

BOROUGH OF WHITEHALL

**INDEX
MINUTES OF THE JANUARY 19, 2022 COUNCIL MEETING**

	Motion	Page
Bills, Payroll - Approve	M-1,2,3	1
January 3, 2022 Council Meeting Minutes – Approve	M-4	2
Review Professional Service Agreement for Deer Management	M-5	4
Office of the Mayor to have Representation on Borough Website	M-6,7	4
Additional Motion – Certificate of Merit – Ryan Shaneman	M-8	4
Concur with Certificate of Merit – Ryan Shaneman	M-9	4
Read Proposed Ordinance in Summary Form	M-10	5
Adopt Ordinance No. 1150 – Amending Chapter 68, Article II	M-11	5
Approve Pay Application 3 – Roto Rooter Services Company	M-12	5
Reduction in Security – Grove Pointe Phase II	M-13	5
Reduction in Security – Grove Pointe Community Project	M-14	6
Award Contract 1 – General – Nello Construction	M-15	6
Award Contract 2 – Electrical– Merit Electrical Group	M-16	5
Award Contract 3 –Plumbing – First American Industries	M-17	6
Award Contract 4 – Mechanical – East West Manufacturing & Supply	M-18	6
Approve Option 1 – Pool Financing	M-19	7
Approve Social Media Policy	M-20	7
Approve 2021-SLD-01 Grove Pointe revised 14 th Amendment	M-21	8
Advertisement of Public Hearing – Conditional Use Application	M-22	8
Adjournment	M-23	10

BOROUGH OF WHITEHALL

Regular Meeting January 19, 2022

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, January 19, 2022, at 7:00 PM, for a regular meeting. President Lahr announced that all meetings will be recorded auditorily and visually. President Lahr 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
Stone Sobieralski
William J. Veith
James F. Nowalk, Mayor
Irving Firman, Solicitor
Scott Rusmisl, Engineer

STAFF: Courtney M. Wertz, Borough Manager
Jason C. Gagorik, Chief of Police
Alyssa M. Rogalla, Administrative Assistant

CONSIDERATION OF BILLS & PAYROLL

- M-1 Mr. McKown moved, seconded by Mr. Veith, that the bills contained on the bill list presented to Council on January 19, 2022 for \$209,561.36 from the General Fund, \$3,829.72 from the Storm Sewer Fund, \$35,411.09 from the Sanitary Sewer Fund and \$4,896.00 from the Capital Projects Fund be approved. The motion carried unanimously.
- M-2 Mr. McKown moved, seconded by Mr. Veith, that checks and transfers for \$7,922.27 from the General Fund and \$51,149.79 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. McKown moved, seconded by Ms. Book, that General Fund payroll for the period ending January 14, 2022 for \$161,543.79 as presented to Council on January 19, 2022 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES

M-4 Mr. Veith moved, seconded by Ms. Book to approve the Minutes of the January 3, 2022 Council Meeting as presented. The motion carried unanimously.

CITIZENS' REQUESTS:

Mike Cecotti, 13 Shadow Drive, appeared before Council on behalf of the Whitehall Fire Company to ask Council to consider attending a seminar on February 9th.

John Paravati, 107 Paddock Lane, appeared before Council to thank the Public Works road crew for keeping the roads clear during the storm. Mr. Paravati asked Council if a final cost for the pool improvement project has been approved. Ms. Wertz stated that Council will decide on add-alternates tonight and a final cost will be known then.

MAYOR:

Mayor Nowalk presented his Police report for December 2021:

EMS Assists.....	193
Court/Hearings/Pretrial	54
Accidents	29
Criminal Arrests (DUI – 3)	18
Traffic Stops	67
Traffic Details	34
Written Traffic Citations.	45
Written Warnings Traffic Violations.	51

Total amount of money collected and turned over to the Borough during December 2021 amounted to \$3,291.95 The breakdown is as follows:

MVC from District Magistrate	\$1,115.15
Crimes Code & Code Violations from District Magistrate....	\$747.53
Parking Fines	\$490.00
Copies	\$180.00
Fines from Clerk of Courts.....	\$759.27

Mayor Nowalk presented the December 2021 Animal Control Report:

WHITEHALL – Total of 18 calls, 5.86% of all calls.

