

BOROUGH OF SEWICKLEY
COMMITTEE OF THE WHOLE MINUTES
TUESDAY, MARCH 15, 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, Glenn Ford and Stan Ference. Tom DeFazio was absent due to personal reasons. Others in attendance were Mayor Brian Jeffe, Solicitor Richard Tucker, and Borough Manager Kevin M. Flannery. Jennifer Markus, of Village Green, Molly Amsler, and Larissa Dudkiewicz of patch.com were also in attendance.

President Robert Hague asked for a Moment of Silence on the passing this day of Councilman Dean Williams. President Hague expressed, on behalf of all Members, condolences for Mr. Williams' wife and family, and expressed that Mr. Williams' contributions to the Borough were many and very valuable.

COMMENTS FROM THE PUBLIC

Council reviewed two letters from the Quaker Valley Recreation Association requesting to use War Memorial Park and Chadwick Street Field in 2011.

Council was in agreement to place a motion, granting approval to the Quaker Valley Recreation Association, on the March 21st Council Agenda.

Council reviewed a letter to Party Ants, on Broad Street, approving a request to use the gazebo in Wolcott Park on Saturday, April 9 and Saturday, April 16.

Council reviewed a letter from Jim Maloney, of Broad Street, complimenting the Borough staff and the Public Works Department for outstanding efforts with snow and ice removal this winter.

COMMENTS FROM THE PRESIDENT/MEMBERS/MAYOR

Council President Hague announced that there would be an Executive Session at the conclusion of tonight's meeting for labor litigation and land matters.

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

Council reviewed the Building Inspector's Report, indicating that seven (7) permits were issued in January, with permit fees of \$3,500.00 on \$286,000 worth of construction. Seventeen (17) building inspections were performed, and three (3) property maintenance inspections were performed.

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

Council reviewed a memo regarding a Building Permit for the property at 507 Beaver Street. It appears that the plans were completed by the property owner and were approved by the third party review, Code.sys, in April, 2010. The plans were never submitted to the Borough. They have since been submitted and a permit has been issued.

Council reviewed a letter to David Challis, thanking him for forwarding a half payment for services rendered in November 2010 for the removal of fire and public health hazards at 604 Ohio River Blvd. The letter also indicated that the remaining balance is due by May 3, 2011. Borough Manager complimented Nancy Watts, Code Enforcement Officer, Chief Jeff Neff, Chief James Ersher and the office staff for working with the property owner's family on this issue.

Council reviewed Zoning Hearing Board Decision No. 11-01, approving a variance for 624 Grimes Street.

Council reviewed the Public Works Report for February, highlighting several days of snow removal, the patching of streets, the sweeping of the Sewickley Bridge, and several days of cleaning out Hoey's Run at War Memorial Park. In addition, the Public Works Department has begun the lubing and timing of the parking meters. The meters were last inspected by Allegheny County Weights and Measures in 2008, and are to be inspected every three years. We are preparing for the 2011 inspection.

Council reviewed the Wastewater Treatment Plant Report for February, indicating that 24.485 million gallons of sewage were treated, and 0 cubic feet of digester gas was used, which is due to the renovation project. Wastewater Treatment Plant personnel cleaned a section of the main sewer line on Beaver Street, between Cochran Street and Nevin Avenue, and assisted in repairs on Crescent Avenue.

Council reviewed the Consulting Engineer's Report for the month of February, indicating that the stream crossing permit has been received for the Glen Osborne Interconnect Project, and the Part 2 Construction Permit will be issued within the next two weeks. The Headworks and Dewatering Projects are on schedule. The start up of the new grit unit is anticipated for April, with all work to be completed by June. KLH also advised that Westech has begun production of the new digester cover.

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 February, highlighting the spot zoning challenge, the 2010 bond issue, Officer Dizak, and digester repairs.

Council reviewed the Solicitor's Invoice for the month of February in the amount of \$7,038.25.

Council reviewed Decision on MCM Ventures, Ltd. versus the Zoning Hearing Board of the Borough of Sewickley No. S.A. 10-122, indicating that Judge James has denied Mr. Lyon's Motion to Reconsider. Solicitor Tucker was asked and advised Council that the next step would be a decision on the merits of MCM Ventures appeal to quash the spot zoning challenges.

Council reviewed a letter indicated that Birchmere Investments, Inc., a Pennsylvania Business Corporation, with a registered office at 321 Grant Street, was getting a notice of voluntary dissolution.

Council reviewed a Notice of Sheriff's Sale for 360 Backbone Road.

Council reviewed Delinquent Real Estate Tax Report for January, indicated \$37,782.24 was received in delinquent taxes.

Council reviewed a Legal Cost Chart, highlighting outstanding cases and costs associated with them.

The Solicitor's Report was received and filed.

