

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting April 5, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, April 5, 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
Philip J. Lahr
Robert J. McKown
Stone Sobieralski
William J. Veith
James F. Nowalk, Mayor
Bob McTiernan, Solicitor
Scott Rusmisl, Engineer

Absent: Glenn P. Nagy

STAFF:

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

CITIZENS' REQUESTS:

Donna McCrea, 305 Southvue Drive, appeared before Council as a representative of the Shade Tree Commission to make Council aware of the Adopt a Tree Event being held tomorrow in the parking lot of the Whitehall Library.

Brandon Myers, 5264 Fieldcrest Drive, appeared before Council as a representative of Baldwin Youth Lacrosse to request that the trees in the green space of Frank Park be relocated to the perimeter of the park to increase lacrosse's ability to use the green space.

Mrs. DePuy asked that Ms. Wertz investigate moving the trees.

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 April 5, 2023 for \$32,602.69 from the General Fund, \$53,213.11 from the Storm Sewer Fund, \$19,799.51 from the Sanitary Sewer Fund, and \$283,711.70 from the 2022 Construction Fund be approved. The motion carried unanimously.
- M-2 Mr. McKown moved, seconded by Mr. Veith, that checks and transfers for \$62,768.32 from the General Fund, \$397.68 from the Sanitary Sewer Fund, and \$57,875.79 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Ms. Book moved, seconded by Mr. McKown, that General Fund payroll for the period ending March 24, 2023 for \$191,560.70 as presented to Council on April 5, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

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

MAYOR:

Mayor Nowalk presented his Police report for March 2023:

EMS Assists.....	164
Court/Hearings/Pretrial	120
Accidents	16
Criminal Arrests (DUI – 0)	24
Traffic Stops	137
Traffic Details	66
Written Traffic Citations.	38
Written Warnings Traffic Violations.	99

Total amount of money collected and turned over to the Borough during March 2023 amounted to \$4,285.57. The breakdown is as follows:

MVC from District Magistrate	\$835.61
Crimes Code & Code Violations from District Magistrate....	\$599.75
Parking Fines	\$980.00
Copies	\$90.00
Fines from Clerk of Courts.....	\$730.21
Solicitor/Mechanical License Fees.....	\$1,050.00

Mayor Nowalk stated that Chief Gagorik reports that the Police Department worked with Ms. Rogalla to update the Deer Management tab on the Borough Website. Residents can now view the 2022-2023 Final Archery Report from Suburban Wildlife Management Solutions.

Mayor Nowalk stated that Chief Gagorik reports that on March 31, the man wanted for dragging a Whitehall Police Officer over 200 feet during a traffic stop last April was taken into custody. Allegheny County Police charged 28-year-old Alphonse Francis with aggravated assault of a law enforcement officer, recklessly endangering another person, person not to possess a firearm, and driving under suspension. Special thank you to Allegheny County Police and Sheriff's Office for their hard work and dedication to this investigation.

Mayor Nowalk stated that Chief Gagorik reports that on Monday, Officer Terry Bradford and K9 Finn participated in a student safety assembly at Elroy Elementary School in Brentwood. The assembly gave students an opportunity to interact with first responders and see the equipment we use. As always, K9 Finn stole the show and was the center of attention.

Mayor Nowalk read an email received by the Police Department from a Resident thanking Sergeant Budd and Officer Morosetti for their assistance during a hit-and-run.

Mayor Nowalk discussed a recent event hosted by the Historical Society featuring Dr. Rishel and it was a great presentation on World War II. Two veterans attended who were 102 years old.

Mayor Nowalk stated that the Earth Day clean-up will be held on April 22, 2023.

M-5 Ms. Book moved, seconded by Mr. McKown to add a motion to the Agenda to authorize the Mayor to issue a proclamation for Earth Day. The motion carried unanimously.

M-6 Ms. Book moved, seconded by Mr. Lahr to authorize the Mayor to issue a proclamation designating April 22, 2023 as Earth Day in Whitehall Borough. The motion carried unanimously.

SOLICITOR:

Mr. McTiernan stated that the Solicitors Office sent the CBA and MOU to the Teamsters 205 for signature.

ENGINEER:

- Operations & Maintenance – Roto-Rooter Services Company has started work on the 2022 Sanitary Sewer Excavation Repair Contract.

M-7 Mr. Lahr moved, seconded by Mr. McKown to approve Pay Application No. 5 in the amount of \$41,325.00 for the 2022 Whitehall Borough Sanitary Sewer Excavation Repair Contract to Roto-Rooter Services Company. The motion carried unanimously.

