



BOROUGH OF WHITEHALL
Notice of Meeting
February 5, 2020
7:00 PM

The Council of the Borough of Whitehall will meet Wednesday, February 5, 2020, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

AGENDA FOR REGULAR MEETING
February 5, 2020

- 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 – Veith
- VI. Consideration of the Minutes of January 15, 2020
- VII. Public Hearing – Amending Article XXV – Accessory Structures
- VIII. Citizens' Requests
- IX. Reports of the Following Officers:
 - A. Mayor - Nowalk
 - B. Solicitor - Firman
 - C. Engineer – Rusmiser
 - D. Manager – Leventry
 - E. Assistant Manager - Wertz
- X. Reports of the Following Committees:
 - A. Public Works – Book, Lahr, DePuy
 - B. Public Safety – McKown, Lahr, Wotus
 - C. Recreation – DePuy, Veith, Book
 - D. Administrative Services – Veith, McKown, Wotus
 - E. Library – Lahr, Book, McKown
 - F. Planning & Zoning – Wotus, Veith, DePuy
- XI. 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
- XII. New Business
- XIII. Adjournment

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting February 5, 2020

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, February 5, 2020, at 7:00 PM, for a regular meeting. President Nagy called the meeting to order, followed by the Pledge of Allegiance.

President Nagy 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
 Scott Rusmiser, Engineer

Absent: William J. Veith

STAFF: James E. Leventry, Manager
 Courtney M. Wertz, Assistant Manager
 Keith P. Henderson, Chief of Police
 Jason C. Gagorik, Deputy Chief of Police
 Scott Dellett, AICP, Director of Planning, Zoning and Code

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mr. McKown moved, seconded by Ms. Book, that the bills contained on the bill list presented to Council on February 5, 2020 for \$1,013,625.00 from the General Fund, \$25,340.49 from the Storm Sewer Fund, \$26,431.40 from the Sanitary Sewer Fund, \$56.00 from the Doverdell Drive Storm Sewer Fund and \$9,525.50 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. McKown moved, seconded by Ms. Book, that checks and transfers for \$52,497.59 from the General Fund and \$49,207.59 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. McKown moved, seconded by Mr. Lahr, that checks and transfers for \$50,479.83 from the Payroll Fund be ratified. The motion carried unanimously.

- M-4 Mr. McKown moved, seconded by Ms. Book, that General Fund payroll for the period ending January 17, 2020 for \$143,300.33 as presented to Council on February 5, 2020, be ratified. The motion carried unanimously.
- M-5 Mr. McKown moved, seconded by Mr. Lahr, that General Fund payroll for the period ending January 31, 2020 for \$148,990.68 as presented to Council on February 5, 2020, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

- M-6 Mr. Lahr moved, seconded by Mr. Wotus to approve the Minutes of the January 15, 2020 Council Meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

Hal Plusa, 4647 Doverdell Drive, appeared before Council with questions about various colored arrows that appeared on his street and on Meadowgreen Drive. Mr. Rusmisl stated those are indicative of a PA One Call marking for utilities and explained what utilities the various colors represent. Mr. Rusmisl thinks that a gas line project is slated for that area. Mr. Leventry stated that the Borough is not performing work in the area but is required by law to mark sewer lines if a One Call request is received.

Shane Shaneman, 5039 Parkvue Drive, appeared before Council with concerns about the intersection at Parkvue and Southvue, specifically the Yield sign. He proposed increased signage in the area to alert motorists to the Yield sign and the blind curve or to replace the Yield Sign with a Stop Sign. The Chiefs of Police will investigate.

Michael Gould, 12 Garrity Avenue, New York, appeared before Council on behalf of Hounds Town. He explained what his company does, the business they bring to communities and passed out informational pamphlets to Council. Dr. Michael Hurley, 4515 Gardenville Road, stated that he is looking to open a kennel on Route 51 and needs a variance to do so. Mr. Dellett stated that later in the meeting he will be asking for a motion to advertise and schedule a public hearing on a zoning amendment related to this issue. Mr. Firman stated that the vote tonight would not be on the actual Ordinance, just the scheduling of a public hearing to discuss the Ordinance.

