

BOROUGH OF WHITEHALL
Notice of Meeting
February 7, 2018
8:00 PM

The Council of the Borough of Whitehall will meet Wednesday, February 7, 2018, at 8:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

AGENDA FOR REGULAR MEETING
February 7, 2018

- I. Call to Order
- II. Pledge of Allegiance
- III. 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
- IV. Roll Call
- V. Consideration of Bills and Payroll – DePuy
- VI. Consideration of the Minutes of January 18, 2017
- VII. Public Hearing – Omnibus Zoning Ordinance
- VIII. Public Hearing – SEO Streetscape Enhancement Overlay District Zoning Ordinance Amendment
- IX. Citizens' Requests
- X. Reports of the Following Officers:
 - A. Mayor - Nowalk
 - B. Solicitor - Firman
 - C. Engineer – Rusmiser
 - D. Manager – Leventry
- XI. Reports of the Following Committees:
 - A. Library – Veith, Lahr, McKown
 - B. Planning & Zoning – Lahr, DePuy, Wotus
 - C. Public Works – Nagy, DePuy, Wotus
 - D. Public Safety – McKown, Veith, Nagy
 - E. Recreation – Wotus, Nagy, Veith
 - F. Administrative Services – DePuy, McKown, Lahr
- XII. Delegate Reports:
 - A. Allegheny County Boroughs Association – Book, DePuy
 - B. Chamber of Commerce – Wotus
 - C. Economic Development South -Nagy
 - D. Medical Rescue Team South Authority – McKown, Lahr
 - E. South Hills Area Council of Governments – Veith, Lahr
- XIII. New Business
- XIV. Adjournment

BOROUGH OF WHITEHALL

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Adjournment

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BOROUGH OF WHITEHALL

Regular Meeting February 7, 2018

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, February 7, 2018, at 8:00 PM, for a regular meeting. President Book called the meeting to order, followed by the Pledge of Allegiance.

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

ROLL CALL:

Present: Linda J. Book
Kathleen N. DePuy
Philip J. Lahr
Robert J. McKown
Glenn P. Nagy
John A. Wotus
James F. Nowalk, Mayor
Irving S. Firman, Solicitor
Bryan W. Flaugh, P.E. – Gateway Engineers

Absent: William J. Veith
Scott Rusmiser, Engineer

STAFF: James E. Leventry, Manager
Keith P. Henderson, Chief of Police
Courtney M. Wertz, Assistant Manager
Scott Dellett, AICP, Director of Planning, Zoning & Code Enforcement

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mrs. DePuy moved, seconded by Mr. Lahr, that the bills contained on the bill list presented to Council on February 7, 2018 for \$311,391.53 from the General Fund, \$62,242.30 from the Storm Sewer Fund, \$671,116.53 from the Sanitary Sewer Fund and \$536,428.09 from the Doverdell Drive Storm Sewer Fund be approved. The motion carried unanimously.
- M-2 Mrs. DePuy moved, seconded by Mr. Lahr that checks and transfers for \$21,334.85 from the General Fund and \$102,546.55 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mrs. DePuy moved, seconded by Mr. Lahr, that General Fund payroll for the period ending February 2, 2018 for \$147,296.07, as presented to Council on February 7, 2018, be ratified. The motion carried unanimously.

- M-4 Mrs. DePuy moved, seconded by Mr. Lahr, that General Fund payroll for the period ending January 19, 2018 for \$149,349.12, as presented to Council on February 7, 2018, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

- M-5 Mr. Lahr moved, seconded by Mr. Wotus to approve the Minutes of the January 17, 2018 meeting as presented. The motion carried unanimously.

PUBLIC HEARING – OMNIBUS ZONING ORDINANCE

Mr. Firman opened the public hearing on the Omnibus Zoning Ordinance. He turned the meeting over to Mr. Dellett. Mr. Dellett explained the meaning of “omnibus” as it relates to the proposed zoning ordinance.

