



BOROUGH OF WHITEHALL
Notice of Meeting
March 17, 2021
7:00 PM

The Council of the Borough of Whitehall will meet Wednesday, March 17, 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 March 3, 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 – Rusmisel
 - D. Manager – Leventry
 - E. Assistant Manager – Wertz
- IX. Reports of the Following Committees:
 - A. Planning & Zoning – DePuy, Book, Wotus
 - B. Public Works – Nagy, Lahr, DePuy
 - C. Public Safety – Lahr, Nagy, Veith
 - D. Recreation – Veith, Book, DePuy
 - E. Administrative Services – Wotus, Nagy, Veith
 - F. Library – Book, Lahr, Wotus
- X. New Business
- XI. Adjournment

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting March 17, 2021

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, March 17, 2021, at 7:00 PM, for a regular meeting. President McKown 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
John A. Wotus
William J. Veith
James F. Nowalk, Mayor
Irving S. Firman, Solicitor
Scott Rusmisl, Engineer

STAFF: James E. Leventry, Manager
Courtney M. Wertz, Assistant Manager
Jason C. Gagorik, Deputy Chief of Police

CONSIDERATION OF BILLS & PAYROLL

- M-1 Ms. Book moved, seconded by Mr. Lahr, that the bills contained on the bill list presented to Council on March 17, 2021 for \$202,213.51 from the General Fund, \$1,604.98 from the Sanitary Sewer Fund and \$30,611.49 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 \$11,390.75 from the General Fund, \$2,000.00 from the Sanitary Sewer Fund and \$48,177.42 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 March 12, 2021, for \$146,728.09 as presented to Council on March 17, 2021 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

Mr. Wotus noted discrepancies in the survey numbers that Mr. Lahr presented at the last meeting.

Mr. McKown stated that the minutes of the March 3, 2021 meeting are correct as they reflect what Mr. Lahr actually stated. Mr. Wotus's comments will be included in the meeting minutes for the March 17, 2021 meeting.

Mr. Wotus stated that he ran the numbers on the pool survey results and they were not evenly split. Per his calculations 56.7% of respondents preferred the Activity Pool and 43.2% preferred the Static Pool. 55.7% of respondents would patronize the Activity Pool and 44.26% would patronize the Static Pool. In regards to grant funding; 39.19% of respondent were in favor of pursuing grants and 60.8% were not. Mr. Wotus thinks there is a statistical significance in the results.

Mrs. DePuy asked for clarification about a statement she made on Page 2. The Recreation Committee has been able to meet; they were not able to meet to specifically discuss the pool survey results due to COVID restrictions at the time.

M-4 Ms. Book moved, seconded by Mr. Veith to approve the Minutes of the March 3, 2021 Council Meeting with corrections as noted by Mrs. DePuy. The motion carried unanimously.

CITIZENS' REQUESTS:

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

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Access Code: 840-157-933

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

Kate Kinnamon, appeared before Council on behalf of the Library Board to provide an update on Library activities.

Dan Didion 3161 Bel Air Drive, appeared before Council with a complaint about noise coming from a neighboring property. Deputy Chief Gagorik will get in touch with Mr. Didion to discuss the matter.

MAYOR:

Mayor Nowalk reported on the following items:

- The Borough reported 5.92 percent of the calls to animal control services in February.

- Mayor Nowalk stated that the Chief reports that Sergeants Gaebel, Budd, Hinkle and Bowman attended two days of training on conducting Internal Affairs Investigations this week.
- Mayor Nowalk stated that the Chief reports that three Officers attended Emergency Response Driving training at Pitt Raceway this week. Training was offered through the SHACOG Chiefs Advisory Board.

Mayor Nowalk provided an update on Ralph Grabowsky's communication with Chase Bank regarding the recent fraudulent activity at the bank.

Mayor Nowalk stated that State Representative Nick Pisciotto sent out an economic survey to communities in his district. Mr. Leventry will respond.

Mayor Nowalk provided an update on RADAR.

Mayor Nowalk stated that Earth Day Clean-Up will be April 24, 2021. Mrs. Bower will check with the School District to see if buses can be used. Outreach to SHIM will be done.