PUBLIC HEARING: AMENDING ARTICLE XXV ACCESSORY STRUCTURES:

Mr. Dellett explained the proposed Ordinance in detail.

Mr. Nagy inquired about the definition of a Carport. Mr. Dellett stated that the definition was revised based on comments from Council. Carports must be attached to the main dwelling and are not allowed to be freestanding.

Mr. Lahr stated that he does not think carports should be allowed in the Borough under any circumstances. He also had concerns about allowing sport courts as they can be noisy when used for basketball.

Mr. Wotus inquired if carports exist in the Borough currently. Mr. Dellett stated that they do. This ordinance would define and regulate them moving forward.

Mr. Dellett stated that this proposed Ordinance was brought before Council on July 19, 2019 where it was sent back to the Planning & Zoning Committee for modification. Mr. McKown stated that at that time Council requested more detailed definitions.

Mr. Nagy stated that many houses in the Borough have single car garages. He inquired if there are limits as to where carports can be located.

Mr. Dellett stated that generally carports would have to be located in the rear of a property as most properties in the Borough do not have the clearance to construct one next to the house.

Mr. Wotus stated that this Ordinance would allow the Borough to regulate and limit carports.

Hal Plusa, 4647 Doverdell Drive, stated that he has neighbors with children who have installed basketball hoops on the side of their houses and no one has ever complained about the noise. He inquired as to what the difference between the noise from a basketball on a driveway versus the noise of a basketball on a sport court is.

Mr. Lahr stated that basketball hoops are usually located behind houses, he is more concerned about carports.

Mr. Nagy stated that in all of his years on Council he has only known of one complaint relating to noise from basketball. He stated that if carports are regulated, they will require a permit. They will most likely be installed in rear yards. Borough Code Enforcement does not snoop around in resident's back yards but he thinks that most residents that spend the money to install a carport will use it for their vehicle, not storage.

Judy Clover, Duncan Lane, inquired if present carports would be grandfathered in under this Ordinance. Mr. Firman confirmed that preexisting carports would be allowed to stay.

M-7 Mrs. DePuy moved, seconded by Mr. Wotus to close the public hearing. The motion carried unanimously.

M-8 Mr. Wotus moved, seconded by Mr. McKown to read the Ordinance in summary form. The motion carried unanimously.

M-9 After the reading of the Ordinance, Mr. Wotus moved for adoption. Mr. McKown seconded the motion. On a roll call vote Mrs. DePuy, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. Ms. Book and Mr. Lahr voted no. The motion carried 4-2. The Ordinance No. is 1127.

Mr. Nagy explained to the residents in the audience that the Planning Commission that reviewed this Ordinance is made up very intelligent volunteers. They scrutinize every detail and do a great job.

Mayor Nowalk explained to the residents in the audience that as Mayor he reviews all Ordinances and has 3 choices – to sign, to veto or to do nothing and let the Ordinance pass without his signature.

MAYOR:

Mayor Nowalk stated that he invited 14-year-old Ryan Shaneman to the meeting. Mr. Shaneman received a Medal of Merit from the Boy Scouts of America recently. Mr. Shaneman informed Council of the events that led to him receiving this honor – Mr. Shaneman witnessed his father break his foot on the rocks at Ohiopyle, made a splint and got his father to the hospital for treatment. Mayor Nowalk stated that the elected officials of the Borough are proud of Mr. Shaneman and have created the Extraordinary Deeds Award, of which Ryan Shaneman is the first recipient. Mr. Shaneman was presented with the award.

