

SEWICKLEY HILLS BOROUGH
Monday February 9, 2016 Public Hearing & 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, Natasha Brandenburg, Lawrence (Randy) Newman, Lucille Guttendorf, Mayor David Malarik, Arthur Leonard (Solicitor), Emile Ketterer (Engineer), Wayne Hyjek (Treasurer), Diana Steele (Secretary)

MEMBERS EXCUSED: Jack Faulkner

CITIZENS ATTENDED: Craig Rowland, Joe Hajnas, Sr., and Joe Hajnas Jr., Steve Roberts, Chief Micklos, Joe Warick, Frank Pelly, Craig Rowland, Steve Victor, Larissa Dudkiewicz (Sewickley Herald), Kim McLaughlin, Amie Grinnen, Don Fogel, Chris Karwoski and Lynn (QVRA).

PUBLIC HEARING: The Public Hearing scheduled to begin at 7:30 p.m. is delayed due to the Court Reports malfunctioning equipment.

MINUTE APPROVAL: Mrs. Phillips asks if Council has reviewed January 4, 2016 meeting minutes for approval.

MOTION: A motion is made by Mr. Newman to approve the meeting minutes from January 4, 2016, seconded by Mrs. Brandenburg motion is carried with all in favor.

Pelly Line of Credit: Mr. Frank Pelly asks if he can address the Council regarding the release of his Line of Credit request. Mr. Pelly stated the final work has been completed and inspected at the Woods of Sewickley Hills, Mrs. Ketterer verified that all of the work has been completed and inspected by NIRA. Atty. Leonard stated there are a few conditions that need to be met before the release of the Line of Credit; 1st – there will be engineer fees associated with the final inspection that will be owed, 2nd – Mr. Pelly will have to secure a Maintenance Bond in the amount of \$183,834.00, and 3rd – Mr. Pelly owes \$5,000.00 to the stormwater fund. Upon receipt of these conditions the Borough will issue a letter releasing the Performance Bond Line of Credit.

MOTION: A motion is made by Mrs. Brandenburg to release Mr. Pelly's Performance Bond based on the Engineer's recommendation conditioned upon any and all engineering fees being paid to date, a Maintenance Bond in the amount of \$183,834.00, and payment of \$5,000.00 to the stormwater management fund, seconded by Mrs. Guttendorf, motion is carried with all in favor.

TREASURER'S REPORT: Mr. Hyjek states the following balances in the Borough's bank accounts:

PNC	\$9,912.00
FNB	\$115,087.00
A/R	\$8,083.46
Sanitary	\$59,109.00
Capital Reserve	\$84,219.00

He reported the 2016 report has been filed with the DCED and it included the tax information form and the financial condition. He filed the PURTA – RCT-300. He filed the 2015-965 which is the Liquid Fuels report, the Borough will be receiving \$16,783.73 in March for the Liquid Fuels account, which is used for plowing and salting the roads. Mr. Hyjek reports the majority of the A/R is an outstanding balance owed from Mr. Pelly, which is \$7,316.93. Mrs. Brandenburg asks for the balance in our Parks fund, Mr. Hyjek answers \$21,479.00.

CITIZENS & GUESTS: Mrs. Phillips asks if anyone has an issue not on the agenda to bring before Council.

POLICE REPORT: Mayor Malarik states the Police Report for January was typical with 15 total calls, 9 of which were road department related. Chief Micklos had nothing to add.

ENGINEER'S REPORT: **McLaughlin Distillery:** Mrs. Ketterer reports that she reviewed the resubmission of the McLaughlin Distillery.

Woods of Sewickley Hills: Mrs. Ketterer also observed and confirmed the Concrete Liner Installation at the Woods of Sewickley Hills is completed; a Manufacturer's representative was

also on-site for the inspection. She has reviewed the request from Mr. Pelly for his Bond Reduction and discussed with Atty. Leonard.

OTSA Sewage Collection Transfer: Mrs. Ketterer stated that she has reviewed and discussed as-built drawings, contracts completed for rehabilitations and other miscellaneous items regarding the system with both the OTSA Engineer and Manager. Mrs. Ketterer and Atty. Leonard have also had discussions regarding the transfer to OTSA. Atty. Leonard stated he has been in contact with OTSA's Solicitor and that everything looks good to go, at their next meeting the documents should be signed.

Pelly Stormwater Management Plan: Mrs. Phillips asks what will insure the newly installed concrete liner will function. Mrs. Ketterer states that there will be a Maintenance Bond required by Mr. Pelly for a period of 18 months to insure the trench is working. Mr. Ketterer stated that she observed there was no water on Red Mud Hollow Road on her last inspection. She states that at this point the channel is lined and the water is going into the detention basin.

SOLICITOR'S REPORT:

1601 Magee Road: Atty. Leonard is in receipt of the letter from PaDOT regarding the catch basin on Magee Road, and their position is that any concealed pipe under a State Road is the responsibility of the Borough and PaDOT's responsibility, even though it is a State Road, is the invert that is above the catch basin.

PaDOT is offering the Borough a quid pro quo which involves them doing the repairs on the catch basin if the Borough offers them something in like sum. Atty. Leonard stated to the representative the Borough has no road crew, their suggestion was to use the Borough building for some of their meetings. Atty. Leonard made no commitment to PaDOT.

