspections were conducted.

Council reviewed the Public Works Report for December, highlighting the completion of leaf pickup, numerous snow removal days, and assistance with Yuletide in Sewickley, LightFest and Santa Parade activities.

Council reviewed the Wastewater Treatment Plant Report for December, indicating that 20.311 million gallons of sewage were treated, and 0 cubic feet of digester gas was used; this is due to the renovation project. The Dewatering and Headworks Project is on schedule. There was an electrical issue on Thursday, December 23rd; a transformer was on fire and knocked out electricity to the plant. The issue is being reviewed with Duquesne Light.

Council reviewed a letter from Allegheny Health Department regarding an inspection of the Sewickley Borough Pump Stations, indicating that they were found to be in compliance with the applicable regulations and permits. There were recommendations for the stations and procedures which were reviewed with plant personnel.

In addition, Borough Manager announced, and Council reviewed, the official Pennsylvania Department of Environmental Protection NPDES Permit No. PA 0020681, which was issued to the Borough of Sewickley, and is good from February 1, 2011 to January 31, 2016. Borough Manager commented that the permit process began approximately eight years ago.

Council reviewed the Consulting Engineer's Report for the month of December, indicating that the Glen Osborne agreement has been signed. The DEP Construction Permit is being issued by DEP. The intent is to bid the Interconnect Project in February. KLH Engineers is reviewing all the options for the replacement of the dyster lid at the Wastewater Treatment Plant.

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

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SOLICITOR'S REPORT

Council reviewed the Solicitor's Report for December, highlighting the spot zoning challenge, the sewer service agreements with Glen Osborne and Aleppo, the 2010 bond issue, pension plan compliance, the Village Green Agreement, and the Tax and Revenue Anticipation Note.

Council reviewed the Solicitor's Invoice for the month of December in the amount of \$9,813.29.

Several Members of Council asked if there could be an ongoing tracking of Zoning Hearing Board expenses in the upcoming months related to the Country Inn property. Solicitor Tucker advised Council that an additional appeal has been filed with Commonwealth Court by Krey and Lyons vs. the Zoning Hearing Board of the Borough of Sewickley and the Country Inn.

Solicitor Tucker reviewed a proposed ordinance, which has been advertised, for the adoption of a Sewer Service Agreement with the Township of Aleppo. Council also reviewed an Easement Agreement for the property owned by the Borough of Sewickley on Glen Mitchell Road. This property has been commonly used as a dumpsite by the Borough over the years and the easement will allow Aleppo Township to construct a sewer pipe on the property. Council was in agreement to place both matters on the agenda for the Council Meeting on January 17, 2011.

Solicitor Tucker reviewed the Village Green Agreement. Kirsten Stripay and Jennifer Markus, of Village Green, were in attendance and indicated that the agreement is satisfactory and that they will be providing the Borough with the necessary insurance certificates.

Council reviewed Ordinance No. 1290 which establishes an Intergovernmental Cooperation Agreement with the Borough of Glen Osborne and approves a First Addendum to the Sanitary Sewer Agreement with the Borough of Glen Osborne. The Borough of Glen Osborne adopted and approved the First Addendum at their Council Meeting in December of 2010. On motion of Mrs. Ford, seconded by Mr. DeFazio, Council voted, 7-0, to adopt Ordinance No. 1290, establishing an Intergovernmental Cooperation Agreement with the Borough of Glen Osborne, and approving the First Addendum to the Sanitary Sewer Agreement.

Council reviewed assessment appeals and the Jordan Tax Service Delinquent Tax Report. Borough Manager indicated that Mr. Williams and Mr. Ference will be meeting with Jordan Tax Services on Tuesday, January 18, at 9:30 a.m., in the Municipal Building.

The Solicitor's Report was received and filed.

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BOROUGH MANAGER'S REPORT

Borough Manager provided a list of the municipal lien letters issued in 2010 and a five-year comparison. In 2010, 107 lien letters were issued, which is down from 2009.

