

**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**August 19, 2020**  
**7:00 PM**

The Council of the Borough of Whitehall will meet Wednesday, August 19, 2019, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

**AGENDA FOR REGULAR MEETING**  
**August 19, 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
- IV. Roll Call
- V. Consideration of Bills and Payroll – Veith
- VI. Consideration of the Minutes of August 5, 2020
- VII. Citizens' Requests - Call In
- VIII. Reports of the Following Officers:
  - A. Mayor - Nowalk
  - B. Solicitor - Firman
  - C. Engineer – Rusmiser
  - D. Manager – Leventry
  - E. Assistant Manager – Wertz
- IX. Reports of the Following Committees:
  - A. Recreation – DePuy, Veith, Book
  - B. Administrative Services – Veith, McKown, Wotus
  - C. Library – Lahr, Book, McKown
  - D. Planning & Zoning – Wotus, Veith, DePuy
  - E. Public Works – Book, Lahr, DePuy
  - F. Public Safety – McKown, Lahr, Wotus
- X. New Business
- XI. Adjournment

**BOROUGH OF WHITEHALL**

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## BOROUGH OF WHITEHALL

Regular Meeting August 19, 2020

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, August 19, 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.

President Nagy announced that Council held an executive session prior to tonight's meeting for matters of personnel. Another executive session will be held after the meeting for matters of personnel.

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  
Courtney M. Wertz, Assistant Manager  
Keith P. Henderson, Chief of Police

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mr. Veith moved, seconded by Mr. Lahr, that the bills contained on the bill list presented to Council on August 19, 2020 for \$225,207.69 from the General Fund; \$1,300.00 from the Storm Sewer Fund, \$719,464.05 from the Sanitary Sewer Fund and \$9,483.00 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. Veith moved, seconded by Ms. Book, that checks and transfers for \$14,207.68 from the General Fund and \$47,663.41 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. Veith moved, seconded by Ms. Book that General Fund payroll for the period ending August 14, 2002 for \$146,815.07 as presented to Council on August 19, 2020, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

M-4 Mr. Wotus moved, seconded by Ms. Book to approve the Minutes of the August 5, 2020 Council Meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

Residents wishing to speak at tonight's meeting phoned in via conference call at

United States:+1 (872) 240-3412

Access Code: 840-157-933

There is not enough space in the meeting room to accommodate all the residents wishing to speak while still practicing social distancing. Under advisement of the Solicitor the room must be open to all residents, or no residents, which is why the conference call was set up.

Paula Kelly, Whitehall Public Library Librarian, appeared before Council to discuss an opportunity that Mr. Wotus brought to her attention.

Mr. Wotus stated that he found a historical and archival record grant and thought it would be a good project for the Library to start collecting historical documents of the Borough. It is too late to get an application together for this year's grant cycle but the Borough can start planning now for future funding opportunities.

Mayor Nowalk stated that it is a good idea. The Borough Bulletin could be used to solicit historical documents and pictures from residents and to see if residents are interested in becoming involved in the project.

Mr. Lahr stated that the Whitehall Borough history book put together by former Mayor Brennan was nice and the Borough could do it again.

Mayor Nowalk stated that this project would be geared towards preserving the history of the Borough, not necessarily another book. Mr. Lahr stated the Brennan book was sold to raise funds for the Library.

Ms. Kelly stated that she attended a conference years ago where the Library had a room similar to the Community Room and one wall was dedicated to a timeline of the municipality with dates, articles, documents, etc. She was thinking of a display of Borough history, not a book.

Mr. Lahr stated that the Borough needs to make the Brennan book available to residents so they can see and read it. Ms. Kelly stated that copies are available at the Library.

Ms. Kelly stated that the grant she came across is due too soon to properly complete an application. She would like to see the community “buy in” to this project.

Mr. McKown stated that this is something the Friends of the Library could take on as they are a non-profit entity and eligible for certain grants. Ms. Kelly stated it would depend on the funding source if a non-profit is needed to apply. It could be a good project for the Friends to take on.

Mr. Wotus stated that this is a very preliminary idea. He is excited about the opportunity and wants to get as much help and input from the community as possible.

Mr. Firman stated that no motion is needed to move forward with this project.

MAYOR:

The Borough reported 5.76 percent of the calls to animal control services in July.