Mayor Nowalk inquired if the proposed ordinance corrects the zoning at the former Sisters of Saint Francis property. Mr. Dellett stated that the Planning Commission will be looking at R-7 Districts at their meeting next Wednesday. Council can expect a recommendation on that in the coming months.

- M-6 Mr. McKown moved, seconded by Mr. Wotus to close the public hearing. The motion carried unanimously.

- M-7 Mr. McKown moved, seconded by Mr. Lahr to adopt the Omnibus Zoning Ordinance. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1103.

PUBLIC HEARING – SEO DISTRICT ZONING ORDINANCE AMENDMENT

Mr. Firman opened the public hearing on the SEO District Zoning Ordinance Amendment. He turned the meeting over to Mr. Dellett.

There were no questions or comments from the public or Council.

- M-8 Mr. McKown moved, seconded by Mr. Wotus to close the public hearing. The motion carried unanimously.

M-9 Mr. McKown moved, seconded by Mr. Wotus to adopt the SEO District Zoning Ordinance Amendment. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1104.

CITIZENS' REQUESTS:

Donna McCrea, 305 Southvue Drive, appeared before Council with fellow Shade Tree Commission member Pete Swauger to discuss the planting of trees at the swimming pool. Ms. McCrea had sent Council a revised map depicting a new location for trees at the swimming pool. The proposed new location is along the south fence, closer to the swimming pool. The Pool Manager is okay with the new location. Members of Council expressed their disapproval of the new location. Council approved the planting of trees along the Library fence, not the south fence. Mr. Lahr suggested not doing a planting at the swimming pool and instead spending the money at Steeplechase Park. Ms. McCrea stated that the Shade Tree Commission is open to either location, as long as the planting is successful and beneficial to the community. The Shade Tree Commission is to proceed with the original planting location along the Library fence. They will put together a detailed plan for Mr. Leventry to review.

Matthew Dingus, 28 Mary Ann Drive, appeared before Council on behalf of the BWAA with concerns about Prospect Park. An electronic scoreboard has been donated to BWAA and they would like permission to install it at Prospect Park. Mr. Leventry stated that Mr. Dingus should submit a detailed proposal to him for review. Mr. Dellett stated that they will need a building permit. Mr. Dingus will address his other concerns with Mr. Leventry and the Recreation Committee.

Tracy Murello, 4861 Rolling Hills Road, appeared before Council on behalf of the Baldwin Manor Park Association to thank Borough Council for all their help since she has taken over as President of the Association. Council has previously agreed to give the Park Association \$10,000 of in kind work to pave part of the path in the park. Ms. Murello is asking that Council amend that offer to be \$8,000 of in kind work and a \$2,000 check for matching funds for a grant that the Park Association is pursuing. The grant is for a survey of the park so the Association can address dumping issues. Once a survey is completed, the Association will be able to pursue other grant opportunities.

M-10 Mr. McKown moved, seconded by Mr. Wotus to give the Baldwin Manor Park Association \$8,000 of in kind work and a letter committing to a \$2,000 match if the grant is awarded. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented his report for January 2018:

EMS Assists.....	194
Court/Hearings/Pretrial	78
Accidents	20
Criminal Arrests (1 DUI).	20
Traffic Stops	135
Traffic Details	67
Written Traffic Citations.	88
Written Warnings Traffic Violations.	85

Total amount of money collected and turned over to the Borough during January 2018, amounted to \$5,997.91 the breakdown is as follows:

MVC from District Magistrate	\$875.39
Crimes Code and Code violations	
from District Magistrate	\$1,407.02
Parking Fines	\$990.00
Copies	\$210.00
Miscellaneous –Mechanical License Fees	\$1,550.00
Miscellaneous –Solicitor Permit Fees	\$100.00
Fines from Clerk of Courts	\$865.50

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that a DARE graduation ceremony for the 5th grade students at Whitehall Elementary School was held yesterday. These students completed the DARE Core Curriculum, which Officer Dave Artman presented over the last 6 weeks.
- Mayor Nowalk stated that the Chief reports that Officers Bradford and Hinkle completed a 40 hour POSIT Police Supervisors Training course offered through Penn State. Whitehall Police co-sponsored the event which saved the Borough tuition costs of \$1500.
- Mayor Nowalk provided an update on the RADAR bill currently in the PA House Transportation Committee.

