



BOROUGH OF WHITEHALL
Notice of Meeting
March 6, 2019
7:00 PM

The Council of the Borough of Whitehall will meet Wednesday, March 6, 2019, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

AGENDA FOR REGULAR MEETING
March 6, 2019

- 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 – Wertz
- VI. Consideration of the Minutes of February 20, 2019
- VII. Citizens' Requests
- VIII. Reports of the Following Officers:
 - A. Mayor - Nowalk
 - B. Solicitor - Firman
 - C. Engineer – Rusmisl
 - D. Manager – Leventry
 - E. Assistant Manager - Wertz
- IX. Reports of the Following Committees:
 - A. Library – McKown, Book, Wotus
 - B. Planning & Zoning – Lahr, Book, DePuy
 - C. Public Works – Book, Nagy, DePuy
 - D. Public Safety – DePuy, McKown, Nagy
 - E. Recreation – Wotus, McKown, Lahr
 - F. Administrative Services – Nagy, Lahr, Wotus
- X. Delegate Reports:
 - A. Allegheny County Boroughs Association – Book, DePuy
 - B. Chamber of Commerce – Wotus, McKown
 - C. Economic Development South -Nagy
 - D. Medical Rescue Team South Authority – McKown, Lahr
 - E. South Hills Area Council of Governments – Veith, Lahr
- XI. New Business
- XII. Adjournment

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting March 6, 2019

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, February 6, 2019, at 7:00 PM, for a regular meeting. President Veith called the meeting to order, followed by the Pledge of Allegiance.

President Veith 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
 Scott Rusmisl, Engineer

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

CONSIDERATION OF BILLS & PAYROLL

- M-1 Ms. Book moved, seconded by Mr. McKown, that the bills contained on the bill list presented to Council on March 6, 2019 for \$131,350.83 from the General Fund, \$25,682.91 from the Storm Sewer Fund, \$2,783.10 from the Sanitary Sewer Fund and \$101.63 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. Lahr moved, seconded by Ms. Book, that checks and transfers for \$9,374.95 from the General Fund and \$50,663.60 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. McKown moved, seconded by Mr. Lahr, that General Fund payroll for the period ending March 1, 2019 for \$147,518.89, as presented to Council on March 6, 2019, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

M-4 Mr. McKown moved, seconded by Mr. Lahr to approve the Minutes of the February 20, 2019 Council Meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

Greg Winks, 5289 Caste Drive, appeared before Council to address his concerns about the new trash toters. Specifically, the size of the toters and storage, as well as issues specific to his row of townhouses. He and his neighbors want to opt out of using the toters. Mr. Leventry stated that opting out is not an option per Waste Management. It is up to residents to decide where to place toters for pickup. The Borough had an agreement with Waste Management to allow for residents to opt out and Waste Management decided last week not to honor that agreement. Mr. Veith stated that Waste Management misled the Borough about the "opt out" option. Mr. Winks inquired about amending the contract. That is not an option. Mr. Lahr stated that the contract saved the Borough over \$1 million. Mr. Leventry stated that the contract does not address storage issues that residents may have. Waste Management's position is that residents are already storing their trash somewhere, the toter will be stored there. Mr. Nagy stated that Council discussed the size of the toters in depth. There will be an adjustment as residents get used to using the toter, storing it and getting it to/from the curb. This is how trash is being collected today across the industry. Changes have happened before and residents have adapted. Council is sensitive to the changes but cannot fight the industry as they move towards automated collection. Mr. McKown stated that Waste Management will work to resolve issues with pickup as they arise. Residents need to give automated collection a chance. Mr. Leventry stated that if Waste Management decides they cannot collect some locations automated, they will make the decision to opt the resident out of using the toter. The Borough had an agreement with Waste Management to allow some residents to opt out of automated collection and Waste Management reneged on that agreement. The Borough also looked at adding a manual collection route for certain sections of the Borough and Waste Management said no to that also. Currently, if residents do not use the trash toters, Waste Management will not collect their trash.

Kate Winks, 5289 Caste Drive, stated that they received a toter but their neighbor did not. Not all residents have received them.

Donna Goedert, 5168 South Passage Drive, inquired if toters were delivered one per driveway. Mr. Leventry stated that they worked off of a list of addresses. It is one toter per residence.

Mayor Nowalk stated that he was also missed on the delivery route. His solution is to use a smaller container. Mr. Leventry stated that a 35-gallon toter is not currently an option, only 65-gallon toters, which residents can switch too after the 60-day trial period.