Mayor Nowalk presented his report for January 2020:

EMS Assists.....	139
Court/Hearings/Pretrial	107
Accidents	24
Criminal Arrests (2 DUI) (1 DUI -Homicide by Veh).	21
Traffic Stops	134
Traffic Details	69
Written Traffic Citations.	73
Written Warnings Traffic Violations.	103

Total amount of money collected and turned over to the Borough during January 2020, amounted to \$7,247.78 the breakdown is as follows:

MVC from District Magistrate	\$1,304.91
Crimes Code and Code violations	
from District Magistrate	\$1,236.21
Parking Fines	\$910.00
Copies	\$390.00
Miscellaneous –Mechanical License Fees.....	\$1,200.00
Fines from Clerk of Courts.....	\$2,206.66

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports that the Brownsville Road Speed Sign Project has been completed with RADAR signs installed at both North and South of the site of the recent crashes at 4636 Brownsville Road.

Mr. McKown inquired if any statistics have been received from the new signs yet. Chief Henderson stated that he does not have statistics yet but he travels the road often and traffic is much calmer.

- Mayor Nowalk stated that the Chief reports that Officers Lostetter, Persichetti and Meyer recently attended training in Interviewing and Interrogation. The 3 day course was held at the Allegheny County Police Training Academy and was put on by the Institute for Law Enforcement Training.
- Mayor Nowalk stated that last week, SHACOG Crash Team Members Sergeant Gaebel and Officer Seese attended yearly mandatory training for the team which was held in Upper St. Clair.
- Mayor Nowalk stated that he met with members of the Whitehall Fire Company regarding Dispatch services. He also toured Allegheny County 911 and met with the Public Safety Committee prior to tonight’s meeting.

SOLICITOR:

Mr. Firman stated that he has prepared several Ordinances related to various Engineering projects in the Borough.

Mr. Rusmisl provided an update on Steeplechase Phase 4 & 5. Ordinances for acceptance of those phases have been prepared. A bond is needed for Phase 5. No bond is necessary for Phase 4.

Mr. Firman stated that he has prepared an Ordinance for acceptance of Steeplechase Phase 4 and Steeplechase Phase 5.

M-10 Ms. Book moved, seconded by Mr. Lahr to read the Ordinance in summary form and place it on public display for two weeks. The motion carried unanimously.

Mr. Firman stated that he has prepared 3 Ordinances concerning the Streets Run Storm Sewer Project. The Ordinances relate to taking of easements via eminent domain.

M-11 Mr. Wotus moved, seconded by Mr. Lahr to read the Ordinance regarding 338 Streets Run Road aloud. The motion carried unanimously.

M-12 After the reading of the Ordinance, Mr. Wotus moved for adoption. Mr. McKown 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 1128.

M-13 Mr. McKown moved, seconded by Mr. Wotus to read the Ordinance regarding 372 Streets Run Road aloud. The motion carried unanimously.

M-14 After the reading of the Ordinance, Mr. McKown moved for adoption. Ms. Book 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 1129.

M-15 Mr. McKown moved, seconded by Mr. Lahr to read the Ordinance regarding Lot/Block 389-B-90 on Streets Run Road aloud. The motion carried unanimously.

M-16 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 1130.

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

ENGINEER:

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

- Operations & Maintenance – Roto Rooter has started work for the 2019 Sanitary Sewer Excavation Repair Contract.

M-17 Ms. Book moved, seconded by Mr. Wotus to approve Payment Application No. 3 in the amount of \$50,448.33 for the 2019 Sanitary Sewer Excavation Repair Contract to Roto Rooter Service Company. The motion carried unanimously.

- Operations & Maintenance – State Pipe Services has started work for the 2019 Whitehall Borough Sanitary Sewer CCTV Contract.

M-18 Mr. Lahr moved, seconded by Ms. Book to approve Payment Application No.4 and Final in the amount of \$5,975.78 for the 2019 Whitehall Borough Sanitary Sewer CCTV Contract to State Pipe Services, Inc. The motion carried unanimously.

- Salt Storage – Plavchak poured the concrete walls yesterday. It went well and is in cure. The roof work will be next.
- Earlsdale Road Slide – Gateway started preparing bidding documents for the slide repair. Bidding will occur February/March for an early summer construction project.