SOLICITOR:

Mr. Firman stated that a Resolution to establish an official policy establishing the conditional right for Council members to participate in Borough Council meetings by means of telecommunication devices has been on public display for two weeks.

M-11 Mr. McKown moved, seconded by Mr. Lahr to read the Resolution in summary form. The motion carried unanimously.

M-12 After the reading of the Resolution, Mr. McKown moved for adoption. Mr. Lahr seconded the motion. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. The motion carried unanimously. The Resolution No. is 964.

Ms. Book stated that physical presence is still required for a quorum. Mr. Firman stated that is correct and that requirement is part of Whitehall Borough's Home Rule Charter.

Mr. Firman stated that an Ordinance regarding residential rental unit occupancy inspections has been on public display for two weeks.

M-13 Mr. Lahr moved, seconded by Mrs. DePuy to read the Ordinance in summary form. The motion carried unanimously.

M-14 After the reading of the Ordinance, Mr. McKown moved for adoption. Mr. Wotus seconded the motion. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1105.

Mr. Firman requested an executive session after the meeting for two items of litigation.

ENGINEER:

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

- Doverdell Drive Watershed Project – Merante's crew continued storm sewer installation on Doverdell Drive. The 30" diversion sewer was completed on January 26th. Construction of the 48" storm sewer upstream of the tank started on January 31st. An additional crew was added this week for sanitary sewer work.

M-15 Mr. Wotus moved, seconded by Mr. Lahr to approve Payment Application No. 7 in the amount of \$46,105.20 to A. Merante Contracting. The motion carried unanimously.

M-16 Mr. Lahr moved, seconded by Mr. Wotus to approve Change Order No. 2 in the amount of \$3,915.00 to A. Merante Contracting. The motion carried unanimously.

The Change Order was required for work at the intersection of Weyman and Baptist. The traffic signal loop was cut multiple times there while work was being performed.

Chief Henderson stated that the Borough has received bills for repair of the cut lines. Those bills were sent to A. Merante to pay. He asked that the Engineer look into the matter to make sure the same bill isn't being paid by both the contractor and the Borough. He also noted that A. Merante chose to cut the traffic loop multiple times and the Borough should not be responsible for those bills. Mr. Flaugh will have Mr. Rusmislak look into the matter.

M-17 Mr. Lahr moved, seconded by Mr. Wotus to rescind the previous motion paying A. Merante for Change Order No. 2. The motion carried unanimously.

M-18 Mr. Lahr moved, seconded by Mr. Wotus to table Change Order No. 2 until more information is received. The motion carried unanimously.

Chief Henderson inquired about the state of Doverdell Drive. Mr. Flaugh will talk to Mr. Rusmislak about getting better cold patch for the street.

Mr. Nagy inquired about the work being done at the intersection of Brownsville and Provost. Chief Henderson stated that is a water company project. They are working overnight to make connections to the houses in the area.

Mayor Nowalk inquired about the state of Village Lane. Village Lane is a private road owned and maintained by Caste Village. The Borough has made numerous calls to them regarding the road. Chief Henderson stated that it is becoming a public safety issue. He will give Mr. Leventry contact information for the new management at Oxford Development.

- Operations & Maintenance Plan – Roto Rooter is currently completing the work for the 2017 Whitehall Sanitary Sewer Excavation Repair Contract.

M-19 Mr. Lahr moved, seconded by Mr. Wotus to approve Payment Application No. 5 in the amount of \$30,093.68 to Roto Rooter Service Company. The motion carried unanimously.