Mr. Winks stated that a smaller container does not solve the storage issue.

Mayor Nowalk stated that Bethel Park did their roll out differently than Whitehall Borough. Bethel Park offered a 96, 65 and 35-gallon toter. Mr. Leventry stated that 35-gallon toters are not an option in Whitehall Borough.

Mr. Leventry stated that if it is difficult for Waste Management to collect the toters at the curb, then they will come to the Borough to find a solution.

John Paravati, 107 Paddock Lane, appeared before Council to inquire if the refuse contract was bid through SHACOG to save money. He is a former Baldwin Township commissioner. His experience with Waste Management while at Baldwin Township was not positive. He inquired if Waste Management was in breach of contract by not allowing residents to opt out. Mr. Veith stated that Waste Management is following the contract. Mr. Leventry stated that during the initial conversations with Waste Management, they wanted to work with the Borough to allow for residents to opt out of automated collection. The Borough compiled a list of about 300 residents for Waste Management. Waste Management stated that the list was too large and refused to allow for any opt outs except for the Club Shadow townhouse communities. The bid that Waste Management submitted for automated trash collection saved the Borough \$1 million over the life of the contract. From a legal standpoint, the Borough could not refuse the lowest bid for services. Mr. Paravati stated that he would not recommend working with Waste Management. Mr. Paravati stated that the toters will not fit in garages and there is an elderly population at Steeplechase to consider. He had concerns about a trash truck fitting on smaller streets such as his. Mr. Leventry stated that Waste Management will have one larger truck and one smaller truck in the Borough every day. Mr. Nagy stated that Borough Code Enforcement will not be citing residents for improper storage of the trash toters in the front of properties as the community adjusts to automated collection.

Mr. Leventry stated that the SHACOG garbage contract is the second largest bid in the State. Mr. Nagy stated that Waste Management has bought out all of its competition. There are only two players in the game – Waste Management and Allied/Republic. The SHACOG bid is very large and limited to large companies that can handle the contract.

Mr. Leventry stated that residents need to give it time. As Waste Management encounters problems, they will seek help from the Borough.

Mr. Paravati inquired as to how the bid was made. Mr. Leventry stated that it was bid per unit. Mr. Leventry stated that the Borough cannot pull out of the contract without Waste Management agreeing to it.

Mr. Nagy stated that Bethel Park was one of the first communities to roll out the new toters. The roll out there has been quite a mess. Waste Management realized they could not be as liberal with options and changed how they worked with subsequent communities.

Mr. Veith stated that change is hard but we must give it time.

Mr. Winks inquired about changes to recycling collection. Recycling collection remains the same, only the contents of what can and cannot be recycled has changed.

MAYOR:

Mayor Nowalk presented his report for February 2019:

EMS Assists.....	121
Court/Hearings/Pretrial	134
Accidents	16
Criminal Arrests (1 DUI).	24
Traffic Stops	200
Traffic Details	83
Written Traffic Citations.	123
Written Warnings Traffic Violations.	91

Total amount of money collected and turned over to the Borough during February 2019, amounted to \$4,423.28 the breakdown is as follows:

MVC from District Magistrate	\$1,033.35
Crimes Code and Code violations	
from District Magistrate	\$886.64
Parking Fines	\$840.00
Copies	\$165.00
Miscellaneous –Mechanical License Fees	\$1,050.00
Fines from Clerk of Courts.....	\$448.29

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports that last month Officer Stephenson and Officer Seese attend a workshop on Police/Citizen Encounters. This course is designed to help Officers use tools to effectively engage citizens in a professional manner without compromising their own safety.
- Mayor Nowalk stated that on Saturday February 23rd the Whitehall Police Polar Plunge Team participated in the annual Pittsburgh Polar Plunge benefitting Special Olympics of Pennsylvania. Whitehall Borough team had 20 members which included members of the Police Department, Public Works Department, Fire Company, Residents, Business owners and special appearances by Kathy DePuy, Linda Book, Glenn Nagy and Mayor Nowalk. Over \$450,000 was raised by all participating teams. Members of the Police Department would like to thank all who pitched in and braved the icy waters for a great cause.
- Mayor Nowalk stated that he, Chief Henderson and Deputy Chief Gagorik participated in Read Across America at Whitehall Elementary. It was a great experience.
- Mayor Nowalk provided an update on the proposed gas station at Cool Springs. The developers held a meeting with residents to discuss the proposed gas station and its location. The developers will be asking Bethel Park to change the zoning on a portion of the property to allow for an upscale gas station/café to be built. The business will have limited hours and will be designed so as not to be a “destination” gas station which would increase traffic.
- Mayor Nowalk stated that Earth Day will be April 27, 2019.
- Mayor Nowalk stated that Language Access Plan has translated numerous documents for the Borough. Chief Henderson stated that Librarian Paula Kelly has taken the lead on this project. Translators can be expensive and this partnership saves the Borough money.
- Mayor Nowalk stated that the Police Department recently sent out a SwiftReach call about the Duquesne Light electricity outage. He received feedback from residents that the 412-884-1100 number was blocked as a “robo call.” Residents are encouraged to answer calls from the Police Department as they are informative.
- Mayor Nowalk stated that Duquesne Light needs to update their infrastructure in the Cherryvale/Daube area. He is willing to contact them about the issue. Mr. McKown stated that Duquesne Light is updating their infrastructure throughout the Borough.

