



**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**July 18, 2018**

The Council of the Borough of Whitehall will meet Wednesday, July 18, 2018, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

**AGENDA FOR REGULAR MEETING**  
**July 18, 2018**

- I. Announcement - Residents to Sign In to Speak during Citizens' Requests
- II. Call to Order
- III. Pledge of Allegiance
- IV. Announcement – All Meetings will be Recorded Auditorily and Visually
- V. Roll Call
- VI. Consideration of Bills and Payroll – DePuy
- VII. Consideration of the Minutes of June 20, 2018
- VIII. Announcement - Speakers Allotted Three Minutes to Present their Initial Comments
- IX. Citizens' Requests
- X. Reports of the Following Officers:
  - A. Mayor - Nowalk
  - B. Solicitor - Firman
  - C. Engineer – Omer
  - D. Manager – Leventry
- XI. Reports of the Following Committees:
  - A. Public Works – Nagy, DePuy, Wotus
  - B. Public Safety – McKown, Veith, Nagy
  - C. Recreation – Wotus, Nagy, Veith
  - D. Administrative Services – DePuy, McKown, Lahr
  - E. Library – Veith, Lahr, McKown
  - F. Planning & Zoning – Lahr, DePuy, Wotus
- XII. New Business
- XIII. Adjournment

**BOROUGH OF WHITEHALL**

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## BOROUGH OF WHITEHALL

Regular Meeting July 18, 2018

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, July 18, 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  
William J. Veith  
John A. Wotus  
James F. Nowalk, Mayor  
Irving S. Firman, Solicitor  
Bryan W. Flaugh, P.E. – Gateway Engineers

Absent: Scott Rusmiser, Engineer

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

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mrs. DePuy moved, seconded by Mr. McKown, that the bills contained on the bill list presented to Council on July 18, 2018 for \$230,724.61 from the General Fund, \$8,418.39 from the Storm Sewer Fund, \$186,378.18 from the Sanitary Sewer Fund, \$29,493.00 from the Doverdell Drive Storm Sewer Fund and \$5,906.07 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mrs. DePuy moved, seconded by Mr. McKown that checks and transfers for \$125,663.07 from the General Fund, \$22,165.45 from the Storm Sewer Fund, \$6,263.22 from the Sanitary Sewer Fund and \$118,542.45 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 June 22, 2018 for \$162,634.13, as presented to Council on July 18, 2018, be ratified. The motion carried unanimously.
- M-4 Mrs. DePuy moved, seconded by Mr. McKown, that General Fund payroll for the period ending July 6, 2018 for \$168,484.97, as presented to Council on July 18, 2018, be ratified. The motion carried unanimously.

#### CONSIDERATION OF MINUTES

- M-5 Mr. Lahr moved, seconded by Mr. McKown to approve the Minutes of the June 20, 2018 meeting as presented. The motion carried unanimously.

#### CITIZENS' REQUESTS:

Hal Plusa, 4647 Doverdell Drive appeared before Council to inquire about solicitation in the Borough. He noticed two individuals in his neighborhood taking photos of houses on his street. He contacted the Police about the suspicious activity. Chief Henderson stated that it is common practice for real estate agents to photograph homes. Solicitation permits are not needed for that as they are not going door to door. Increased solicitation occurs during the summer months. Solicitors are required to have a permit and wear ID.

John Delia, 390 Streets Run Road, appeared before Council about flooding at his property. He has spoken to Gateway Engineers and wants reimbursed for his damages. Mr. Delia has not submitted any claims to the Borough's insurance company. Mr. Leventry stated that the lines in Mr. Delia's neighborhood were televised and no major defects were found. Mr. Delia requested a large-scale project similar to the Doverdell Drive Project for Streets Run Road. Mr. Flaugh stated that Gateway is investigating and reviewing alternatives for Streets Run Road. Cost estimates will be provided to Council at the August meeting. The most current cost estimate from two years ago puts a project for Streets Run Road at \$700,000.

Steve McGreevy, 4856 Mooreridge Drive, appeared before Council on behalf of his neighborhood watch group about a nuisance property on Mooreridge Drive. The property owner is renting a house out on Air BnB resulting in numerous issues over the past 3 years. Mr. McGreevy thanked Chief Henderson for his help with the situation. Mr. Firman stated that the Borough is involved in ongoing litigation regarding the property in question. A hearing has been scheduled for August 7<sup>th</sup>. A short-term rental ordinance will be considered by Council at tonight's meeting. The Borough cannot comment on ongoing litigation or police matters.

Jeff Wisneski, 4863 Mooreridge Drive, appeared before Council about the nuisance property on Mooreridge Drive. Mr. Nagy stated that the Borough is working to legally fix the problem. Borough Council was not aware of the ongoing issues at the property until recently because they were police matters. Once Borough Council became aware of the issue they immediately began taking steps to remedy the problem. Borough Council is addressing the zoning issues with Air

BnB's and the police department is addressing criminal matters. Mr. Wisneski requested "Crime Watch Neighborhood" signs be installed on Moorridge. Chief Henderson stated that over-signage is a problem and no one reads or pays attention to them. Chief Henderson stated that the neighborhood crime watch program is most effective when neighbors talk to each other and work together, which the residents of Moorridge Drive are already doing.

Victoria Vitullo Baker, 45 Hennig Drive, appeared before Council to discuss rainwater runoff from Raintree Drive. She wants Council to consider requiring the property owners on Raintree to install stormwater retention tanks on their property to stop the flow of water down the hill onto Hennig Drive. Ms. Book stated that the Borough cannot compel residents to install tanks on their property. Ms. Vitullo Baker stated that water is coming down Caste Drive, onto Steeplechase common property and the HOA won't help them. Ms. Vitullo Baker stated if the Borough cannot force other residents to install tanks then she will move away. Gateway Engineers is looking into the water runoff issues.

Linda Laska, 61 Hennig Drive, appeared before Council to discuss the water issue in Steeplechase. She suspects the water originates between Raintree and the common property. She also has concerns about erosion and trees falling onto properties. There is new landscaping on Raintree that Ms. Laska believes is contributing to the problem. Mr. Leventry stated that the Borough walked along Hennig to look for any pipes that may be directing onto their properties from residents above and no violations were found. Gateway will look at the issue.

Beverly Sullivan, 57 Hennig Drive, appeared before Council about flood damage. She stated that Steeplechase will not address the issue. Ms. Sullivan spoke with Mr. Zeoli about the runoff issue.

Andrew Wilkens, 4594 Doverdell Drive, appeared before Council with a complaint about the topsoil that Merante used in his backyard. It is full of glass and a hazard. He spoke with Ed Bosenberg and was assured it was topsoil and would be screened. Mr. Wilkens would like the topsoil replaced. Mr. Flaugh stated that Mr. Rusmisl will speak to Merante and took Mr. Wilkens' contact information.

Ted Trbovich, 35 Hennig Drive, appeared before Council to discuss the water issues in Steeplechase. Water is coming from Steeplechase common property. Mr. Lahr stated that storms today are very concentrated. Mr. Nagy stated that the most recent storm only affected half of the Borough.

Benjamin Thomas, 4817 Moorridge Drive, appeared before Council with frustrations about not receiving feedback from the Police when they report the nuisance property on Moorridge. Chief Henderson stated that residents can always call the department for a follow up. Criminal matters and investigative information cannot be shared. Mayor Nowalk suggested having a point person in the neighborhood call for follow ups and disseminate the information to other neighbors.

Donna McCrea, 305 Southvue Drive, appeared before Council inquiring if an article can be placed in the Borough magazine about the new PA fireworks law. People in her neighborhood have been pushing the limits of the law. Ms. Wertz will make sure to write an article. Chief Henderson stated that the Whitehall Borough Police Department Facebook page did post about the new regulations.

David Galing, 4722 W. Lawnview, appeared before Council to discuss water issues on his street. He asked that storm sewers be installed on Baldwin Manor to help residents on Lawnview. Gateway Engineers will look into it.

Mayor Nowalk stated that he would like to be a part of the solution for residents in Steeplechase even if the solution does not involve Whitehall Borough.

Mr. Veith stated that Council hears residents when they come to meetings and speak. They are not walking away from issues, solutions are complex and projects take time to plan and fund.

Mr. Lahr stated that when Council does not hear about residents' issues, they can't do anything to solve them.

Ms. Book stated that the most effective way to address issues is to speak at Council meetings when all members are present. In the interim, information can be sent to the Borough Manager. Mr. Nagy stated that speaking to individual Council Members is problematic because of the Sunshine Law. They cannot discuss matters in private. Public meetings are the place for discussion.

Mayor Nowalk suggested that residents work with the Shade Tree to assist with some of the issues. Ms. McCrea stated that trees can help some resident issues but not fix the entire problem. The Shade Tree can help stabilize areas and recommend solutions to owners.

