

SEWICKLEY HILLS BOROUGH
Tuesday, April 10, 2018 General Council Meeting Minutes

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/Recreational Building, located at 349 Magee Road, Sewickley, PA 15143-9117.

PRESENT: Cynthia Phillips, Jack Faulkner, Lucille Guttendorf, Joseph H. Hajnas, Michael Lepore, Mayor David Malarik, Arthur Leonard (Solicitor), Emile Ketterer (NIRA), Charlie Guttendorf (Treasurer), Diana Steele (Secretary)

MEMBERS EXCUSED: None

CITIZENS ATTENDED: Craig Rowland, Sgt. Russ Hartzell, Detective Joe Hanny, Dan Gramc, Joe Hajnas, Sr., Joe Warick, Hunter Hopkins.

MINUTE APPROVAL: Mrs. Phillips asks if Council has reviewed February 13, 2018 meeting minutes for approval. Atty. Leonard and Mrs. Phillips have minor changes to be made.

CITIZENS & GUESTS: Mrs. Phillips asks if there is anything not on the agenda to be discussed, no one responds.

TREASURER'S REPORT: Mr. Guttendorf reported the following bank balances:

PNC	\$ 17,284.00
FNB	\$ 375,519.00
Capital Reserve	\$ 82,467.00

Mr. Guttendorf asked for Council's approval to transfer funds, in the amount of \$10,021.00, from the General Fund to the Hunt Road Project fund to fulfill the Borough's responsibility for the road construction.

MOTION: A motion is made by Mr. Faulkner, seconded by Mr. Hajnas, to transfer \$10,021.00 from the General Fund to the Hunt Road Project fund to fulfill the Borough's responsibility for road construction; motion passes with all in favor.

POLICE REPORT: Mayor Malarik states there were 20 Police calls in March, 6 were alarm related, 16 were traffic related.

Mr. Warick asked the Mayor if there is an Ordinance regarding discharging of firearms in the Borough. Mr. Hajnas responds that the state law largely preempts local gun ordinances. Mrs. Phillips also stated that especially with regard to distance of residents. Sgt. Hartzell stated that he would look into the laws and report his findings at a later date. Mr. Warick stated he had complaints turned over to the Ohio Township Police Department regarding discharging of firearms.

ENGINEER'S REPORT: **Hunt Road:** Mrs. Ketterer reported she dropped off a set of drawings today for the Hunt Road project, the technical specifications and final draft is completed, she would like to meet with Mrs. Phillips to double check on the plan that it was prepared to the standard of the Grant approval. Mrs. Ketterer continued that she would like to advertise by the end of the month, with a six week bidding period the bids to be presented at the June 12, 2018 Council meeting. Mrs. Ketterer stated that all the bid specifications are completed.

Mrs. Phillips stated that none of the Hunt Road residents that signed a letter (attached) re: speed bumps on Hunt Road are in attendance. Mrs. Ketterer stated that speed bumps are not part of the Hunt Road Grant project; it would be a separate issue. Mr. Rowland stated the issue is essentially to reduce the speed limit on Hunt Road, the residents that sent the letter to the Borough are also going to approach Sewickley Heights and Bell Acres asking for 15 m.p.h. speed limit signs to be posted at the bottom of Hunt Road (Sewickley Heights) and the top (Bell Acres). Mrs. Phillips stated that this far into the process of the Hunt Road project, the whole

design of the project that went into the Grant Application does not include any of the requests outlined in the letter from Jeannie Minnicks, Ms. Cindy Spencer and Barb Mosi. Mr. Faulkner stated that the letter damages Hunt Road's group credibility he thought everyone knew what the Council was doing with the Grant, what we were trying to do and what we were trying to address. Mr. Rowland stated that the Hunt Road people didn't see a copy of the Grant until two days ago; Mrs. Phillips stated these residents were all at the meetings that have been going since August of 2017. Mrs. Phillips stated that in July of 2017 when Hunt Road was discussed, the residents of Hunt Road asked for repairs on Hunt Road, but don't fix it too good or speeding becomes a problem and too much traffic.

