

**BOROUGH OF SEVEN FIELDS
COUNCIL MEETING
October 14, 2019**

Council President Jennifer Sikora called the meeting to order at 6:31 pm in the Council Chambers of the Seven Fields Borough Municipal Office at 2200 Garden Drive, Seven Fields, PA 16046.

ROLL CALL:

Present: Council President Jennifer Sikora, Council Vice President Dawn Servello, Council Member Kim Regan-Koch, Treasurer Elaine Communale, Mayor Michael Baer, Manager Thomas B. Smith, Engineer John Balewski, P.E., Solicitor Megan Turnbull, Esq.

Absent: Council Member Brian Trimble, Council Member Kevin Caridad, Ph. D.

Council President Sikora began the meeting with the Pledge of Allegiance.

PUBLIC PARTICIPATION:

Jean Spadacene (113 Linden Court)

Jean Spadacene of 113 Linden Court addressed Council to express her aversion to a cigar bar being opened in Seven Fields. Ms. Spadacene stated that she has lived in Seven Fields for years and does not feel that a cigar bar fits in with the family atmosphere of the community. She also indicated that the cigar bar would adversely influence the children of Seven Fields in that it promotes cigar and cigarette smoking as glamorous and that is sending the wrong message. Ms. Spadacene said that she feels the cigar bar could possibly bring in undesirable activities and would not add any value to Seven Fields.

APPROVAL OF COUNCIL MINUTES FOR SEPTEMBER 9, 2019

After review and upon a motion made by Council President Sikora and a second by Council Member Regan-Koch, the following resolution was unanimously adopted:

RESOLVED: Borough Council approved the minutes of the September 9, 2019 meeting as presented.

PRESENTATION – CLUB LEAF & BEAN

Mark Zini - Representative from Club Leaf & Bean

Mark Zini again addressed Council to give a brief overview of the business and express his interest in leasing the commercial space Table 86 vacated earlier this year. Club Leaf and Bean has an existing location in Washington, PA and Mark and his business partners feel that Seven Fields is the perfect spot for their second location. They are petitioning Council to change the existing zoning ordinance to allow public, for-profit clubs within the PEDD of Seven Fields.

At this time in his presentation, Mr. Zini addressed some misconceptions about the business and asserted that no undesirable activity takes place in the establishment in Washington, PA and instead is a place where like-minded people can gather to enjoy each other's company and often times cigar smoking does not take place during events. The facility is closely monitored by security cameras at all times and there has never been an incident requiring police response or anything of that nature during the time it has been open for business.

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Mr. Zini then introduced his partners at Club Leaf & Bean, Matt Kaltenberger, preacher at local Grace Community Church and Don Balla, a resident of Cranberry Township. After Mr. Kaltenberger and Mr. Balla had been introduced, the 10-minute time limit had been reached and Mr. Zini ended his presentation.

RECESS

Upon a motion made by Council President Sikora and a second from Council Member Regan-Koch, a brief recess was taken at 6:50 pm in order to remove the equipment used in Club Leaf & Bean's presentation to Council.

Upon a motion made by Council President Sikora and a second from Council Member Regan-Koch, the Council meeting was resumed at 6:55 pm.

MAYOR'S REPORT

Mayor Baer presented the September police report and noted that there were 132 incidents in Seven Fields for the time period of September 1st through September 30th, with roughly 61 of those being traffic-related.

TREASURER'S REPORT

Treasurer Communale referred Council to the Accounts Payable List for September 2019. The grand total of the payables is \$82,099.09. After review and upon motion of Council President Sikora and a second by Council Member Regan-Koch, the following resolution was unanimously adopted:

RESOLVED: Borough Council approved the Accounts Payable List for September 2019.

Treasurer Communale noted that the General Fund is \$1,299,836, the Total Capital Reserve Fund is \$964, and the Road Fund, Liquid Fuels and Sinking Fund total \$488,312.

