



BOROUGH OF WHITEHALL
Notice of Meeting
November 4, 2020
7:00 PM

The Council of the Borough of Whitehall will meet Wednesday, November 4, 2020, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

AGENDA FOR REGULAR MEETING
November 4, 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 October 21, 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 – Rusmisl
 - D. Manager – Leventry
 - E. Assistant Manager – Wertz
- IX. Reports of the Following Committees:
 - A. Administrative Services – Veith, McKown, Wotus
 - B. Library – Lahr, Book, McKown
 - C. Planning & Zoning – Wotus, Veith, DePuy
 - D. Public Works – Book, Lahr, DePuy
 - E. Public Safety – McKown, Lahr, Wotus
 - F. Recreation – DePuy, Veith, Book
- X. New Business
- XI. Adjournment

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting November 4, 2020

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, November 4, 2020, at 7:00 PM, for 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
James F. Nowalk, Mayor
Irving S. Firman, Solicitor
Bryan W. Flaugh, P.E. – Gateway Engineers

Absent: John A. Wotus
Scott Rusmiser, Engineer

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

CONSIDERATION OF BILLS & PAYROLL:

- M-1 Mr. Veith moved, seconded by Ms. Book, that the bills contained on the bill list presented to Council on November 4, 2020 for \$169,878.24 from the General Fund, \$22,165.45 from the Storm Sewer Fund, \$69,141.52 from the Sanitary Sewer Fund and \$306.90 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. Veith moved, seconded by Mr. Lahr, that checks and transfers for \$10,899.92 from the General Fund and \$44,871.86 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 October 23, 2020 for \$133,672.86 as presented to Council on November 4, 2020 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

Mayor Nowalk had a correction on Page 3.

M-4 Mr. Lahr moved, seconded by Ms. Book to approve the Minutes of the October 21, 2020 Council Meeting with corrections. 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

Residents wishing to speak at tonight's meeting phoned in via conference call. Mr. Nagy explained that 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.

None.

MAYOR:

Mayor Nowalk presented his report for October 2020:

EMS Assists.....	167
Court/Hearings/Pretrial	60
Accidents	17
Criminal Arrests (4 DUI)	17
Traffic Stops	114
Traffic Details	81
Written Traffic Citations.	113
Written Warnings Traffic Violations.	82

Total amount of money collected and turned over to the Borough during October 2020, amounted to \$3,837.34 the breakdown is as follows:

MVC from District Magistrate	\$1,236.71
Crimes Code and Code violations	
from District Magistrate	\$668.77
Parking Fines	\$960.00
Copies	\$120.00
Fines from Clerk of Courts.....	\$851.86

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports that for a donation to help fight cancer, Department members will be allowed to grow facial hair in November and December. This year's campaign will support fellow Mt. Lebanon Officer Jerrod Withrow who is fighting stage 4 colon cancer. Jerrod is a 20-year veteran of law enforcement, a husband and father of 3 young children. Anyone who would like to help Jerrod can visit the Whitehall Police Facebook page for instructions on how they can donate.
- Mayor Nowalk stated that the Chief reports that Sergeant Joe Budd and Dispatcher Jessica Morgan will be honored tomorrow at the 22nd Annual LEAD Awards Ceremony which will be held at Freedom Farms in Valencia, PA. This award is for their role in the capture of Kurt Cafano who was posting threatening videos on YouTube and was found to possess Improvised Explosive Devices, bomb making materials and illegal firearms. It cannot be stressed enough that without the dogged determination of both Sergeant Budd and Dispatcher Morgan, the actor would not have been captured quickly that night and may have had time to act on his intentions to cause others harm.

Mayor Nowalk stated that he provided Mrs. DePuy with a copy of the Police Department's Internal Affairs Policy.

Mayor Nowalk stated that he has drafted an email response for the Our Pool email inquiries.

Mayor Nowalk stated that Jack McCrea of the Whitehall Committee for Environmental Action completed a study of the Borough's energy costs and would like to present his findings at an upcoming budget meeting.

