

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting April 19, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, April 19, 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: 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.

Absent: Linda J. Book

STAFF: Courtney M. Wertz, Borough Manager
Jason C. Gagorik, Chief of Police
Hannah A. Bower, Parks & Recreation Director
Alyssa M. Rogalla, Administrative Assistant

CITIZENS' REQUESTS:

Mr. Sobieralski asked to address Mayor Nowalk.

Mrs. DePuy stated that questions may be directed to the Mayor under his report.

Donna McCrea, 305 Southvue Drive, appeared before Council to provide an update on the recent Adopt a Tree Event. 118 trees were adopted by Residents.

Judy Clover, 1043 Duncan Lane, appeared before Council to express her disappointment in Mr. Sobieralski and the recent news story about the Swimming Pool featured on WPXI. The issues should have been addressed at a Council Meeting.

Sharon Whitley, 4803 Curry Road, appeared before Council to discuss the construction at Whitehall Elementary and her concerns about potential water drainage issues.

Mr. Rusmisl stated that he is unsure what stage of the project construction is at, but storm sewers and underground trench drains for stormwater were included in the plans.

Walt Schran, 343 Maxwell Drive, appeared before Council to discuss the designated lap lane swimming times at the Swimming Pool.

Bob Barron, 5532 Lantern Hill Extension, appeared before Council to discuss adult swim times and the designated lap lane swimming times at the Swimming Pool.

Beth Lynn Eicher, 246 Southvue Drive, appeared before Council to discuss several items including live-streaming, drainage issues at Snyder Park, and the pools ability to hold water as per Mr. Sobieralski's previous comments. Ms. Eicher has started a petition asking Borough Council to cease spending funds on the parks until the Swimming Pool Improvement project is finished.

Mr. Sobieralski stated that he does believe the pool will hold water and that his concerns were about the temperatures when the shotcrete was poured.

Mr. Rusmisl stated that the shotcrete was poured from October 17-October 28 and temperature was not an issue. Winter provisions were applied when concrete was poured in later months.

Kevin Nestor, Construction Manager from Massaro CM Services for the Swimming Pool discussed the project and ongoing discussions about the pool liner.

Gregg Goga, 229 Ranger Drive, appeared before Council to discuss adult swim times and the designated lap lane swimming times at the Swimming Pool.

Charles Vargo, 5069 Carlyn Drive, appeared before Council to discuss adult swim times and the designated lap lane swimming times at the Swimming Pool. Mr. Vargo suggested a lane reservation option.

Jeff Rall, 5116 Raintree Drive, appeared before Council to discuss adult swim times and the designated lap lane swimming times at the Swimming Pool.

Mr. Nagy stated that the rules can be amended and asked that Staff investigate more options for lap swimming times.

Teresa Lucchetti, 4746 W. Barlind Drive, appeared before Council to provide awareness about organ donation month.

Mr. McKown explained that WesBanco is the Borough's bank. In 2011, WesBanco issued the note for the construction of the Fire Station on Route 51. When looking at borrowing options for the new Swimming Pool, an opportunity to refinance that loan in conjunction with new borrowing at a significantly lower rate was available. The Borough's current note for \$7.5 million includes the \$1.4 million for the Fire Station. The interest rate on the Note is 2.20% after matching a soft proposal from First National Bank.

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 April 19, 2023 for \$229,341.09 from the General Fund, \$71,748.94 from the Sanitary Sewer Fund, \$75,472.02 from the Capital Projects Fund and be approved. The motion carried unanimously.
- M-2 Mr. Lahr moved, seconded by Mr. McKown, that checks and transfers for \$6,350.94 from the General Fund and \$50,685.19 from the Payroll Fund be ratified. The motion carried unanimously.
- M-3 Mr. McKown moved, seconded by Mr. Lahr, that General Fund payroll for the period ending April 7, 2023 for \$156,093.49 as presented to Council on April 19, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

- M-4 Mr. Veith moved, seconded by Mr. Lahr to approve the Minutes of the April 5, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented the Animal Control Report for March 2023:

The Police Department received 29 animal complaints for the month of March. All calls were referred to South Hills Animal Control, which represents a 11.55% system usage rate.

Mayor Nowalk stated that Chief Gagorik reports that several Officers will be receiving Letters of Commendation after recent calls for service:

On March 24, 2023 Officers Bradford, Meyer, and Haburjak responded to Beall Drive for a possible vehicle fire. Officers soon learned that a male who was experiencing a mental health emergency had attempted to light a vehicle on fire that was parked within close proximity to a residential structure. The male fled the scene when Officers arrived. However, the Officers were able to quickly locate the male, deescalate the situation and place him into custody without further incident.

