



**BOROUGH OF WHITEHALL**  
**Notice of Meeting**  
**March 3, 2021**  
**7:00 PM**

The Council of the Borough of Whitehall will meet Wednesday, March 3, 2021, at 7:00 PM, at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, for a regular meeting.

**AGENDA FOR REGULAR MEETING**  
**March 3, 2021**

- 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 – Wertz
- VI. Consideration of the Minutes of February 17, 2021
- 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 – Nagy, Lahr, DePuy
  - B. Public Safety – Lahr, Nagy, Veith
  - C. Recreation – Veith, Book, DePuy
  - D. Administrative Services – Wotus, Nagy, Veith
  - E. Library – Book, Lahr, Wotus
  - F. Planning & Zoning – DePuy, Book, Wotus
- X. New Business
- XI. Adjournment

**BOROUGH OF WHITEHALL**

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## BOROUGH OF WHITEHALL

Regular Meeting March 3, 2021

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, March 3, 2021, at 7:00 PM, for a regular meeting. President McKown called the meeting to order, followed by the Pledge of Allegiance.

President McKown announced that all meetings will be recorded auditorily.

ROLL CALL:

Present: Linda J. Book  
Kathleen N. DePuy  
Philip J. Lahr  
Robert J. McKown  
Glenn P. Nagy  
John A. Wotus (via telephone)  
William J. Veith  
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  
Scott Dellett, AICP, Director of Planning, Zoning & Code (via telephone)

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mr. Lahr moved, seconded by Ms. Book, that the bills contained on the bill list presented to Council on March 3, 2021 for \$143,637.19 from the General Fund, \$22,434.28 from the Storm Sewer Fund, \$223.75 from the Sanitary Sewer Fund and \$96.43 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Ms. Book moved, seconded by Mr. Lahr, that checks and transfers for \$13,292.59 from the General Fund and \$55,084.89 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Ms. Book moved, seconded by Mr. Lahr that General Fund payroll for the period ending February 26, 2021 for \$163,272.27 as presented to Council on March 3, 2021, be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

M-4 Mr. Lahr moved, seconded by Ms. Book to approve the Minutes of the February 17, 2021 Council Meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

Julie Baldizar, 1149 Girard Road, appeared before Council with questions regarding the recent pool survey. She wants to know how to get in touch with the Recreation Committee members. Members of the Committee authorized Ms. Wertz to give Ms. Baldizar their emails by calling the Administration office.

Mr. McKown explained that in regards to the replacement of the swimming pool, the financing of a new pool was placed in the Administrative Committee while the design was placed in the Recreation Committee. The first step the Recreation Committee recommended was a survey of pool pass holders from prior seasons. The Recreation Committee is in an information gathering stage. Design plans will be finalized this Fall. The current pool structure will be demolished this summer.

Mrs. DePuy stated that the Recreation Committee has not been able to meet to review and discuss the pool surveys due to COVID restrictions.

Natalie Grattan, 178 Beall Drive, appeared before Council with concerns about the lack of communication regarding the swimming pool. She suggested an online survey as the one sent out was not representative of the community. All tax payers should be consulted not just the 10% that use the swimming pool. She suggested looking at a community center versus a swimming pool as it is more affordable and cheaper than a swimming pool. She stated Council should reconsider Zoom meetings for transparency.

Michael Metropulos, 5214 Caste Drive, appeared before Council to ask for an exemption to install a swimming pool in his side yard. The Planning & Zoning Committee is reviewing a letter Mr. Metropulos sent to Council along with the Planning Commission.

Mrs. DePuy inquired if Mr. Metropulos could apply for a variance from the Zoning Hearing Board as amending the Ordinance in question will take time.

Mr. Firman stated that currently swimming pools fall under a Health & Safety Ordinance not the Zoning Ordinance so appealing to the Zoning Hearing Board is not the appropriate remedy. Mr. Firman gave Mr. Metropulos his office phone number to contact him tomorrow to discuss the matter.