Mr. McKown asked that Ms. Wertz email Mayor Nowalk a PDF of the proposed pool design to be emailed with his response to the Our Pool emails.

Mr. Lahr stated that Council should be cautious of timing. The finances of the pool should be discussed at the budget meetings. He did not want to see the process slowed down.

Mayor Nowalk stated that he would like to create a supplemental finance committee to discuss ideas for funding the pool.

Mrs. DePuy stated that she and Mr. Wotus visited the swimming pools at Scott Township and Mt. Lebanon. She passed around pictures of the pools to Council. Scott Township was able to start construction after one pool season and open the new pool the next year. It is not easy to do but is possible. Mrs. DePuy stated that lifeguards would be needed at each water feature such as a slide and climbing wall in addition to those needed in the chairs.

Mr. McKown stated that more lifeguards would raise the operating costs of the pool.

Mrs. DePuy stated that both Scott Township and Mt. Lebanon break even or operate at a minimal loss but they are larger pools and Scott Township has a party room. The cost of their season passes is noted on the handout.

Mr. Lahr stated that the current design concept has a lot of activities that might attract people to the pool.

Mrs. DePuy provided Council with a news article on solar panels and suggested them for the bath house roof. Mr. McKown stated there is the fixed cost of the panels to consider but electricity can be sold back.

Mayor Nowalk stated that the Historical Committee met on Friday. No items have been received from residents yet. The committee is discussing its next steps.

SOLICITOR:

Mr. Firman requested an executive session for matters of litigation.

ENGINEER:

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

- Operations & Maintenance – State Pipe Services, Inc. has completed work for the 2020 Sanitary Sewer Spot Lining Contract.
- M-5 Mr. Lahr moved, seconded by Mr. McKown to approve Payment Application No. 1 and Final in the amount of \$33,600.00 to State Pipe Services, Inc. for the 2020 Sanitary Sewer Spot Lining Contract pending review of the maintenance bond by the Solicitor. The motion carried unanimously.
- 2020 Road Program – All work has been completed by Independent Enterprises, Inc.
- M-6 Mr. Lahr moved, seconded by Ms. Book to approve Payment Application No. 1 and Final in the amount of \$117,731.80 to Independent Enterprises, Inc. for the 2020 Pavement Maintenance Program pending review of the maintenance bond by the Solicitor. The motion carried unanimously.
- Streets Run Storm Sewer Construction & McRoberts Road Slide – A preconstruction meeting was held on October 20th. Bids will be received on November 12, 2020.

Mr. Leventry stated that Gateway Engineers has provided the Borough with a large print of the proposed pool design. The Borough is waiting on the 3-D model.

Mr. Nagy asked for an update on the Spring Valley/McKee utility project. Mr. Leventry stated that half of the streets are to have binder down by the end of November. Mr. Flaugh stated contractors will bind the trench area and then mill the entire road.

Mrs. DePuy inquired about that status of the bid documents for Prospect Park Phase I and possibly bidding the project this winter. Ms. Wertz stated bid documents are ready. Mr. Leventry stated that Council will discuss the project at the budget meetings.

MANAGER:

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

- Duquesne Light Pilot Program – Duquesne Light is once again sponsoring a pilot program to replace high pressure sodium street lights with LED lights. The lights have to be at least 10 consecutive lights and the Borough has identified 23 along Baptist Road. It will cost \$109 to swap out each light (\$2,507), and the Borough would save roughly \$26.00 per light each year in electrical service. Does Council wish to participate?

M-7 Mr. Lahr moved, seconded by Mr. McKown to participate in the program. The motion carried unanimously.

- Sanitary Sewer Potential Sale – Brentwood opened their bids to sell their sanitary sewer collection system on October 28th. Two bids were received, with the highest from PA American Water in the amount of \$19.2 million. Should Council elect to proceed, Mr. Leventry expects that the Borough sale price would be significantly north of that number. Please note, that this would be a lengthy process that could take 2 years to conclude.

Mrs. DePuy asked Mr. Leventry to inquire if PAWC representatives would be able to come to the budget meeting on November 14th.

