

**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**August 7, 2019**  
**7:00 PM**

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

**AGENDA FOR REGULAR MEETING**  
**August 7, 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 July 17, 2019
- VII. Citizens' Requests
- VIII. Reports of the Following Officers:
  - A. Mayor - Nowalk
  - B. Solicitor - Firman
  - C. Engineer – Rusmisel
  - D. Manager – Leventry
  - E. Assistant Manager - Wertz
- IX. Reports of the Following Committees:
  - A. Public Works – Book, Nagy, DePuy
  - B. Public Safety – DePuy, McKown, Nagy
  - C. Recreation – Wotus, McKown, Lahr
  - D. Administrative Services – Nagy, Lahr, Wotus
  - E. Library – McKown, Book, Wotus
  - F. Planning & Zoning – Lahr, Book, DePuy
- 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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**MINUTES OF THE AUGUST 7, 2019 COUNCIL MEETING**

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Payment to Roto Rooter Services Company – Approve	M-7	4
Rock Salt Contract – Accept Cargill Bis	M-8	5
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## BOROUGH OF WHITEHALL

Regular Meeting August 7, 2019

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, August 7, 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  
Philip J. Lahr  
Robert J. McKown  
Glenn P. Nagy  
William J. Veith  
John A. Wotus  
James F. Nowalk, Mayor  
Irving S. Firman, Solicitor  
Scott Rusmiser, Engineer

Absent: Kathleen N. DePuy

STAFF: James E. Leventry, Manager  
Jason C. Gagorik, Deputy 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 August 7, 2019 for \$209,424.93 from the General Fund, \$22,495.32 from the Storm Sewer Fund, \$646,126.25 from the Sanitary Sewer Fund and \$2,082.66 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. McKown moved, seconded by Mr. Wotus, that checks and transfers for \$15,827.93 from the General Fund and \$53,962.04 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 July 19, 2019 for \$177,374.59, as presented to Council on August 7, 2019, be ratified. The motion carried unanimously.

M-4 Ms. Book moved, seconded by Mr. Lahr, that General Fund payroll for the period ending August 2, 2019 for \$172,517.40, as presented to Council on August 7, 2019, be ratified. The motion carried unanimously.

#### CONSIDERATION OF MINUTES

M-5 Mr. Lahr moved, seconded by Ms. Book to approve the Minutes of the July 17, 2019 Council Meeting as presented. The motion carried unanimously.

#### CITIZENS' REQUESTS:

Donna McCrea, 305 Southvue Drive, appeared before Council on behalf of the Shade Tree Commission with fellow commission member Kate Zakowski to discuss a proposed planting policy for the Borough. Mr. Firman will review the policy.

Leah Vallone, 5115 S. Passage Drive, appeared before Council asking them to reconsider their decision to deny her request for a backwater valve. Mr. Rusmiser reviewed the situation in 2018 when roots were found in the Borough's sanitary sewer line. The roots were removed and the sewer is slated to be lined as part of the 2019 Capital Lining Project. There is no other history of flooding at this address. Mr. Leventry previously brought this matter to Council's attention and Council denied Ms. Vallone's request for a backwater valve as the Borough's policy requires at least two instances of flooding. Mr. Rusmiser will communicate with Ms. Vallone about the upcoming sewer lining project.

Frank Vallone, 5280 Highgrove Road, appeared before Council to state that the flooding his daughter experienced caused damage that cost a lot to repair. He claimed that the Borough's infrastructure caused the problem.

Jeff Wisneski, 4863 Mooreridge Drive, appeared before Council to discuss a problem property on Mooreridge Drive. Mr. Wisneski provided Council with a handout. Whitehall Borough Police are aware of the activity at the house and are watching the property.

Steve McGrevy, 4856 Mooreridge Drive, appeared before Council to state that the neighbors are devastated that a buyer backed out of purchasing a home on the street due to the problem house.