MAYOR:

Mayor Nowalk presented his report for February 2021:

EMS Assists.....	159
Court/Hearings/Pretrial . . . . .	77
Accidents . . . . .	14
Criminal Arrests.(DUI – 2) . . . . .	18
Traffic Stops . . . . .	98
Traffic Details . . . . .	59
Written Traffic Citations. . . . .	77
Written Warnings Traffic Violations. . . . .	69

Total amount of money collected and turned over to the Borough during February 2021, amounted to \$3,605.75 the breakdown is as follows:

MVC from District Magistrate .....	\$866.78
Crimes Code and Code violations	
from District Magistrate .....	\$829.30
Parking Fines .....	\$1,440.00
Copies .....	\$210.00
Fines from Clerk of Courts .....	\$259.67

Mayor Nowalk reported on the following items:

- Mayor Nowalk stated that the Chief reports that Department members received their second COVID Vaccine Shots on the 18<sup>th</sup>. A total of 6 work days were lost by 4 members due to side effects of their shots.
- Mayor Nowalk stated that the Chief reports that today, Sergeant Hinkle and Officer Seese attended 8 hours of training on Tactical Communications and the Art of De-escalation.
- Mayor Nowalk stated that the Chief reports that over the last two days over 50 residents have reported that they have received a notice from CHASE Bank that a debit card or checking account had been opened in their name without their knowledge. So far it appears that no residents are actually out any money however residents are encouraged to NOT throw out any unopened mail from CHASE or any other credit card companies. If they feel their accounts are at risk or fraudulent, they should immediately report it to the Police.

Mayor Nowalk asked for an executive session after the meeting for a personnel matter.

Mayor Nowalk stated that he received a letter from Merchant McIntyre Associates regarding Federal Grants.

Mayor Nowalk stated that he received a letter from a resident on E. Lawnview Drive regarding the lack of transparency from Jordan Tax Service regarding the recent mishap with the first quarter storm sewer billing.

SOLICITOR:

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 – The 2021 CCTV Inspection Bid has been prepared. The advertisement will be sent to Ms. Wertz tomorrow.
- Streets Run Storm Sewer Construction – A. Folino Construction, Inc. completed survey stakeout. A pre-construction meeting was held on February 16<sup>th</sup>. Existing condition photographs have been taken. The contractor will be starting work on Monday.
- McRoberts Road Slide – Lisa Kuchta and Janis Hovanec returned the temporary construction easements on February 23<sup>rd</sup>. A preconstruction meeting was held yesterday. The work is slated to begin on March 15<sup>th</sup>. JG Contracting Company submitted Payment Application No. 1 for the soil nail design and the traffic control plan preparation.

M-5 Mr. Lahr moved, seconded by Ms. Book to approve Payment Application No. 1 in the amount of \$17,438.22 for the McRoberts Road Slide Repair Contract to JG Contracting Company. The motion carried unanimously.

- Pool Evaluation – Mr. Rusmisl stated that Gateway Engineers has started preparation of the demolition plans and bidding documents. The original structural plans from the 1960s were within a half inch to an inch of the existing conditions. That is evident of quality masons. The demolition work will encompass the pool structure, the wall, the concession stand area and the baby pool.

Mr. Rusmisl stated that that it will take 6 months to prepare a bid once Council decides on a new pool design and the bidding process will take 2 months. It will be 8-9 months before construction can begin. The earliest construction would begin is March 2022. Actual construction will take about a year.

Mr. Rusmisl stated that Gateway Engineers is nearly 80% of the way through the inventory of the Sanitary Sewer System.

MANAGER:

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

- Citizen Request – A letter from Mr. Metropulos was received and has been distributed to Council.
- Meeting – Ms. Wertz and Mr. Leventry met with new State Senator Devlin Robinson and his Regional Director Alicia Hinzman yesterday. Mr. Leventry did his best to impress upon him the need for the state to overturn or modify the State Highway Act of 1945. Senator Robinson wasn't too familiar with the act, but Alicia said that officials in Bethel Park had brought it up in their meeting. Staff also asked him to send a letter to the County supporting SHACOG's CITF grant application for funding for a new sewer vactor machine. Alicia said they were preparing one that day.

Mr. Leventry stated that an Ordinance has been prepared in regards to waiving the late fees for the First Quarter Stormwater Bills. The practice is already in place, this Ordinance will make it official.

M-6 Mr. Wotus moved, seconded by Mrs. DePuy to read the Ordinance in its entirety. The motion carried unanimously.

M-7 After the reading of the Ordinance, Mr. Wotus moved for adoption. Mrs. DePuy seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. Nagy, Mr. McKown, Mr. Veith and Mr. Wotus voted yes. The motion carried unanimously. The Ordinance No. is 1141.

Mr. McKown stated that after reviewing the Borough Pension Investments Year End reports from CIM that the Non-Uniformed Plan made 14.8% and the Uniformed Plan made 14.39% in 2020.

ASSISTANT MANAGER:

No report.

PUBLIC WORKS:

Mr. Leventry stated that crews are working to refurbish the old salt bay to convert the space for storage.

