

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting March 15, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, March 15, 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 Rusmisl, Engineer

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

CITIZENS' REQUESTS:

Martin Youschak, 4836 Old Boston Road, appeared before Council to provide data in support of on the Deer Management Program.

Harold Plusa, 4647 Doverdell Drive, appeared before Council as a representative of the Historical Society to remind Council of the event on March 23, 2023 in the Community Room featuring speaker Dr. Joseph Rishel, Ph.D.

Mary Diskin, 180 Providence Way, appeared before Council as a representative of the Grove Pointe Homeowners Association. Ms. Diskin is concerned that the roads have not been turned over to the Borough by the developer and there are continued waterflow issues in the streets and in individuals' backyards. Mr. Rusmisl and Mr. Dellett have been in contact with Ms. Diskin and provided punch-list items for the Developer to complete.

Beth Lynn Eicher, 246 Southvue Drive, appeared before Council with comments about Public Safety and the upcoming Civil Service exam.

Chief Gagorik stated that hiring is mandated by the Civil Service Commission. The Department's previous civil service list for police officer candidates expired last year. Examinations include written test, physical agility, oral examination, background investigation, pre-employment medical examination, and pre-employment psychological examination.

Chief Gagorik stated that Whitehall Police have maintained a presence in our community schools since 1993. The Department provides DARE instruction and other juvenile outreach programs to all school facilities within the Baldwin - Whitehall School District, including Mother of Mercy Academy, Tillotson, and Wesley. Beginning in 2022, the Department established a full-time Juvenile Officer program to further expand the Department's capabilities. Whitehall Police also meets with BWSO school officials quarterly to review matters related to safety and security.

Mayor Nowalk stated that the Fire Company is a separate entity from the Borough.

Mark Maurizi, 3222 Bel Air Drive, appeared before Council asking for clarification on donation of meat from the Deer Management Program and related costs and fees.

Chief Gagorik stated that the hunters have the option to keep the meat for themselves or donate the meat to a food bank. The hunters pay all butcher fees. \$10,000.00 was allocated for the Deer Management Program in the 2022 Budget but Suburban Wildlife's services only totaled \$9,000.00. This covered public appearances, foot canvases, collection of applications, proficiency and efficiency testing, and property assessments.

James Zora, 4879 Old Boston Road, appeared before Council to further explain overpopulation of deer in Pennsylvania.

CONSIDERATION OF BILLS & PAYROLL:

- M-1 Mr. McKown moved, seconded by Ms. Book, that the bills contained on the bill list presented to Council on March 15, 2023 for \$292,403.24 from the General Fund, \$12,198.40 from the Storm Sewer Fund, \$68,372.17 from the Sanitary Sewer Fund, \$20,171.54 from the 2022 Construction Fund, \$25,747.00 from the Capital Projects Fund and \$35,069.00 from the Local Fiscal Recovery Fund be approved. The motion carried unanimously.
- M-2 Ms. Book moved, seconded by Mr. McKown, that checks and transfers for \$25,562.55 from the General Fund and \$51,795.75 from the Payroll Fund be ratified. The motion carried unanimously.

M-3 Mr. Lahr moved, seconded by Ms. Book, that General Fund payroll for the period ending March 10, 2023 for \$157,364.33 as presented to Council on March 15, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

M-4 Ms. Book moved, seconded by Mr. Lahr to approve the Minutes of the February 15, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented the Animal Control Report for February 2023:

The Police Department received 17 animal complaints for the month of February. 14 calls were referred to South Hills Animal Control, which represents a 7.18% system usage rate.

- 4 of the deer removals resulted from vehicle collisions, where the driver left the scene before Police arrived. When this occurs, the call is categorized as an Animal Complaint – Wildlife to maintain reporting standards.
- In 2022, Animal Control removed 90 deer from Whitehall, which represents a 10% reduction from 2021 (108 removed).
- Since 2011, Animal Control has removed 749 deer from Whitehall, which ranks the Borough 3rd in deer removal. Mt. Lebanon is ranked 1st with 922 and Bethal Park is ranked 2nd with 822.
- Suburban Wildlife harvested 22 deer during the 2022-2023 Archery Season. No resident complaints related to the archery program were made to the Police Department. Suburban Wildlife reported one incident of hunters being harassed and discovered one illegal tree stand that was reported to the PA Game Commission.

Mayor Nowalk stated that Chief Gagorik reports that all Whitehall Police Officers have completed the required 8-hours of training for the Active Bystander for Law Enforcement Project. ABLE is a nationwide initiative to create a culture within law enforcement that supports peer intervention and officer wellness. Whitehall Police now joins over 300 ABLE-Certified law enforcement agencies across the country, whose common goals are to improve community relations and officer wellness through accountability.