Sharon Whitby, 4803 Curry Road, appeared before Council with complaints about overgrowth on Curry Road. Code Enforcement sent violation notices to property owners and most have cut back the growth. Ms. Whitby also inquired about earned income tax revenues exceeding real estate property tax revenues and how that helps senior citizens. Mayor Nowalk explained that Whitehall Borough is a home rule municipality so they are able to vary the tax rates to make taxing more equitable. The 1.5% wage tax allows for equal burden on wage earners and property owners which helps seniors citizens. Other municipalities rely heavily on property tax revenues because they cannot raise the wage tax.

MAYOR:

Mayor Nowalk presented his report for July 2019:

EMS Assists.....	167
Court/Hearings/Pretrial . . . . .	148
Accidents . . . . .	19
Criminal Arrests (0 DUI). . . . .	14
Traffic Stops . . . . .	197
Traffic Details . . . . .	96
Written Traffic Citations. . . . .	106
Written Warnings Traffic Violations. . . . .	116

Total amount of money collected and turned over to the Borough during July 2019, amounted to \$4,900.23 the breakdown is as follows:

MVC from District Magistrate .....	\$1,197.87
Crimes Code and Code violations	
from District Magistrate .....	\$1,207.68
Parking Fines .....	\$1,240.00
Copies .....	\$195.00
Fines from Clerk of Courts.....	\$1,059.68

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports the Department has begun background checks on applicants for the positions of full and part time dispatchers. The application period ended August 1<sup>st</sup>.
- Mayor Nowalk stated that the Chief reports that 4 officers attended training last week on Stopping Domestic Violence. This training was sponsored by the PA Office of Victim Advocate.
- Mayor Nowalk stated that he sent out a news release about Community Day Awards. The deadline is August 19<sup>th</sup> at 4PM. The Community Service Award Winners are Jeff Wisneski, Steve McGrevy and Barbara Duff. The Person of the Year is Ruthann Omer.
- Mayor Nowalk provided an update on RADAR. Leslie Gervasio, Managing Editor of PSAB Magazine did a great job editing his article and adding pictures.
- Mayor Nowalk stated that the Mayor’s Conference was outstanding.

- Mayor Nowalk stated that he wrote letters to the Mayors of El Paso, Texas and Dayton, Ohio expressing sympathies after the recent mass shootings. He is also sending a “Strong than Hate” button to each Mayor.

SOLICITOR:

No report.

ENGINEER:

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

- Doverdell Drive Watershed Project – Mr. Rusmisl, Mr. Leventry and Mr. Harris met in Baldwin Manor Park on August 5<sup>th</sup>. The trash rack was installed today. A grate was installed and will need to be maintained often by Public Works. A chain link fence has been proposed for around the headwall by the Park Association. Mr. Rusmisl stated that the split rail fence currently there is doing its job. Mr. Nagy suggested that Public Works install 2x4 garden fence mesh around the culvert. Council was okay with that.
  - Operations & Maintenance Plan – State Pipe Services has started the work for the 2019 Sanitary Sewer CCTV Contract.
- M-6 Ms. Book moved, seconded by Mr. Lahr to approve Payment Application No. 1 in the amount of \$25,992.63 to State Pipe Services, Inc. The motion carried unanimously.
- Operations & Maintenance Plan – Roto Rooter is currently completed the work for the 2018 Whitehall Sanitary Sewer Excavation Repair Contract.
- M-7 Mr. Lahr moved, seconded by Ms. Book to approve Payment Application No. 7 in the amount of \$41,828.50 to Roto Rooter Services Company. The motion carried unanimously.

Mr. Lahr asked Mr. Rusmisl to look at adding Curry Road to the paving program. Mr. Leventry stated that Mr. Harris looked at the road today and did not think it merited inclusion this year. Mr. McKown stated that utility companies have been using the School District lot on Curry to store equipment and inquired if they were responsible for road damage in the area. Mr. Firman is not sure it is possible to go after the companies for using a public road.

