

**BOROUGH OF WHITEHALL**

**INDEX  
MINUTES OF THE JANUARY 18, 2023 COUNCIL MEETING**

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	Motion	Page
Bills, Payroll - Approve	M-1,2,3	2
January 4, 2023 Meeting Minutes – Approve	M-4	2
Pay Application to Roto Rooter for 2022 CCTV Inspections	M-5	5
Pay Application to Nello Construction for the Whitehall Pool	M-6	5
Pay Application to Merit Electrical for the Whitehall Pool	M-7	5
Pay Application to First American Industries for the Whitehall Pool	M-8	6
Adopt Updated Job Descriptions for Pool Staff	M-9	6
Award PW Uniform Contract to Cintas	M-10	6
Authorize Proper Borough Officials to Sign Letter of Support	M-11	7
Accept Audit Proposal Submitted by Maher Dussel	M-12	7
Authorize Saturday Work at the Pool	M-13	7
Approve 2023-SLD-01 Lyons Consolidation Plan	M-14	7
Appoint Christy Kuehn to the Library Board	M-15	8
Appoint Kelly Stanton to the Library Board	M-16	8
Authorize the Civil Service Commission to Establish Eligibility List	M-17	8
Appoint Daniel Vereb to the Recreation Board	M-18	8
Authorize Borough Manager to Apply for DCNR Grant - Highland	M-19	8
Adjournment	M-20	9

BOROUGH OF WHITEHALL

Regular Meeting January 18, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, January 18, 2023, at 7:00 PM, for a regular meeting. President DePuy announced that all meetings will be recorded auditorily and visually. President DePuy called the meeting to order, followed by the Pledge of Allegiance.

ROLL CALL:

- Present: Linda J. Book
- Kathleen N. DePuy
- Glenn P. Nagy
- Philip J. Lahr
- Robert J. McKown
- Stone Sobieralski
- William J. Veith
- James F. Nowalk, Mayor
- Irving Firman, Solicitor
- Scott Rusmiser, Engineer

STAFF:

- Courtney M. Wertz, Borough Manager
- Jason C. Gagorik, Chief of Police
- Scott Dellett, Director of Planning, Zoning & Code Enforcement
- Alyssa M. Rogalla, Administrative Assistant

Mrs. DePuy stated that an Executive Session was held prior to the Council Meeting regarding matters of litigation.

CITIZENS' REQUESTS:

None.

SWEARING-IN-CEREMONY-SERGEANT MAYBURN:

President DePuy turned the meeting over to Mayor Nowalk to conduct the swearing-in ceremony to promote Officer Chris Mayburn to Sergeant. Mayor Nowalk administered the Oath of Office to Sergeant Mayburn.

CONSIDERATION OF BILLS & PAYROLL:

- M-1 Ms. Book moved, seconded by Mr. McKown, that the bills contained on the bill list presented to Council on January 18, 2023 for \$300,189.95 from the General Fund, \$6,060.00 from the Storm Sewer Fund, \$63,899.07 from the Sanitary Sewer Fund, \$20,171.54 from the 2022 Construction Fund, \$74,647.75 from the Capital Projects Fund, and \$9,505.30 from the Local Fiscal Recovery Fund be approved. The motion carried unanimously.
- M-2 Mr. Lahr moved, seconded by Ms. Book, that checks and transfers for \$11,901.53 from the General Fund and \$51,886.05 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. McKown moved, seconded by Mr. Veith, that General Fund payroll for the period ending January 13, 2023 for \$157,297.32 as presented to Council on January 18, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

- M-4 Mr. McKown moved, seconded by Ms. Book to approve the Minutes of the January 4, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented his Police report for December 2022:

EMS Assists.....	172
Court/Hearings/Pretrial . . . . .	84
Accidents . . . . .	17
Criminal Arrests (DUI – 1) . . . . .	16
Traffic Stops . . . . .	98
Traffic Details . . . . .	56
Written Traffic Citations. . . . .	63
Written Warnings Traffic Violations. . . . .	72

Total amount of money collected and turned over to the Borough during December 2022 amounted to \$3,968.51 The breakdown is as follows:

MVC from District Magistrate .....	\$478.28
Crimes Code & Code Violations from District Magistrate....	\$2,128.07
Parking Fines .....	\$700.00
Copies .....	\$165.00
Fines from Clerk of Courts .....	\$297.16

Mayor Nowalk presented the Animal Control Report for December 2022:

The Police Department received 15 animal complaints for the month of December. 13 calls were referred to South Hills Animal Control, which represents a 6.28% system usage rate.

Update on the Deer Management Program: 2022-2023 State Deer Archery Season ended on January 16, 2023. Suburban Wildlife will issue a final report and invoice sometime in February.

Mayor Nowalk stated that Chief Gagorik reports that the 12-hour work schedule for police officers assigned to patrol was implemented on January 9, 2023, per the arbitration award and memorandum of understanding.