Additional March Police Training include:

- Sergeant Mayburn completed a 40-hour course in Police Supervisory In-Service Training offered by Penn State University.
- Sergeant Bowman was recertified as a Use of Force Instructor through PPCT.
- Sergeant Hinkle, Investigator Newbould, Juvenile Officer Smith, and Officer Griffin completed an 8-hour emergency and pursuit driving course at Pitt Raceway in Beaver County.

SOLICITOR:

Mr. Firman requested an Executive Session for matters regarding potential litigation.

ENGINEER:

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

- Phase II Storm Water – Two bids were received at a bid opening on March 8, 2023 for the PW Trench Drain Separation Project. Roto-Rooter submitted the lowest bid with a base bid total of \$37,227.50.

M-5 Mr. McKown moved, seconded by Mr. Veith to award the PW Trench Drain Separation Project to Roto-Rooter Service Company with a total base bid price of \$37,227.50. The motion carried unanimously.

- Operations & Maintenance Plan – Work on the 2022 CCTV Inspections Contract has begun.

M-6 Ms. Book moved, seconded by Mr. Lahr to approve Pay Application No. 2 in the amount of \$16,520.40 for the Whitehall Borough 2022 CCTV Inspections to Roto-Rooter Service Company. The motion carried unanimously.

- Pollution Reduction Plan – There were no bids received for the Streets Run and Sawmill Run Stream Improvement Projects at the bid opening on March 8, 2023. Engineers contacted all contractors that attended the mandatory pre-bid meeting to review reasoning for not submitting a bid. All contractors said that they were recently awarded projects with completion dates similar to the Borough projects. Engineers recommend re-bidding the projects.

M-7 Ms. Book moved, seconded by Mr. Lahr to re-bid the Sawmill Run and Streets Run Stream Improvement Projects with a November 17, 2023 completion date. The motion carried unanimously.

- Pool Construction – Nello Construction Company submitted their 11th Pay Application. Engineers have reviewed the pay application and recommend payment.

M-8 Mr. Veith moved, seconded by Mr. Lahr to approve pay application No. 11 in the amount of \$199,986.38 for the Whitehall Pool Improvements Contract No. 1 – General Construction to Nello Construction Company. The motion carried unanimously.

Merit Electrical Group, Inc. submitted their 10th Pay Application.

M-9 Mr. Sobieralski moved, seconded by Ms. Book to approve pay application No. 10 in the amount of \$19,825.30 for the Whitehall Pool Improvements Contract No. 2 – Electrical Construction to Merit Electrical Group, Inc. The motion carried unanimously.

East West Manufacturing and Supply, Inc. submitted their 1st pay application.

M-10 Mr. Lahr moved, seconded by Ms. Book to approve Pay Application No. 1 in the amount of \$43,728.50 for the Whitehall Pool Improvements Contract No. 4 – Mechanical Construction to East West Manufacturing and Supply, Inc. The motion carried unanimously.

- Doverdell Phase II Storm Sewer Extension – Independent Enterprises, Inc. submitted the CCTV of the storm sewer. Additional cleaning will be required prior to final payment and closeout.

M-11 Mr. Lahr moved, seconded by Ms. Book to approve Pay Application No. 2 in the amount of \$23,398.50 for the Doverdell Drive Storm Sewer upgrades to Independent Enterprises, Inc. The motion carried unanimously.

Mr. Rusmisl requested an Executive Session for matters regarding potential litigation.

MANAGER:

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

- 2023 Road Program Proposal – The Borough has received the engineering proposal from Gateway Engineers for the 2023 Road Program.

M-12 Mr. McKown moved, seconded by Mr. Lahr to approve the Proposal of Services submitted by Gateway Engineers for the 2023 Road Program in the amount of \$38,000.00. The motion carried unanimously.

- DCNR Grant – Highland Park Field Swap – A Resolution is needed as part of the DCNR Grant application for the Highland Park Field Swap.
- M-13 Mr. Lahr moved, seconded by Ms. Book that the proposed Resolution be read in its entirety. The motion carried unanimously.
- M-14 After the reading of the Resolution, Mr. McKown moved for adoption. Mr. Veith seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr. Mr. McKown, Mr. Nagy, Mr. Veith and Mr. Sobieralski voted yes. The motion carried unanimously. The Resolution No. is 1015.
- 2023 Salary Ordinance Amendment – In reviewing the 2023 Salary Ordinance, the Water Aerobics Instructor was not included.
- M-15 Mr. McKown moved, seconded by Mr. Veith to read the Ordinance Amendment in its entirety. The motion carried unanimously.
- M-16 After the reading of the Ordinance, Mr. McKown moved for adoption. Mr. Lahr seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr. Mr. McKown, Mr. Nagy, Mr. Veith and Mr. Sobieralski voted yes. The motion carried unanimously. The Ordinance No. is 1166.
- Pool Construction Management Services – The Borough’s agreement with Massaro CM Services ends April 1, 2023. As the final completion date will surpass that original date, Staff recommends continuing services using the established monthly fee as defined in the contract agreement.
- M-17 Mr. McKown moved, seconded by Mr. Lahr to extend Pool Construction Management Services for the month of April using the established monthly fee as defined in the contract agreement. Mr. Soberialski voted no. The motion passed 6-1.
- Pool Dedication Plaque – As the project winds down, Ms. Wertz asked if Council had any interest in a dedication plaque for the new swimming pool.
- M-18 Mr. McKown moved, seconded by Mr. Veith to authorize Staff to investigate design and costs of a dedication plaque for the new swimming pool. The motion carried unanimously.