Council reviewed the Act 44 compliance forms submitted by Hallett Associates, Inc., Ameriserv and Guyasuta Investments, as the provider of services associated with the Borough of Sewickley Pension Plans.

Council reviewed the closing documents related to Borough of Sewickley Resolution No. 2010-014, the Tax and Revenue Anticipation Note, which was completed with the Sewickley Water Authority.

Borough Manager reviewed the bond financing, scheduled for adoption by Council. Borough Manager indicated that since Monday, January 17th is a legal holiday, Wall Street would be closed. It is recommended that Borough Council schedule a special meeting to take care of the adoption of the ordinance for the refinancing of the existing bonds and bank loans, as well as funds to complete and pay off the PENNVEST loan, and to finance the Glen Osborne Interconnect Project. Total bond financing is \$12,430,000. Council was in agreement to schedule the meeting on Monday, January 24th, at 5:00 p.m. At least two Members of Council indicated that they will participate by phone.

Council reviewed the Executive Summary for the Sewickley Rivers Conservation and Management Draft Plan, which was presented to the public at a meeting held on Monday, January 11th at the Edgeworth Municipal Building. Only five people were in attendance. A copy of the draft plan has been forwarded to all municipalities, with all comments due back by February 11th in order that the final plan may be prepared and forwarded to DCNR.

Council reviewed the agreement for Earned Income Tax collections with Keystone Collections. This is in compliance with the new earned income tax law which takes affect January 1, 2012. Currently, an implementation plan is being developed with Keystone Collections in order to advise all businesses and individuals of the new requirements to go into effect.

A draft Zoning Ordinance was provided to the Planning Commission and Council in mid-December of 2010. Council has asked that the draft be reviewed and finalized for public review by the end of March. The Planning Commission has scheduled a Special Meeting for Saturday, January 22, 2011, from 9:00 a.m. to 12:00 p.m., to review the ordinance.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Borough Manager advised that the Performance Bond has been provided by Waste Management for garbage and recycling services; this is an annual requirement of the contract. Council reviewed the 2011 Waste Management Calendar. Borough Manager indicated that this has been posted on the website. Mrs. Ford indicated that the calendar mailed to individual homes by Waste Management has an incorrect time listed for garbage pick-up. Manager indicated that Waste Management will be contacted regarding the time discrepancy and that the website has the correct time.

Council reviewed an Allegheny County Election Certification for the Borough of Sewickley. There are four Council seats and three constable seats open for the primary election in 2011. In addition, a 2-year term for Real Estate Tax Collector will also be on the ballot. This document will be signed by the Solicitor and Borough Manager and forwarded to the Allegheny County Elections Bureau.

Borough Manager advised that the Conditional Use Hearing for a Pilates Studio at 441 Division Street has been advertised for January 17, 2011. The Planning Commission recommended approval of the Conditional Use at its January 5, 2011 meeting.

Borough Manager advised that interviews are scheduled for Monday, January 17th. David Saint-Jacques is scheduled at 7:05 p.m. for an interview for a position on the Planning Commission. At 7:15 p.m., Rob Lavery is scheduled for an interview for a position on the Zoning Hearing Board.

Borough Manager also commented that after the December 20, 2010 Council Meeting, an article appeared in the Sewickley Herald indicating comments by the Borough Manager related to the Quaker Valley Middle School Land Development. The comments were taken from a Planning Commission Meeting, in which the Borough Manager was having a discussion with Members of the Planning Commission, and were not applicable to the Public Hearing that was before Council on December 20, 2010. Borough Manager indicated that a request for clarification has been forwarded to the Sewickley Herald, but a response has not been received as of this date. The Manager would like the matter included in the minutes so that there are no issues or differences between the decision, the Borough Manager's office and staff.

The Borough Manager's report was received and filed.

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EXECUTIVE SESSION

Council went into Executive Session for personnel matters at 9:05 p.m. The Executive Session concluded at 9:45 p.m.

ADJOURNMENT

On motion of Mr. Ference, seconded by Mr. DeFazio, the Committee of the Whole Meeting was adjourned at 9:47 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf