

SEWICKLEY HILLS BOROUGH
Tuesday October 11, 2016 General Council Meeting Minutes

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

PRESENT: Cynthia Phillips, Jack Faulkner, Lucille Guttendorf, Lawrence (Randy) Newman, Mayor David Malarik, Arthur Leonard (Solicitor), Emile Ketterer (Engineer), Wayne Hyjek (Treasurer), Diana Steele (Secretary)

MEMBERS EXCUSED: Natasha Brandenburg, via telephone.

CITIZENS ATTENDED: Craig Rowland, Joe Hajnas, Sr., and Joe Hajnas Jr., Chief Micklos, Joe Warick, Don Fogel, Karl Boyer, Tom Klixbull, Lee Nute, Karen Dennis, Bill Cammerrata, Don Gillespie

CITIZENS & GUESTS: Mrs. Phillips asks if there are any issues not on the agenda that anyone would like to discuss. Mrs. Phillips states that Karen Dennis is present to discuss the issues at the McLaughlin Distillery and invites her to speak.

Mrs. Phillips begins by stating she would like to set the record straight before beginning. The initial plans submitted by Mr. McLaughlin were for a Conditional Use, which included internet or hand delivery sales, or ship the product, no retail sales. Presently Mr. McLaughlin has expressed an interest in selling retail. At the June 21, 2016 Planning Commission meeting, Steve Victor, attended the meeting to represent Mr. McLaughlin's request. Mr. Victor and Mr. McLaughlin were given instructions as to how to proceed, the process included the submission of a formal plan to be reviewed by the Borough Engineer and Solicitor. Mr. McLaughlin, to date, has not submitted a new plan or the fees associated, to the Planning Commission or the Council. Mrs. Phillips stated further that the entire Ordinance must be followed, not just the parking. This will set a precedent for all other businesses in the Borough.

Ms. Dennis met Mr. McLaughlin through a mutual friend and would like to know why he cannot sell retail. Her understanding is that Mr. McLaughlin has complied with everything that Council has requested, with the exception of paving and a handicap spot. She stated further that a site plan was submitted to the Planning Commission and requests that Council has the ability to vote to allow retail sales at the McLaughlin Distillery. She feels the application fee, survey, and site plan are unreasonable. She stated that she has polled the Council members with the exception of Mrs. Phillips and has received information from each member; the consensus of opinions she gathered were to bring the issue to Council and ask for an amendment to the Ordinance.

Mrs. Phillips stated that Mr. McLaughlin needs to submit a plan to abide by the Ordinance section regarding parking lot including size and number of spaces based on the size of the building and stormwater runoff needs to be addressed.

Atty. Leonard stated Mr. McLaughlin submitted a plan for a Conditional Use of his business, with no retail sales, tastings, or tours. A new plan must be submitted because he is changing the use of the business from manufacturing to retail sales, thusly, it would be an illegal vote for Council to amend the Ordinance. Mr. McLaughlin did not submit a plan to use as retail sales.

Atty. Leonard stated further; the use of the Distillery for retail sales requires a stormwater management plan, highway occupancy permit, it will become a public facility, so the septic system was approved by the Allegheny County Health Department for use by three people, and asks how many people would be expected for the tastings.

MOTION: A motion is made by Mr. Newman to permit an amendment to the Ordinance to allow retail sales at the McLaughlin Distillery. Atty. Leonard stated this is an illegal motion in violation of the Ordinance, the motion failed for lack of a second. Mrs. Phillips, Mr. Faulkner and Mrs. Guttendorf, refused to second the motion.

MINUTE APPROVAL:

Mrs. Phillips states she has a minor change to the September 13, 2016 meeting minutes, they will be on the agenda for October 25, 2016 for approval.

TREASURER’S REPORT:

Mr. Hyjek gives the Treasurer’s report with the following balances:

PNC	\$ 15,562
FNB	\$321,947
Sanitary Account	\$ 44,132
Capital Reserve	\$ 84,947
A/R (credit balance)	<\$ 650.00>
Taxes Collected	\$212,171.57
Taxes Due	\$260,765.05

Mrs. Phillips asks if Council has had the opportunity to sign and review the checks for payment of Borough expenses.

MOTION: A motion is made by Mr. Faulkner to pay the bills as presented, seconded by Mr. Newman, roll call is taken, motion is carried with no vote from Mrs. Brandenburg.

POLICE REPORT:

Mayor Malarik gives the Police Report stating there was not a lot to report for September. There was a speed sign posted at the top of Magee Road.

ENGINEER’S REPORT:

Mrs. Ketterer reported that she answered questions from Mr. Faulkner regarding paving specifications.

Mrs. Ketterer also has had discussions with the OTSA Engineer from NIRA.

SOLICITOR’S REPORT:

Atty. Leonard reported OTSA did not meet on October 6, 2016 but will meet on October 13, 2016.

