

**MINUTES OF MEETING OF  
SEWICKLEY BOROUGH COUNCIL  
MUNICIPAL BUILDING  
SEWICKLEY, PENNSYLVANIA**

**MARCH 10, 2020**

The meeting of the Borough Council was called to order at 7:00 p.m. with Council President Jeff Neff presiding and leading the Pledge of Allegiance.

Roll Call showed the following members present:

Hendrik van der Vaart	Tom Rostek	Todd Renner	Jeff Neff
Cynthia Mullins	Julie Barnes	Christine Allen	Sean Figley

Mr. Rice was absent.

Also present were Borough Solicitor Richard Tucker and Borough Manager Marla Marcinko.

Solicitor Tucker opened the public hearing to consider the rezoning of 605 Beall Way from a General Commercial C-1, Village Overlay zoning district to a Residential R-1A zoning district. Mr. Tucker explained the process for the public hearing.

John Edson, representing the applicants, explained that the current structure is unoccupied and the applicants are seeking to convert it to a residential structure.

Matthew Thoma, 517 Straight Street, inquired as to the requirements which would need to be met if the structure were to be demolished and rebuilt. Mr. Rostek stated that the building would be non-conforming.

Ms. Marcinko testified as to the notice requirements.

With no further testimony being offered, the public hearing was closed.

A motion was made by Mr. Renner, second by Mr. Figley, to adopt Ordinance No. 1371 to rezone 605 Beall Way from a General Commercial C-1, Village Overlay zoning district to a Residential R-1A zoning district. Motion carried 8-0.

**Comments from Mayor/Council President**

President Neff stated that Mayor Jeffe is out-of-town on business.

President Neff welcomed Boy Scout Troup 243 and the boy scouts and troop leaders introduced themselves.

President Neff reported on several items which were discussed at the recent Mayors and Presidents meeting:

- A representative from PA Resources Council attended the meeting and discussed how the agency is looking to assist in a regional recycling effort.

- The proposed connection to Leetsdale Borough Municipal Authority for sewage conveyance from the Sewickley plant was discussed. Several communities had questions on the proposal.
- Requirements for utility pole removal when a new pole is set were discussed.
- Discussions will continue in the future for joint paving project bidding.
- Participants commented on increased amounts of trash on Rt. 65.

President Neff introduced Thomas Wingers who is interested in serving on the Planning Commission. President Neff turned the floor over to Mr. Rostek. Mr. Rostek stated that the Planning Commission had interviewed two candidates. Mr. Wingers has a background in material sciences.

Mr. Wingers stated that he is an independent consultant to the materials industry. He moved to Sewickley 6 years ago and is interested in making a difference in the community.

A motion was made by Mr. Rostek, second by Mr. van der Vaart, to appoint Thomas Wingers to a four-year term on the Planning Commission, which will continue through December 31, 2023. Motion carried 8-0. Council thanked Mr. Wingers for his willingness to serve.

### **turnKey Taxes Status Update**

Mr. Schuster stated this his company assists municipalities in increasing revenue through data scrubbing. He stated that turnKey Taxes identified 132 businesses over the past 18 months, which had previously not been on the tax rolls. He stated that his company needs more assistance from the local government and suggested that additional staff be hired who would focus on improving data. He commented that it would be helpful to have a welcome packet for new residents and businesses, which would have the PSD code for each municipality prominently listed on the communication.

Mr. Rostek inquired as to fees paid by the Borough to turnKey Taxes. Mr. Schuster stated that their commission is 25% of the new revenue they identify, plus penalties and interest. Mr. Rostek commented that this provides an incentive to turnKey Taxes to increase collections. Ms. Barnes inquired as to the cost to the Borough if the work was to be performed in-house. Mr. Schuster stated that his incentive was to perfect the Borough's data to establish a current and correct representation of business privilege taxpayers. He suggested that the Borough use his software in-house at a cost of \$300.00 per month.

Mr. van der Vaart commended Mr. Schuster for his work and stated that, while he is paid commission on delinquent taxes collected, he has performed a significant amount of work for which he has not been paid a fee. He also stated that turnKey has been able to build a dataset of businesses in Sewickley effectively and relatively quickly. He added that this was a key need given neither the Borough nor business groups contracted with by the Borough had such a list that could be used.

### **Rotary Sign Installation Request**

Scott Zahner spoke on behalf of the Sewickley Rotary Club. They would like the sign installed at the approach to Ohio River Blvd, on the east side of the Sewickley Bridge. It is proposed that the welcome sign be removed and replaced with the Rotary sign.

