

**SEWICKLEY HILLS BOROUGH**  
**Tuesday, July 14, 2015 Council Work Meeting**

**CALL TO ORDER:** Mrs. Phillips called the meeting to order with the Pledge of Allegiance at 7:30 p.m. at the Sewickley Hills Borough Municipal Building, located at 349 Magee Road, Sewickley, PA 15143-9117.

**PRESENT:** Cindy Phillips, Jack Faulkner, Randy Newman, Natasha Brandenburg, Mayor Malarik, Solicitor Art Leonard, Engineer Emile Ketterer, Treasurer Wayne Hyjek, and Assistant Secretary Betsy Rengers.

**MEMBERS ABSENT:** Chris Cox

**CITIZENS ATTENDED:** Craig Rowland, Joe Hajnas, Jr., Joe Hajnas, Sr., Sergeant Beck, Tom Klixbull, Hunter Wolz, Lucy Guttendorf, Allen Dufala, Don Fogel and Paul Coury.

**CITIZEN COMMENTS:** **Hunt Road Grant Process:** Mr. Rowland submitted to Council a letter regarding pursuing a potential grant with Sewickley Heights and Bell Acres to rebuild all 4100 feet of Hunt Road with 80% reimbursement through the ACCD to protect the high quality water shed of Little Sewickley Creek that borders Hunt Road. If we prequalify, work would begin in 2016. Mayor Malarik attended a two day course last month in Penn State which was required for grant participation. Council will need to follow up with a letter by Council to Jeff Leindecker, Program Coordinator and Bill Rohr of Sewickley Heights to express our interest in participation.

**Tar and Chip Program:** Sewickley Heights participates in a Smart Road Program which has been a success. Road maintenance costs have dropped by 30%. Mr. Rowland requests that Engineer Ketterer meet with Sewickley Heights representatives to compare and contrast this program with our current road program and bring the findings to Council.

Council thanks Mayor Malarik for his attendance at the two day seminar.

**MOTION: Mr. Faulkner made a motion to authorize NIRA to meet with Sewickley Heights to investigate road maintenance cost value compared with Sewickley Hills, seconded by Mrs. Brandenburg. Roll call was taken with all in favor.**

**MOTION: Mr. Faulkner made a motion to permit the Council President Cindy Phillips to affix her signature to the DGLVR grant documents, seconded by Mrs. Brandenburg, with all in favor.**

**Sewage Issue:** Mr. Klixbull questioned the expenditures for the sewage account. Mr. Leonard responded that the filing fees for the easement documents had an estimated fee of over \$10,000.00. Mr. Leonard negotiated the filing at half of that rate. This can be done in one document and it can be recorded in one fee at \$5,000.00.

Mr. Hyjek reports that the revenues from 2011 to 2015 were \$258,242.33. The expenditures for that time period were 353,816.88. Currently, the account has \$55,804.97 in cash. The account owes the Borough \$44,046.51 which leaves \$11,758.46. The Borough agreed to pay for the easements. Engineer Ketterer will write a draft letter to OTSA to question the billing amounts for the

last quarter. The billing costs from the Borough have risen due to the costs to improve the infrastructure: rehab of the pump station at \$119,000.00, rehab of the lines which ran into costs overruns because they were done on the as built drawings which were incorrect. The Borough will need an accounting of the sewer account from 2009.

Mr. Leonard would like to request an extension on the August 1<sup>st</sup> timeline for take over from OTSA in order to finish miscellaneous items on the check list. There is a punch list of things to be done; record the easements, certify the lines within the roads and the lines that are not within the easements which have been recorded. Engineer Ketterer completed a drawing to show where these lines are. The Maintenance Bond has to be negotiated. A discussion is had about the length of time the project has taken to complete. Mr. Leonard will try for September 1<sup>st</sup> to hand over the lines. There will be negotiations with OTSA.

The first quarter billing was \$8,700.00. Mr. Hyjek will go back to 2009 for the accounting of the numbers. Mr. Hyjek has the revenues and expenditures by year from 2011 to 2015. The maintenance bills will continue to come in and be paid until it is turned over. The discussion continues...

There is an outstanding delinquent payment balance of \$8,968.00 of which Mr. Pelly owes \$5,600.00 leaving a balance of \$3,300.00.

**MOTION: Mr. Faulkner made a motion to authorize Council President Cindy Phillips to sign documents releasing the easements to the Borough residents which are not necessary, seconded by Mrs. Brandenburg, with all in favor.**

Ms. Rengers will notarize the documents.

**Sewage on Hunt Road:** There is a house on Hunt Road with a malfunctioning septic tank. The original owners wanted to put in a small flow treatment facility that would require a pipe to run under the road. We need to address the issue before we repair and repave the road. The current owners are regularly pumping out the tank to prevent overflow. There is a system they can install that does not require a pipe under the road. A discussion is had around the issue. Mr. Fehl will monitor the system.

MINUTE APPROVAL:

**MOTION: Mrs. Brandenburg made a motion to approve the minutes of June, 9, 2015 as submitted, seconded by Mr. Newman, with all in favor.**

TREASURER'S REPORT:

Mr. Hyjek reports the following balances:

FNB General Fund	\$253,560.00
Sanitary Fund	\$55,804.00
AR	\$8,968.00
PNC	\$2,420.00
Capitol Reserve	\$83,780.00

**MOTION: Mr. Faulkner made a motion to pay the bills seconded by Mrs. Brandenburg. Roll call was taken with all in favor.**

POLICE REPORT:

Mayor Malarik reports that there were 28 Police call is June with 9 auto related, 3 trees down and 12 miscellaneous.