- Budget Meeting – Materials for the first budget meeting on November 7th will be distributed to Council this evening.

Mr. McKown reviewed some outstanding municipal issues.

ASSISTANT MANAGER:

Ms. Wertz stated the sign and bin for the plastic recycling project were delivered to the Administration building today.

Mrs. DePuy stated that the Borough should come up with a policy for all the recycle programs at the Borough building. She is in favor of the projects but would like some order to it. There should be a uniform policy to evaluate if the programs are being used.

Mr. McKown inquired about opening the building to the public with CDC guidelines. Mr. Leventry is keeping the building closed through winter.

ADMINISTRATIVE SERVICES:

No report.

LIBRARY:

Mr. Leventry stated that the exterior door to the Library has been having issues and will possibly need to be replaced. He is waiting on a quote.

PLANNING & ZONING:

Mr. Dellett stated that staff requests Council consider a motion to act on 2020-SLD-08 Grove Pointe Revised Third Amendment Subdivision Plan Application. The applicant requests subdivision plan application approval to adjust property lines of six townhouse units. The parcels are located in Residence District R-7. This subdivision plan application is a revision from a plan previously approved (2020-SLD-04 Grove Pointe Third Amendment). At its October 14, 2020 meeting, the Planning Commission recommended conditional approval of the application. The recommendation letter from the Planning Commission was included with a memorandum to Council dated October 29, 2020. Staff recommends Council grant approval of the 2020-SLD-08 Grove Point Revised Third Amendment subdivision plan application.

M-8 Mr. McKown moved, seconded by Ms. Book to grant approval of the 2020-SLD-08 Grove Point Revised Third Amendment subdivision plan application subject to the following conditions:

1. Borough Engineer's Review Letter. The applicant shall address all outstanding issues referenced in the Borough Engineer's review letter dated October 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 & Code Enforcement Review Memorandum. The applicant shall address all outstanding issues referenced in the Borough Director of Planning, Zoning & Code Enforcement's memorandum dated October 9, 2020, in a manner acceptable to the Borough Director of Planning, Zoning & Code Enforcement. 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.

The motion carried unanimously.

Mrs. DePuy stated that home occupation is being discussed by the committee.

PUBLIC WORKS:

All staff are back at work and hoppers are on the trucks.

PUBLIC SAFETY:

Mr. McKown stated that the Chief reports that Air Force Reservist Joseph Lacko has had his deployment orders extended to the end of November and he is due back at Whitehall Police Department on November 30th.

Mr. McKown inquired about the Whitehall Fire Company attending an upcoming budget meeting. Mr. Leventry will reach out to the Whitehall Fire Company leadership to attend the meeting on November 14th.

RECREATION:

No report.

NEW BUSINESS:

Mr. Veith stated that he read in Upper Saint Clair's code that they prohibit group homes under home occupations.

Mr. Firman stated that Upper Saint Clair's code can be confusing as it cross references different sections of the Code. Upper Saint Clair allows them in a different section of the code as they have different rules for different uses in their code. Group homes are permitted in Upper Saint Clair and they do have them. They are treated as single family residences.

Mayor Nowalk stated that he received an email on Tuesday from a resident regarding a message they received regarding a political sign the resident had in their yard. The message told the resident not to vote at all rather than support a certain political party. Mayor Nowalk stated that free speech should be encouraged without political intimidation or vulgar language.

Mr. Lahr stated that this behavior is not appreciated or tolerated.

Mr. Lahr inquired how HOAs are allowed to restrict political signs. Mr. Firman stated that residents agree to HOA rules to live in the neighborhood.

Ms. Book stated that the Veterans Day Ceremony will be on November 11th at Brennan Plaza.

Ms. Book stated that the ACBA Annual Membership meeting will be December 3rd at South Hills Country Club.

ADJORNMENT:

M-9 Mr. McKown moved, seconded by Mr. Lahr to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:15 PM.

READ AND APPROVED THIS DAY OF DECEMBER 2, 2020:

Manager