Mayor Nowalk stated that residents that have received COVID vaccinations should still remain vigilant and follow safety guidelines.

SOLICITOR:

Mr. Firman stated that he has prepared two Ordinances regarding private swimming pools in the Borough and would like to place them both on public display.

The first proposed Ordinance would amend Chapter 160 to add a definition for "Private Swimming Pool," remove dimensional and location requirements and incorporate and reference applicable provisions of the Borough's Zoning Code.

M-5 Mr. Lahr moved, seconded by Mr. Wotus to read the Ordinance in summary form and place it on public display. The motion carried unanimously.

The second proposed Ordinance would amend Chapter 180 in regards to Private Swimming Pool.

M-6 Mr. Lahr moved, seconded by Ms. Book to read the Ordinance in summary form, place it on public display and schedule a public hearing for May 5, 2021. The motion carried unanimously.

ENGINEER:

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

- Planning & Zoning – Developers of the Grove Pointe project have made a request to reduce their letter of credit by \$150,454.43. Gateway reviewed the request and completed a site inspection of the work completed to date. Gateway recommends the reduction in the line of credit. There would still be \$311,906.69 of credit left.

M-7 Mr. Lahr moved, seconded by Mr. Wotus to reduce the letter of credit by \$150,454.43. The motion carried unanimously.

- Streets Run Storm Sewer Construction – Construction started on March 8th. A. Folino Construction, Inc. completed exploratory excavation to identify potential utility conflicts. CCTV was completed on sections of sewer to be lined. Storm sewer construction started at the stream outfall.

Mr. McKown stated that the project will take stormwater runoff from the surface and put it into pipes.

Mr. Lahr voiced concerns about a property on Streets Run. Mr. Leventry stated that Building Code Officials have been to the property previously and it is structurally sound in their professional opinion. Mr. Firman stated that professionals have determined the building is not condemnable and the Streets Run Storm Sewer Project will not endanger the property. The County may be able to help the resident through one of their programs.

Mr. Lahr requested a written report from the Building Code Official on the building's current condition. Mr. Leventry stated that the Borough cannot enter private property without permission of the owner and the resident here has not given permission.

Mr. Leventry stated that the pool parking lot is being used as a staging area for the Streets Run Project.

- McRoberts Road Slide – JG Contracting Company has mobilized equipment to the site. The road closure and detour signage were setup on March 12th. Utility locating has been completed. Construction will begin March 15th.
- Pool Demolition – Bid specifications are nearing competition. Advertisements are being prepared.

- Sanitary Sewer Inventory – Gateway Engineers is finalizing the sanitary sewer easement research phase. Recorded plans and deeds are being researched at the County.

MANAGER:

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

- Tree Agreement – The Steeplechase CSA has returned the agreement covering the planting of trees on Borough property. Council will need to authorize the proper officials of the Borough to execute the agreement.

M-8 Mr. Lahr moved, seconded by Ms. Book to authorize the proper officials of the Borough to execute the agreement. The motion carried unanimously.

Mr. Lahr stated that the HOA is interested in purchasing the park property. Ms. Wertz stated that grant funds were used to purchase that property and she believes the grant requires that the property remain a park in perpetuity.

Mr. Lahr stated that the HOA would like the Borough to remove 2 bollards at the entrance to the park property. Mr. Leventry will instruct Public Works to remove them.

- Shut-Off Agreement – Pennsylvania American Water Co. has revised their agreement to terminate water service for non-payment of sanitary sewer fees. Council will need to authorize the proper officials of the Borough to execute the agreement.

Ms. Book inquired if the Borough currently has an agreement for water shut-off. Mr. Leventry stated that the current agreement is over 20 years old. Mr. McKown stated that the Solicitor should review the document first. Mr. Leventry stated that the Borough only requests shut off of water service after 2 quarters of late sanitary sewer payments.

M-9 Mr. Wotus moved, seconded by Mrs. DePuy to approve the shut-off agreement contingent upon approval of the Manager and Solicitor. The motion carried 6-1 with Mr. Lahr dissenting.

Mr. Leventry stated that the GBWAA has signed off on the POD Agreement. Council will need to authorize the proper officials of the Borough to execute the agreement.