- Frank Street Park Phase II – The project has been advertised for bidding starting on August 1, 2019. Construction is expected to be performed in the fall of 2019.
- Salt Storage – The storm and sanitary sewer relocation contract was awarded on July 17<sup>th</sup>. A pre-construction meeting was held on August 5<sup>th</sup>. The salt storage bid package has been advertised. A pre-bid meeting will be held on August 13<sup>th</sup> and bids will be received on August 19<sup>th</sup>. There is a lot of interest in this project.
- Streets Run Storm Sewer Construction – PADOT approved the Highway Occupancy Permit on the 31<sup>st</sup>. Gateway met with residents who requested meetings to discuss the project scope and easements. 6 easements are still needed.
- Earlsdale Road Slide – Joe Fagen and Eric Harris completed a test dig at the slide along Earlsdale Road. The exposed rock, thought to be natural, is fill material placed above several feet of soft wet clay soil. Therefore, the slope facing as originally proposed is not appropriate. Further investigation is needed to develop a proper design.

Mr. Rusmisl stated that Steeplechase Phase 5 is complete. The process to turn over streets to the Borough has begun.

Ms. Book inquired about the Borough Building Telephone Conduit. Mr. Rusmisl stated that Verizon should have the repairs completed by the end of the month.

MANAGER:

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

- Rock Salt Contract – SHACOG recently opened the bid for a new rock salt contract. Although Mr. Gorski expected up to 4 bidders, only Cargill actually bid. The price for the coming season will be \$82.24 per ton, up from \$70.93 from last year. Council will need to accept this bid. Keep in mind the Borough also purchases salt through the COSTARS contact.

M-8 Mr. Wotus moved, seconded by Ms. Book to accept Cargill's bid. The motion carried unanimously.

- McAnulty Paving – The water company is preparing to pave McAnulty following completion of their project. However, before they do so, a soft spot repair must be made that is outside the scope of their work. Their contractor offered to do it for \$22,000. After consulting with Eric Harris and Bryan Flaugh, Public Works is going to make the repair for the cost of materials. PAWC has been notified that the repair will be done by the end of the week and they can commence paving immediately thereafter.

- Backflow Valve Request – Mr. Leventry stated that Ms. Vallone’s statements earlier in the meeting were inaccurate. She received answers to all of her questions, she did not like the answers. Mr. Leventry explained the backflow preventor policy to her previously. She never submitted a claim to the Borough’s insurance carrier either. Mr. Nagy stated that Council must follow the policy to be fair to all residents.
- Settlement Agreement – Lisa Borelli of 4572 Doverdell has signed her release agreement covering outstanding issues at the property in the amount of \$4,010.00. Council will need to authorize execution of the agreement.

M-9 Mr. Wotus moved, seconded by Mr. McKown to authorize the execution of the agreement. The motion carried unanimously.

- Easement Purchase – Resource Environmental Solutions is asking to purchase a perpetual easement at property located along Weyman Road owned by the Borough. This is the site where the little green house once stood. Mr. Leventry has provided Council with a copy of the email he received. Mr. Rusmisl explained the request. He recommended that Council keep the easement as they may need it in the future for the PRP Plan. Council declined to sell the easement.
- Giant Eagle Paving – Giant Eagle intends to pave their lot in the coming weeks. They would like permission to mill the lot the night of September 9<sup>th</sup>, and would like Council’s permission to do so. It will be one night only and start at 9PM. Mr. McKown asked that notice be given to the residents in the area.

M-10 Mr. McKown moved, seconded by Ms. Book to authorize the nighttime milling at Giant Eagle. The motion carried unanimously.

- Fall Conference – The fall conference will be held in Erie this year, October 3-6. Council members will need to let Mr. Leventry know if they plan on attending. Mr. Nagy indicated that he would attend.

#### ASSISTANT MANAGER:

Ms. Wertz stated that articles for the Fall Borough Bulletin are due September 6<sup>th</sup>.

#### PUBLIC WORKS:

Ms. Book stated that Public Works crews have been busy with the parks, pool, road and banners. A Public Works employee is currently out on Worker’s Compensation and intends to retire in February 2020. Mr. Harris requests permission to hire another laborer by October 2019 as he is short an employee. Mr. Leventry stated that Mr. Harris has 4 candidates that he would like to

interview. Mr. Firman stated that to be clear – the new employee will not be taking the job of the employee out on Worker's Compensation. If/when that employee gets off Worker's Compensation, he will have a job to return too.