- Mayor Nowalk stated that he received a call that Robert Alexander will be inducted into the Mercer County Hall of Fame for bowling. Mayor Nowalk is working to confirm that Mr. Alexander is a resident of Whitehall Borough not Whitehall Township. If he is a resident, Mayor Nowalk will issue a proclamation. He requested that Council concur.

M-5 Mr. Lahr moved, seconded by Mr. McKown to concur with the Mayor's proclamation. The motion carried unanimously.

SOLICITOR:

Mr. Firman requested an executive session for a matter of litigation.

ENGINEER:

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

- Doverdell Drive Watershed Project – Gateway Engineers met with Merante on February 18th to review requests for extras. Merante provided additional documentation and revised invoices on February 25th. Gateway will review the revised invoices and documents. Gateway met with Jen Sabo to review disturbed areas and generated an additional punchlist for Merante.
- 2019 Road Program – Council was provided with an updated list and cost estimate. Mr. Rusmisl requested authorization to prepare contract documents and place the project out for bid.

M-6 Mr. McKown moved, seconded by Mr. Lahr to authorize Gateway to prepare contract documents and place the project out for bid. The motion carried unanimously.

- Salt Storage – Geotechnical field work was completed on February 18th. Structural design has reviewed the report and are preparing foundation recommendations. 26 feet of fill exists on site. Revised preliminary plans were reviewed with Mr. Harris on February 22nd. Gateway is soliciting electrical engineers to address electric issues at the Public Works Garage.
- Streets Run Storm Sewer Construction – Roto Rooter located additional storm sewers and assisted with the pipe/structure connectivity. Design work has resumed. Gateway will be scheduling meetings with residents to review the preliminary plans in early March.

- Echo Glen Storm Sewer Improvements – The bid advertisement was submitted to Courtney Wertz on February 27th. Notice to bidders will appear on March 7th and 14th. Bids will be received on April 3rd.

MANAGER:

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

- Assistant Recreation Director – The Summer Recreation Program has always been run by a two-person team. The previous assistant is unable to continue in the position due to other commitments, although he did recommend Hannah and Mara McGrady as two individuals who could take on leadership roles. Hannah indicated during the hiring process that she would very much like to have Mara as her assistant. During the interview with Mara, she expressed interest in helping Hannah with programs outside the summer program, such as the Easter egg hunt and Community Day. As a result, Mara has been hired as the assistant immediately (at the current salary). This allows her to be covered under workman's comp and general liability insurance. The end result is that Hannah will have someone to help her throughout the year, rather than just the eight weeks of the summer program.
- Frank Park Phase II – Hannah has inquired as to whether Frank Park will be available for the summer recreation program this year. Based on what is planned for the second phase, it seems that the work could begin after the summer program concludes. Dennis Flynn from Gateway Engineers agrees that the timing of the project won't be an issue. Council agreed.
- MRTSA Roof Bids – Bids to replace the roof on the MRTSA building will be opened on May 2, 2019, with the work to commence shortly thereafter.
- Cell Tower Lease – Tucker Arensberg has completed their review of the proposed lease and have suggested several changes. Upon Council's approval, Mr. Leventry will send the revised lease to Crown Castle so they can review the new language.

M-7 Mr. McKown moved, seconded by Mr. Lahr to send the revised lease to Crown Castle for review. The motion carried unanimously.

Mr. Firman stated that the changes made were similar to those that have been made in other communities. They were not unreasonable requests.

