



# BOROUGH OF DORMONT

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## **REGULAR MEETING OF THE DORMONT BOROUGH COUNCIL HELD ON TUESDAY, SEPTEMBER 6, 2016 7:00PM IN THE DORMONT MUNICIPAL CENTER COUNCIL CHAMBERS**

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President Maggio called the Meeting of the Dormont Borough Council to order at 7:00PM

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

The following members of Council responded to roll call:

Robert Palmieri, Daniele Ventresca, Drew Lehman, Joan Hodson, John Maggio  
(Abel and Fabus absent)

Also present: Borough Manager Ben Estell  
Borough Solicitor John Rushford  
Mayor Phil Ross

### **COMMENTS FROM THE MAYOR**

Mayor Ross recognized and congratulated Charles Boone for making Eagle Scout; Charles is actually related to Daniel Boone. Charles' Service Project for Eagle Scout was collecting donations for Animal Friends. He raised over 600lbs of animal food and thousands of supplies for the animals. His project was also 1 of 4 events recognized as one of the integral part of helping Animal Friends win \$10,000 from USA Today and Newman's Own *Make a Difference Day*.

### **REGISTERED COMMENTS FROM THE PUBLIC**

None.

### **PRESENTATION**

Dan Rothschild of Rothschild Doyno Collaborative, and Dr. John Snyder RE: Presented the history of his parking garage concept for the corner of Potomac and West Liberty Avenues.

Palmieri had some comments and questions on the presentation.

Sterling Painton, Owner of Sterling Yoga, 1418 Potomac Avenue RE: Will there be space for her business?

Colleen Kale, Employee at Dewalt's World of Health, 1414 Potomac Avenue RE: Entrance to the parking garage and asbestos prevention.

Juntima Jirachertchoowong, Owner of Thai Spoon, 1409 Potomac Avenue RE: asked how this project will benefit the other business owners on Potomac and parking on the street.

Bob Hutchinson, 1332 Illinois Avenue RE: Presentation at the beginning of the meeting.

### **COUNCIL PRESIDENT'S REPORT**

Maggio informed that Keystone Oaks is having a recycling drive for STEAM classes.

### **BOROUGH MANAGER'S REPORT**

Estell briefed on the resumes he's receiving for the Fire Chief and the Cleaning/Janitorial positions.

Estell briefed on new signage needed throughout the Borough.

Rushford informed that the advertisement for the June workshop, to vote on the Potomac Avenue design concept, was a full advertisement that allowed the public to know of both meetings. Rushford briefed on the Sunshine Act in regards to the advertisement. Rushford stated that in his review there was no discussion of money with the design concept vote, so he felt there is no conflict with the Sunshine Act. Rushford informed that Council is allowed to give direction at a workshop agenda setting meeting. Rushford stated that several more votes and hearings regarding the issues surrounding the Potomac and Sidewalk Projects will be held, which will require a public vote.

Rushford briefed on his concerns about holding the Annual Street Fair on Potomac Avenue and does not legally recommend it.

### **PUBLIC HEARING**

**Motion by Lehman, second by Ventresca to open a PUBLIC HEARING – on the requested Inter-Municipal Transfer of a Liquor License from SWPA Social Association to the Hollywood Lanes.**

**Motion carried 5-0.**

Maggio asked if any members of the public would like to make any comments or testify at this public hearing.

Rushford asked if the representatives were present for the applicant.

Michael J. Hudock III, Attorney representing the SWPA Social Association, RE: Proposal to transfer a liquor licenses from the Bohemian Club located in Penn Hills to South Westerns Pennsylvania Social Association. Mr. Hudock informed that the license would be located in Hollywood Lanes. Hudock explained that this is an inner-municipal transfer and the prerequisite to apply with Liquor Control Board for the transfer is a Resolution from the receiving Municipality. Hudock stated that if the Municipality gives permission for the license to come in, it doesn't mean it will definitely be transferred, nor does it relieve the applicant who wants to transfer the license. Hudock briefed on the requirements of the Liquor Control Board.

