



**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**September 16, 2020**  
**7:00 PM**

The Council of the Borough of Whitehall will meet Wednesday, September 16, 2019, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

**AGENDA FOR REGULAR MEETING**  
**September 16, 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 17, 2020 Pool Workshop & September 2, 2020 Council Meeting
- VII. Citizens' Requests - Call In  
 United States: +1 (872) 240-3412  
 Access Code: 840-157-933
- 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. 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
- X. New Business
- XI. Adjournment

BOROUGH OF WHITEHALL

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## BOROUGH OF WHITEHALL

Pool Workshop/Regular Meeting September 16, 2020

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, September 16, 2020, at 6:00 PM, for a pool workshop, followed by a regular meeting. President Nagy called the meeting to order, followed by the Pledge of Allegiance.

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 (Arrived at 6:10 PM)  
Robert McTiernan - Tucker Arensberg, P.C. (Arrived at 6:43 PM)  
Scott Rusmisl, Engineer  
Sean Murphy, PLA - Gateway Engineers

STAFF:

James E. Leventry, Manager  
Courtney M. Wertz, Assistant Manager  
Keith P. Henderson, Chief of Police (Arrived at 7:01 PM)

M-1 Mr. McKown moved, seconded by Mr. Wotus to recess to executive session for discussion related to the disposition of Borough assets and matters of personnel. The motion carried unanimously.

The meeting recessed at 6:05 PM.

Pool Workshop adjourned at 7:00 PM.

The meeting reconvened at 7:01 PM.

President Nagy announced that Council held an executive session prior to tonight's Council meeting for matters related to the disposition of Borough assets and matters of personnel.

President Nagy announced that all meetings will be recorded auditorily.

CONSIDERATION OF BILLS & PAYROLL

- M-2 Mr. Veith moved, seconded by Mr. McKown, that the bills contained on the bill list presented to Council on September 16, 2020 for \$343,669.46 from the General Fund; \$22,200.00 from the Storm Sewer Fund, \$23,386.10 from the Sanitary Sewer Fund and \$5,324.00 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-3 Mr. Veith moved, seconded by Ms. Book, that checks and transfers for \$5,293.96 from the General Fund and \$44,515.22 from the Payroll Fund be ratified. The motion carried unanimously.
- M-4 Mr. Veith moved, seconded by Mr. Wotus that General Fund payroll for the period ending September 11, 2020 for \$133,687.78 as presented to Council on September 16, 2020, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

- M-5 Mr. Wotus moved, seconded by Mr. Lahr to approve the Minutes of the August 17, 2020 Pool Workshop Meeting as presented. The motion carried unanimously.
- M-6 Mr. Lahr moved, seconded by Ms. Book to approve the Minutes of the September 2, 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.

There were no residents on the phone that wished to speak.

MAYOR:

The Borough reported 8.59 percent of the calls to animal control services in August.

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports that Whitehall Police hosted a demonstration by WatchGuard Camera Systems on Body Worn Cameras yesterday. Cameras will be ordered within a week with a delivery date within 90 days. Cameras are scheduled to be deployed by early January 2021. Mayor Nowalk stated that the South Hills Record recently ran an article on Whitehall's plans to acquire Body Cameras and spoke with himself and Deputy Chief Gagorik.
- Mayor Nowalk stated that the Chief reports that Whitehall Police are hosting a COLT Armorers Class this week. The Department received two complimentary spots in the class for a savings of \$900.00 in tuition.
- Mayor Nowalk stated that Baldwin Whitehall School District has returned to a modified class schedule throughout the District. The Chief reports that the staggered attendance schedules have reduced normal daily traffic levels but motorists still need to be aware of children out and about.

Mayor Nowalk stated that he received a letter from a resident on County Club thanking Officer Persichetti for his help finding a lost envelope along the road.

Mayor Nowalk stated that he wrote an article about the swimming pool and one about rats for the upcoming Borough Magazine. He requested a special email for comments on the pool be created. Mr. Leventry stated that will cost a couple hundred dollars to set up.