Mayor Nowalk stated that Chief Gagorik reports that the police department was notified of a missing endangered juvenile last evening that resulted from a custody dispute. Through investigative means, Sgt. Mayburn, Officer Brown, Officer Valenti, Investigator Newbould, Officer Stephenson, and Dispatcher Szalla were able to locate and reunite the missing juvenile with the guardian in a short period of time.

Mayor Nowalk stated that Chief Gagorik reports that Dispatcher Debra Kukan has submitted a letter indicating her intent to retire after 39 years of dedicated service to the residents of Whitehall Borough. Her retirement date will be March 24, 2023. She plans to remain as a part-time dispatcher after retirement.

Mayor Nowalk gave the Fire Company report:

**Calls during period:**

Total Calls Year-To-Date (Starting December 1, 2021): 508

**Notable Calls:**

17 Structure Fires  
68 Vehicle Accidents  
20 Natural Gas Leaks

**Membership:**

27 Members  
1 Member on Medical LOA  
2 Applicants expected to be voted on in January

**Apparatus, Stations, and Equipment:**

**Apparatus:**

301 Truck had wire loom replaced in the boom

301 Engine 1 had braker adjusted

**Stations:**

Boiler at Station 2 was sold as it was no longer used

Renovations are beginning for the bathroom at Station 2

**Equipment:**

New combustible gas sniffers were purchased.

**Training:**

Michael Moeslein achieved Fire Fighter I Certification.

Ben McKee, Brayden Klingensmith and Mike Petrilli completed their Basic Vehicle Rescue Course.

**Grants:**

The Department applied for a PEMA Grant through the State Fire Commissioners Office for turnout gear. Two grants were awarded totaling \$169,000.00. \$99,000.00 will be applied for radios and \$70,000.00 will go toward the new exhaust systems for the station.

Mayor Nowalk stated that the Whitehall Committee for Environmental Action met with members of the Shade Tree Commission and the Green Thumbers to discuss future collaboration.

Mayor Nowalk stated that the Borough's 75<sup>th</sup> Anniversary Celebration hosted by the Whitehall Historical Society was a huge success.

**SOLICITOR:**

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

ENGINEER:

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

- Phase II Storm Water – Engineers are finalizing construction plans and bid documents for the Public Works Garage Trench Drain Separation Project.

## Project Timeline:

Advertisement: January 26, 2023

Prebid Meeting: February 23, 2023

Bid Opening: March 8, 2023

Potential Award: March 15, 2023

- Operations & Maintenance Plan – Roto-Rooter Services Company has begun work on the 2022 CCTV Inspection Contract.
- M-5 Ms. Book moved, seconded by Mr. Lahr to approve pay application 1 in the amount of \$16,636.77 for the 2022 Whitehall Borough CCTV Inspections Contract to Roto Rooter Services Company. The motion carried unanimously.
- Pollution Reduction Plan – Engineers have received the general permit approval for Streets Run Road. Engineers have permits for both stream improvements projects. Bid documents are complete and ready for bidding.
  - Pool Construction – Nello Construction Company submitted their 9<sup>th</sup> Pay Application. Engineers have reviewed the pay application and recommend payment.
- M-6 Mr. McKown moved, seconded by Mr. Veith to approve pay application No. 9 in the amount of \$301,678.63 for the Whitehall Pool Improvements Contract No. 1 – General Construction to Nello Construction Company. The motion carried unanimously.
- Merit Electrical Group, Inc. submitted their 8<sup>th</sup> Pay Application.
- M-7 Ms. Book moved, seconded by Mr. Lahr to approve pay application No. 8 in the amount of \$17,661.05 for the Whitehall Pool Improvements Contract No. 2 – Electrical Construction to Merit Electrical Group, Inc. The motion carried unanimously.

First American Industries, Inc. submitted their 6<sup>th</sup> Pay Application. Engineers have reviewed and recommend approval of Change Orders 1-6 for the gas line and sanitary sewer reconstruction at the bath house.

M-8 Mr. Lahr moved, seconded by Mr. McKown to approve pay application No. 6 and change orders 1-6 in the amount of \$76,776.86 for the Whitehall Pool Improvements Contract No. 3 – Plumbing Construction to First American Industries, Inc. The motion carried unanimously.

MANAGER:

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

- Swimming Pool Job Descriptions – In anticipation of the new swimming pool and as part of the ongoing policy, procedures, and job description review; Staff has prepared new job descriptions for the positions of Pool Manager, Assistant Pool Manager, Lifeguard, Pool Caretaker, and Pool Checker. Notices for seasonal positions have been posted to the Website and Borough Facebook pages. Information was also sent to Baldwin High School for distribution.
- M-9 Mr. McKown moved, seconded by Mr. Lahr to adopt the updated job descriptions for Pool Manager, Assistant Pool Manager, Lifeguard, Pool Caretaker and Pool Checker subject to final review of the Borough Solicitor. The motion carried unanimously.
- Public Works Uniform Contract – Bids were received for the Public Works Uniform Contract on December 20. One bid was received from Cintas. There is a slight increase in unit prices.
- M-10 Mr. McKown moved, seconded by Mr. Lahr to award the Public Works Uniform Contract to Cintas. The motion carried unanimously.
- Letter of Support – Youth Sports – After the first Sports Summit last fall, Staff was tasked with working with neighboring municipalities to draft a letter of support on behalf of youth sports organization to send to the School District. Baldwin Borough and Baldwin Township considered the item at their December meetings. Ms. Wertz asked that Council support the initiative as well by authorizing Council President and Mayor Nowalk to sign the letter on the Borough's behalf. A second Sports Summit is scheduled for February 7, where representatives of the sports organizations will be asked to sign the letter as well.