BOROUGH MANAGER'S REPORT

Council reviewed a letter from the Pennsylvania Department of Conservation and Natural Resources regarding Sewickley River Conservation and Management Plan. A resolution is necessary to complete the project. In addition, Council reviewed a request for payment, due to the Borough of Sewickley. Council was in agreement to place the resolution on the March 21st Council Agenda.

Borough Manager advised that on March 2, the bond closing was completed and monies have been deposited into an interest bearing account with M & T Bank. It is anticipated that the Part 2 Construction Permit will be issued within the next two weeks. The drawings are being reviewed and mapped out for any easement issues. It is our intention to bid the project in April and award the project no later than the end of May in order for the Glen Osborne Interconnect Project to begin.

Borough Manager advised that the 2011 Road Project Meeting for residents was held on Thursday, March 3. There were nineteen people in attendance.

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BOROUGH MANAGER'S REPORT (CONTINUED)

A review of the roads was conducted. Council also reviewed the utility meeting minutes. Several Members of Council asked the Borough Manager to contact Columbia Gas in order for them to reconsider replacing their line on Beaver Street due to the fact that they have made well over twenty utility cuts on Beaver Street and the pipe needs to be replaced. It is anticipated that the project would be bid in April in order that Council can award the job by the May 16th Council Meeting.

Borough Manager advised that the 2011 Real Estate Tax Bills were sent out. In addition, Council reviewed the Allegheny County's Senior Citizens Tax Relief Program for 2011, which is administered through the office of Mr. Weinstein, Allegheny County Treasurer.

Council reviewed a proposed Cable Franchise Agreement. The significant changes are:

- A. New agreement allows for free internet service (subject to Comcast's parameters) whereas the old agreement does not (based on Comcast's policy at the time).
- B. New agreement allows for a one-time cash grant (subject to Comcast's parameters) whereas the old agreement does not (based on Comcast's policy at the time).
- C. New agreement contains various franchise fee "protection" provisions (i.e. as regards service bundling and MDU subscribers) that have evolved over the years and, therefore, are not in the old agreement.
- D. New agreement contains various improved provisions covering both economic and non-economic items, largely attributable to various developments over the years.

Council was in agreement to have Cohen Law Group forward the proposed Cable Franchise Agreement to Comcast in order to schedule an initial meeting and discussion of the contract can begin.

Borough Manager reviewed the Pennsylvania League of Cities and Municipalities Scholarship Program for high school students. The information has been forwarded to Sewickley Academy and the Quaker Valley School District in hopes that the students would participate.

Council reviewed a draft of the Quaker Valley School District Developer's Agreement. Council was in agreement to place the matter on the agenda for the Monday, March 21, 2011 Council Meeting.

Borough Manager advised that the Quaker Valley Council of Governments (QVCOG) Recycling Day is scheduled for Saturday, May 7 and this year will be hosted by Sewickley again. The collection area will be behind the Public Works garage on Washington Street, from 9:00 a.m. to 12:00 noon.

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BOROUGH MANAGER'S REPORT (CONTINUED)

Borough Manager advised that the government PEG-TV station has been up and running on both Comcast and Verizon for approximately 6 months. Part of the plan after it was initially up was to offer sponsorships (Community Spotlights) in order to reduce our costs. Innermedia, the company that hosts the PEG Channel, charges the Borough \$499 monthly. In addition, Innermedia will charge the Borough \$49.00 a month per sponsorship; therefore, the Borough Manager recommends charging \$75.00 for community non-profit sponsorships and \$100.00 per month for commercial sponsorships for businesses. Sponsorships would run every fifteen minutes, equaling 2,880 exposures per month. Borough Manager highlighted that if we had just 6 sponsorships in each category per month, we would be very close to being cost neutral for this service. Council was in agreement to place the matter on the March 21st Council Agenda.

Borough Manager reported that Mayor Jeffe and Police Chief Ersher met with the Civil Service Commission Attorney and reviewed the new law enacted in October 2010, and are preparing the changes necessary for the Borough of Sewickley Civil Service Commission Rules and Regulations. It is anticipated that the changes can be completed by the first week of April. They will be forwarded to the Borough Solicitor as well as the Civil Service Commission. It is anticipated that the Civil Service Commission can meet in May and agree to formally recommend to Council the adoption of these rules by ordinance. Council would then be able to advertise a motion at their June meeting, with adoption in July. This would allow the Borough to be in a position to establish an eligibility list for police officers in accordance with the new rules by the end of 2011.

Borough Manager also provided Council with a notice to all employees regarding gasoline usage. With the increase in the cost of fuel, all employees were asked to monitor fuel use.

The Borough Manager's report was received and filed.

EXECUTIVE SESSION

Council went into Executive Session at 8:10 p.m. to discuss labor litigation and land matters. The Executive Session concluded at 8:45 p.m.

ADJOURNMENT

On motion of Mr. Cornman, seconded by Mr. Ference, the meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Kevin M. Flannery
Borough Manager/Secretary

KMF:pmf