PUBLIC SAFETY:

Mr. Lahr asked for an executive session after the meeting for a personnel matter.

RECREATION:

Mr. Veith stated that the Recreation Director has planned the following events:

March 27 – Easter Egg Hunt

May 8 – Movie and Food Trucks in the Park

June 11 – Concert and Food Trucks in the Park

June 7 – Start of Farmers Market at Baldwin United Methodist Church.

The Recreation Board will begin meeting again starting March 8<sup>th</sup> and will be discussing the possibility of a scaled down Community Day.

Mr. Veith stated that he thought the pool survey should go out to the entire community. The design and bidding process will take longer than he initially thought.

Mrs. DePuy stated that the pool will be down for at least 2 summers.

Mr. Lahr reviewed the results of the surveys. 250 responses were received. The respondents were pretty evenly split in regards to the type of pool they preferred (110 for the Activity Pool vs. 84 for the Static Pool) and the type of pool they would patronize (102 for the Activity Pool vs. 81 for the Static Pool). In regards to grant funding, 76 respondents were open to applying for grants while 118 were against it. Accepting grant funding would require the Borough to open the pool to non-residents. This could result in the pool being at capacity and a Whitehall resident being turned away.

Mayor Nowalk stated that grants should be kept on the table. Non-residents can be charged a higher fee to use the pool.

Mr. Lahr stated that if the survey is sent to all residents, the results will still be split down the middle.

Mr. Leventry stated that the votes were split primarily along demographic lines with younger residents preferring the Activity Pool and older residents preferring the Static Pool.



Mr. Veith stated that there is no harm in sending the survey out to more residents and other residents should be allowed to have a say. He would rather see the pool shut down for 2 summers if it means doing it the right way.

Mrs. DePuy stated that more surveys would take more time and put the process farther behind. The survey was intended to target pool users. Council spent \$1,300.00 to prepare and mail the survey.

Mr. Wotus stated that he would like to hear all residents. People feel slighted that they will pay for a pool they have no say in.

Mr. McKown placed the matter back into the Recreation Committee for more discussion about the next steps.

#### ADMINISTRATION:

Mr. Wotus stated that the Committee has paused work on financing options for the Swimming Pool until a design is finalized.

Ms. Wertz stated that an advertisement for the position of Administrative Assistant has been run. She is scheduling interviews for next week.

#### LIBRARY:

Ms. Book stated that she will send Council the link to the Diversity, Equity and Inclusion in Public Libraries Webinar that Paula Kelly was asked to participate in.

#### PLANNING & ZONING:

Ms. Book summarized the committee's meeting from Monday evening. Mr. Firman made changes to the proposed Fireworks Ordinance. The amended draft Ordinance will be circulated to Council for review.

Mr. Wotus stated that discussions about fences are ongoing.

Mr. McKown stated that Mr. Firman will review the swimming pool issue mentioned earlier in the meeting.

Mr. Dellett was on the phone and presented a memo regarding 2021-SLD-02 Grove Pointe Eighth Amendment.

Mr. Dellett stated that staff requests Council consider a motion to act on 2021-SLD-02 Grove Pointe Eighth Amendment Subdivision Plan Application. The applicant requests subdivision plan application approval to show property lines of four townhouse units on Lot 4 of the Grove Pointe Residential Land Development. The parcels are located in Residence District R-7. At its February 10, 2021 meeting, the Planning Commission recommended conditional approval of the application. The recommendation letter from the Planning Commission was attached to the memo.

Mr. McKown asked for public comment. There was none.

M-8 Mr. Lahr moved, seconded by Ms. Book to grant approval of the 2021-SLD-02 Grove Pointe Eighth Amendment 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 February 4, 2021 and February 11, 2021 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 February 5, 2021, 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.

NEW BUSINESS:

Mr. Lahr stated that resident Alva Bertha, age 102, is not doing well.

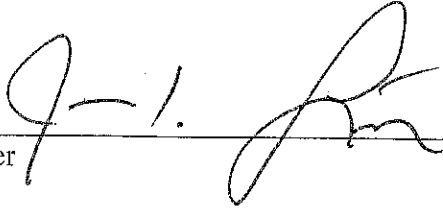
ADJORNMENT:

M-9 Ms. Book moved, seconded by Mrs. DePuy to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:13 PM.

READ AND APPROVED THIS DAY OF MARCH 17, 2021:

Manager

A handwritten signature in black ink, appearing to be "J. L. Smith", written over a horizontal line.