Rushford informed that this doesn't guarantee any type of zoning, building permit or any other Municipal approvals. Rushford stated that this is just a liquor license transfer.

Hudock informed that an Occupancy Permit would also have to be produced to receive the transfer.

Mayor Ross asked if these private clubs are required to adhere to the strict regulations of selling alcohol in regards to hours of operation.

Hudock informed that the only difference between a club license and a bar/restaurant license is that the club has an extra hour that they're allowed to stay open, from 2:30am until 3:30am. Hudock stated that the Liquor Control Board will make sure that no more drinks are being sold by 3:00am to insure that everyone is out of the building by 3:30am. The club license would be sited, just like any other restaurant or bar if anyone remained drinking in that building after 3:30am.

Ross asked if the Police Department would have any troubles accessing the building during business hours.

Hudock informed that the Police Department should have no trouble accessing the building. Hudock informed that in his experience recently, when a club license is approved for transfer the Liquor Control Board has been imposing conditions. One of those conditions has tended to be that on the busiest nights, they want local police present doing security outside of the building.

Ross informed that his concern wouldn't be with access to the outside of the building, but the inside. Ross asked if there would be any security entering the building, like a locked door that requires being let in by the staff.

Hudock stated that there will not be that type of security while entering the building.

Rushford informed that this Public Hearing has been publically advertised and that for the record this meeting is being recorded.

Palmieri asked for clarification that the transfer is coming from the Bahamian club to the social club located at Hollywood Lanes and asked for the history of this social club.

Hudock gave a little history on the social club.

Palmieri inquired about the direct access to the liquor store that is located in the same building.

Michelle Ross, 3251 Beacon Hill Avenue RE: Number of liquor licenses in Dormont.

Lehman informed that there are about ten or eleven establishments that participate in the Pub Tour and he believes that everyone who has alcohol participates.

Rushford stated he thinks that there are twelve but he believes that two of those are not active.

Michelle Ross RE: Can there be something to stop the club serving alcohol at the same time as the other Dormont establishments.

Rushford informed that the hours of operation will be a zoning issue. Rushford stated that there is a possibility of the club staying open late on certain nights only.

**Motion by Lehman, second by Ventresca to close the PUBLIC HEARING.  
Motion carried 5-0.**

## **CONSENT AGENDA**

Motion by Ventresca, second by Lehman to accept Consent Agenda Items A, B, C, D, E, F, G, H, I, K, L, M, N (A. Motion to approve the Minutes for the Council Meeting Held August 1, 2016, B. Motion to approve the Minutes of the Special Meeting Held on May 31, 2016, C. Motion to Accept the Manager's Report for August 2016, D. Motion to accept the written report from the Borough Engineer for August 2016, E. Motion to accept the written report for the Borough Solicitor for August 2016, F. Motion to accept the written reports from Building and Code Enforcement for July and August 2016, G. Motion to accept the written report from the Police Department for August 2016, H. Motion to accept the Resignation of Frank Stump from the Zoning Hearing Board, I. Motion to Appoint Elizabeth Baldoni to the Zoning Hearing Board, J. Motion to Appoint Nathan Tavornic to the Zoning Hearing Board, K. Motion to Accept the Resignation of Valorie Sherman from the Recreation Board, L. Motion to Approve the 2017 Non-Police Employees' Pension Plan Minimum Municipal Obligation , M. Motion to Approve the 2017 Police Employees' Pension Plan Minimum Municipal Obligation, N. Motion to Appoint Rachel Carlson to the Planning Commission Pending the Expected Resignation of John McLane).

Hodson asked about the meeting minutes for the May 31<sup>st</sup> Special Meeting.

Rushford responded to Hodson's inquiry.

Hodson informed that she is alright with everything on the Consent Agenda, except for Item B.  
Motion carried 5-0.