On April 12, 2023 Sergeant Bowman, Officers Morosetti, Meyer, and Valenti responded to a Weyman Road business for an employee experiencing a possible mental health emergency. Upon arrival, the Officers learned the employee fled to an unknown part of the building and his demeanor and intentions were unknown.

Officers began a methodical search and quickly located the employee in another part of the building. Officers talked to the employee for several minutes and were able to develop a rapport. It was determined the employee was dealing with family issues and no crime had occurred. The employee voluntarily agreed to leave the building and followed Officers out of the building without further incident.

Mayor Nowalk stated that the Earth-Day clean-up event will be held on Saturday, April 22, 2023. Volunteers will meet at 9:00 AM in front of the Library.

Mayor Nowalk stated that he would like to issue a Certificate of Merit to Eagle Scout Matthew Colwell.

M-5 Mr. McKown moved, seconded by Mr. Lahr to add a motion to the Agenda to concur with the Mayor's issuance of a Certificate of Merit to Matthew Colwell due to time restraints. The motion carried unanimously.

M-6 Mr. McKown moved, seconded by Mr. Lahr to concur with the Mayor's issuance of a Certificate of Merit to Matthew Colwell. The motion carried unanimously.

Mayor Nowalk stated that he would like to write an open letter to the Residents of Whitehall regarding the current status of the Swimming Pool Improvements Project. Council concurred.

Mr. Sobieralski asked the Mayor to further explain his comment made to WPXI stating that the pool news story was a political stunt.

Mayor Nowalk stated that he believes this is a political stunt to spread distrust in the Elected Officials in order to get 3 individuals that Mr. Sobieralski has been supporting elected. Recent posts on social media are full of false information – including the PSI testing of the shotcrete and the general contractor filing for bankruptcy. This was a tactic used to manufacture an alarming situation for Residents. Elected Officials have hired a Construction Manager who is on site full-time, to ensure that construction is done correctly.

Mr. Sobieralski stated that he has offered to pay for equipment to live-streaming Council Meetings.

Mr. McKown stated that the Borough does not currently have the internet capabilities for live-streaming meetings. The Borough Manager and Chief of Police have been working with Comcast to update the Borough's internet to Fiber. There is an 18-month lead time for the Fiber line to be installed.

Mr. Nagy stated that Mr. Sobieralski stated that he knew someone who could install wire and equipment for live-streaming. Council cannot take the risk of anyone other than a qualified professional completing the work. Confidential legal and personnel discussions discussed in Council must be secure. The notion that Council is hiding something is untrue. Council Meetings are open to the Public and any Resident wishing to be informed is welcome to attend. Most meetings only have 4 or 5 people in attendance. At the local level, political affiliation shouldn't and doesn't matter. This Council has always made sure that sewers are maintained, streets are clean, and that we have the best Public Safety agencies around.

Mayor Nowalk stated that Residents can stay up to date on Borough news through the meeting minutes, the Borough Website, the Borough Facebook pages, and the monthly Email Newsletter.

SOLICITOR:

No report.

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 completed all repair work for the 2021 Sanitary Sewer Excavation Contract.

M-7 Mr. McKown moved, seconded by Mr. Veith to approve Pay Application No. 10 and Final in the amount of \$33,235.02 for the 2021 Whitehall Borough Sanitary Sewer Excavation Repair Contract to Roto-Rooter Service Company. The motion carried unanimously.

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

M-8 Mr. Veith moved, seconded by Mr. Lahr to approve Pay Application No. 3 in the amount of \$23,651.21 for the Whitehall Borough 2022 CCTV Inspections to Roto-Rooter Service Company. The motion carried unanimously.

- Pool Construction – Nello Construction submitted their 12th Pay Application.

M-9 Mr. McKown moved, seconded by Mr. Lahr to approve Pay Application No. 12 in the amount of \$277,075.07 for the Whitehall Pool Improvements Contract No. 1 – General Construction to Nello Construction Company contingent upon receiving the required payroll and change order documents. The motion carried unanimously.

Merit Electrical Group, Inc. submitted their 11th Pay Application.

M-10 Mr. McKown moved, seconded by Mr. Lahr to approve Pay Application No. 11 in the amount of \$86,520.93 for the Whitehall Pool Improvements Contract No. 2 – Electrical Construction to Merit Electrical Group, Inc. contingent on receiving the required payroll and change order documents. The motion carried unanimously.