- Road Program Proposal – Mr. Leventry received the engineering proposal from Gateway Engineers for the 2019 Road Program. The cost is \$57,000.00 which is \$1,000.00 less than 2018.

M-8 Mr. McKown moved, seconded by Mr. Lahr to approve the proposal. The motion carried unanimously.

There was discussion about the utility work that was done on McAnulty Road. Mr. Rusmisel stated that attempts to communicate with utility companies is made via the PA One Call System. Mr. Leventry stated that Peoples Gas recently asked for a list of Borough streets to be paved. Chief Henderson stated that the gas and water companies are working on the same streets at the same time currently.

Ms. Book inquired about the last time that Greenridge Drive was paved. Mr. Rusmisel stated that Greenridge will most likely be paved next year. The decision was made to pave Fieldcrest Drive first.

Mr. Leventry stated that the Borough lost a year of the Road Program as the 2018 road list was decided upon based on work that PAWC was doing. The Borough partnered with PAWC to perform the paving and is waiting on a check for their portion. It has thus far been a cordial relationship.

ASSISTANT MANAGER:

Mrs. DePuy provided a summary of the latest public meeting regarding the Parks Master Plan. The Parks Committee's plans are very in sync with what the residents want. It was a very productive meeting. Ms. Wertz stated that she received over 250 survey responses.

LIBRARY

Mr. McKown stated that the fireplace in the Library is not working. Ms. Wertz will call Ruthraff.

The Friends of the Library will be starting their annual campaign soon.

PLANNING & ZONING:

Mayor Nowalk requested that the Planning Commission continue to look at commercial walls in residential districts

PUBLIC WORKS:

Ms. Book stated that she attended a tour of the new Residence at Whitehall. It was very informative. There are still openings at the building. The current special is 50% off the one-time maintenance fee of \$2,500. Apartments in the building start at \$2,650 per month.

Ms. Book stated that Public Works is doing an excellent job.

PUBLIC SAFETY:

Mrs. DePuy stated that the Chief requests that Council approve the hiring of Brian Zimmerman for the position of part-time dispatcher trainee. Brian is a full-time dispatcher with Allegheny County 911 and a Whitehall resident.

M-9 Mr. Lahr moved, seconded by Mr. Wotus to hire Brian Zimmerman as a part-time dispatcher trainee. The motion carried unanimously.

RECREATION:

Mr. Wotus stated that some members of the Recreation Board met with himself and Ms. Vetere prior to the Council Meeting. Community Day will be August 24, 2019. Water aerobics registration for Whitehall residents will be May 6th. Non-residents may register on May 13th. Ms. Vetere is planning a "Yoga in the Park" program for June. There will be 3 movies in the park/pool nights this summer. Breakfast with the Easter Bunny will be April 6. Ms. Vetere is excited to work with Ms. McGrady on recreation programming. Some ideas being discussed include: bus trips, Oktoberfest, Comedy Show and Painting with a Twist. Mayor Nowalk offered to work with Caste Village if the Recreation Board would like to work to bring the Farmers Market back.

ADMINISTRATIVE SERVICES:

Mr. Nagy thanked Ms. Wertz for her synopsis of the Parks Public Meeting last Thursday.

DELEGATE REPORTS

ACBA – Ms. Book stated the deadline to submit Resolutions to PSAB is April 10th. She will be attending the Quarterly Board Meeting of ACBA tomorrow evening.

Mrs. DePuy suggested that PSAB submit a Resolution addressing storm sewers on state roads and the fact that Townships are treated differently than Boroughs.

CHAMBER OF COMMERCE – Mr. Wotus stated that there is a luncheon tomorrow at the South Hills Country Club. There is a women’s networking luncheon on Friday.

EDS – Mr. Nagy stated that EDS will be interviewing for an ED next week. The fresh food store in Clairton and the bakery in Mt. Oliver are doing well.

MRTSA – Mr. McKown stated that the Finance Committee met. Don Baumgarten from Castle Shannon is leaving. He is the longest serving MRTSA Board member. With his departure, Mr. McKown is the current longest serving board member.

Mayor Nowalk stated that EMS as a profession is experiencing serious personnel issues. Mr. McKown stated that these issues are not affecting MRTSA as much as other EMS authorities. The profession is struggling due to lack of funding and lack of personnel.

SHACOG – No report.

NEW BUSINESS:

None.

ADJORNMENT:

M-10 Mr. McKown moved, seconded by Ms. Book to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:33 PM.

READ AND APPROVED THIS DAY OF MARCH 20, 2019:

Manager