M-7 Mr. McKown moved, seconded by Ms. Book to instruct staff to set up a new email for comments on the pool. The motion carried unanimously.

#### SOLICITOR:

Mr. McKown stated that he has received complaints about vulgar language on political signs and inquired if that was permissible. Mr. Firman stated that political speech is protected.

Mr. Lahr stated that Steeplechase HOA told a resident to remove their political sign. Mr. Firman stated that is a private matter between the resident and the HOA. He cannot give advice on the situation. There are different standards for an HOA and a governing body like the Borough.

Mr. Leventry stated that as a former Manager of an HOA, if there are rules about signs in the Association's covenants, conditions and restrictions, the HOA can enforce those rules.

ENGINEER:

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

- 2020 Road Program – Work started this week. All streets have been milled and paving should conclude at the end of this week.
- McRoberts/Earlsdale Road Slide – Mr. Rusmisl recommended rejecting all bids and rebidding the project.

M-8 Mr. McKown moved, seconded by Mr. Wotus to reject all bids and rebid the project. The motion carried unanimously.

- Streets Run Storm Sewer Construction – The final easement has been received. Mr. Rusmisl asked for permission to bid the project.

M-9 Mr. McKown moved, seconded by Mr. Wotus to bid the project. The motion carried unanimously.

MANAGER:

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

- Position Filled – The janitorial position has been filled. Matthew Harlacher, a Whitehall resident and recently retired Marine, began on September 11<sup>th</sup>.
- New Bus Shelters – The Port Authority will be replacing the bus shelters at Weyman and Radford Roads in mid to late October. A picture of the new shelters was given to Council.

ASSISTANT MANAGER:

No report.

PUBLIC WORKS:

Ms. Book stated that the Borough will take delivery of 2 new trucks on Thursday.

Public Works has been busy in the parks.

PUBLIC SAFETY:

M-10 Mr. McKown moved, seconded by Mr. Wotus to hire Ian Henderson subject to physical and psychological examinations for the position of Police Officer.

There was no comment from the public or Council on the motion.

On a roll call vote Mr. Lahr, Mr. McKown, Mr. Nagy and Mr. Wotus voted yes. Ms. Book, Mrs. DePuy and Mr. Veith voted no. The motion carried 4-3.

M-11 Mr. McKown moved, seconded by Mr. Lahr to hire Scott Brown subject to physical and psychological examinations for the position of Police Officer.

There was no comment from the public or Council on the motion.

On a roll call vote Ms. Book, Mr. Lahr, Mr. McKown, Mr. Nagy, Mr. Veith and Mr. Wotus voted yes. Mrs. DePuy voted no. The motion carried 6-1.

Mayor Nowalk asked Mr. Firman to explain the delay in hiring given the Police Officer candidates were interviewed in July.

Mr. Firman stated that the Civil Service Commission put together a list of eligible candidates and it caused the Borough to look at the Personnel Policy Manual. There was a provision on familiar relations that was determined to be illegal based on recent cases in Ohio that ruled the placing of additional conditions on civil service candidates, specifically those that are out of their control, to be illegal. Mr. Firman recommended that Borough Council change the Personnel Policy Manual to reflect the law. The change was done via Ordinance and the Ordinance process itself takes time for adoption and advertisement.

RECREATION:

Mrs. DePuy stated that the Parks Committee met with the GBWAA recently and they would like to make improvements to the infield at the upper field at Prospect Park. Council had no objection.

Mrs. DePuy stated that the next step at Prospect Park will be to remove the smaller field and to determine if that work can be done in-house. The plan is for a grassy area to be installed there for use as an informal soccer field.

Mr. Nagy inquired about the status of the gas well at Prospect Park. Mr. Leventry stated that it has been capped.

