



**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**June 21, 2017**  
**8:00 PM**

The Council of the Borough of Whitehall will meet Wednesday, June 21, 2017, at 8:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

**AGENDA FOR REGULAR MEETING**  
**June 21, 2017**

- I. Announcement - Residents to Sign In to Speak during Citizens' Requests; Speakers Allotted Three Minutes to Present their Initial Comments; All Meetings will be Recorded Auditorily and Visually
- II. Call to Order
- III. Pledge of Allegiance
- IV. Roll Call
- V. Consideration of Bills and Payroll – Veith
- VI. Consideration of the Minutes of June 7, 2017
- VII. Citizens' Requests
- VIII. Reports of the Following Officers:
  - A. Mayor - Nowalk
  - B. Solicitor - Firman
  - C. Engineer – Omer
  - D. Manager – Leventry
- IX. Reports of the Following Committees:
  - A. Public Works – Nagy, Book, Barton
  - B. Public Safety – McKown, Veith, Book
  - C. Recreation – Barton, Nagy, Lahr
  - D. Administrative Services – Veith, McKown, Nagy
  - E. Library – Lahr, Barton, McKown
  - F. Planning & Zoning – Book, Veith, Lahr
- X. New Business
- XI. Adjournment

**BOROUGH OF WHITEHALL**

INDEX

MINUTES OF THE JUNE 21, 2017 COUNCIL MEETING

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|   | Motion  | Page |
|---|---------|------|
| Bills, Payroll - Approve                                    | M-1,2,3 | 1    |
| June 7, 2017 Meeting Minutes – Approve                      | M-4     | 2    |
| Solicitation Draft Ordinance– Public Display                | M-5     | 5    |
| Doverdell Drive Project – Award Bid                         | M-6     | 5    |
| 2017 Capital Lining Contract – Award Bid                    | M-7     | 5    |
| 2017 Sanitary Sewer Spot Lining Repair Contract – Award Bid | M-8     | 6    |
| 2017 Sanitary Sewer Excavation Repair Contract – Award Bid  | M-9     | 6    |
| Route 51 Sanitary Sewer Relocation Project – Award Bid      | M-10    | 6    |
| Payment to W.A. Petrakis – Approve                          | M-11    | 6    |
| Payment to Plavchak Construction – Approve                  | M-12    | 6    |
| Jessica Morgan to Part Time Dispatcher – Approve            | M-13    | 7    |
| WesBanco Borrowing Bid- Accept                              | M-14    | 8    |
| Adjournment   | M-15    | 9    |

## BOROUGH OF WHITEHALL

Regular Meeting June 21, 2017

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, June 21, 2017, at 8:00 PM, for a regular meeting. Vice President Book called the meeting to order, followed by the Pledge of Allegiance.

Vice President Book announced that all meetings will be recorded auditorily and visually.

ROLL CALL:

Present: Linda J. Book  
Philip J. Lahr  
Robert J. McKown  
Glenn P. Nagy  
William J. Veith  
James F. Nowalk, Mayor (Arrived at 8:30 PM)  
Irving S. Firman, Solicitor  
Ruthann Omer, Engineer  
W. Scott Rusmisl, P.E. – Gateway Engineers

Absent: Ryan Barton  
Kathleen N. DePuy

STAFF: James E. Leventry, Manager  
Keith P. Henderson, Chief of Police  
Courtney M. Wertz, Administrative Assistant

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mr. Veith moved, seconded by Mr. Lahr, that the bills contained on the bill list presented to Council on June 21, 2017 for \$176,493.25 from the General Fund and \$65,981.71 from the Sanitary Sewer Fund be approved. The motion carried unanimously.
- M-2 Mr. Veith moved, seconded by Mr. Lahr that checks and transfers for \$6,903.10 from the General Fund and \$57,046.84 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. Veith moved, seconded by Mr. McKown, that General Fund payroll for the period ending June 9, 2017 for \$167,539.83 as presented to Council on June 21, 2017, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

M-4 Mr. McKown moved, seconded by Mr. Lahr to approve the Minutes of the June 7, 2017 meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

James Kester, 4212 McKee Drive, appeared before Council stating that the swale on McKee did not work. He received 7 inches of water in his basement, garage and driveway. The water came down from Highgrove Road and hit his property on all sides. Mr. Kester was upset that Council did not reach out to him after the storm.

Gary Brueggman, 4615 Echo Glen Drive, appeared before Council to thank them for the Echo Glen Project. His rain gauge measured 2.8 inches of water received in 1 hour and 10 minutes. The new retention ponds worked and he did not receive water in his house, only the backyard and nothing like the storm last July. The storm sewer in his backyard was able to handle the water because the retention ponds held water back.