MANAGER:

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

- Gateway 2020 Road Program Proposal – Gateway Engineers submitted their proposal to design, bid and inspect the 2020 road program. The cost is \$57,000, which is the same as previous years.

M-19 Mr. McKown moved, seconded by Ms. Book to accept the proposal. The motion carried unanimously.

- Roof Bids – Bid to replace the roof atop the Police Department were opened on January 31st. Two bids were received. Please note that the bid contained the base bid and two alternates. One alternate is to replace the roof on the mechanical room, and the other to install coping on the edge wall to keep water from infiltrating through the joints. The base bid from Triangle Roofing is for \$95,500, with alternate one being \$23,000 and alternate two being \$11,360 for a total of \$129,860. Council budgeted \$120,000 for this project for this project so Mr. Leventry recommended acceptance of all three bids. Mr. Leventry has been told that if the weather holds, the project could be completed in March. Triangle Roofing is the same company that replaced the MRTSA roof last fall. The second bid from MTG was for \$177,000.00. Garland will be giving the Borough another 30-year warranty on the new roof.

- M-20 Mr. McKown moved, seconded by Ms. Book to award the bid to Triangle Roofing in the amount of \$129,860. The motion carried unanimously.
- PHA Issues – The Ordinance setting pre-treatment standards for industrial waste has been on public display for nearly three weeks and will be presented in summary form.
- M-21 Mr. Lahr moved, seconded by Ms. Book to read the Ordinance in summary form. The motion carried unanimously.
- M-22 After the reading of the Ordinance, Mr. Wotus moved for adoption. Ms. Book 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 1131.

The PHA is also asking Council to approve additional funding towards their stream bank stabilization project that exceeds the approved maximum funding level granted in 2019. If approved, Whitehall's share is estimated to be \$2,394.00.

- M-23 Mr. McKown moved, seconded by Mr. Lahr to approve the expense. The motion carried unanimously.
- Automated External Defibrillators – The batteries and electrodes for all three of the Borough's AEDs need replaced. The cost to replace these items would be about \$325. However, the AEDs themselves are now fourteen years old. In conversations with Deputy Chief Gagorik, he indicated that his department generally replaces their units every ten years. The cost to replace all three units would be \$5,200. Complete replacement is not included in the 2020 budget, so it would require Council's approval.
- M-24 Mr. Lahr moved, seconded by Mr. Wotus to approve the replacement of the AEDs at a cost of \$5,200.00. The motion carried unanimously.
- Mr. Leventry requested an executive session to discuss personnel matters.

Mr. McKown stated that Whitehall Borough is once again a Banner Community.

Mr. McKown also stated that he spoke to the Borough Auditors as is standard practice.

Mayor Nowalk stated that he received a letter regarding the upcoming Census. He gave the letter to Mr. Dellett.

ASSISTANT MANAGER:

Ms. Wertz reported on the following items according to the written report given to Council:

- DCNR Parks Master Plan -- In order to close out the DCNR Parks Master Plan Grant, a Resolution is needed and a final payment request must be submitted. Ms. Wertz requested that Council consider both items.

M-25 Mr. Wotus moved, seconded by Ms. Book to authorize Ms. Wertz to sign the final payment request. The motion carried unanimously.

M-26 Mr. Lahr moved, seconded by Mr. McKown to place the DCNR Grant Close Out Resolution on public display. The motion carried unanimously.

Mrs. DePuy thanked Ms. Wertz for her work on the DCNR grants.

Mr. McKown thanked Mrs. DePuy for her work on the Parks Plan.

PUBLIC WORKS:

Ms. Book stated that Public Works has been out salting during inclement weather.

Mr. Leventry stated that Public Works has ordered two new trucks.

PUBLIC SAFETY:

Mr. McKown stated that the Chief reports that one of the current top 4 candidates for the position of Police Officer has removed his name for consideration. The Chief requests Council direct the Civil Service Commission to supply the next candidate from the current Police eligibility list for consideration.