MOTION: At Mrs. Ketterer's request, a motion is made by Mr. Faulkner to spend up to \$300.00 to advertise for bids on the Hunt Road project, seconded by Mrs. Phillips; motion is carried with all in favor.

MOTION: A motion is made to pay the bills as presented by Mr. Lapore, seconded by Mr. Faulkner; roll call is taken with all in favor. Mrs. Guttendorf abstains on check to Mr. Guttendorf.

MOTION: A motion is made by Mrs. Guttendorf to approve the March 13, 2018 meeting minutes as amended and corrected, seconded by Mr. Lapore; motion carried with all in favor.

SOLICITOR'S REPORT:

Village of Sewickley Hills: Atty. Leonard stated the Village is now the Reserve at the Village of Sewickley Hills, the official written communication was sent to the developer, there were suggested changes by the developer that he has incorporated into the official written communication, he doesn't believe any of the changes alter the intent of the document or alter any of the conditions imposed by Council. Atty. Leonard enumerated the changes: Item # 2 – there was redundancy which he struck in the second paragraph, Item # 12 – the roads are actually owned by PennDOT so the paragraph concerning road improvements, if PennDOT who owns those roads make suggestions, the developer would then work with PennDOT, including any permitting and/or work would be proper, Item #21 – is clarification that all units would be for sale by the Developer and its affiliates and not rental units, Item # 39 - Indicates that all conditions set forth in the original approval in the Developer's agreement dated December 30, 2003 not set forth are either terminated or replaced with the conditions set forth herein. The reason being Atty. Leonard stated that he had incorporated into this document all the conditions in the prior Developer's agreement, meaning those that were completed were no longer in affect. One example in the prior agreement was contributions to the Fire Department, that were not defined or explained, the Fire Department is now getting a part of the Borough's real estate development taxes. Atty. Leonard stated that all the modifications are acceptable to the developer if acceptable to Council you can move to modify your official communication as set forth in the documents before you.

MOTION: Atty. Leonard forms the motion as follows: To modify the official written communication which was granted with conditions at the March 13, 2018 meeting and modifying : Paragraph # 2 – by eliminating the performance by the security, Paragraph # 12 –in its entirety and replacing with Paragraph # 12 as set forth in the document, Paragraph # 21 – by modifying this paragraph Atty. Leonard added the words “by the developer”, Paragraph # 39 - by the addition of a sentence all conditions set forth in the original approval and the developers agreement dated December 30, 2003 not set forth are now terminated and replaced with what is set forth here. Those would be the only modifications all under paragraph in conditions imposed would remain the same. Motion is made by Mr. Faulkner, seconded by Mr. Hajnas; motion is carried with all in favor.

Sugarbush: Atty. Leonard stated the sewer easement for the Sugarbush Plan, the property through which the sewer line is coming through has an appraisal performed by the developer of \$2,300, and the easement cost with a temporary construction easement at a total cost of \$1,700, this sanitary easement would be granted by Sewickley Hills to OTSA, that easement document is being prepared by the developer's Council but the appraisal, the title policy there were four exceptions to the policy for unlocated and undescribed easements and Atty. Leonard asked the developer and the developer's engineer to check the easements and exceptions and none of them apply to the property. This easement and right-of-way agreement for the Sugarbush sewer line through the municipal property is ready to be voted

on should Council wish to grant. Mr. Hajnas as clarification states the area of the easement is less than ¾ acre and the final estimate of market value is set at \$1,700.00.

MOTION: Atty. Leonard forms the motion as follows: Council moves to grant the easement through the Borough property Parcel 820-G-133 as set forth in the Shoup Engineering drawing of April 12, 2012 in consideration for payment of \$1,700.00 and that easement to be granted to OTSA by easement by right-of-way agreement, the purpose of the easement is for sanitary sewer line. One condition, the easement agreement prepared and presented needs approval by the Borough and the Solicitor, motion made by Mr. Faulkner, seconded by Mr. Lapore; roll call is taken, motion carried with all in favor, Mr. Hajnas abstains.