M-10 Mr. Lahr moved, seconded by Mr. Wotus to authorize the proper officials of the Borough to execute the agreement. The motion carried unanimously.

Mr. Leventry stated that Mr. Harris dropped off a check for \$43,000.00 which represents the proceeds from the sale of the fire truck that the Whitehall Fire Company recently replaced. He inquired where the check should be deposited. Council was in agreement to put the monies into the Capital Projects Fund for future Fire Company purchases.

- Public Works Uniforms -- Mr. Leventry received a request from Public Works to swap out their traditional uniform pants with cargo pants. They would remain navy blue. The cost would be the same as the current pants. Mr. Harris is okay with the idea.

M-11 Ms. Book moved, seconded by Mr. Veith to approve the request. The motion carried unanimously.

Mr. Leventry provided an update on stimulus funds that Whitehall Borough is expected to receive. Maher Duessel is hosting a webinar on Friday to explain what can and cannot be done with the funds. Mr. McKown suggested setting up a separate fund for the monies for better accounting.

ASSISTANT MANAGER:

No report.

PLANNING & ZONING:

Mrs. DePuy stated that an Ordinance regulating Fireworks has been prepared.

M-12 Ms. Book moved, seconded by Mr. Veith to read the Ordinance in summary form and place it on public display. The motion carried unanimously.

Mrs. DePuy stated that Planning Commission is continuing to review the Home Occupation Ordinance related to In-Home Businesses. Mr. Firman stated that he has been in contact with Mr. Dellett about this issue.

PUBLIC WORKS:

Mr. Lahr stated that Public Works employees have been renovating the old salt bays. They are doing a great job.

PUBLIC SAFETY:

Mr. Lahr stated that the Chief would like to remind residents that McRoberts Road will be closed for approximately 2 months between Earlsdale and Sixth Street for repairs. Alternative routes have been posted.

RECREATION:

Mrs. Bower gave a report on various recreation activities tentatively planned for this summer.

The Summer Camp program will run from June 21st to July 30th and be limited to a certain number of kids per day per park to comply with current CDC guidelines. The idea of a Group A and Group B at each park is being discussed to keep kids either on the playground equipment or field each day. The goal is to run the program with as many kids as possible, as safely as possible. Mr. Firman is currently reviewing the registration packet. Registration will be on April 17th and April 21st. A discussion with the Borough Solicitor regarding sending kids home for improper mask wearing will be taking place.

Council was in agreement with the discussed protocols. Guidelines are still a moving target.

Mrs. Bower proposed the idea of a Community Weekend in place of Community Day this year. This would allow people to spread out over more days of activities. Businesses have struggled this past year and now is not the time to be asking for sponsorships. Mrs. Bower proposed the idea of asking businesses to donate a yard sign instead to be placed along the 5K race route.

The Community Weekend plan is as follows:

Saturday – 5K Race, 1 Mile Family Run, Free Throw Basketball Contest, Food Trucks

Sunday – Pickelball Tournament, Mega BINGO and possibly the annual Fire vs. Police Softball Game

Mrs. Bower proposed August 14-15 as Community Weekend so that college kids could participate in the race before heading back to school.

Mayor Nowalk stated that Community Awards would be given out on Saturday after the race(s) as previous years.

Council was in agreement with the new concept.

ADMINISTRATIVE SERVICES:

Ms. Wertz stated that Alyssa Rogalla has accepted the Administrative Assistant position. She will begin work on April 5th.

Mr. Wotus stated that the financing of the pool will be discussed once a design has been finalized.

LIBRARY:

No report.

SWIMMING POOL DISCUSSION:

Mr. Veith stated that the Recreation Committee has met and come to a consensus on a recommendation to Council based on the survey responses that were received.

Mrs. DePuy reviewed the survey results in detail. There were 280 responses.

Mr. Veith stated that the target completion date is March/April 2023 in order for the pool to open May 2023. This leaves Council with a tight deadline to perform more survey work.

The Recreation Committee proposed a "Multi-Usage Single Pool Area" including a diving board, lap lanes similar to what the Borough currently has, a slide, climbing wall and a separate baby pool to include a spray park element.