PennVest Loan: Atty. Leonard reported the PennVest loan for the waterline on Glenfield Road has been paid in full. There are some residents in arrears in the repayment of the loan, Atty. Leonard to mail a letter to those residents followed by a lien of their property.

MOTION: A motion is made by Mrs. Guttendorf to approve Atty. Leonard mailing letters to the residents in arrears, seconded by Mr. Faulkner, motion is carried with all in favor.

ADMINISTRATIVE REPORT:

Newspaper of Record: Ms. Steele reports the Tribune Review is ceasing home delivery on November 30, 2016, all of the advertisements for the Borough, through the Sewickley Herald, go through the Tribune Review. It is suggested by the Herald to assign a new newspaper of record for the Borough advertisements.

MOTION: A motion is made by Mr. Faulkner to name the Post-Gazette the Borough’s newspaper of record, seconded by Mrs. Guttendorf, motion is carried with all in favor.

Cintas: Ms. Steele received a contract from Cintas to renew our agreement with them for the next five years.

MOTION: A motion is made by Mrs. Guttendorf to renew the contract with Cintas for a five year period, seconded by Mr. Newman, motion is carried with all in favor.

West View Water Billing: Ms. Steele reported West View Water is affording customers the option of having monthly versus quarterly bills mailed. Council agrees to continue quarterly billing.

Economy Septic: Ms. Steele reported at the September 13, 2016 Council meeting Economy Septic was approved for a \$600 expense to empty the septic tank. However, when Economy Septic emptied the tanks it was found to be two tanks needing emptied at an additional expense of \$600.

MOTION: A motion is made by Mr. Faulkner to approve the additional expense of \$600, seconded by Mr. Newman, roll call is taken and the motion is carried with all in favor.

COUNCIL MEMBERS:

Wick's Contract: Mr. Faulkner reported he has no new information regarding the contract between the Borough and John Wick of Wick Landscaping. He reported he has information from Mrs. Ketterer regarding patching materials and has passed that information along to John Wick with no response from Mr. Wick to date.

Fairhill Road: Mr. Faulkner reported there are trees, branches, and leaves that need to be cleaned up on Fairhill Road.

Hunt Road: Mrs. Phillips asked Mr. Faulkner for an update to Hunt Road repairs. Mr. Faulkner reported he has been in touch with Cranberry Supply regarding aggregate to be spread on Hunt Road.

MOTION: A motion is made by Mr. Faulkner to spend up to \$2,100 to tailgate spread aggregate on Hunt Road, seconded by Mrs. Guttendorf, roll call is taken with all in favor.

Magee Road Catch Basin: To repair the catch basin on Magee Road Mrs. Ketterer is asked by Council to submit bids. Mrs. Ketterer responded that she has obtained bids and the estimated cost will be \$9,000. She stated further that Magee Road being a state road that she will obtain a Highway Occupancy permit from PennDOT to go ahead with the repairs.

MOTION: A motion is made by Mr. Faulkner to approve up to \$10,000 to make the repairs to the Magee Road catch basin, seconded by Mrs. Guttendorf, roll call is taken with all in favor.

QVRA: Mrs. Brandenburg reported that there has been no communication from QVRA to date.

Newsletter: Mrs. Brandenburg is asking for article suggestions for the newsletter. Mrs. Phillips stated the Distillery should be mentioned along with thanking the Csensich's for the mulch along the driveway.

MOTION: A motion is made by Mrs. Guttendorf to approve the cost to mail and print eight pages of the newsletter to be sent to the residents, seconded by Mr. Newman, roll call is taken with all in favor.

NEW/OLD BUSINESS:

Fee Schedule: Mrs. Phillips asks Mrs. Guttendorf if she could update the fee schedule for the Borough. Mrs. Guttendorf accepts and states she will investigate the fees charged by neighboring boroughs and townships.

Signs for the Borough and the Borough Building: Mr. Faulkner states he would like to see signs posted at the Borough's entrances and the Borough Building. Mr. Hajnas states that he has some signs he has mocked up that he will submit for consideration.

2017 Budget: Mr. Hyjek has presented to Council a draft of the 2017 Budget. Mrs. Phillips asks Council members if there are any line items they would like to have added for 2017. Mr. Faulkner – Generator, Mrs. Phillips – Landscaping, Mrs. Brandenburg – Playground.

Council reviews the line items of the budget with some changes to be made and presented at the Council Work meeting on October 25, 2016 by Mr. Hyjek. At that time a vote will be taken to advertise the budget along with the 2017 millage rate.

EXECUTIVE SESSION:

Mrs. Phillips states the regular Council meeting will take a five minute break at 9:53 p.m. before going into Executive Session at 9:56 p.m.

Atty. Leonard states at 10:05 p.m. the Executive Session has ended with no vote taken and no decisions made, the discussion was a personnel issue.

ADJOURNMENT:

MOTION: A motion is made by Mrs. Guttendorf to adjourn the meeting at 10:06 p.m., seconded by Mr. Newman, motion carried with all in favor.

Respectfully submitted
Diana Steele-Secretary