Mayor Nowalk gave the Fire Company report:

Calls during period:

Total Calls for December: 55

Total Calls Year-To-Date (Starting December 1, 2021): 75

Notable Calls:

12-08-2021 Vehicle into a house on Barone Drive

12-12-2021 Assist Baldwin stand-by for a train derailment above Becks Run Road

12-24-2021 Assist Baldwin with a fire in an apartment

12-28-2021 Single vehicle accident, call rolled over onto its side after hitting utility pole

Membership:

28 Members

1 Member dropped from the roster in December

Annual Meeting Elections Held:

Chief: Nick Price

Assistant Chief: Bryan Pearson

Deputy Chief: Bill "BZ" Marcus

Lieutenant 1: Rob McHugh

Lieutenant 2: Tyler Price

President: Will Hoagland

Vice-President: Dave Porter

Secretary: Robert "Skip" Brown

Treasurer: Mike Cecotti

Director 3 Years: Lee Price

Director 3 Years: Jimmy Matragas

Apparatus, Stations, and Equipment:

Apparatus:

New parts ordered for 301 Engine 1 and the 301 Squad.

Stations:

New cord reels purchased for Station 2.

Equipment:

Assistance to Firefighters Grant was submitted for new Self-Contained Breathing Apparatus. Will hear back late 2022.

F-500 encapsulating foam was purchased and put into service to replace the hazardous AFFF foam. Studies have linked AFFF as a forever chemical that can cause cancer.

Training:

Rob McHugh was marked as training officer for the year. Drills began Thursday, January 6th.

Mayor Nowalk asked Council to consider allowing the Solicitor to review the Professional Service Agreement for the Deer Management Program.

M-5 Mr. Veith moved, seconded by Mrs. DePuy for the Solicitor to review the Professional Service Agreement for the Deer Management Program. Ms. Book voted no. The motion carried 6-1.

Mayor Nowalk asked Council to approve allowing the Office of the Mayor to have representation on the Borough website.

M-6 Mr. Veith moved, seconded by Mr. McKown to allow the Office of the Mayor to have representation on the Borough website.

Council discussed the Office of the Mayor having a page on the Borough website.

Ms. Wertz asked for the caveat that Mayor Nowalk work within the coding parameters the Borough already has in place on the website.

Mr. Veith and Mr. McKown withdrew their motion.

M-7 Mr. Veith moved, seconded by Mr. McKown to allow the Office of the Mayor to have representation on the Borough website within the coding parameters of the existing Borough website. Mrs. DePuy voted no. The motion passed 5-1. Ms. Book was not present for the vote.

Mayor Nowalk stated that he attended the Eagle Scout ceremony for Ryan Shaneman and presented him a certificate of merit.

M-8 Mr. McKown moved, seconded by Mrs. DePuy to add a motion to the Agenda to recognize the certificate of merit presented by Mayor Nowalk due to the action being introduced today. The motion carried unanimously.

M-9 Mr. McKown moved, seconded by Ms. Book to concur with the certificate of merit presented to Ryan Shaneman. The motion carried unanimously.

Mayor Nowalk discussed the possibility of solar panels being installed on the salt shed.

SOLICITOR:

Mr. Firman stated that a proposed zoning Ordinance has been on public display for two weeks.

M-10 Mr. McKown moved, seconded by Ms. Book for the Solicitor to read the proposed Ordinance in summary form. The motion carried unanimously.

Mr. Firman read the Ordinance in summary form: "An Ordinance of the Borough of Whitehall, Allegheny County, Pennsylvania, Amending Chapter 68 ("Amusements"), Article II ("Other Amusement Devices") of the Code of the Borough of Whitehall to Require that Prior Zoning Approval of the Borough of Whitehall Governing Amusement Arcades is Necessary to Obtain a License from the Chief of Police for Possession of an Amusement Device in the Borough."

M-11 After the reading of the Ordinance, Mr. McKown moved for adoption. Ms. Book seconded the motion. On a roll call vote Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy, Mr. Sobieralski, and Mr. Veith voted yes. The motion carried unanimously. The Ordinance No. is 1150.