- Echo Glen Watershed Study – A meeting was held with Gateway, Whitehall Borough and South Hills Country Club on January 31st to review the outstanding items. Mr. Flaugh stated that there are three issues (1) Repair the Slope (2) Access Path to the Ponds (3) Maintenance Responsibilities. (1) The Country Club does not want rip rap for aesthetic reasons. A heavier matting can be used but it is not as permanent a solution as rip rap. Rudzik gave an estimate of \$20,500 to do this work. The Club is also claiming a storm sewer pipe was broken during construction. Rudzik is looking into this claim. (2) There are two spots where pathways can be cut in. The grade will need to be flattened a bit. There is a product called Grass Pave 2 that the Country Club would like to use. It is a stabilization mat. Rudzik gave an estimate of \$14,500 for this work. Rudzik is uncomfortable providing a warranty for the product. The total cost for Rudzik's work would be \$35,000. The Country Club stipulation is that the work be done before March.

Mayor Nowalk stated that there are three objectives (1) Functionality (2) Aesthetics (3) Maintenance. The Borough wants the ponds to function, the Club wants them to look nice and both want them to be maintained. Mr. Flaugh stated that the Country Club is responsible for routine maintenance, while the Borough handles structural maintenance. Mayor Nowalk stated that an access road could benefit the Borough and the Country Club. He stated the Country Club is concerned that the ponds are too steep to get equipment into.

Mr. Lahr stated that the Country Club is an asset to the community but they have been very difficult to work with during this project. The Borough has paid Gateway Engineers multiple times to revise the plans to the Country Club's liking. The ponds are hidden from the golf course. Mr. Lahr stated that rip rap should be installed so they are secure. Mr. Lahr wants any agreement with the Country Club to be ironclad so the Borough does not spend any more taxpayer money on this project. The project is already overbudget. The project is for the protection of the residents of Echo Glen, not the Country Club.

Mayor Nowalk stated that there is a new Board at the Country Club and discussions have been amicable.

M-20 Mr. McKown moved, seconded by Mr. Wotus to approve the use of a heavier matting and Grass Pave 2 in the amount of \$35,000 to Rudzik Excavating and to authorize Mr. Firman to prepare a full and final release agreement for the Country Club to sign with the stipulation that the Borough keeps the remaining \$4,500 in the planting budget. The motion carried unanimously.

Mrs. DePuy inquired why these problems were not addressed before the contract was signed. Mr. Nagy stated that not everything is foreseeable when dealing with water and nature. Mr. McKown stated that there were unforeseen circumstances when the ponds were dug including hitting rockbed, which required the pond design to be changed.

- Mayberry Orthodontics – As requested, Gateway has reviewed the Bonding Reduction Request from HOMEBODY, LLC for the remaining work associated with Mayberry Orthodontics, dated January 8, 2018. Based upon review of the estimate and field visit to verify work completed, Gateway recommends that the Borough set the Bond at \$20,762.50, which is 110% of the total cost of construction remaining. Mr. Dellett stated that the developer made the request for the bond reduction, asking for partial release as the work remaining on the contract can not be completed until Spring.

M-21 Mr. Wotus moved, seconded by Mr. McKown to approve the Bond Reduction. The motion carried unanimously.

Mr. Lahr asked for an update on Refresh Dental. Mr. Dellett provided an update.

Mr. McKown stated that Mr. Flaugh should contact the utility companies that have been working through the Borough to verify that they will pave the streets that they have dug up. Mr. Flaugh is working with Mr. King on a preliminary paving list.

There was a discussion about bright signs in the Borough.

MANAGER:

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

- Tax Levy Ordinance – Mr. Leventry presented the Ordinance setting the tax millage at 4.42, the same amount as was set in 2017.

M-22 Mr. McKown moved, seconded by Mr. Lahr to read the Ordinance. The motion carried unanimously.

M-23 After the reading of the Ordinance, Mr. McKown moved for adoption. Mr. Lahr seconded the motion. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1106.

- Fee Resolution – The Borough Fee Resolution has been amended several times over the years, and as a result contains some outdated and incorrect information. Ms. Wertz has prepared a restated Resolution.