Mayor Nowalk presented the report of the Whitehall Fire Company for July 14, 2020 to August 18, 2020.

Calls (Since July 14, 2020) .....	42
Calls Year to Date (12/1/2019 to 8/18/2020) .....	263

These calls included:

- 1 Fire in structure other than in a building
- 1 Motor Vehicle accident with injuries
- 2 Hazardous Condition, Other
- 3 Gas Leak (Natural Gas or LPG)
- 4 Power Line/Cable Line Down
- 1 Building or Structure Weakened or Collapsed.
- 3 Vehicle Accident, General Clean-Up
- 3 Water Problem, Other
- 2 Cover Assignment (Standing by for another Fire Company)
- 1 HazMat Release Investigation with no HazMat
- 20 Alarm System Activation, No Fire – Unintentional
- 1 Lightening Strike (No Fire)

Notable Calls:  
None

Membership – 25 Firefighters

Apparatus – Construction of the new engine has begun.

Stations – Both stations received much needed technology upgrades such as computers, monitors, wireless routers.

Equipment – Annual hydrostatic hose testing and ladder testing this week.

Mr. Wotus inquired if the Borough has received any comments on the Dispatch switch to County 911. Mayor Nowalk stated that it all went smoothly and there have been no comments.

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that he sent a letter to Council explaining why he did not sign Ordinance No. 1137. He requested that the letter be part of the public record. He is troubled by the idea that if the Borough Code does not mention a use, the Borough Planning & Zoning Officer has no power to regulate it. He is bothered that because the Code did not mention Carports, residents have a right to have them. He urged Council to clarify this interpretation. If a Use is not in the Code, there is no Permitted Use for it. He stated the interpretation should be if a Use is not in the Code, residents do not have a right to do it.
- Mayor Nowalk stated that a patient at the Alzheimer Facility on Provost Road recently broke a window, punched personnel and escaped the facility. The patient then knocked on nearby houses. This was traumatic for the neighborhood. The Borough needs to stay on top of this. It is his understanding that the patient in question is no longer in the facility. Council needs to be aware of this situation.

Chief Henderson stated that the Department received the call. There was no harm to the neighbors. The patient did startle them. The facility has rules to follow and they called the Police immediately. The State sets rules and regulations for these types of facilities. The problem with this facility is that it is only fenced on two sides and the others are windows. Patients there have rooms with windows. This was a gentle soul who for whatever reason had an escalation in aggressiveness. Staff attempted to contain the situation and an employee was punched. This was an anomaly. By law, the facility will have to file a report with the State, review and adjust their practices.

Mr. Wotus inquired as to the status of the neighborhood. Chief Henderson stated that they are very upset. The Facility meets the State regulations. They would not have been licensed without meeting regulations.

Mr. Wotus stated that he has toured the facility himself. Alzheimer patients can become angry and aggressive.

Mayor Nowalk stated that the Borough needs to make sure that the Facility is not accepting non-Alzheimer patients to meet occupancy because they are a locked door facility.

Chief Henderson has met with the Administrator of the Facility and will continue to monitor the situation.

- Mayor Nowalk stated that articles for the Fall Borough Bulletin are due September 4<sup>th</sup>. He asked Council for permission to write about the status of the pool and taxes. Council agreed. Mr. Lahr also suggested he work with Mr. Wotus to write about the Historical Project with the Library.
- Mayor Nowalk stated that he received a letter from Senator Casey thanking him for his participation in a conference call for Allegheny County Mayors with the Senator's staff.

Mr. Veith stated that residents have reached out to him about rat issues in the Borough this summer. He asked if the Mayor's committee could look into this.

Mayor Nowalk stated that the Whitehall Committee for Environmental Action has a meeting in September. They can look into the issue. Mr. McKown stated that people are feeding deer, contributing to the problem. Mr. Lahr stated that Public Works will bait sewers once a report is received.

Mr. Leventry stated that the Borough can bait the storm sewer system. The County used to give Boroughs bait, but have stopped that. He can send the Code Officer out to see if there is a food source.

Mr. McKown stated that more deer bring more rats.

SOLICITOR:

No report.