ADMINISTRATIVE REPORT:

Road Salt: Ms. Steele states that Mrs. Phillips will report on the road salt issue.

Pittsburgh Soccer Association: Ms. Steele reports that she was approached by Pittsburgh Soccer Association regarding renting our fields for soccer practices on Thursday evenings from 5:30 p.m. to 7:30 p.m. for two eight week sessions beginning in March and ending in November – 15 to 30 children aged 4 to 10, they have insurance on the coaches and the children must sign a waiver to not hold the Borough responsible for any injuries, they bring their own equipment. The Council members discussed this issue and suggested the Soccer Association would be responsible for rental of Port-o-John, the Borough would set a rate of \$250/month, the insurance would be reviewed by Atty. Leonard, and a contract drawn up, they would have no access to the building. Atty. Leonard stated before drawing up a contract, he would want to see the insurance and a copy of the waivers.

MOTION: A motion is made by Mr. Hajnas to make the proposal to the Pittsburgh Soccer Association and if they accept the proposal Atty. Leonard would draw up a contract and review the insurance and waiver, seconded by Mr. Faulkner, motion passes with all in favor.

Terminix: Ms. Steele reports that Terminix would spray for carpenter bees at a rate of \$150 to \$175 for the season.

MOTION: A motion is made by Mrs. Guttendorf to have Terminix spray for carpenter bees at the above rate, seconded by Mr. Hajnas; roll call is taken with all in favor.

Tables: Ms. Steele reported that the Borough needs to purchase banquet tables. Mr. Lapore stated that Sam's Club for \$49.98 each. Mr. Faulkner asked if anyone inspects the tables after a rental. Ms. Steele stated Mrs. Kovacs offered to take the tables out of the closet and inspect them after each rental for an additional charge of \$30 to \$50. Mrs. Phillips stated the cost of having that done after each rental is not cost effective, it would be cheaper to buy new tables.

MOTION: A motion is made by Mrs. Phillips to purchase four tables at a cost not to exceed \$250.00, seconded by Mr. Faulkner; roll call is taken with all in favor.

Salt: Mrs. Phillips stated that John Wick made suggestions of neighboring boroughs that may be available to share road salt and storage costs. He suggested Glen Osborne, Haysville may be interested as they also require road salt. Mr. Hajnas checked with Edgeworth and they stated they were not interested, Mr. Faulkner checked with Ohio Township, they also were not interested, Mr. Lapore to check with Bell Acres as they have storage facilities and a means to load the salt onto pick-up trucks. Mr. Hajnas stated the Borough uses 170 tons of salt a year.

Ms. Steele contacted the QV COG regarding road salt and was told they couldn't give us the information prior to our request to become a member. Mrs. Phillips stated there are two tiers to become a member, the associate membership which is less costly and a full membership which gives the Borough the ability to vote on issues. Mrs. Phillips stated she would delay making a decision on joining the COG until further information can be obtained regarding joining with a neighboring borough to obtain salt. Mr. Hajnas suggested we may want to look into joining the North Hills COG.

Easter Party: Mrs. Phillips reported the Easter Party was a huge success; there were approximately 100 people and lots of food. \$500.00 was requested to fund the expenses, \$608.00 was collected and as of this date \$692.11 out of pocket expenses.

Mrs. Phillips stated that Hunter Hopkins has been working to update the Borough's website and has done an excellent job. Mr. Hopkins developed a calendar for Mrs. Kovacs to update the days the building is rented; also he posted all the pertinent information pertaining to rentals on the website. It has reduced the amount of phone calls to the Borough to inquire as to whether the building is rented on a certain date.

Carpet: Mrs. Phillips stated she signed a contract to order the carpet for the Great Room this was approved at the last Council meeting.

ADJOURNMENT:

MOTION: A motion is made by Mr. Hajnas to adjourn the meeting at 8:44 p.m., seconded by Mrs. Phillips; motion is carried with all in favor.

Respectfully submitted
Diana Steele-Secretary