- Baldwin Township Pool Agreement – The Borough received signed copies of the Agreement from Baldwin Township.

M-19 Mr. McKown moved, seconded by Mr. Lahr to authorize the Borough Manager and Council President to sign the Baldwin Township Swimming Pool Agreement. The motion carried unanimously.

- Stream Grants – Ms. Wertz met with Lisa Brown to discuss possible grant opportunities for the Borough's upcoming stream projects.

M-20 Mr. McKown moved, seconded by Ms. Book to add a motion to the Agenda due to time restraints to authorize the Borough Manager to apply for a 2023 Environmental Grant through PA American Water Company for the Streets Run and Sawmill Run Stream Improvement Project. The motion carried unanimously.

M-21 Ms. Book moved, seconded by Mr. McKown to authorize the Borough Manager to apply for a 2023 Environmental Grant through PA American Water Company for the Streets Run and Sawmill Run Stream Improvement Project. The motion carried unanimously.

PUBLIC WORKS:

Mr. Lahr stated that the Public Works Department has been installing the new street signs this week. Feedback on the project has been overwhelmingly positive.

PUBLIC SAFETY:

Mr. McKown stated that Chief Gagorik reports that the Pennsylvania Commission on Crime and Delinquency has recommended that our Law Enforcement Technology grant application be approved. The exact funding amount will be announced in 3-5 weeks. Last November, the Chief applied for \$79,257 in grant funding to recoup costs of the police software and vehicle technology project included in the 2023 Budget. There is a chance that not all projects will be 100% funded by the grant.

RECREATION:

Hannah Bower, Parks and Recreation Director gave a report. Mrs. Bower stated that online pool passes will be sold on April 1, 2023.

M-22 Ms. Book moved, seconded by Mr. McKown to approve the Community Day Proposal. The motion carried unanimously.

- M-23 Ms. Book moved, seconded by Mr. Lahr to authorize Sign Gypsies to create a Borough crest cut out only to be used for Whitehall Borough Events subject to the Borough Manager and Solicitor's approval. The motion carried unanimously.
- M-24 Mr. Lahr moved, seconded by Mr. Sobieralski to authorize GVWAA to use Union Park on Sundays from April 1 to June 30 beginning no earlier than 10:00 AM. The motion carried unanimously.
- M-25 Ms. Book moved, seconded by Mr. Lahr to approve Water Aerobics fee of \$65 for Residents and \$85 for non-residents for a 6-week program of 2 sessions per week. The motion carried unanimously.

ADMINISTRATIVE SERVICES:

No report.

PLANNING & ZONING:

Mr. Veith stated that the Planning Commission is working on commercial area definitions.

LIBRARY:

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

Ms. Kail introduced the candidate for the Library Board vacancy, Allison Brooks.

M-26 Mr. McKown moved, seconded by Ms. Book to add a motion to the Agenda to appoint Allison Brooks to the Library Board. The motion carried unanimously.

M-27 Mr. Sobieralski moved, seconded by Mr. Veith to appoint Allison Brooks to the Library Board. The motion carried unanimously.

PARKS:

Mrs. DePuy asked that Mr. Rusmiser investigate solutions to the water issues at Snyder Park.

NEW BUSINESS:

Mrs. Bower stated that a Coffee Talk with BCAP will be held on Tuesday, March 21, 2023 and will send Council the information to attend.

ADJOURNMENT:

Mrs. DePuy stated that an Executive Session was held prior to the Council Meeting regarding matters of litigation. The meeting will adjourn to Executive Session for matters of potential litigation.

M-28 Ms. Book moved, seconded by Mr. McKown to adjourn the meeting in Anne Giovannitti's honor. The motion carried unanimously.

The meeting adjourned at 8:49 PM.

READ AND APPROVED THIS DAY OF APRIL 5, 2023:



Manager