ENGINEER:

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

- 2020 Road Program – The pre-construction meeting with Independent Enterprises was held on August 13, 2020. Work is tentatively scheduled to start after Labor Day.
- McRoberts/Earlsdale Road Slide – Mr. Rusmisl had a conference call with Mr. Firman and Mr. Leventry today. A letter will be sent to Plavchak Construction stating that their bid for the project did not meet the bid requirements. A recommendation for award for the next low bidder will be ready at the next meeting.

Mr. Wotus inquired what was wrong with Plavchak's bid. Mr. Rusmisl explained that they submitted information on a lag wall and soldier beam not soil nail stabilization work. The two are not compatible.

Mr. McKown inquired about instructions given to Gateway after the Pool Workshop on Monday. Mr. Rusmisl stated that he spoke with Mr. Leventry on Tuesday morning about revising the plans based on Council's meeting on Monday. Preliminary plans will be provided to Council by the next meeting.

Mrs. DePuy stated that the Pool Evaluation item on the Engineer's Report states that Gateway would attend the pool workshop. They did not. Mr. Leventry notified them not to attend.

Mr. Veith asked that Gateway also provide an estimate on the Design Lifetime of the new pool.

Mr. Rusmisl stated that the existing pool will be completely removed. The concern is with the existing piping under the existing pool. The pool leaks 2-3 inches a day and currently no one can figure out where the water is going. That is impacting the footers and causing the foundation to settle. Once that is opened up, they must be prepared to deal with what they find. There is not a simple or easy way to know what they will encounter ahead of time. Mr. Rusmisl will present options to Council to review. Everything has a price tag.

Ms. Book stated that she contacted PSAB for information about pool projects.

Mr. Nagy asked for a rough timeline of bidding, construction and the best time for construction at the next meeting also.

MANAGER:

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

- Grant Award – It was announced yesterday that the Borough has been awarded a grant of \$150,000 through the H2O PA Program. The money is to be used towards the Streets Run Flood Control Project.
- Minimum Municipal Obligations – The Borough's actuary has prepared the MMOs for the Police and Non-Uniformed plans for 2021. The MMOs must be adopted by Council by September 30<sup>th</sup> of each year. The MMO for the Police plan is \$970,921, an increase of \$189,092 from 2020. The MMO for the Non-Uniformed plan is \$248,416, a decrease of \$14,808 from 2020. The Borough should receive funds in the neighborhood of \$250,000 from the State to offset some of these costs.

M-5 Mr. McKown moved, seconded by Mr. Veith to adopt the MMOs. The motion carried unanimously.

Mr. Wotus inquired if the \$250,000 is a standard amount. Mr. Leventry stated that the funding varies as it comes from insurance premiums to the State but has been pretty consistent the past few years.

Mr. Leventry stated that Allegheny County Elections Division has notified him that they intend to operate all polling sites for the November election. The Community Room is slated for use. Does Council have any issues with that? Council had none.

Mr. McKown inquired what the County was doing about masks and social distancing. Mr. Leventry did not know. The bigger issue is the lack of poll workers. Mr. Leventry stated that he has made arrangements for the phone system in the Community Room to be torn down for Election Day and reassembled the next morning for the first Council meeting in September.

Mr. McKown inquired about the status of a new janitorial hire. Mr. Leventry stated that Ms. Wertz is running an ad in the Steeplechase newsletter that will hopefully attract applicants.

ASSISTANT MANAGER:

No report.

RECREATION:

Mrs. DePuy provided a summary of Council's discussions at the Pool Workshop on Monday. Her opinion on the meeting is as follows:

- The pool is an asset to the community and as such should be continued.
- The Borough cannot afford a total redo that was originally proposed.
- The Borough will have to borrow \$2-3 million.
- The Engineer has been asked to fine tune design and cost estimates.
- Mayor Nowalk will prepare the residents in the Fall Bulletin that the pool may not open next year and the repairs will be expensive.

None of the aforementioned ideas were voted on.

Mr. McKown stated that Council's plan is to replace the pool, not repair the existing pool. He does not want residents to get the wrong idea.

ADMINISTRATIVE SERVICES:

No report.

LIBRARY:

Mr. Lahr introduced Librarian Paula Kelly to give a report. The Library's next steps include preparing a plan for reopening to the public.