Mr. Wotus stated that he received a call from a representative of the Soccer Association. They are having issues getting field time in Baldwin Borough and at the School District. The group may be looking to meet with the Parks Committee in the future.

Mr. Lahr stated that the Borough does not have the space for a full-size soccer field anywhere in the Borough. Mr. Nagy stated that for the little kids – a legal sized field is not needed.

Mayor Nowalk stated that the GBWAA has access to grants and are interested in working with the Borough to apply for grants for Borough projects to save the taxpayers money.

#### ADMINISTRATIVE SERVICES:

Mr. McKown inquired about the status of the McAnulty property. Mr. Leventry stated that no action has been taken. There is a deadline for Mr. Kelly to take action.

#### LIBRARY:

Mr. Lahr gave a report on the Library's re-opening.

#### PLANNING & ZONING:

Mr. Wotus stated that the committee met on September 9<sup>th</sup>. Council should have received the latest Memo from the Planning, Zoning and Code Office. Two vacancies exist on the Planning Commission. Official letters of resignation are forthcoming.

The Zoning Hearing Board met last night to discuss the case of the hockey rink on Rolling Hills. The variance was denied.

Mr. Dellett stated that staff requests Council consider a motion to act on 2020-SLD-07 Grove Pointe Parcels B, C and D Subdivision Plan Application. The applicant requests subdivision plan approval to create three lots from an existing 10.03-acre parcel and to add property to existing Lots 1A and 2E of the Grove Pointe Residential Land Development. The parcels are located in Residence District R-7. At its September 9, 2020 meeting, the Planning Commission recommended conditional approval of the application.

M-12 Mr. Wotus moved, seconded by Mr. Lahr to approve 2020-SLD-07 Grove Pointe Parcels B, C and D Subdivision Plan Application subject to the following conditions:

1. Borough Engineer's Review Letters. The applicant shall address all outstanding issues referenced in the Borough Engineer's review letters dated August 4, 2020 and September 8, 2020, in a manner acceptable to the Borough Engineer. Any additional issues raised by the Borough Engineer shall be resolved to the satisfaction of the Borough Engineer.

2. Borough Director of Planning, Zoning and Code Enforcement Review Memoranda. The applicant shall address all outstanding issues referenced in the Borough Director of Planning, Zoning and Code Enforcement's memoranda dated August 7, 2020 and September 4, 2020, in a manner acceptable to the Borough Director of Planning, Zoning and Code Enforcement ("Director"). Any additional issues raised by the Director shall be resolved to the satisfaction of the Director.
3. Review Fees. The Applicant shall agree to pay all professional review fees of the Borough in connection with this application and approval.

There was no comment from the public or Council on the motion.

The motion carried unanimously.

Mr. Wotus stated that the proposed walking trail at Grove Pointe will be discussed at the Planning Commission meeting next month.

Mr. Dellett stated that the Zoning Hearing Board denied the variance request for a property on Rolling Hills. Two other fence related variance requests were heard last evening. Decisions are pending.

#### NEW BUSINESS:

Mr. Wotus inquired about the status of Trick or Treat. Mayor Nowalk stated that there are no plans to cancel the event right now.

Mr. Nagy requested that an article be placed in the Fall Magazine asking residents to leave their porch lights on at night if possible. It is cheap to run LED lights all night and it is helpful as there are no street lights in the Borough.

Mr. Veith stated that South Hills Country Club is hosting its annual Police Appreciation Day on Monday.

Mr. Wotus stated that the Chamber of Commerce is meeting virtually now.

Mr. Wotus stated the Historical Society is meeting tomorrow afternoon. There is an abundance of material to sift through.

#### OTHER BUSINESS - POOL WORKSHOP:

Mr. Rusmisl provided Council with an update on the results of the ground penetrating RADAR testing. Results show 8-9 inches of voids in some locations. There are also gaps between the liner and concrete in some areas. The leaking of the pool is running subsurface. There are voids near the drains as well.

Conceptual designs were presented to Council for review.