Mr. Firman requested an Executive Session regarding matters of litigation and personnel.

ENGINEER:

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

- Operations & Maintenance Plan – Roto Rooter has started work for the 2021 Sanitary Sewer Excavation Contract.

M-12 Mr. Veith moved, seconded by Mr. McKown to approve Pay Application 3 in the amount of \$70,558.89 for the 2021 Excavation Repair Contract to Roto Rooter Services Company. The motion carried unanimously.

- Planning & Zoning – Penn Grove Group Real Estate, the representatives for the Grove Pointe Phase II development, has requested the fourth request for a partial release of security for work completed to date.

M-13 Ms. Book moved, seconded by Mrs. DePuy to approve the fourth request for reduction in Security for the Grove Pointe Phase II project by \$120,543.87, from \$1,259,005.89 to \$1,138,462.02. The motion carried unanimously.

Penn Grove Group Real Estate, the representatives for the Grove Pointe Community development, requested the fifth request for a partial release of security for work completed to date.

M-14 Mr. McKown moved, seconded by Ms. Book to approve the fifth request for reduction in Security for the Grove Pointe Community project by \$41,909.84, from \$171,580.24 to \$129,670.40. The motion carried unanimously.

- Pool Evaluation – The Borough received bids for pool construction on January 11, 2022. Six bids were received for Contract 1 – General Construction; three bids were received for Contract 2 – Electrical Construction; two bids were received for Contract 3 – Plumbing Construction; and two bids were received for Contract 4 – Mechanical Construction. A total of 5 possible add-alternates and 1 possible deduct alternate were given to Council for their review.

Council had a lengthy discussion regarding the add-alternates.

M-15 Mr. McKown moved, seconded by Mrs. DePuy to award Contract 1 – General Construction to Nello Construction Company with a base bid price of \$5,016,999.00 and add-alternate No. 1 – Restroom Improvements, No. 3 – Concession Stand Equipment and Appliances, No. 4 – Brennan Plaza, No. 5 – Underwater Pool Lights, and Deduct Alternate No. 1 – Wall Form Liner in Lieu of Stone Veneer. Mr. Sobieralski voted no. The motion carried 6-1.

M-16 Mr. McKown moved, seconded by Mr. Veith to award Contract 2 – Electrical Construction to Merit Electrical Group, Inc. with a base bid price of \$361,410.00 and add-alternate No. 1 – Restroom Improvements and No. 4 – Brennan Plaza. Mr. Sobieralski voted no. The motion carried 6-1.

M-17 Mr. Veith moved, seconded by Mr. McKown to award Contract 3 – Plumbing Construction to First American Industries, Inc. with a base bid of \$169,300.00 and add-alternate No. 1 – Restroom Improvements. Mr. Sobieralski voted no. The motion carried 6-1.

M-18 Mr. McKown moved, seconded by Mr. Veith to award Contract 4 – Mechanical Construction to East West Manufacturing & Supply Company, Inc. with a base bid price of \$55,900.00. Mr. Sobieralski voted no. The motion carried 6-1.

Mr. Lahr stated that Mr. Sobieralski voted no on the Pool Improvements Project bid awards as he was not a Council Member when the bid was designed and advertised.

MANAGER:

Ms. Wertz reported on the following items according to the written report given to Council:

- Pool Financing Options – WesBanco has furnished the Borough with 2 options based on a borrowing of \$7.5 million. Mr. Sobieralski had inquired with a second bank, First National, who presented a soft offer to Ms. Wertz this afternoon. Once a borrowing option is selected, the bank will proceed with approval and a Borrowing Resolution will be prepared for the February, 16, 2022 Council meeting. DCED approval can take up to 30 days and closing is tentatively set to take place on March 16, 2022.

M-19 Mr. McKown moved, seconded by Ms. Book to authorize Ms. Wertz to proceed with Option No. 1 presented by WesBanco for pool financing. The motion carried unanimously.

Ms. Wertz stated that the Construction Manager RFPs are due on Friday, January 21, 2022.