M-24 Mr. McKown moved, seconded by Mr. Wotus to place the Resolution on public display for two weeks. The motion carried unanimously.

- Mowing Bids – The bids to perform mowing services on Borough property for 2018 were opened on January 30th. Two bids were received, however one had to be rejected for non-conformity of the bid-specs. The low bid is Walt's Landscaping at \$41,210.00. Mr. Leventry recommends acceptance of the bid.

Mr. Lahr moved that the bid be accepted. This motion was not seconded.

M-25 Mrs. DePuy moved, seconded by Mr. Wotus to reject all bids and rebid. On a roll call vote Ms. Book, Mr. Lahr, Mr. McKown and Mr. Nagy voted no. Mrs. DePuy and Mr. Wotus voted yes. The motion failed 4-2.

M-26 Mr. Lahr moved, seconded by Mr. Nagy to accept the bid of Walt's Landscaping in the amount of \$41,210.00 for one year. On a roll call vote Ms. Book, Mr. Lahr, Mr. McKown and Mr. Nagy voted yes. Mrs. DePuy and Mr. Wotus voted no. The motion carried 4-2.

- UCC Appeals Board Vacancies – As Council is aware, there are two vacancies on the UCC Appeals Board. Mr. Leventry recommends Edward Major for a three year term to expire on December 31, 2020 and Milan Stanojevic to complete an unexpired term that concludes December 31, 2019.

M-27 Mr. McKown moved, seconded by Mr. Wotus to appoint Edward Major to a three-year term expiring December 31, 2020 and to appoint Milan Stanojevic to an expired term ending December 31, 2019. The motion carried unanimously.

- DOT Drug and Alcohol Testing Program – Employees who have a CDL license are subject to random drug and alcohol testing per state law. The company that previously administered the program for the Borough has ceased doing so. Spectrum Medical Corp. has offered to take over administration of the program for the Borough at a reasonable cost. There is a \$200 sign up fee and each test is \$75. The advantage to Spectrum is that they come to the site to take the sample, rather than the employee having to go to a collection site. Mr. Leventry asked that Council authorize him to sign a contract with Spectrum.

M-28 Mr. Lahr moved, seconded by Mr. Wotus to authorize Mr. Leventry to sign a contract with Spectrum. The motion carried unanimously.

LIBRARY:

Mr. Lahr stated that there is a new artist being featured at the Library.

Mr. McKown stated that the Love Your Library Lunch will be September 9th at the South Hills Country Club. Marie Benedict is the author.

The Cook Book Club is to be featured on the Rachael Ray Show reviewing her new cook book. They are waiting on an air date.

The 2018 Annual Appeal is looking for volunteers to help write personal notes asking for donations.

PLANNING & ZONING:

Mr. Lahr stated that the Planning Commission meeting is next Wednesday. Mr. Dellett provided a project status update to Council.

Mr. Dellett presented a proposed Resolution for a Planning Module for South Hills Square Retirement Community.

M-29 Mr. Lahr moved, seconded by Mr. McKown to read the Resolution in summary form and put it on public display for two weeks. The motion carried unanimously.

Mr. Dellett stated that the Code Enforcement Officer's report was given to Council. A report will be prepared for the 2nd meeting of each month. Council is very pleased with the work of Mr. Zeoli.

M-30 Mr. Lahr moved, seconded by Mr. Wotus to appoint Travis Crocker to the Planning Commission for a term expiring December 31, 2019. The motion carried unanimously.

PUBLIC WORKS:

Public Works crews have been busy. Mr. Leventry stated that salt supply is good and equipment is running well. The salt budget is on track. If weather continues to be bad in February and March, salt will be overbudget.

PUBLIC SAFETY:

Mr. McKown stated that the Chief reports that Dispatcher Matt Mabon successfully completed his probation and he is requesting Matt be hired permanent full time, effective January 17, 2018.

M-31 Mr. McKown moved, seconded by Mr. Lahr to hire Dispatcher Matt Mabon as permanent full time effective January 17, 2018. The motion carried unanimously.