- M-11 Mr. McKown moved, seconded by Ms. Book to authorize Council President and the Mayor to sign the Letter of Support for Youth Sports. The motion carried unanimously.
- Audit Proposal – Maher Duessel has submitted their proposal to conduct Borough audits for the years 2022-2024. Prices are \$14,200, \$14,600, and \$15,000.
- M-12 Mr. Lahr moved, seconded by Mr. McKown to accept the audit proposal submitted by Maher Duessel. The motion carried unanimously.
- Pool Construction – Nello Construction Company has requested permission to work Saturdays at the pool beginning immediately until April 1, 2023.
- M-13 Mr. Veith moved, seconded by Ms. Book to authorize Saturday work at the Swimming Pool beginning immediately until April 1, 2023. The motion carried unanimously.

#### PLANNING & ZONING:

Mr. Dellett stated that Staff requests Council consider a motion to act on the 2023-SLD-01 Lyons Consolidation Plan. The applicant requests a consolidation of a 650-square-foot lot into an existing 12,966 square-foot lot. The subject properties are located in Residence District R2-S.

Mr. Dellett stated that staff recommends Council grant approval of the 2023-SLD-01 Lyons Consolidation Plan subject to the following conditions:

1. Borough Engineers Review Letters – The applicant shall address all outstanding issues referenced in the Borough Engineers review letters dated December 21, 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 Enforcements Review Memorandum – The applicant shall address all outstanding issues referenced in the Borough Director of Planning, Zoning and Code Enforcement's memorandum dated January 6, 2023 in a manner acceptable to the 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-14 Mr. Veith moved, seconded by Mr. Sobieralski to approve 2023-SLD-01 Lyons Consolidation Plan, 4855 Mooreridge Drive, subject to the conditions in the Director of Planning, Zoning and Code Enforcement's memorandum. The motion carried unanimously.



LIBRARY:

Marilyn Kail, President of the Library Board gave a report and provided background information on the individuals to be appointed to the Library Board.

M-15 Mr. Sobieralski moved, seconded by Mr. McKown to appoint Christy Kuehn to the Library Board. The motion carried unanimously.

M-16 Mr. Sobieralski moved, seconded by Mr. Lahr to appoint Kelly Stanton to the Library Board. The motion carried unanimously.

PUBLIC WORKS:

Mr. Lahr stated that Public Works is busy preparing for the Winter weather.

PUBLIC SAFETY:

Mr. McKown stated that Chief Gagorik requests that Council authorize the Civil Service Commission to begin the process of establishing a new eligibility list for Police Patrolman.

M-17 Mr. McKown moved, seconded by Ms. Book to authorize the Civil Service Commission to establish an eligibility list for Police Patrolman. The motion carried unanimously.

RECREATION:

Hannah Bower, Parks and Recreation Director gave a report and provided background information on the individual to be appointed to the Recreation Board.

M-18 Ms. Book moved, seconded by Mr. McKown to appoint Daniel Vereb to the Recreation Board. The motion carried unanimously.

ADMINISTRATIVE SERVICES:

No report.

PARKS:

Mrs. DePuy stated that the Parks Committee had a very productive meeting and are planning to reconfigure Highland Park to switch the fields to potentially provide a full size soccer field.

M-19 Ms. Book moved, seconded by Mr. McKown to authorize the Borough Manager to apply for a DCNR Grant for the Highland Park Field Swap. The motion carried unanimously.

NEW BUSINESS:

Mr. Sobieralski moved to add a motion to the Agenda regarding the Whitehall Fire Company. The motion failed for lack of a second.

Mr. McKown stated that a legal opinion was received immediately prior to the Council Meeting and that time is needed to review the information.

Mr. Sobieralski asked to invite the Fire Company to the Executive Session. Mr. Firman stated that it is not permissible under the Sunshine Act.

Mr. Sobieralski asked to be on the Public Safety Committee. President DePuy stated that he was not assigned to that Committee.

Mr. Veith stated that Whitehall Borough has always done things legally and that process takes time.

Mr. McKown stated that the legal opinion will be reviewed, and a meeting will be scheduled with representatives of the Fire Company. There is a legal issue that needs to be overcome not a financial issue.

ADJOURNMENT:

M-20 Mr. Sobieralski moved, seconded by Ms. Book to adjourn the meeting to Executive Session. The motion carried unanimously.

The meeting adjourned at 8:15 PM.

READ AND APPROVED THIS DAY OF FEBRUARY 1, 2023:

  
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Manager