ENGINEER'S REPORT:

Engineer Ketterer reported:

- Pelly Plan: The ACCD formally approved the modification to the NPDES Plan/Permit for the Pelly Plan which extended the length of the channel liner.
- Kevin and Demar Drive Rehabilitation: The bid packages were completed with additional alternatives for tar and chip placement on Kevin Drive and the full length of Kevin Drive added.
- The advertisement for the bids has been placed with 6 contractors responding so far.
- The bids will be opened on July 22, 2015 at 1 p.m.

**Kevin/Demar Drive Paving Project:** Mr. Coury, Demar Drive, put together a sheet showing Borough finances using the audited numbers from 2014. Mr. Coury explained the numbers. He would like for Council to refinance the Borough Building in order to pay for the work on Kevin and Demar. A discussion is had around the issue... The prepayment penalty to pay off the loan is not included in these numbers. Mr. Coury explains about the Village of Sewickley Hills owner and that he has no intention to develop and he will be selling soon and at that time the property should develop. Mr. Hyjek will analyze the numbers and report to Mrs. Phillips.

Mrs. Phillips would like for Council to have a chance to review the numbers.

Mr. Coury would like to have permission to speak with PNC about the loan. Mr. Leonard explains that Mr. Coury is not an agent of the Borough and has no authority or rights as such. Engineer Ketterer would like someone from Council to be a part of those conversations. Mr. Leonard suggests that Council decides whether or not to refinance before the authorization is made and banks do not do anything for free. Mr. Coury will have the bank send information to Mr. Leonard for review and Mr. Leonard will talk with Mrs. Phillips.

Mrs. Ketterer will open bids on July 22 at 1 p.m. and create a compilation of the bids that have the correct documentation. She will then write a recommendation for Council to be presented at the July 28, 2015 meeting. There is a discussion about Borough Code and the requirements of a public meeting after the bid opening. The bids should be reviewed at the next public meeting which is July 28, 2015. Mayor Malarik cannot attend the meeting on the 28<sup>th</sup> and requests that the bids are not voted on until the following meeting when he can attend.

SOLICITOR'S REPORT:

**Pelly Bond Reduction:** Mr. Pelly sent in a request for a bond reduction. Engineer Ketterer never received the request. She will have 45 days to review the request and give Council a written opinion. The bond reduction states that it is because of a smart ditch liner installation, but Mr. Leonard knows that it has not been installed as of yet. Action on the requests will need to take place within 45 days. It will be placed on the August 11, 2015 Agenda.

**Public Hearings:** There will be two hearings at the August meeting; one for the Northern and Southern Commercial Districts and one for the road specifications. Letters were mailed to the property owners and we will make sure the ads were placed.

ADMINISTRATIVE

**Ohio Township Volunteer Fire Department Donation:**

REPORT:

**MOTION: Mr. Faulkner made a motion to donate \$100.00 to the Ohio Township Golf Outing seconded by Mrs. Brandenburg. Roll call is taken with all in favor.**

The Ohio Township Carnival is this weekend.

**Mini-Cell Towers:** The Borough has a cell tower ordinance but it does not speak to mini-cell towers. Mini-cell towers are a new thing to boost data usage for cell phones. A company can come in and place the mini cell towers in the right of ways on a telephone pole, or in some instances, on a pole in a front yard. The Law Firm of Dan Cohen has written many ordinances regarding this issue. The Borough may want to reach out to Mr. Cohen or Mr. Leonard may want to research it. Mr. Leonard and the Planning Commission will take this into review.

**Adoption of the 2009 Property Maintenance Code:** Ms. Rengers spoke with the Leet Township Building Inspector about the 2009 Property Maintenance Code. He suggested that the wording to adopt include “and it’s triennial additions” because this ordinance is updated every few years. This way the Borough would be covered with every update. A discussion is had about the wording. Mr. Leonard explains that the Borough may not want to update to the next code. The Ordinance will be advertised as written and a Public Hearing held at the September meeting.

**MOTION: Mrs. Brandenburg made a motion to advertise the 2009 Property Maintenance Code for Public Hearing and possible adoption as written, seconded by Mr. Faulkner. Roll call is taken with all in favor.**

**Septic Tank Cleaning:** We do not have a price to pump the tank, so we will talk about it at the July 28<sup>th</sup> meeting.

NEW BUSINESS:

**Borough Building Rental and Cancellation:** Mrs. Kovacs had a situation where the building was booked for a specific date and then they cancelled. She rented the building to another party. The first party, a church group, called to say they never cancelled. Neither party would back down, so Mrs. Kovacs rented another venue for one of the parties and paid the difference out of her own pocket. She is asking for reimbursement in the amount of \$225.00. Mrs. Phillips would like to have a code (pin number) for each rental for them to use if cancelling, or cancellation should be placed in writing.

**MOTION: Mr. Faulkner made a motion to reimburse Mrs. Kovacs \$225.00 for the party rental, seconded by Mrs. Brandenburg. Roll call is taken with all in favor.**

**Roads:** We have a request to repair Hunt Road for \$2300.00. Mr. Wick placed this bid along with other work in the amount of \$10,000.00. Mr. Fehl will need to receive 3 telephonic bids in total for this work.

**Building Maintenance:** Mr. Cox is looking into bids for painting the inside of the building and staining the outside.

**Community Day:** Community Day will be held in September. We will ask for funds at the August meeting. Mrs. Brandenburg will update Facebook.

**2016 Budget:** Mr. Newman will work with Mr. Hyjek on the 2016 Budget.

**Website/Newsletter:** The website has been updated and a newsletter started.

ADJOURNMENT:

**MOTION:** A motion is made by Mrs. Phillips to adjourn the meeting, seconded by Mrs. Brandenburg, with all in favor.

*Respectfully submitted-*  
*Betsy Rengers-Assistant Secretary*