Fund Balances as of October 14, 2019

General Fund	\$1,299,836
Capital Reserve	\$ 964
Road Fund	\$ 135,825
Liquid Fuels	\$ 352,486
CD Program	\$ ----
Sinking Fund	\$ 2,961
TOTAL	\$1,792,072

Bond Liability \$890,000

Available for Operating and/or Capital Expenses \$1,085,595

LEGAL ISSUES: Solicitor Turnbull commented on the process and steps that needed to be followed regarding Club Leaf & Bean's request for a text amendment to Seven Fields Zoning Ordinance #86. She advised that the first step had been completed as the proposed text amendment had been presented to the Planning Commission at their October 7, 2019 meeting. At their October 7th meeting, the Planning Commission voted to approve and recommend the text amendment presented by Club Leaf & Bean, but that motion failed due to lack of a second. The

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Planning Commission then communicated to Council that it was their belief a private for-profit club did not adhere to the vision for the Community of Seven Fields at this time.

Solicitor Turnbull then advised Council that they were being asked to authorize the advertisement of a public hearing to address the text amendment that Club Leaf & Bean was proposing. She stated that the next step would be voting at this meeting to authorize the advertisement of a public hearing to address the proposed text amendment as presented by Club Leaf & Bean if there was enough interest by Council to do so. The text amendment as presented would apply to the entire PED District of Seven Fields.

Solicitor Turnbull then addressed the request made by project manager, Shane Kaclik, to extend the Developer's Agreement for the Enclave at Highpointe for another 365 days. Upon a motion made by Council President Sikora and a second by Council Member Regan-Koch, the following was unanimously adopted:

RESOLVED: Borough Council approved the request to extend the Developer's Agreement for Enclave at Highpointe for an additional 365 days.

PUBLIC PARTICIPATION:

At this time, Council President Sikora again opened the floor for public comment and questions regarding the proposed text amendment brought before Council by Club Leaf & Bean.

Carol Vollman (102 Sycamore Drive)

Carol Vollman addressed Council regarding the proposed cigar bar, Club Leaf & Bean. Mrs. Vollman stated that she would rather see a restaurant open in the available space as a cigar bar would offer nothing to Seven Fields. Mrs. Vollman indicated that with the price of a private membership being \$150 per month it would be better suited to Cranberry Twp.

Brad Rigby (Club Leaf & Bean Member)

Brad Rigby, a current member of Club Leaf & Bean and resident of Cranberry Twp, addressed Council. Mr. Rigby stressed that he uses the club mainly for clients as a meeting space and to entertain. Mr. Rigby also told Council that he brings friends there as well as members of his church. In fact, Mr. Rigby stated that his church purchased a corporate membership soon after the club was opened and his church would not have done so if the club was anything but an upstanding business.

Jean Spadacene (113 Linden Court)

Jean Spadacene again addressed Council to impress upon them her view that the proposed cigar bar would not be a welcome addition to Seven Fields. Ms. Spadacene referred to the Clean Air Act and asked Mr. Zini if Club Leaf & Bean had received a written exemption. He replied that, yes, they had an exemption and used the most sophisticated air filtration system to get rid of the smoke and smells associated with the cigar smoke in the facility.

Ms. Spadacene showed concern for children being exposed to smoking and the activities that would take place at the cigar bar, as well as promoting smoking and sending the wrong message to the children of Seven Fields. In response to this comment, Mr. Zini expressed that no children were allowed in the club at any time for any reason and that the same concerns could be aimed at bars in the area regarding the drinking of alcohol.

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Meredith Welle (116 Bristol Drive)

Meredith Welle, a member of the Seven Fields Planning Commission, addressed Council to remind members that the issue being debated at the meeting was the amendment of the zoning ordinance and how it would affect other businesses and clubs in Seven Fields in the future.

In addition to this, Ms. Welle also noted her concern for Club Leaf & Bean's BYOB policy and the limited staff that would be on hand in the club during hours of operation. Ms. Welle questioned who would be responsible for ensuring that any drinking would not get out of hand and also, if such a situation arose, who would be responsible for calling police should things get out of control.

Brian Plants (506 Dorchester Drive)

Brian Plants addressed Council to ask how many police incidents had occurred at Table 86, an establishment that served alcohol and had many more customers than Club Leaf & Bean would serve on a normal day. He stated that he assumed any bar would receive more police calls for disorderly conduct than a club such as Leaf & Bean would receive.

Ken Foltz (Attorney for Club Leaf & Bean)

Ken Foltz, an attorney representing Club Leaf & Bean, addressed Council for clarification as to the conditional use, stating Club Leaf & Bean is a unique business and not addressed specifically in the Borough's zoning ordinance. Attorney Foltz argued for the text amendment of the current zoning ordinance and that Council should allow Club Leaf & Bean to move into Seven Fields.