Lynne Johnston, 4672 Echo Glen Drive, appeared before Council to inquire about Phase II of the Echo Glen Project. Her property is on the opposite side of the recently finished Echo Glen Project. Ms. Johnston stated that she has flooded 4 times since 2013. Mr. Rusmisl is meeting with her tomorrow at 1 PM. She has videos of the storm and is retaining her own Engineer.

Matt McDanel, 201 Weyman Road, appeared before Council to discuss cleaning the creek bed behind his property. Flooding has been getting worse over the past 4 years that he has lived at the property. Last Wednesday was the first time he received water in his house. He was told that he cannot clean out the creek bed. He requested flood control measures be installed in the creek. Mr. McDanel is willing to do the work and maintain the creek bed with Council's approval. Ms. Omer stated that DEP rules prohibit certain work in creek beds. She will schedule a site visit to inspect the creek with Mr. McDanel.

Margie Smykla, 5402 Highgrove Road, appeared before Council to inquire about the lack of Whitehall ordinances prohibiting downspouts being directed towards neighboring property. She claims her neighbor's downspouts are directed towards her property and caused her to receive water in her basement and garage. The two firefighters that responded to her property informed her that her neighbor's downspouts were a code violation. Ms. Smykla provided Council with copies of neighboring municipalities codes prohibiting downspouts from flowing on to adjacent properties. Ms. Omer stated that Whitehall Borough does have an ordinance requiring downspouts to drain to the street. It was adopted in the early 1990's. Many homes in Whitehall Borough were constructed in the 1950's and 1960's, predating the ordinance. Ms. Omer will work with the Solicitor to see if that ordinance can be expanded to retroactively apply to older construction in the Borough.

Rich Long, 947 Dallet Road, appeared before Council on behalf of friends who live on McKee and Spring Valley who believe that their backwater valves malfunctioned. He wanted to know why storm water was getting into the sanitary lines there. Mr. Rusmisl stated that there are multiple issues in that neighborhood – springs in the area have been covered or piped into someplace they shouldn't be, overland flooding jumps the curbs, houses have low-side driveways, water gets into fresh air vents and pumps are overworked. Ms. Omer stated that the Borough maintains the back water valves and checks them after every storm. They were never meant to be a permanent fix for the neighborhood.

Melinda Perry, 947 Girard Road, appeared before Council to discuss “Niagara Falls” in her yard that “turns into a lake.” She has video of her retaining wall being torn down and her shed being knocked off balance from the quick moving flow. Mr. Rusmisl spoke with her husband on Monday.

Kristina Masucci, 4808 Doverdell Drive, appeared before Council to inquire about Council assisting residents with the cleanup and sanitization of properties affected by sewage backups. She stated that she had over 5 feet of sewage in her house. Mr. Leventry stated that residents may submit claims to the Borough's insurance company. Ms. Masucci inquired about when bids for Doverdell were placed. Ms. Omer stated it was a 6 week process that began immediately after all of the necessary easements were obtained. The project was advertised on May 11<sup>th</sup> and 18<sup>th</sup>. Bids were received on June 15<sup>th</sup>. The project will be recommended to Council for award during tonight's meeting. Ms. Masucci inquired about the prequalification process for companies to bid. Ms. Omer explained the pre-qualification process potential bidders must submit to before becoming eligible to bid on projects in Whitehall Borough. A company's financials, litigation history, construction history and more are required in the package. The process has been in place for 10 years in Whitehall Borough. Ms. Masucci stated that her neighbors mentioned Roto Rooter was in the area today and wanted to know why. Ms. Omer stated that the Borough hired them to flush the lines in areas known to be hit hard by heavy rainfall. It is standard practice to clean the sewer lines so they can function at capacity in the event of more rainfall. Ms. Masucci requested records of this work. Mr. Rusmisl stated that it takes 48 hours to receive the records from Roto Rooter.

Gemma Churik, 4812 Doverdell Drive, appeared before Council stating that her house is uninhabitable due to black mold. She provided Council with pictures of her property. Mr. Lahr stated that the Borough was ready to start the Doverdell Project last year. It took residents of the neighborhood 8-12 months to sign the necessary easements. Ms. Churik stated that she did not receive a call from the Borough after last week's storms. Ms. Churik did not call the Borough after the June 14th storm to report damage. Ms. Omer stated that the Doverdell Project is on the agenda tonight for award. Information about the two upcoming community meetings was given to Ms. Churik and other audience members.

Judy Lampart, 4594 Doverdell Drive, appeared before Council to inquire if the Borough has considered buying low lying properties. Ms. Omer stated that other municipalities have done that. Whitehall Borough has not considered that as a viable option.

Mark Stephenson, 5300 Baptist Road, appeared before Council on behalf of his neighbors who all received raw sewage backup. He stated there are 15 houses along Baptist Road that received sewage, but no storm water, during the storm last week.