- 2023 Pavement Maintenance Program – Three bids for the 2023 Pavement Maintenance Program were received on April 12, 2023. The bid included the base bid and two add-alternate bids. Due to the continual rise in asphalt costs, Par Drive was removed from the base bid and was listed as add-alternate 1 by addendum. Raintree Drive was also listed as add-alternate 2. Mele & Mele & Sons, Inc. was the lowest pre-qualified responsible bidder for the base bid and any combination of alternate bids.

M-11 Mr. McKown moved, seconded by Mr. Lahr to award the base bid for the 2023 Pavement Maintenance Program in the amount of \$497,273.00 to Mele & Mele & Sons, Inc. The motion carried unanimously.

- Doverdell Phase 2 Storm Sewer Extension – Independent Enterprises, Inc. submitted the required closeout documents and Final Pay Application.

M-12 Mr. Lahr moved, seconded by Mr. Veith to approve Pay Application No. 3 in the amount of \$10,005.00 for the Doverdell Phase 2 Storm Sewer Extension to Independent Enterprises, Inc. The motion carried unanimously.

MANAGER:

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

- SHACOG Salt Contract – SHACOG has begun the process of determining whether Cargill will extend its salt contract for the first option year. The process starts with each individual community writing Cargill directly asking for an extension.

M-13 Mr. McKown moved, seconded by Mr. Veith to authorize the Borough Manager to send a letter to Cargill asking to extend the salt contract. The motion carried unanimously.

- GROW Grant – M42 MOU – The Memorandum of Understanding for the M-42 Streets Run Sewershed Project being spearheaded by Baldwin Borough has been finalized and is ready for signature. This project is a comprehensive rehabilitation of sanitary sewers spanning 5 municipalities.

M-14 Mr. McKown moved, seconded by Mr. Lahr to authorize the proper Borough Officials to sign the GROW Grant M42 Memorandum of Understanding. The motion carried unanimously.

- G.E.T. Solar – Ms. Wertz recently participated in a Zoom Conference with CONNECT and PA Solar Center about the G.E.T. Solar CONNECT Program. This program helps member municipalities through the entire procurement process of solar energy including feasibility studies, cost analysis, and RFPs. PA Solar Center will provide technical assistance throughout the process. There is no cost to participate.

M-15 Mr. McKown moved, seconded by Mr. Lahr to authorize the Borough Manager to apply for the 2023 G.E.T. Solar Connect Program. The motion carried unanimously.

- Pool Construction Management Services – The Borough’s extended agreement with Massaro CM Services ends April 30, 2023. As the project is ongoing, Staff recommends continuing services through May 2023 using the established monthly fee as defined in the contract.

M-16 Mr. McKown moved, seconded by Mr. Lahr to extend Construction Management Services through May 2023 using the established monthly fee as defined in the contract. The motion carried unanimously.

- Shapiro Contact – Ms. Wertz recently spoke with a representative from Governor Shapiro’s office about how the local office could be of assistance to Whitehall Borough. Grant opportunities were discussed for recreation needs, the issue of maintenance of storm sewers on State roadways and the challenges facing volunteer Fire Companies. Ms. Wertz let Chief Price, President Hoagland, and Treasurer Cecotti know that if Whitehall Fire Company has any State grant applications to let the Manager know so that her contact can elevate them to the appropriate agency on their behalf.
- SHACOG Refuse Contract – Ms. Wertz spent Monday morning at a SHACOG meeting to review the final draft of the bid specifications for the upcoming Refuse & Recycling Bid. As discussed previously, the two biggest drivers of this contract are automation and volume control. Even with automated collection, municipalities are seeing price increases of 20-40%. It appears that there are 3 potential bidders, possibly up to 5. Mr. Gorski is actively reaching out to any and all companies.

Glass will be welcomed back as a recyclable item, however it will be up to each municipality to select it. This may result in glass being collected/not being collected in neighboring communities.

Tentative Bid schedule is as follows:

First Advertisement – April 27
 Second Advertisement - May 4
 Mandatory Pre-Bid Meeting – May 8
 Bid Opening – June 5

- Professional Development – Representatives from the Library, Public Works, and Administration met with Deputy Chief Gaebel and Officer Smith to discuss a building wide security and evacuation plan in the event of an active shooter or disturbance at the Municipal Complex. Officer Smith is able to provide this training to Staff and the training will be based on his schedule. This would require the building to be closed for one business day with advance notice to the Public. Council agreed with closing the building for professional development.

PLANNING & ZONING:

No report.

LIBRARY:

A member of the Library Board gave a report.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

Mr. McKown stated that Chief Gagorik reports that the Civil Service Commission received 77 applicants for the Police Patrolman written examination that was held on Saturday, April 15 at Harrison Education Center. Due to several ties on the written examination, the top 22 scores will move on to the physical agility test scheduled for May 2, 2023 at the Allegheny County Police Training Academy.