M-27 Mr. McKown moved, seconded by Ms. Book to direct the Civil Service Commission to supply the next candidate from the current Police eligibility list for consideration. The motion carried unanimously.

RECREATION:

Mrs. DePuy stated that the Recreation Board will meet on Monday. Mr. Wotus stated that the Kids of Steel Program is off to a strong start. The Comedy Show will be on February 29th.

ADMINISTRATIVE SERVICES:

No report.

LIBRARY:

Mr. Lahr stated that the Board will meet on Wednesday.

PLANNING & ZONING:

Mr. Wotus stated that the Planning Commission will meet on Wednesday.

Mr. Dellet stated that the South Hills Square Retirement Resort is expected to be completed by March and the first occupants will move into the complex on June 1st. Mr. Dellet provided a summary of the recent activities of the Planning Commission and the Zoning Hearing Board.

Mr. Dellet reviewed a memo to Borough Council dated January 31, 2020 regarding a Zoning Ordinance Amendment regarding Article XXVII Expressed Standards and Criteria for Conditional Uses and Special Exceptions. Mr. Dellett requested that Council consider a motion to authorize advertisement of the Ordinance pursuant to requirements in the state Municipalities Planning Code and to schedule a public hearing on the Ordinance before Council on April 1, 2020.

M-28 Mr. McKown moved, seconded by Mr. Wotus to authorize advertisement of the Ordinance pursuant to requirements in the state Municipalities Planning Code and to schedule a public hearing on the Ordinance before Council on April 1, 2020. The motion carried unanimously.

DELEGATE REPORTS

ACBA – Mrs. DePuy and Ms. Book attended the recent Annual ACBA Banquet. Ms. Book stated that over 300 people attended and it was a very nice event. Mrs. DePuy stated that she had dinner with members of Brentwood Borough Council and it was nice to catch up with our neighboring municipality.

Mr. Leventry stated that Mrs. DePuy or Ms. Book will have to pick up a check from MRM at the conference at 7 Springs.

Ms. Book stated that she is taking suggestions for Resolutions to be considered at the PSAB conference in June.

CHAMBER OF COMMERCE – Mr. Wotus stated that there is a luncheon tomorrow at Noon at South Hills Country Club. Mr. Wotus reviewed a number of events that the Chamber will be sponsoring on in 2020.

EDS – Mr. Nagy stated that RubyRide beta testing is going well. There was recently a nice article in the Tribune Review about RubyRide.

MRTSA – Mr. McKown stated that MRTSA is making progress with organizational changes. They have hired a consultant to analyze the organization and report back.

SHACOG – Ms. Book stated that recycling remains a major topic at SHACOG. She also stated that the CERT dues have increased from \$1500 to \$2500. This is the first increase since its inception in 2009. Ms. Book will attend the February meeting in Brentwood.

Hal Plusa, 4647 Doverdell Drive, stated that he has made contact with Michaels Brothers about establishing a glass recycle program for Whitehall Borough. He will be submitting a proposal to the Mayor's Environmental Committee.

NEW BUSINESS:

Mayor Nowalk stated that he received a letter from Jefferson Hospital looking for nominations to their Community Health Council.

RECESS:

M-29 Mr. McKown moved, seconded by Ms. Book to recess the meeting. The motion carried unanimously.

The meeting recessed at 8:29 PM.

The meeting reconvened at 9:14 PM.

M-30 Mr. McKown moved, seconded by Ms. Book to authorized Ms. Wertz to attend a continuing education class not to exceed \$2,000. The motion carried unanimously.

M-31 Mr. McKown moved, seconded by Mr. Lahr to authorize Mayor Nowalk and Council President Glenn Nagy to write a letter to Allegheny County 911 and a letter to the President and Chief of the Whitehall Fire Company regarding dispatching services. The motion carried unanimously.

ADJORNMENT:

M-32 Mr. Wotus moved, seconded by Mr. Lahr to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 9:16 PM.

READ AND APPROVED THIS DAY OF FEBRUARY 19, 2020:

Manager 