Mike Seman, 5260 Baptist Road, appeared before Council stating that flooding has been getting worse after 45 years living at the property. He has a backwater valve at his property that works. Mayor Nowalk inquired about why Mr. Seman thinks the neighborhood is getting hit worse now. Mr. Seman stated that water coming down the backyards is a new development over the last 10 years. Mr. Seman suggested larger pipes and putting a retention pond in, possibly in the empty lot on Baptist Road.

Lynnette Kelley, 5256 Baptist Road, appeared before Council to discuss flooding at her residence. This is the 4<sup>th</sup> time in 5 years she has been flooded. The rains are heavier and the Borough needs to change with the times to help residents. She inquired about the back water valve at her property. Mr. Leventry stated that the Borough is responsible for maintaining it, which does not require access to the home. The office keeps records of when the valves are cleaned. Ms. Kelley is welcome to inspect those records.

Mr. Leventry stated that residents should submit any flood damage claims to the Borough's insurance company.

MAYOR:

Mayor Nowalk reported on the following items:

- The Borough reported 11.26 percent of the calls to animal control services in May.
- Mayor Nowalk stated that the Chief and Deputy Chief met with representatives of Caste Corporation today to discuss the upcoming fireworks night, which will be held on June 30<sup>th</sup>.
- Mayor Nowalk stated that the Chief reports that he has set up a meeting this Friday with representatives of the Police, Fire and Public Works departments as well as MRTSA for an "After Action" assessment of the flooding which occurred last Wednesday.
- Mayor Nowalk stated that he received a thank you letter from a resident expressing gratitude for the work of Matt Mabon. Mr. Mabon dispatched medical assistance to the resident's home, saving the resident's life.

SOLICITOR:

Mr. Firman followed up on a request from Council and the Chief at the last meeting regarding changes to the Solicitation Ordinance. Amendments would allow for out of state criminal background checks on applicants wishing to solicit within the Borough.

M-5 Mr. McKown moved, seconded by Mr. Lahr to read the Ordinance in Summary Form and place on Public Display for two weeks. The motion carried unanimously.

Mr. Firman requested an executive session after the meeting for personnel matters.

ENGINEER:

Ms. Omer reported on the following items; members of Council received written copies of the Engineer's report:

- Doverdell Drive Watershed Project –A total of four bid proposals were received at the bid opening on June 15<sup>th</sup>. A. Merante Contracting, Inc. was the low bidder with a total price of \$3,032,729.25 for the base and add alternate.

M-6 Mr. McKown moved, seconded by Mr. Lahr to award the Doverdell Drive Storm & Sanitary Sewer Project to A. Merante Contracting, Inc. in the amount of \$3,032,729.25. The motion carried unanimously.

Ms. Omer stated that there will be two community meetings regarding the Doverdell Drive project that members of the public are encouraged to attend. The first meeting will be July 18<sup>th</sup> at 6:30 PM and the second meeting will be July 26<sup>th</sup> at 12:00 PM. Both meetings will be in the Community Room at the Borough Building. The Borough's communication plan will be discussed at these meetings.

- Phase II Storm Water (MS4 Permit) – Gateway Engineers is beginning to develop the Pollution Reduction Plan (PRP) required to be submitted with the NOI. This plan will be ready for a 45 day advertisement to the public by August 1, 2017 so it can be submitted with the NOI by September 15, 2017. The Borough Manager is meeting with Gateway tomorrow to review the plan.
- Operations & Maintenance Plan – Bids were received for the 2017 Capital Lining Contract on June 15, 2017. The apparent low bidder is Jet Jack in the amount of \$217,240.00.

M-7 Mr. McKown moved, seconded by Mr. Lahr to award the 2017 Capital Lining Contract to Jet Jack, Inc. in the amount of \$217,240.00. The motion carried unanimously.