Mr. Lahr asked Mr. Leventry when the Borough Building will reopen to the public. Mr. Leventry stated not until a therapeutic or vaccine is developed.

Mayor Nowalk stated that Khara Timsina organized a COVID-19 mobile testing site with the Squirrel Hill Health Center in the Borough this week. Mr. Wotus inquired about publicizing these testing opportunities in the Borough Magazine. Mayor Nowalk will give the idea some thought.

PLANNING & ZONING:

Mr. Wotus stated that Council received the latest Memo from the Planning, Zoning and Code Office. Two vacancies are anticipated on the Planning Commission as Elaine Kirsch is moving to Cranberry and Brent Holbert is moving to North Carolina. Official letters of resignation are forthcoming.

Two issues will be discussed at the next Planning Commission meeting: Fire Pits and Fireworks.

Two issues were discussed at the Planning Commission meeting last Wednesday (1) Grove Pointe Residential Land Development Parcels A, B & C. The Commission was not pleased with some of the developer's answers specifically regarding a proposed trail that may infringe on private property. The maps presented to the Commission were also not labeled correctly (2) The proposed park area around the approved Tower on Hamilton Road. Part of the park was to include the aforementioned trail.

The Zoning Hearing Board met last night to discuss the case of the hockey rink on Rolling Hills. A decision is expected in September.

PUBLIC WORKS:

Mr. Leventry stated that the new trucks are close to being ready.

PUBLIC SAFETY:

- M-6 Ms. Book moved, seconded by Mr. Wotus to read a proposed Ordinance amending Section 3, Subsection B, Paragraph 6 of the Personnel Policy Manual. The motion carried unanimously.
- M-7 After the reading of the Ordinance, Mr. McKown moved for adoption. Mr. Veith 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 1138.

Mr. McKown stated that the Chief reports that this week the Department has taken delivery of the 2020 unmarked Ford Explorer that was ordered in January from Tri-Star Ford through the SHACOG bid processes. Ford Motors reports it is going to hold prices for their 2021 models.

The Chief recommends ordering the two vehicles scheduled for replacement next year as soon as possible as vehicles ordered now will not be delivered before February 2021.

- M-8 Mr. McKown moved, seconded by Ms. Book to authorize the Chief along with Mr. Leventry to place the order for two 2021 vehicles. The motion carried unanimously.

Mr. McKown stated that the Chief reports that the Department has ordered 8 new patrol rifles to replace existing rifles. These rifles will be paid for with trade-in value of existing rifles along with \$11,000 in monies from the Department of Justice's ASSET FORFEITURE PROGRAM.

Chief Henderson stated that the 8 rifles the Department is replacing are over 20 years old and have been rebuilt many times. They are outdated.

NEW BUSINESS:

Mr. Veith stated that Frank Park was really well done. He asked Ms. Wertz how often the pavilion is reserved. Ms. Wertz stated often. An increase in requests for Frank Park was seen at the beginning of COVID when many venues closed and residents were looking for outdoor venues for graduation parties.

Mr. Veith mentioned the grass there has not grown in. Ms. Wertz stated the contractor is aware and has committed to reseeding in the Fall. It was a bad time of year to be planting grass when the project originally completed.

Ms. Wertz stated the trail at the park is used often by walkers as well.

Mrs. DePuy asked if the name of the park should be changed as it is officially named Orchard Hill Park but everyone refers to it as Frank Park even through it is on Reece Drive.

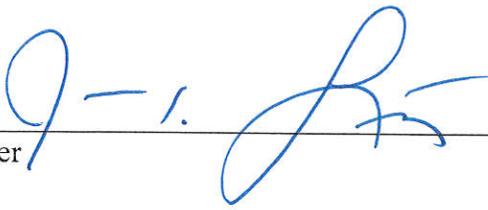
Mayor Nowalk inquired about the cleaning fee that Council instituted. Ms. Wertz stated that thus far no residents have objected to it. It is not stopping residents from reserving parks.

ADJORNMENT:

M-9 Mr. Wotus moved, seconded by Ms. Book to adjourn the meeting in honor of former State Representative Michael Diven who recently passed away. The motion carried unanimously.

The meeting adjourned at 8:19 PM.

READ AND APPROVED THIS DAY OF SEPTEMBER 2, 2020:

  
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Manager