Mr. Veith stated that he believes Council has been very transparent throughout the entire process. It began with the Mayor's article soliciting input on the swimming pool in the Borough Magazine last Fall. Every household received the Magazine and had an opportunity to respond to the Our Pool email. 28 residents did and committees of citizens were formed. Based on feedback from those committees, Council chose to prepare a survey for the pool patrons that use the pool. It will take 9 months to design and bid the project before construction can even begin. If the goal is to open the pool in May 2023, Council must continue to move forward.

The Recreation Committee recommended that Council continue with the Multi-Usage Single Pool Design including a separate Baby Pool.

Ms. Book stated that the recommended design includes features that everyone wants and is a big improvement than what the Borough currently has.

Mrs. DePuy inquired if the design could separate plans for a new Concession Stand and Bath House. Mr. Rusmiser stated that it could and those items could be bid separately as Add Alternates.

Mr. Wotus stated that a decision on a design does not have to be made until June and the timeline for a May 2023 could still be kept. He spoke with Tim Hines who created the Borough's website and for an estimated \$300 an online survey could be created for all residents to have access too. Currently only the opinions of 7% of the Borough is being considered. He would like to see more community input.

Ms. Book stated that residents have had an opportunity to comment since last Fall.

Mr. Wotus would like to see an online option. The Borough can do better than 7% return. Mr. Wotus stated that he would ultimately go along with what Council decides.

Mr. Lahr stated that Council was elected to make decisions. Mr. Wotus stated that he was elected to represent the residents of Whitehall Borough.

Mayor Nowalk stated that Elected Officials make decisions but it is important to get community input. The timeline can still be met if the Borough waits 2 months to seek more input. The decision to build a pool has been made. The question is what should that pool look like?

Mr. McKown stated that per Gateway's timeline there are still 2 months to do more survey work. He would like Gateway to come up with a second draft of the pool design based on the Recreation Committee's recommendation and supply Council with an updated cost estimate and for Mr. Wotus to work with Mr. Hindes on an online survey.

Mr. Nagy stated that polls are based on statistical extrapolation. Data can be extrapolated from the surveys collected. He has concerns about COVID backlogs of supplies and weather delays during construction.

Ms. Book stated that residents had plenty of time to respond to the Borough's outreach. Public meetings are held twice a month for residents to call in with questions and comments.

M-13 Mrs. DePuy moved, seconded by Ms. Book to authorize the Recreation Committee to work with Gateway Engineers on a 2nd draft of the Pool Design based on the Committee's recommendations which were based upon survey responses and to report back to Borough Council. The motion carried unanimously.

M-14 Mr. Wotus moved, seconded by Mr. McKown to employ Tim Hindes to create an online pool survey. The motion failed 2-5 with Mr. McKown and Mr. Wotus voting in the affirmative and Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. Nagy and Mr. Veith dissenting.

NEW BUSINESS:

Mr. Wotus stated that he has been in touch with members of Watersheds of South Pittsburgh regarding the creek behind the Public Works Garage. He asked that he be able to put together a committee to discuss a draft stream restoration plan. Mr. Lahr was interested in serving on the committee. Mayor Nowalk stated the Whitehall Committee for Environmental Action would be interested in being involved. Mr. Rusmisl stated that the potential project would be beneficial for the Borough's Pollutant Reduction Plan and MS4.

Mr. Veith asked Mr. Rusmisl about setting up a meeting next week to discuss the pool design. Mr. Rusmisl stated that a new draft could be prepared for the April 7th Council Meeting.

Mr. McKown requested an executive session for personnel matters.

RECESS:

M-15 Mr. Wotus moved, seconded by Ms. Book to recess the meeting. The motion carried unanimously.

The meeting recessed to executive session at 8:51 PM.

The meeting reconvened at 9:09 PM.

M-16 Ms. Book moved, seconded by Mrs. DePuy to authorize the Solicitor to prepare an amended Wage & Salary Ordinance based on the new hires for the next Council Meeting. The motion carried unanimously.

ADJORNMENT:

M-17 Ms. Book moved, seconded by Mr. Wotus to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 9:09 PM.

READ AND APPROVED THIS DAY OF APRIL 7, 2021:

Manager