Atty. Leonard suggests contacting the Pennsylvania Association of Boroughs. At a recent symposium conducted by the PA Assoc. of Boroughs it was discussed that this puts an unreasonable burden on municipalities.

Atty. Leonard suggests before moving further, Mrs. Ketterer should explore what repairs are necessary and what the expense would be. Mrs. Ketterer suggested that she would inspect the catch basin, but, if necessary would have a camera crew to an inspection, probably in the \$1,500.00 price range.

PUBLIC HEARING:

7:56 p.m. the Public Hearing regarding the McLaughlin Distillery begins.

MOTION: A motion is made by Mrs. Brandenburg to close the Public Hearing at 8:17 p.m., seconded by Mr. Newman; the motion is carried with all in favor.

MOTION: A motion is made by Mrs. Brandenburg to approve the Conditional Use for the McLaughlin Distillery, located at 3799 Blackburn Road, with the conditions that there will be no retail sales, no tasting on site, and no tours of the facility, the motion is seconded by Mr. Newman; carried with all in favor.

MOTION: A motion is made by Mrs. Brandenburg to approve the Site Plan for the McLaughlin Distillery, latest edition as identified as sheets 1, 2, and 3 dated January 5, 2016 with the conditions that there will be no retail sales, no tasting on site, and no tours of the facility, the motion is seconded by Mr. Newman; carried with all in favor.

ADMINISTRATIVE REPORT:

QVRA: Mrs. Phillips stated the contract for QVRA to lease the soccer fields expired in November of 2015. She and Mrs. Brandenburg met with Chris Karwoski of QVRA and expressed the Borough's concerns regarding the use of the fields and parking areas. Mr. Karwoski offered to increase the parking area, have dedicated parking lot for the soccer teams, and have their own trash cans and the move the shed. QVRA contacted the Borough to find what the requirements are to accomplish the increase in parking. Ms. Steele forwarded information regarding grading permit and fees associated. Mrs. Ketterer will forward the latest drawings of the Borough's property to Mr. Karwoski for his usage. Mrs. Brandenburg stated that the Borough would require drawings of their proposals.

TRASH COLLECTION: Ms. Steele reported that Mr. Dufala has asked the Borough to consider increasing the tax rate to have the Borough's trash collection paid by the Borough rather than individual billing; this would mean a write-off on income taxes for Borough residents. Mrs. Phillips stated the contract with Valley Waste was just renewed for a two year period ending December, 2017. This issue will be revisited at the time of renewal of the next contract.

DEMAR & KEVIN: Ms. Steele stated, Mr. Kries residing on Demar Drive called thanking the Borough and the contractor for a wonderful job of restoring Kevin and Demar Drives.

WOODS OF SEWICKLEY HILLS AND RED MUD HOLLOW ROAD: A resident of the Woods of Sewickley Hills, Tom Jackovic, has called on several occasions regarding the dangerous intersection exiting from the Woods of Sewickley Hills. His concern is the site distance and the children waiting for school buses while cars are speeding.

Chief Micklos offered the services of the OTPD to use VASCAR and perhaps a flashing speed limit sign to monitor the situation of automobiles exiting the Woods of Sewickley Hills and also the situation of the school children exiting the school buses.

MOTTA HEATING: Ms. Steele stated that recently the furnace was not working in the building and had to make an emergency call to Motta Heating. A representative made the repairs and suggested the Borough have a maintenance contract in place. He stated the furnace filter in particular was clogged. He stated the maintenance for one year would be \$226, which would include cleaning, maintenance, filter replacement, etc. with a 10% discount on any needed parts.

MOTION: A motion is made to have a maintenance contract with Motta Heating with a cost up to \$250/year by Mrs. Brandenburg, seconded by Mrs. Guttendorf; roll call is taken with all in favor.

Code Enforcement Officer: Ms. Steele stated since Tim Fehl's retirement we have been unable to fill the position of Code Enforcement Officer. She contacted International Code Consultants, who also does our building inspections, and the company can fill our need at \$60.00/hour.

MOTION: A motion is made by Mr. Newman to engage International Code Consultants at a cost of \$60/hour as our Code Enforcement Officer, seconded by Mrs. Guttendorf; roll call is taken with all in favor.

Easter Bunny Breakfast: Mrs. Brandenburg is asking for a budget of \$250.00 for the Easter Bunny Breakfast, stating the committee came in under budget for last year's breakfast.

MOTION: A motion is made by Mrs. Phillips to approve a budget of \$250.00 for the Easter Bunny Breakfast, seconded by Mrs. Brandenburg; roll call is taken with all in favor.

Vacancy Board Seat: Mr. Doug Throckmorton has agreed to accept the Vacancy Board Seat.

MOTION: A motion is made to accept Mr. Throckmorton to fill the Vacancy Board Seat by Mrs. Guttendorf, seconded by Mrs. Phillips, motion carried with all in favor.

Bills to be Paid: Mrs. Phillips stated that the Council has had the opportunity to review the bills and asks for a motion.

MOTION: A motion is made by Mrs. Brandenburg to pay the bills as presented, seconded by Mr. Newman; roll call is taken with all in favor.

ADJOURNMENT:

MOTION: A motion is made by Mrs. Brandenburg to adjourn the meeting at 9:13 p.m., seconded by Mrs. Phillips, motion carried with all in favor.

Respectfully submitted
Diana Steele-Secretary