EXECUTIVE SESSION

Upon a motion made by Council President Sikora and a second by Council Member Regan-Koch, Council the moved to executive session at 7:15 pm to discuss Club Leaf & Bean's proposed text amendment further with Solicitor Turnbull.

REGULAR SESSION

Upon a motion made by Council President Sikora and a second by Council Member Regan-Koch, the meeting was resumed at 7:23 pm.

At such time, Council President Sikora made a motion to authorize the advertisement of a public hearing to address the proposed text amendment as presented by Club Leaf & Bean. This motion failed due to lack of a second.

PLANNING ISSUES

Engineer Balewski gave a brief summary on the status of the Borough Building Metal Roof Project. All major work has been completed and the roof has been inspected by the architect. Engineer Balewski noted that he sent a short "punch list" of items that need to be addressed by Burns & Scalo to his satisfaction before final payment can be made. Burns & Scalo will be addressing and completing all outstanding items shortly.

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BOROUGH MANAGER'S REPORT

Resolution 2019-18 (General Municipal Pension System State Aid)

Manager Smith requested Council's approval of \$27,216.75 to be submitted to the Pennsylvania Municipal Retirement System (PMRS) as the Borough's pension contribution, and the amount of \$4,646.37 to be retained by the Borough for reimbursement to the General Fund for payments made to PMRS for "municipal for member" contributions to the Cash Balance Plan incurred during the fiscal year of 2019. Excess funds after reimbursement in the amount of \$9,527.75 are being sent to the Defined Benefit Fund. Upon a motion made by Council Member Servello and a second from Council President Sikora, the following was unanimously adopted:

RESOLVED: Borough Council approved Resolution 2019-18, General Municipal Pension System State Aid.

Resolution 2019-19 (Volunteer Fire Relief Association State Aid)

Manager Smith requested Council's approval of Resolution 2019-19, regarding the Volunteer Fire Relief Association State Aid in the amount of \$20,333.94 to be passed through to the Adam's Area Firemen's Relief Association. Upon a motion made by Council President Sikora and a second from Council Member Regan-Koch, the following was unanimously adopted:

RESOLVED: Borough Council approved Resolution 2019-19, Volunteer Fire Relief Association State Aid in the amount of \$20,333.94.

Seven Fields 3rd Quarter Budget Analysis

General Fund Revenue

- Total revenues have increased year over year by about \$11K. This is mainly due to an increase in Intergovernmental Revenue and an increase in Other Revenues.
- The \$11K increase in Intergovernmental Revenue is due to an increase in our annual Act 13 Marcellus Shale allocation and funds received for our recycling grant in 2019.
- The \$9K increase in Other Revenues is mainly due to receiving 457 Plan forfeiture funds from Voya due to the resignation of Thomas Cordell, who was not yet vested.
- Real Estate Transfer Tax has decreased by \$18K. However, an increase in Earned Income Tax and Business Privilege Tax helped offset this decrease.

General Fund Expenses

- Finance and Administrative expenses have increased by about \$19K year over year. This is mainly due to administrative wages. Also, there has been an increase in Engineering expenses this year by about \$4K.
- Expenses related to the Borough Building decreased year over year by about \$16K mainly due to the remodeling of the second-floor bathrooms and the purchase of carpeting in

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2018. Also, we have yet to be invoiced for the Traffic Light Maintenance agreement from Cranberry Twp.

- Expenses related to Public Safety increased by about \$13K. This was mainly due to the increased cost of Police services.
- Public Works expenses have increased by about \$8K year over year. This is due to lapses in payroll expenses in 2018 related to staff turnover.
- Parks and Recreation expenses were down by about \$10K year over year. This is due to the Borough not cutting the annual library allocation check yet.
- Total expenses ended up being up by \$12,671 year over year.

* The General Fund ended the third quarter with a \$257,033 surplus*

Water Fund Revenue

- Total Revenues increased by about \$48K due to a slight increase in meter sales and due to West View Water raising water rates on September 1st, that we passed onto our customers. Also, tap-in fees are up due to the Enclave at Highpointe.

Water Fund Expenses

- Expenses increased year over year by about \$37K. This is mainly due to the rate increase in the water we purchase from West View Water Authority. The \$20K decrease in wages, taxes, and benefits helped offset this. This decrease is due to the water department being understaffed due to staff turnover.