Mr. McKown stated that Chief Gagorik reports that the Borough Solicitor has prepared an Ordinance to install a mid-block crosswalk between Caste Village and Weyman Office Building as requested by Earl Danielson of the Caste Corporation.

M-17 Mr. McKown moved, seconded by Mr. Nagy to read the proposed Ordinance in its entirety. The motion carried unanimously.

M-18 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 1167.

Mr. McKown stated that the Public Safety Committee continued discussions about daylight staffing at the Fire Stations.

Mr. Nagy stated that the Borough has been working with the Fire Company for months on a daylight staffing program. There have been challenges in developing a program that meets the Fair Labor Standards Act and Department of Labor Standards. Borough Council has trust in the Whitehall Fire Company Management and members to be good stewards of taxpayer money.

M-19 Mr. McKown moved, seconded by Mr. Sobieralski to add a motion to the Agenda due to Public Safety concerns to donate \$70,000.00 to the Whitehall Volunteer Fire Company for the purpose of day-light staffing to be taken out of the Fund Balance. Mrs. DePuy opposed due to the Sunshine Law. The motion passed 5-1.

M-20 Mr. McKown moved, seconded by Mr. Lahr to donate \$70,000.00 the Whitehall Volunteer Fire Company \$70,000.00 for the purpose of day-light staffing to be taken out of the Fund Balance. The motion carried unanimously.

Chief Price thanked Council for their continued support of the Fire Company.

RECREATION:

Mrs. Bower stated that she has updated the Summer Camp Registration packet to create a more comprehensive document for participants.

M-21 Mr. McKown moved, seconded by Mr. Lahr to adopt the updated Summer Camp packet. The motion carried unanimously.

Mrs. Bower stated that she has received requests to amend the rules and regulations of the seasonal water turn-on date at the parks.

M-22 Mr. McKown moved, seconded by Mr. Veith to amend the Parks Rules and Regulations to authorize the Public Works Supervisor to determine the seasonal water turn-on date. The motion carried unanimously.

Mrs. Bower stated that herself and Public Works met with representatives of Baldwin Youth Lacrosse and the Shade Tree Commission at Frank Park on Monday. Lacrosse has requested 5 trees be relocated to the perimeter of the park to increase the usability of the green space. This would also open up the park for Recreation events and private parties. Public Works Staff has indicated that they are able to do the work at no additional cost to the Borough.

Mrs. DePuy asked that the 5 trees to be relocated to the perimeter of Frank Park be added to May 3, 2023 Meeting Agenda.

ADMINISTRATIVE SERVICES:

Ms. Wertz stated that Staff had a preliminary meeting with WesBanco about the possibility of accepting credit card payments for various Borough permits and activities. This service would be a great convenience to Residents. Departments are compiling a list of items that could be collected via credit card. Additional fees would be paid by the user and not the Borough.

PARKS:

Mrs. DePuy stated that Council had previously authorized the Borough Manager to apply for a DCNR Grant for the Highland Park Field Swap but further discussions with the Parks Committee and Sports Organizations have recognized the need to prioritize Snyder and Overlook Park. Due to timing of the Grant deadline and the date of last Council Meeting, an application was submitted.

M-23 Mr. McKown moved, seconded by Mr. Lahr to rescind the DCNR Grant application for the Highland Park Field Swap. The motion carried unanimously.

NEW BUSINESS:

Mayor Nowalk stated that he knows change is coming and experience is important to maintain continuity of the Borough.

Cindy Guenther, 4819 Old Boston Road asked if there is a study of the current demographics in the Borough. Live streaming is important to younger Residents as they are working individuals.

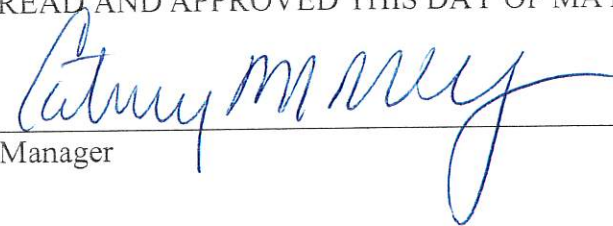
Ms. Wertz stated that the Library is a great resource. Jefferson Regional Foundation recently did a comprehensive demographic study of their service area.

ADJOURNMENT:

M-24 Mr. McKown moved, seconded by Mr. Sobieralski to adjourn the meeting The motion carried unanimously.

The meeting adjourned at 9:12 PM.

READ AND APPROVED THIS DAY OF MAY 3, 2023:



Manager