M-11 Ms. Book moved, seconded by Mr. McKown to authorize Mr. Harris to interview candidates and start the official hiring process. The motion carried 5-1 with Mr. Lahr dissenting.

#### PUBLIC SAFETY:

Mr. McKown stated that the Chief reports that both Officer Joseph Persichetti and Officer Nathan Meyer have successfully completed their one-year probationary period and he recommends Council approve retaining both Officers.

M-12 Mr. McKown moved, seconded by Mr. Wotus to retain Officer Joseph Persichetti and Officer Nathan Meyer. The motion carried unanimously.

Mr. McKown stated that Quarterly Reports from CIM were received and the Police Pension plan is meeting benchmarks.

#### RECREATION:

Mr. Wotus provided updates on several upcoming recreation activities. Race monitors are needed for the 5K race and basket donations are being accepted for the raffle at Community Day. Recreation Director Hannah Vetere is hoping to offer at least 1 event per month in 2020. Ms. Vetere is in talks with Good Shepherd Lutheran Church to host a Fall Carnival. The Recreation Board will meet on Monday.

#### ADMINISTRATION

No report.

#### LIBRARY

The Author's Luncheon will be on September 15, 2019:

Ms. Book stated that she attended the "Dispatches of D-Day" speaker last evening and it was great.

PLANNING & ZONING:

Mr. Lahr stated that the Planning and Zoning Committee recommends that Council change the ordinance to allow for the storage of trash totes in the front of the house as long as they are screened in. Mr. Nagy stated that many residents can't store the totes inside or in back of their property for various reasons. Mr. Nagy stated the ordinance should be changed to allow for storage of ONLY the Borough issued trash tote in the front of the property. Mr. McKown stated that residents need to be educated on storage options so Council can receive feedback and then possibly consider changing the ordinance. Leaving a tote at the curb beyond pickup day is not allowed and is different from storing the tote in front of the property. Mr. Veith stated that Council should keep in mind that the next garbage contract may involve automated recycling which would be an additional tote to store.

Mr. Lahr stated that the Planning and Zoning Committee is against allowing additional structures in yards. Mr. McKown stated that the ordinance doesn't address various structures and if they are not defined then they cannot be regulated. Mr. Leventry stated that the proposed ordinance likely will allow for one accessory building and one accessory structure. Adding definitions to the ordinance allows for control of the structures/buildings. It is still a work in progress.

DELEGATE REPORTS

ACBA – Ms. Book stated that the speaker at the September 5<sup>th</sup> board meeting was Bob Winters of US Homeland Security about active shooters. At the June PSAB Conference the Resolution about maintenance of drainage systems on state roads passed with 100% of the vote.

CHAMBER OF COMMERCE – Mr. Wotus stated new officers were elected. There will be a food truck event at the High School on August 29<sup>th</sup>. Representative Doyle spoke at the luncheon today. Mayor Nowalk and Mr. McKown attended and provided a summary of Representative Doyle's remarks.

EDS – Mr. Nagy stated that the new Executive Director for EDS has been meeting with various communities. Mr. Leventry stated that he recently had lunch with her.

MRTSA – Mr. McKown stated that 3 of the 4 managers at MRTSA have resigned. There will be a special meeting of the board to discuss replacement.

SHACOG – No report.

NEW BUSINESS:

Mr. Nagy asked that the meeting be adjourned in memory of Dick Parenti, a longtime Whitehall resident who recently passed.

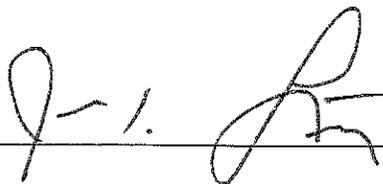
ADJORNMENT:

M-13 Ms. Book moved, seconded by Mr. Wotus to adjourn the meeting in honor of Dick Parenti. The motion carried unanimously.

The meeting adjourned at 9:02 PM.

READ AND APPROVED THIS DAY OF AUGUST 21, 2019:

\_\_\_\_\_  
Manager

A handwritten signature in black ink, appearing to read "J. Wotus", is written over a horizontal line. The signature is stylized and cursive.