* The Water Fund ended the third quarter with a \$200,493 surplus*

2020 EC/SF Regional Police Department Budget

Manager Smith referred Council to the 2020 Evans City/Seven Fields Regional Police Department Budgets. Manager Smith advised that the Budget would be voted on and approved at the Police Commission Meeting to be held on October 28, 2019 at 5:15 pm at the Borough Building. Due to the recalculations in the Apportionment Formula, Seven Fields' financial share of the police expenses will be 61.5%. This is an increase of \$81k from 2019.

2020 Seven Fields Employee Health Insurance

Manager Smith presented the 2020 Medical Program Renewal from Municipal Benefits Services for Borough employees. Manager Smith advised that it included a 6% increase from 2019. Other options were explored including the implementation of a high deductible plan with Health Reimbursement Accounts, but the level of coverage that employees are accustomed to would be drastically impacted. Manager Smith recommended that Council assume the 6% increase. After a brief discussion and upon a motion made by Council President Sikora and a second from Council Member Regal-Koch, the following was unanimously adopted:

RESOLVED: Borough Council approved the 2020 Seven Fields Employee Health Insurance with a 6% increase.

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Seven Fields Water Company Office Equipment – Mailer Folder/Sealer

Manager Smith requested Council's approval to purchase a new Mailer Folder/Sealer machine for the Seven Fields Water Company at a cost of \$2,300 plus \$129 shipping and handling to replace the current machine which is ten (10) years old. This machine is used to fold and seal all water bills mailed to Seven Fields residents. Manager Smith advised that remaining funds from the 2019 Water Fund Capital Reserve for new water billing software would be used for the total amount of the purchase.

After some discussion from Council regarding ways to fix or service the existing folder/sealer machine to avoid the purchase of the new equipment, this topic was tabled and Borough employees will research any maintenance options still available for the machine, as well as the option of mailing postcard bills to residents in lieu of the current envelope format.

2020 Seven Fields Budget Updates

Manager Smith made a recommendation to Council that funds from the Seven Fields Water Company be transferred to balance any deficit in the 2020 General Fund to avoid increasing the millage rate in 2020. Manager Smith also advised Council that rates for Community Center rentals would be slightly increased to cover the cost of cable and wifi in the building, as well as slightly increasing the cost of residency permits and the cost for pool parties. The Budget will be discussed in more detail at the October 28, 2019 Council Meeting.

Seven Fields-Lytle Lease Agreement

Manager Smith requested Council's approval of a one-year lease extension (February 2020 through January 2021) for the Lytle Group's second floor office space. Their rent will remain the same at \$455 per month and the Borough will be replacing the original carpeting in the office with laminate flooring. Upon a motion made by Council President Sikora and a second from Council Member Regan-Koch, the following was unanimously adopted:

RESOLVED: Council approved a one-year lease extension for the Lytle Group's second floor office space at the rate of \$455 per month (February 2020 through January 2021).

Seven Fields-Shreffler Lease Agreement

Manager Smith requested Council's approval of a one-year lease extension (January 2020 through December 2020) for Dr. Michael Shreffler's second floor office space. The rent will remain the same at \$465 per month. Upon a motion made by Council President Sikora and a second from Council Member Regan-Koch, the following was unanimously adopted:

RESOLVED: Council approved a one-year lease extension for Dr. Shreffler's second floor office space at the rate of \$465 per month (January 2020 through December 2020).

Northridge Park Walking Trail Tree Service Estimates

Manager Smith directed Council's attention to estimates secured by the Public Works department to service and maintain the trees on the Northridge Park Walking Trail. The trees suffered some damage in recent years and require maintenance to ensure their survival. Manager Smith advised that Davey Tree Service submitted the lowest estimate at \$8,500 which included excavating the root crowns on all trees and re-mulching the area correctly so no more damage is incurred. After a brief discussion and upon a motion made by Council President Sikora and a second from Council Member Servello, the following was unanimously adopted:

RESOLVED: Council approved the required maintenance needed on existing Northridge Park Walking Trail trees in the amount of \$8,500.

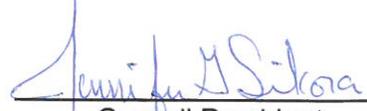
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Upon a motion made by Council President Sikora and a second by Council Member Regan-Koch, the meeting was adjourned at 8:00 pm.



Borough Manager

- Meeting Adjourned -



Council President

12/9/19

Date Approved