Mr. Zahner also commented on the community event fees. He stated that the Rotary is a non-profit organization and the payment of fees will impact the amount of money they will be able to allocate to charitable purposes they support, such as scholarships. President Neff commented that the Rotary provided a \$1,000 donation to the Borough last year to assist with expenses incurred with the Harvest Festival. Mr. Rostek commented on the impact to parades under the event fee schedule. President Neff stated that he spoke with the Mayor about this and they will personally cover the costs for the Halloween and Christmas parades. Ms. Allen commented that these concerns should have been discussed prior to a vote of Council being taken to approve the event fee schedule and expressed concern about the lack of community outreach. President Neff stated that he inquired, at the Mayors' and Presidents' meeting, as to the interest of neighboring communities in contributing a per capita fee toward these community events.

A motion was made by Ms. Allen, second by Mr. Rostek, to allow the Rotary sign to be placed at the approach to Ohio River Blvd, on the east side of the Sewickley Bridge. Motion carried 7-1 with Mr. Renner voting against the motion.

### **Public Comment**

Robert Kluz – Sewickley Kiwanis – Mr. Kluz stated that all profits from the Harvest Festival are required to be returned to the community. He commented on the various programs that are supported by Kiwanis and that they also provide volunteer services with clean-ups, etc. Information for the 2020 Harvest Festival has already been sent to vendors, therefore, they cannot recoup event fees at this point. Mr. Rostek commented that a one-dimensional thought process in reaching a decision on the event fees did not take into consideration the role that organizations play in the community. Mr. Kluz stated that they are willing and able to provide administrative support and assist with setting up spaces for the participants. Ms. Marcinko commented that the event fee does not solve the larger problem of the Borough's capacity to provide support to these events.

Alexis Communale & Brigitte Nguyen – Commented that they were approached by Councilman Rice during a very busy time and that he had mentioned a nominal fee being considered for community events. Ms. Comunale stated that all monies raised from community events go back to the Borough. They have spent approximately \$7,000 on advertising for Night Marts and they did not consider the cost for event fees when they sent out promotional material and secured vendors. Ms. Barnes commented that there was not sufficient discussion on the fee schedule, prior to taking a vote. Ms. Mullins commented on Council's fiduciary responsibility.

A motion was made by Ms. Allen, second by Mr. Rostek, to terminate the fee schedule. A roll call vote resulted in the following:

AYE: Ms. Allen, Mr. Rostek, Ms. Barnes

NAYE: Ms. Mullins, Mr. Figley, Mr. van der Vaart, Mr. Renner and President Neff

Motion failed.

Marianne Fadden (867 Thorn St) and Susan Evans (823 Thorn St) – Expressed concerns with the size and location of the garage being constructed at 922-924 Beaver St. Mr. Rostek commented that the Planning Commission is reviewing the zoning requirements for accessory structures and accessory dwellings to determine where changes may be recommended.

Philip Liebscher (385 Backbone) and John Straka (59 Beaver St) – Expressed concern regarding the number of deer around their properties and the damage caused to their properties by the deer

population, as well as public safety concerns. Mr. Liebscher stated that the PA Game Commission had visited his property over a year ago and suggested that they hire a professional marksman. President Neff suggested they contact Sewickley Heights Borough to see if the property owners could be approached about hunting on their properties, given that the parcel sizes are 5 acre minimums.

### **New Business**

A motion was made by Ms. Mullins, second by Mr. Figley, to approve the Council meeting minutes of February 11, 2020. Two minor changes were noted with regard to how votes were recorded with regard to the Jaguar Car Show and Event Fee schedule (4-2 as opposed to 4-0). Ms. Marcinko will make the changes to the minutes. Motion carried 5-0 with Mr. van der Vaart, Ms. Allen and Mr. Figley abstaining.

A motion was made by Mr. van der Vaart, second by Ms. Barnes, to adopt Ordinance No. 1372, providing for the establishment of Rules and Regulations for War Memorial Park by resolution of Borough Council. Ms. Allen commented that the Rules and Regulations prohibit games of chance. President Neff stated that concerns related to the actual rules and regulations can be addressed with the next Council action item.

A motion was made by Mr. van der Vaart, second by Ms. Barnes, to approve Resolution No. 2020-02, adopting Rules and Regulations for use of War Memorial Park. Ms. Allen requested that prohibition on lotteries and small games of chance be removed from the rules and regulations, citing concerns with limiting the ability for events being held at the park to raise funds for charitable purposes. Ms. Marcinko will make that change. Motion carried 8-0.

A motion was made by Mr. Renner, second by Ms. Mullins, to approve Resolution No. 2020-03, to authorize rescinding a residential handicap parking space at 818 Centennial Ave. This action is upon the request of the new property owner. Motion carried 8-0.

A motion was made by Ms. Mullins, second by Mr. Renner, to ratify the Collateral Assignment of the Borough of Sewickley Development Agreement by Hoey's Run, LLC to the Huntington National Bank. Motion carried 8-0.