MAYOR:

Mayor Nowalk reported on the following items:

- Mayor Nowalk presented his report for June 2018:

EMS Assists.....	141
Court/Hearings/Pretrial . . . . .	0
Accidents . . . . .	15
Criminal Arrests (1 DUI). . . . .	20
Traffic Stops . . . . .	169
Traffic Details . . . . .	98
Written Traffic Citations. . . . .	103
Written Warnings Traffic Violations. . . . .	109

Total amount of money collected and turned over to the Borough during June 2018, amounted to \$3,811.24 the breakdown is as follows:

MVC from District Magistrate .....	\$1,168.37
Crimes Code and Code violations from District Magistrate .....	\$ 868.11
Parking Fines .....	\$ 910.00
Copies .....	\$ 165.00
Miscellaneous – Solicitor Permits .....	\$ 200.00
Fines from Clerk of Courts.....	\$ 499.76

- The Borough reported 6.13 percent of the calls to animal control services in June.
- Mayor Nowalk stated that he approved a block party on Tomfran Drive for the wrong date. The correct date of the party is August 4<sup>th</sup>.
- Mayor Nowalk stated that there are concerns about fire trucks and ambulances trying to pull out onto Route 51 during emergency calls. Mr. Lahr stated that the issue has been looked into previously. The problem is that motorists do not pay attention. It is difficult for trucks to get out of the station when motorists do not stop. The Fire Company looked into installing a flashing yellow light, which would cost \$30,000 but motorists will not pay attention to it.
- Mayor Nowalk stated that the Chief reports that Officer Terry Bradford has earned the position of K-9 Handler for the department. He will be traveling to Shallow Creek Kennels tomorrow to select a new K9 with the Pittsburgh Bureau of Police K9 Unit commander. He will then attend a three-month long K9 Academy which begins next month.
- Mayor Nowalk stated that the Chief reports that PennDOT has agreed to place added detour signs on Provost Road announcing the closing of Stewart Bridge. After a week of attempting to have the detour marked, Whitehall Public Works posted signs at Frank and Greenlee Roads while we wait for PennDOT.
- Mayor Nowalk stated that the Chief reports that Sunday's storm caused power outages for over 400 homes in the Borough. Duquesne Light and their subcontractors had all power restored to residents by Monday evening.
- Mayor Nowalk stated the he received a letter from the Principal of Baldwin High School, thanking Chief Henderson and the Whitehall Police Department for all their hard work during the school year.

- Mayor Nowalk stated that he spoke with resident Ray Meenan before the Council meeting this evening. Mr. Meenan is expressing his First Amendment rights with a sign in his yard. Someone attacked his home and smashed his back door with a brick recently. He thinks it is a neighbor trying to scare him into taking his yard sign down.

Mayor Nowalk left the meeting at 9:15 PM.

SOLICITOR:

Mr. Firman stated that the Ordinance regarding regulation of nonsewered toilets has been on public display since June 20<sup>th</sup>.

M-6 Mr. Lahr moved, seconded by Mr. McKown to read the Ordinance in summary form. The motion carried unanimously.

M-7 After the reading of the Ordinance, Mr. Lahr moved for adoption. Mr. Wotus seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy, Mr. Veith and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1110.

Mr. Firman stated that the Borough has received a request to terminate the Borough's option to dedicate a fifty-foot street across the property located at 3091 Provost Road. This is the former Whitehall Swim Club.

M-8 Mr. McKown moved, seconded by Mr. Wotus to read the Resolution. The motion carried unanimously.

M-9 After the reading of the Resolution, Mr. Wotus moved for adoption. Mr. Lahr seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy, Mr. Veith and Mr. Wotus voted yes. The motion carried unanimously. The Resolution No. is 973.

Mr. Firman stated that Planning Commission reviewed the proposed Ordinance defining and prohibiting short term rentals in the Borough. They recommended adoption.

M-10 Mr. Lahr moved, seconded by Mr. McKown to read the Ordinance in summary form, place it on public display, advertise it and schedule a Public Hearing on September 5<sup>th</sup>. The motion carried unanimously.

Mr. Firman stated that the pending Ordinance doctrine applies. He then read the Ordinance in summary form.

Mr. Firman requested an executive session after the meeting for matters of real estate.



ENGINEER:

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

- Doverdell Drive Watershed Project – Merante finished the sanitary pipe burst between Meadowgreen and Sherwood on June 29<sup>th</sup>. All of the proposed pipe installation has been completed. Restoration crews continued landscaping the disturbed lawns along Doverdell. Concrete curb reconstruction started on July 9<sup>th</sup>. Wall reconstruction has been delayed due to the inability of Merante to contract with a wall builder. Two Change Orders and a Payment Application have been prepared.
- M-11 Mr. Lahr moved, seconded by Mr. Wotus to approve Change Order No. 3 for the concrete encasement work done at 4808 Doverdell Drive in the amount of \$9,990.00 to A. Merante Contracting. The motion carried unanimously.
- M-12 Mr. Lahr moved, seconded by Mr. Wotus to approve Change Order No. 4 for the installation of Back Water Valves at 4568 and 4572 Doverdell Drive in the amount of \$11,984.98 to A. Merante Contracting. The motion carried unanimously.
- M-13 Mr. Lahr moved, seconded by Mr. Wotus to approve Payment Application No. 12 in the amount of \$205,403.50 to A. Merante Contracting. The motion carried unanimously.
- Operations & Maintenance – Preconstruction meetings have been held for all 2018 sewer projects.
  - Rolling Hills/Norwin/McKee Storm Sewer Project – Fairfield Construction was the low bidder at \$16,550.00. Contract documents were submitted to Fairfield for signature and insurance certificates.
  - 2018 Road Program – The contract documents have been forwarded to Mele & Mele & Sons, Inc. for signature. Once the signed documents are received, a pre-construction meeting will be scheduled. Work is tentatively scheduled to begin at the end of August.
  - Echo Glen Storm Sewer – Easements have been received from Johnston and Passarell. Gateway will follow up with Chad Ott for the final easement.
  - June 20<sup>th</sup> Storm Event – Gateway received numerous calls from residents since June 20<sup>th</sup>. Approximately 25 resident's complaints were recorded. Gateway has met with all the residents that requested field meetings to review the flooding. Five requests for Backwater Valves were received – 4952 Curry Road, 4956 Curry Road, 4302 McKee, 4306 McKee and 5368 Spring Valley Drive.

M-14 Mr. McKown moved, seconded by Mr. Lahr to approve backwater valves at 4952 Curry Road, 4956 Curry Road, 4302 McKee, 4306 McKee and 5368 Spring Valley Drive subject to the Engineer's recommendation. The motion carried unanimously.

MANAGER:

Mr. Leventry reported on the following items; members of Council received written copies of the Manager's report.

- Solid Waste and Recycling Bids – Bids for a new 5-year solid waste and recycling contract were opened by SHACOG on July 11<sup>th</sup>. Three bids were received. Mr. Leventry has not yet received the bid tabulation from SHACOG but expects it shortly. Upon receipt, the Borough will perform its own calculations to see which bidder is the lowest for Whitehall. Mr. Leventry will have more information at the August 1<sup>st</sup> meeting.
- Civil Service Vacancies – Mr. Leventry has received written notice from Neal Cramer that he is resigning from the Civil Service Commission effective August 31, 2018. That means that all three positions will be vacant as of that date. An advertisement was placed in the South Hills Record on June 21<sup>st</sup>. No responses were received other than the three individuals that already expressed interest.

M-15 Mr. McKown moved, seconded by Mr. Lahr to appoint Richard Danko, Donald Madeja, Sr. and Richard Kirsch to the Civil Service Commission effective September 1, 2018. The motion carried 6-1. Mrs. DePuy dissented.

- E-Waste Recycling Event – Mr. Leventry stated that 15,000 pounds of materials were collected at the July 14<sup>th</sup> event.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

Mr. McKown stated that the first meeting for Police contract negotiations were held.

Mr. McKown stated that the Chief reports that since last month's Council meeting, Cadets Joseph Persichetti and Nathan Meyer have begun their 6 months of training at the Allegheny County Police Training Academy. Graduation date is set for the second week of December.

Mr. McKown stated that the Chief received notice this week that Officer Joseph Lacko has been called to duty by the Air Force Reserves starting August 15<sup>th</sup> and he will be off for at least 6 weeks, perhaps longer.

Mr. McKown stated that the 16<sup>th</sup> Annual EDS Golf Outing will be September 17<sup>th</sup> at the South Hills Country Club.

RECREATION:

Mr. Wotus stated that the Recreation Board met last Monday. The performer schedule has been confirmed. It was decided that the trivia game would be too complicated so yard signs with Whitehall Borough facts will be displayed instead. Race registration is now available online and they accept credit cards. Discussions were had about bringing the Farmers Market back.

Mr. McKown stated that the Chamber of Commerce will be distributing bags at Community Day and the Borough is welcome to place information about the upcoming recycling changes in their bags.

ADMINISTRATIVE SERVICES:

No report.

LIBRARY

Mr. Veith introduced Helen Dubina of the Library Board to give a report.

PLANNING & ZONING:

Mr. Lahr provided an update on the townhouses being developed at the former Sisters of Saint Francis site.

NEW BUSINESS:

Community Day will be on August 25<sup>th</sup>.

ADJORNMENT:

M-16 Mr. Lahr, seconded by Mr. Wotus to adjourn the meeting for an executive session. The motion carried unanimously.

The meeting adjourned at 9:40 PM.

READ AND APPROVED THIS DAY OF AUGUST 1, 2018:

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Manager