- Social Media Policy – The Solicitors office has reviewed comments from elected officials on the proposed social media policy. Council has been provided with an updated copy for review.

M-20 Mr. McKown moved, seconded by Mrs. DePuy to adopt the Borough Social Media Policy. The motion carried unanimously.

Ms. Wertz requested an Executive session regarding matters of personnel.

ADMINISTRATIVE SERVICES:

Mr. McKown stated that the Allegheny League of Municipalities Conference will be on April 7-10, 2022.

PLANNING & ZONING:

Mr. Sobieralski turned the meeting over to Mr. Dellett to give a report.

Mr. Dellett stated that staff requests Council consider a motion to act on the above-referenced subdivision plan application. The applicant requests subdivision plan application approval of Lot 2 on the Grove Pointe Residential Land Development to convey 7,472 square feet (0.17 acres) from Lot 2-E to open space. The parcels are located in the Residence District R-7. At its January 12, 2022 meeting, the Planning Commission recommended conditional approval of the application.

Mr. Dellett stated that staff recommends Council grant approval of the 2021-SLD-01 Grove Pointe Revised 14th Amendment 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 letter dated January 7, 2022, 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 January 7, 2022, in a manner acceptable to the Borough Director of Planning, Zoning, and 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.

M-21 Mr. Sobieralski moved, seconded by Mrs. DePuy to grant approval of the 2021-SLD-01 Grove Pointe Revised 14th Amendment Plan Application. The motion carried unanimously.

Mr. Dellett stated that the applicant, 2022-CU-01 Michael Hurley/Hounds Town USA requests approval to operate a Kennel at 2800-2810 Clairton Boulevard pursuant to Section 180.89.4.5 (Kennel) of Article XXVII Express Standards and Criteria for Conditional uses and special exceptions of Chapter 180 of the Borough Code, Zoning. A Kennel is permitted as conditional use in Commercial District C-4. The Borough accepted the application as complete on January 12, 2022.

Mr. Dellett stated that pursuant to the Municipalities Planning Code, staff respectfully request Council authorize an advertisement of a public hearing on the conditional use application at its March 2, 2022 meeting at 7PM in Council Chambers.

M-22 Ms. Book moved, seconded by Mrs. DePuy to authorize advertisement of a public hearing on March 2, 2022 for the conditional use application of 2022-CU-01 Michael Hurley/Hounds Town USA, 2800-2810 Clairton Boulevard. The motion carried unanimously.

LIBRARY:

Marilyn Kail, the President of the Library Board, gave a report.

PUBLIC WORKS:

Ms. Book thanked Public Works for their work keeping the roads clear during the snowstorms.

Mr. Nagy inquired about Ms. Wertz, Chief Gagorik, or Mr. Harris sending the road crew out earlier to pre-treat the roads and sidewalks if they deem in necessary.

Council concurred.

PUBLIC SAFETY:

Mr. Veith stated that Chief Gagorik reports that officers responded to a serious motor vehicle accident in the 4700 block of Clairton Boulevard on January 5. All responding Public Safety Agencies collectively worked together as a team. Their response was truly a case study on how things should be done at a crash scene.

Mr. Veith stated that Chief Gagorik reports that the officer who sustained an on-duty shoulder injury last June is scheduled for surgery on January 21. If all goes well, he may be able to return to duty in 6-8 weeks.

Mr. Veith stated that Chief Gagorik reports that the Allegheny County Police Chief's Association and Allegheny County EMS Council have formed a committee to discuss areas where police and EMS can collaborate and share best practices. Chief Gagorik was selected as a committee member and attended the first meeting in January 17. The committee will be focusing on response to mental health emergencies and mass casualty incidents. Chief Gagorik began his career as a medic and is well suited for the committees task.

Mr. Veith stated that Chief Gagorik reports that background investigations are progressing well on the candidates for patrolman. Chief Gagorik requests Council consider interviewing the candidates the morning of January 29, 2022. Council agreed.

RECREATION:

Recreation Director, Hannah Bower gave a report.

NEW BUSINESS:

Ms. Book and Mr. Sobieralski gave a report on the PSAB seminar they attended.