A motion was made by Mr. van der Vaart, second by Ms. Barnes to certify the appropriateness of exterior work proposed at 349 Henry Ave., per the recommendation of the Historic Review Commission. Mr. van der Vaart stated that the Historic Review Commission was very pleased with the submission for the proposed renovations. Motion carried 8-0.

A motion was made by Ms. Allen, second by Mr. Figley, to approve the closure of War Memorial Park for the Café Racer event on Sunday, August 9, 2020. Ms. Barnes inquired about the Jaguar Car Show being held the next day. Ms. Marcinko advised that they had decided not to lease the park for their event. Motion carried 8-0.

A motion was made by Ms. Mullins, second by Mr. van der Vaart, to accept the Financial Reports, which included the following:

- Account Balances as of February 29, 2020
- Vehicle Expense Report
- Approving Bills to be Paid

Motion carried 8-0.

A motion was made by Mr. Figley, second by Ms. Mullins, to accept the monthly reports, which included the following:

- Cochran Hose Company
- Code Enforcement – Harshman
- Earned Income Tax Collection Update
- Real Estate Tax Collection
- Police Report
- Public Works
- Wastewater Treatment Plant

Ms. Barnes inquired as to the status of 929 Crescent Ave. Ms. Marcinko will prepare a summary for Council. Motion carried 8-0.

### **Old Business**

None at this time.

### **Solicitor's Report**

Solicitor Tucker provided his report, invoice and Jordan Tax Service Report for delinquent taxes satisfied.

### **Discussion Items and Announcements**

#### **FNB Market Update: The Coronavirus – COVID19**

Mr. Rostek inquired as to whether the Borough has an epidemic policy. President Neff advised that Allegheny County Emergency Services would coordinate that response. Ms. Marcinko commented that she provided information to Borough Council relative to its Emergency Operations Plan and that the Borough would follow Federal, State and County guidelines.

#### **Sustainable Sewickley Electric Car Charging Station**

Suzanne Watters, Sustainable Sewickley, explained that there would be two costs for the charging station; the unit itself and the charge for installation. Sustainable Sewickley could help with those costs. There would be monthly charges for connectivity and electricity. Mr. Renner inquired as to the ongoing maintenance costs and whether the Borough would own the machine. It was suggested that the Sewickley Parking Authority would be a better partner with which to collaborate. Mr. van der Vaart inquired as to best practices and that we should look at how this has been implemented in other communities and that it may be best to consider this proposal within the context of the budget process.

#### **Event Fees**

Mr. Rostek suggested postponing the implementation of the fee schedule until 2021 or waiving fees for events currently on the 2020 calendar. Ms. Mullins questioned the Jaguar Club's response to the suggestion that they move their event to War Memorial Park. President Neff stated that they wanted a location that would support foot traffic and that the fee they paid last year for police services had been acceptable to them. Even with a fee schedule, Borough

resources are still being taxed. Ms. Marcinko suggested that the objective should be defined and a strategy developed to achieve that objective.

Following much discussion, a motion was made by Ms. Mullins, second by Mr. Rostek, to waive all event fees for calendar year 2020, with the exception of police services, if required by Chief Manko. Motion carried 7-0 with Mr. van der Vaart abstaining.

### **Glass Recycling**

President Neff reiterated that the Mayors and Presidents group had discussed this issue with the PRC. Ms. Barnes reported that the PRC suggested pop-up recycling events and that they are applying for a grant on behalf of 10 municipalities. The local match is \$5,000-\$6,000 for year one. There is a current joint purchasing project with Dormont Borough. Ms. Barnes will speak with Susan Hockenberry to see what opportunities may exist for a regional effort through Quaker Valley COG and she will report on the results of that conversation at next month's Council meeting.

### **Inner Circle Marketing Proposal**

President Neff referred to the proposal from Inner Circle Marketing for Council's consideration to fill the outreach void created by the loss of Explore Sewickley's role in this effort. Ms. Barnes commented on the need to improve communication to the community and suggested that individual Council members could host a Facebook page. Ward 2 Council members do create and send a newsletter to their constituents. It was suggested that the newsletter component of the proposal be considered at the next Council meeting.

The meeting recessed at 10:15 p.m. and Council went into executive session to discuss litigation.

Council came out of executive session at 10:45 and the meeting was reconvened.

A motion was made by Mr. Renner, second by Mr. Figley to approve the filing of an appeal with the PA Office of Open Records on the Right to Know request of Mr. Stan Ference. Motion carried 8-0.

Being no further business, on motion of Mr. Renner, second by Mr. Figley, the meeting was adjourned at 10:47 p.m.

Respectfully submitted,



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MARLA P. MARCINKO  
Borough Manager/Secretary



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JEFF NEFF  
President of Council