## **ACTION ITEMS**

- A. Motion by Lehman, second by Ventresca to Approve a Resolution of the Borough of Dormont, County of Allegheny, Commonwealth of Pennsylvania Approving Transfer of a Club Liquor License No. C-2340 LID 1240 into the Borough of Dormont from

Penn Hills Township, County of Allegheny, Commonwealth of Pennsylvania to SWPA Social Association, 2961 West Liberty Avenue, Pittsburgh, Borough of Dormont, Allegheny County, Pennsylvania 15216.

- i. Council Discussion: None.
- ii. Public Comment: None.

Motion carried 5-0.

B. Motion by Palmieri, second by Lehman to Approve Resolution and Cooperation to Join the ACED Vacant Property Recovery Program.

- i. Council Discussion: Estell gave a brief description of the program.
- ii. Public Comment: None.

Motion carried 5-0.

C. Motion by Lehman, second by Hodson to Authorize the Manager to Enter into Agreement with Minimal Media, LLC for Website Implementation Services at a Cost Not to Exceed \$14,000.00.

- i. Council Discussion: Palmieri asked the purpose and need for this Agreement. Estell gave a brief description.
- ii. Public Comment: None.

Motion by Ventresca, second by Palmieri to table the above motion to Authorize the Manager to Enter into Agreement with Minimal Media, LLC for Website Implementation Services at a Cost Not to Exceed \$14,000.00, until Council is given a presentation by Mr. Trainer.

Motion carried 5-0.

D. Motion by Lehman, second by Ventresca to Accept the Recommendation of Award for the Reconstruction of Potomac Avenue.

- i. Council Discussion: Hodson asked about the timeline for the Reconstruction of Potomac Avenue. Palmieri asked about the funding and the timeframe of lending from a private bank.
- ii. Public Comment: Paul Mottey, Owner of Breaker's Billiards and Lounge, 1413 Potomac Avenue RE: Putting the bids out sooner. Sterling Painton, Owner of Sterling Yoga, 1418 Potomac Avenue RE: Voiced concerns with the construction on Potomac regarding her business.

Motion carried 5-0.

## **DISCUSSION ITEMS**

Palmieri suggested that Estell produce quarterly budget summaries to go along with the spreadsheet.

Motion by Palmieri, second by Hodson to have the Borough Manger produce quarterly budget summaries.

- i. Council Discussion: Lehman asked for more clarification on these summaries and time spent to write these summaries.

Palmieri briefed on the reason for this motion.

Estell made a recommendation to produce a written report at the end of the quarter with the document he already produces. This written report will highlight the main portions of the budget.

ii. Public Comments: None.

Motion by Lehman, second by Ventresca to table the above motion until Council has all the details.

Roll call: Palmieri, No; Ventresca, Yes; Lehman, Yes; Hodson, No; Maggio, Yes.  
Motion carried 3-2.

## **CITIZENS' COMMENTS**

Jamie Grassman, Owner of Beyond Bedtime Books, 1453 Potomac Avenue RE: Street Fair.

Justin Berger, Owner of the Dor Stop, 1430 Potomac Avenue RE: New timeline for the construction on Potomac Avenue.

Colleen Kale, Employee at Dewalt's World of Health, 1414 Potomac Avenue RE Safety in regards to the sidewalks on Potomac Avenue.

Paul Mottey, Owner of Breaker's Billiards and Lounge, 1413 Potomac Avenue RE: Parking on Potomac Avenue.

Luke Parker, Owner of Parker's, 2911 Glenmore Avenue RE: Holiday business in regards to the construction on Potomac Avenue and timeline for the parking garage concept.

Sterling Painton, Owner of Sterling Yoga, 1418 Potomac Avenue RE: Moving the Street Fair location.

Jeff Harlick, Owner of the Hollywood Lanes, 2961 West Liberty Avenue RE: Use the Dormont Plaza parking lot and the Dormont Library for Street Fair.

Colleen Kale, 1414 Potomac Avenue RE: Using the Biltmore parking lot for Street Fair.

Council made the decision to cancel the Street Fair.

Ventresca suggested having the *Christmas on Main Street* event on Potomac Avenue.

## **ADJOURNMENT**

Motion by Lehman, second by Palmieri to Adjourn.

Motion carried 5-0.