Mr. McKown stated that the Chief reports that on January 20th, 30 applicants completed the Whitehall Civil Service test for the position of Police Officer. The top 20 candidates have been invited to the physical agility test which will be held February 20th at the Allegheny County Police Training Academy.

RECREATION:

Mr. Leventry stated that the Community Room is slated to be open by the end of February.

Mr. Wotus stated that Ms. Joyce expressed displeasure at not being consulted about the renovations of Frank Park.

Community Day will be August 25.

Mr. Wotus stated that he and Mr. Leventry met with a representative from GBWAA. They are getting a price to put red crushed brick in the infields at Snyder and Highland Parks. This is the same product that was placed at Union Field last year. They have offered to cover half of the cost. Additionally, GBWAA is looking to a get a price to address the drainage issue at Snyder Park.

Mr. Wotus stated that the BWAA has requested the removal of the permanent mound at the upper field at Prospect Park. They will supply a portable mound. The BWAA recently installed a sign at Prospect Park that will be taken down. There is a sign on the shelter building that has been there for a number of years that will stay.

Mr. Wotus stated that the Comedy Show will be on February 24th.

The Recognition Dinner will be March 23rd at the South Hills Country Club.

ADMINISTRATIVE SERVICES:

Mrs. DePuy inquired about sending new board and commission appointees to training due to the recent turnovers. Mr. Dellett stated that he is looking into training for new Planning Commission members to attend.

DELEGATE REPORTS

ACBA – Ms. Book stated that she attended the Annual Banquet on February 3rd. Mrs. DePuy stated that the PSAB Annual Conference will be June 10-13 at Hershey Lodge. Ms. Book inquired about the status of the Borough's Banner Community Application. Ms. Wertz will check on the status and follow up with Ms. Book. Ms. Book stated that the deadline to submit resolutions to PSAB is April 11. Mrs. DePuy suggested a Resolution allowing for electronic advertisement of Borough business. Mr. Leventry stated that Whitehall's Home Rule Charter requires advertisement in a local newspaper. Ms. Book stated that the ALOM Spring Conference is April 5-8 at Seven Springs. Ms. Book, Mrs. DePuy, Mr. McKown and Mr. Lahr plan to attend. Ms. Book stated that March 11 is the deadline to submit articles to the PSAB magazine. Mayor Nowalk is submitting an article about the 70th anniversary of Whitehall Borough. Mrs. DePuy stated that there is an article about Ms. Book in the current issue.

CHAMBER OF COMMERCE – Mr. Wotus stated that Bill Atchison was the speaker at the last luncheon. He was a great speaker. Mr. McKown stated that the Love Your Chamber Reception is being held tonight at the South Hills Country Club.

EDS – No report.

MRTSA- No report.

SHACOG- Mr. Leventry stated that SHACOG is working on a new refuse collection contract.

NEW BUSINESS:

Mrs. DePuy stated that she would like to nominate Phil Lahr for the Thomas F. Chrostwaite award for 20 years of service with the stipulation that he attend the PSAB Conference in Hershey to accept his award.

Mr. McKown stated that Robert L. Henke, a former Library Board member passed away yesterday. He requested that tonight's meeting be adjourned in his honor.

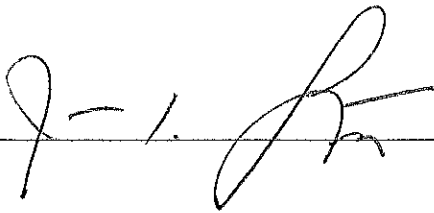
ADJORNMENT:

M-32 Mr. McKown moved, seconded by Mr. Wotus to adjourn the meeting in memory of Robert L. Henke. The motion carried unanimously.

The meeting adjourned at 10:27 PM.

READ AND APPROVED THIS DAY OF FEBRUARY 21, 2018:

Manager

A handwritten signature in black ink, appearing to be "J. L. Henke", written over a horizontal line.