Mr. Wotus stated that he shared the plans with some of his neighbors and they all had very positive feedback.

Mrs. DePuy stated that she contacted Dormont Borough to ask who worked on their pool. She was able to get in touch with the original contractor. She thinks the Borough needs a 2<sup>nd</sup> opinion as the cost of a new pool is several million dollars. Mrs. DePuy questioned the separate lap pool as only 10 people lap swim currently.

Mr. Nagy stated that the lap pool could be used as an area for adult swim.

Mr. Rusmisl stated that the plans presented to Council are only conceptual. They include ideas for consideration. Gateway is looking at functionality of the pool. The lap pool is 4-5 feet deep and was put in the design based on comments received from the pool manager.

Mr. Murphy stated that the current pool utilizes 3 lifeguards, sometimes 4 on crowded days. It depends on the number of people in the pool.

Mr. Nagy stated that everyone is getting hung up on calling the separate pool a "lap pool" when it could be a multifunctional exercise pool. Possible uses include lap swimming, water aerobics, water volleyball and adult swim. "Exercise Pool" is a more encompassing name.

Mr. Nagy stated that the demographics of the Borough are getting younger and there is more demand for adult exercise options.

Mr. Rusmisl stated that that the pool presented is smaller than the existing pool but more functional. The design presented is preliminary and can be changed.

Mr. Nagy inquired if the infinity entrance is considered ADA accessible as that would eliminate the stigma of using the chair crane at the pool now. The infinity entrance is ADA accessible.

Mr. Veith stated that budgetary constraints may eliminate some of the design options presented. Mr. Rusmisl stated all design options can be discussed.

Mr. Nagy inquired about adding some of the design elements at a later date to save costs. Mr. Rusmisl stated the project could be phased.

Mr. Murphy stated that stroller access was a big concern. The design calls for 3 accessible entrances which could be pulled back if needed. The access points allow for parking to be divided equally between the upper and lower lots. There are accessible entrances for both lots in the plan.

Mr. Nagy stated the pool pass system should be updated – electronic scanners should be looked at. It could help with staffing.

Mr. Murphy stated that the cell tower area is steep and fine grading still needs to be looked at in a final plan. Mr. McKown stated that a longer, gradual rise allows for ADA compliance.

Mr. Rusmisl stated that storage and utility closets will be located below the pool. There would be no need for residents to be down in that area.

Mr. Murphy stated that the security fencing on the plan calls for the pathways to be located outside the pool area. Even if a resident was down below, they would not be in the pool area. This allows the Borough to control access points and minimize the need for walls.

Mr. McKown stated that assuming the current design is picked – it's estimated to cost roughly \$5 million. The Borough currently owes \$1.6 million on the Fire Station for a potential total debt load of \$6.6 million owed over 20 years. It would increase monthly debt payments by roughly \$12,350.00. The General Fund Balance was at \$4.8 million at the end of August. Roughly \$800,000 of that will be used this year. He does not think Real Estate Taxes will need to be raised next year and the Earned Income Tax will rebound as people get back to work.

Mrs. DePuy stated that this puts debt on future residents.

Mr. Nagy stated that the Borough has good credit and money is cheap to borrow right now. Mr. McKown stated that the \$5 million cost equates to \$800 a homeowner which would be spread out over 20 years. It is a small investment for a big result.

Mr. Nagy stated that the Borough must move forward. Mrs. DePuy stated that moving forward doesn't have to include increasing debt.

Mr. Nagy stated Council must move the Borough forward in the most reasonable and responsible way. A new pool is needed.

Mr. McKown stated that the next steps are to create an email account for the Mayor's article, start circulating the design to people and ask for input, refine the cost estimates and discuss the pool at every Council Meeting.

ADJORNMENT:

M-13 Mr. Lahr moved, seconded by Mr. Wotus to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:26 PM.

READ AND APPROVED THIS DAY OF OCTOBER 7, 2020:

Manager 