- Operations & Maintenance Plan – Bids were received for the 2017 Sanitary Sewer Spot Lining Repair Contract on June 15, 2017. The low bidder is State Pipe Services in the amount of \$64,465.00.
- M-8 Mr. McKown moved, seconded by Mr. Lahr to award the 2017 Sanitary Sewer Spot Lining Repair Contract to State Pipe Services in the amount of \$64,465.00. The motion carried unanimously.
- Operations & Maintenance Plan – Bids were received for the 2017 Sanitary Sewer Excavation Repair Contract on June 15, 2017. The low bidder is Roto-Rooter Service Company in the amount of \$242,242.00.
- M-9 Mr. McKown moved, seconded by Mr. Lahr to award the 2017 Sanitary Sewer Excavation Repair Contract to Roto-Rooter Service Company in the amount of \$242,242.00. The motion carried unanimously.
- Route 51 Sanitary Sewer Repair – Bids were received for the Route 51 Sanitary Sewer Relocation Project on June 15, 2017. The low bidder is Independent Enterprises Inc. in the amount of \$296,042.25.
- M-10 Mr. McKown moved, seconded by Mr. Lahr to award the Route 51 Sanitary Sewer Relocation Project to Independent Enterprises Inc. in the amount of \$296,042.25. The motion carried unanimously.
- Spring Valley Sewer Replacement – Driveway restoration was pushed back to the week of June 19<sup>th</sup>. Gateway Engineers recommends approval of Payment Application No. 1 to W.A. Petrakis in the amount of \$41,055.45.
- M-11 Mr. McKown moved, seconded by Mr. Lahr to approve Payment Application No. 1 in the amount of \$41,055.45 to W.A. Petrakis. The motion carried unanimously.
- Pool Retaining Wall Replacement – Gateway Engineers has reviewed the completed work.
- M-12 Mr. Lahr moved, seconded by Mr. McKown to approve Payment Application No. 4 and Final in the amount of \$1,610.82 to Plavchak Construction. The motion carried unanimously.



MANAGER:

Mr. Leventry reported on the following items according to the written report given to Council:

- Inspection Company Interviews – Mr. Leventry and Scott Dellett are in the process of conducting interviews of companies that provide UCC permit and inspection services. Several of these companies also provide inspection services for rental properties. Mr. Leventry hopes to have a recommendation for Council for the July 5<sup>th</sup> meeting. There are two potential candidates currently.

Mayor Nowalk received a letter from a resident on W. Lawnview. Mr. Leventry stated that he was copied on that correspondence and the matter has been referred to the Code Enforcement Office. Mayor Nowalk gave Chief Henderson a copy of the letter to review for Public Safety issues.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

Mr. McKown stated that the Public Works department has completed painting the advisory “STOP BAR” and guidelines for the intersection of Lantern Hill Extension at Hennig Drive as well as replacing the existing Yield Sign with a Stop Sign. The Steeplechase Homeowners Association has been notified that bushes currently at that corner are to be trimmed back to allow a better line of sight West on Hennig.

Mr. McKown stated that the Chief reports that background investigations are underway for the top three candidates for the position of Police Officer.

Mr. McKown stated that the Chief reports that Jessica Morgan has satisfactorily completed her Dispatcher Training and recommends her employment status be changed from Trainee to Part Time employee effective immediately.

M-13 Mr. McKown moved, seconded by Mr. Lahr to change the employment status of Jessica Morgan to Part Time Dispatcher. The motion carried unanimously.

RECREATION:

Mr. Lahr stated that he has some ideas regarding the promotion of Community Day, Veteran's Day and Memorial Day celebrations.

Mr. Nagy stated that he spoke with Pool Manager Walt Milinski about issues discussed at the previous Council Meeting. Mr. Milinski will address the issue of lifeguards blowing the whistle early. He did say that pool patrons are spending up to 20 minutes in the showers after the pool closes, which also needs to be addressed. The Recreation Committee still needs to meet to discuss extending the pool hours.

Ms. Book stated that she attended a GBWAA event this past Saturday celebrating their partnership with the Pittsburgh Pirates Charities. GBWAA received grants to redo the infields at parks in Baldwin Borough and at Union Park in Whitehall. Mr. Nagy stated that he drove by Union Park after the storms last week and it was dry – the product worked.

ADMINISTRATIVE SERVICES:

Mr. Veith stated that the Administrative Committee met to discuss funding options for the Doverdell Drive Project. Four bids were received. WesBanco was the best option - \$3.3 million at 2.69% interest over 15 years. The Storm Sewer Fund would cover a portion of the cost of the loan payments each year.

M-14 Mr. Veith moved, seconded by Mr. McKown to accept WesBanco's bid. The motion carried unanimously.

Mr. Leventry stated that this is just the beginning of the borrowing process.

LIBRARY:

Mr. Lahr introduced Eileen Tenenbaum from the Library Board to give a report.

PLANNING & ZONING:

Ms. Book stated that the next Planning Commission meeting is July 6th. She thanked Mr. Dellett for the monthly report from the Planning, Zoning and Code Office. It is very informative.

NEW BUSINESS:

Ms. Book thanked the Administration Staff, Planning & Zoning Staff, Public Works, Whitehall Police Department and Whitehall Fire Company for their hard work during the recent flooding. The Borough is moving forward addressing the issues that plague our residents.

ADJORNMENT:

M-15 Mr. McKown moved, seconded by Mr. Lahr to adjourn the meeting. The motion carried unanimously.

The meeting adjourned to executive session at 9:15 PM.

READ AND APPROVED THIS DAY OF JULY 5, 2017:

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Manager 