- Overlook Park – Only one General Construction bid was received at the bid opening on March 29, 2023. The total base bid price submitted by Caliber Contracting Services Inc. was \$1,803,907.00. Two bids were received for Electrical Contracts. Hanlon Electrical Company submitted the lowest bid with a total price of \$141,000.00. There were no bids received for the Plumbing or Mechanical Contracts. Engineers recommend rejecting all bids received for this project as the total bid prices received are approximately \$900,000.00 over the Engineers estimate. Gateway Engineers notified 41 Contractors of the project.

M-8 Mr. Lahr moved, seconded by Mr. Veith to reject all bids received for Overlook Park Improvements. The motion carried unanimously.

Mrs. DePuy stated that the Parks Committee had a lengthy discussion regarding Overlook Park. The Committee recommends reducing the scope of the project and focusing on the playground equipment, the shelter house, and the steps. Council concurred.

Mr. Rusmisl and Ms. Wertz will work on a reduced scope for Council to review.

- Snyder Park – Engineers met with contractors onsite on March 22, 2023 to review the scope of work for field and drainage improvements as a temporary measure for this baseball/softball season.

M-9 Mr. McKown moved, seconded by Mr. Lahr to accept the quote received from N&N Landscaping, LLC in the amount of \$13,802.60 for Snyder Park drainage improvements. The motion carried unanimously.

MANAGER:

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

- Swimming Pool Concession Agreement – Ms. Wertz and Mrs. Bower met with Warren & Candace Jackson regarding their proposal for Concession Services. They are the owners of Ham & Eggers Diner in West Mifflin and have extensive experience operating concessions for youth sports, as well as a background in catering.

M-10 Mr. Lahr moved, seconded by Mr. McKown to authorize the proper Borough Officials to sign the Concessions Agreement for the Swimming Pool for the 2023 season. The motion carried unanimously.

- Swimming Pool Dedication Plaque – Quotes were solicited for a dedication plaque for the new Swimming Pool. Staff suggest installing the plaque on the left side of the entrance from Brennan Plaza. Public Works will perform installation.

M-11 Mr. McKown moved, seconded by Mr. Lahr to authorize purchase of the Swimming Pool Dedication Plaque. The motion carried unanimously.

- Swimming Pool Sound System – In preparing for the opening of the new pool, it came to Staff's attention that a new PA system is needed. This item was not previously budgeted for. Staff have secured a quote for \$4,500.00 for a new system.

M-12 Mr. McKown moved, seconded by Mr. Lahr to authorize Staff to purchase a Swimming Pool Sound System. The motion carried unanimously.

- Streets Run Stream Cleanup – Watersheds of South Pittsburgh have organized a cleanup in the Streets Run watershed behind the Public Works Garage. The Watersheds of South Pittsburgh have asked the Borough to partner with them on this event.

M-13 Mr. McKown moved, seconded by Ms. Book to authorize the Borough to partner with the Watersheds of South Pittsburgh for the Streets Run cleanup event. The motion carried unanimously.

Mr. McTiernan asked that notice be given to Watersheds of Pittsburgh not to trespass on private property and to add the Borough as an additional insured party for the event.

- Infrastructure Update – Chief Gagorik and Ms. Wertz met with Comcast to review the implementation plan. External construction of the fiber line is slated to start in August. The next steps include bringing our respective IT Vendors and the Phone company in to discuss necessary steps for the internal wiring work. Items necessary for the internal work will be budgeted for in 2024.

LIBRARY:

Ms. Wertz stated that she recently attended a Library sponsored luncheon for mentoring young women interested in STEM programs and it was a really great event.

PUBLIC WORKS:

Mr. Lahr stated that due to the long lead times on vehicles, Mr. Harris will be investigating pricing for the new Public Works trucks for 2024.

PUBLIC SAFETY:

Mr. McKown stated that last Fall, Borough Council was approached by the Whitehall Fire Company for financial assistance in setting up a Daylight Staffing Program. Meetings were held with the Public Safety Committee and members of the Whitehall Fire Company. Several ideas were discussed including:

- Whitehall Fire Company setting up a separate entity that would employ daylight fire fighters. This would allow the Fire Company to retain its 5013c status for grant opportunities.
- Expansion of the existing stipend program at Whitehall Fire Company.
- Whitehall Borough hiring employees as daylight firefighters.

Whitehall Fire Company chose to explore a stipend program for a “Volunteer Duty Shift Program.” Their initial proposal was found to violate the Fair Labor Standards Act and Federal Law. The financial penalties of which would be significant for both Whitehall Fire Company and the Borough of Whitehall as a joint employer.

The Public Safety Committee worked with the Fire Company to bring their proposal in line with Federal Law. The Borough Solicitor drafted a letter detailing the minor modifications needed for the Fire Company’s latest proposal to comply with FLSA and the Department of Labor.

Whitehall Fire Company recently gave notice to the Borough that they were withdrawing their proposal for the Volunteer Duty Shift Program which entailed a nominal stipend for participants.

The Borough is committed to the safety of the community and wants to work with the Fire Company. The Borough does not want to support a program that despite its good intentions, could end up hurting the Whitehall Fire Company and Borough.

Borough Council remains hopeful that a plan can be implemented to help the Fire Department meet its goals of having volunteers available at all hours of the day and is open to continuing the discussion.

Mr. McKown stated that the Police Department took delivery of the 2023 Ford F150 Police Special Services last Friday. Officers are in the process of placing supplies in the vehicle to assist field personnel with managing large police incidents.

RECREATION:

Mrs. Bower stated that the GBWAA and Baldwin Youth Lacrosse have requested to use fields on Sundays.

M-14 Ms. Book moved, seconded by Mr. Sobieralski to authorize GBWAA to use Prospect Park on Sundays starting immediately until October 2023 beginning at 10:00 AM. The motion carried unanimously.

M-15 Ms. Book moved, seconded by Mr. Lahr to authorize Baldwin Youth Lacrosse to use Frank Park on Sundays beginning at 10:00 AM until May 28, 2023. The motion carried unanimously.

Recreation Director, Hannah Bower gave a report and was happy to announce that over 450 online pool passes have been sold.

Mr. Sobieralski asked Mrs. Bower if there are any stipulations for refunds of pool pass sales.

Mrs. Bower stated that it is a very simple process to issue a refund.

ADMINISTRATIVE SERVICES:

Ms. Wertz stated that renovations to the lobby have begun, and she has met with representatives from the Historical Society about displaying items in the lobby to showcase the Borough's founding.

Ms. Wertz stated that the PA American water grants for the stream projects were submitted and she will meet with Lisa Brown to work on the DCED grant before the May deadline.

Ms. Wertz stated that Staff has begun investigating online payment options using credit cards and plans to have information before Council in the coming months. Staff is also looking at creating efficiencies in the Finance Department by moving to online statements and looking at third party payroll companies.

Ms. Wertz stated that the 2022 DCED Audit was recently completed and no issues were found.

PLANNING & ZONING:

Mr. Veith stated that the Planning Commission is looking at new industries and how they would fit into the Borough.

PARKS:

Mrs. DePuy stated that the Parks Committee recently met and discussed placing pickleball lines on the tennis courts, repairing the sanitary sewer line at Frank Park, and reevaluating the design for Snyder Park.

DELEGATE REPORTS:

ACBA – Ms. Book stated that she has been appointed to the Policy and Resolution Committee. Current Resolutions address RADAR, Infrastructure on State roads, and Statewide Advertising.

PSAB – Ms. Book stated that Annual Conference will be held on June 4-7, 2023 in Hershey.

M-17 Mr. Lahr moved, seconded by Mr. Sobieralski to appoint Linda Book as the PSAB Voting Delegate and Kathy DePuy as the PSAB Alternate Voting Delegate. The motion carried unanimously.

CHAMBER OF COMMERCE – Mr. McKown stated that the Chamber luncheon will be held tomorrow at the South Hills Country Club.

MRTSA – Mr. McKown stated that MRTSA is updating policies and procedures.

SHACOG – Mr. Veith stated that recycling is the largest topic for the new garbage contract. Ms. Wertz stated that the refuse and recycling contract ends in 2023 and automated recycling will most likely be a part of the new contract. The upcoming bid is being driven by two factors automation and volume control. The Borough is expecting many changes in the new contract.

NEW BUSINESS:

Mr. Sobieralski asked if someone is always present at the front desk to assist Residents.

Ms. Wertz stated that Staff staggers lunches to allow for Staff availability but there are only 6 Administrative Staff members and there are times when vacations, call offs, and meetings limit the availability of the already lean staff.

Mayor Nowalk stated that the Administrative Staff run a lean operation and Residents tax dollars are being well spent on the Administrative Services the Borough provides.

Mr. Sobieralski requested an Executive Session regarding matters of personnel.

David Corran, 5032 Carlyn Drive, asked if the Borough has liquidated damages in the contracts for the Swimming Pool.

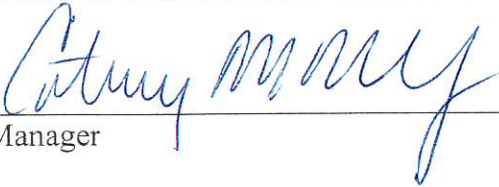
Mr. McTiernan stated that the Borough does have liquidated damages in the contracts.

ADJORNMENT:

M-18 Mr. McKown moved, seconded by Ms. Book to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 8:40 PM.

READ AND APPROVED THIS DAY OF APRIL 19, 2023:



Manager