

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting June 21, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, June 21, 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
Philip J. Lahr
Robert J. McKown
Stone Sobieralski
William J. Veith
James F. Nowalk, Mayor
Ashley S. Puchalski, Solicitor
Scott Rusmiser, Engineer

Absent: Linda J. Book
Glenn P. Nagy

STAFF:

Courtney M. Wertz, Borough Manager
Jason C. Gagorik, Chief of Police
Hannah A. Bower, Parks & Recreation Director
Scott Dellett, Director of Planning, Zoning & Code
Alyssa M. Rogalla, Administrative Assistant

CITIZENS' REQUESTS:

Jeff Rall, 5116 Raintree Drive, appeared before Council to thank Council for the Community services provided and had several questions regarding the Swimming Pool Improvement project, including contract damages, lap lane swimming times, and the amount of concrete poured around the pool.

Mrs. DePuy stated that many of Mr. Rall's questions will be answered as the meeting progresses.

Bob Barron, 5532 Lantern Hill Ext., appeared before Council and asked what the definition of Adult Swim is. Mr. Barron stated that the swimming pool was designed for kids and not seniors.

Walt Milinski, Whitehall Borough Pool Manager stated that Adult Swim was every hour for 15 minutes where adults would be able to utilize the pool and all children had to go to the shallow end of the pool.

Mrs. Bower stated that the pool was designed to accommodate everybody, and that extensive research was conducted into surrounding municipalities' pool policies and only one Municipality offers Adult Swim.

Mrs. DePuy stated that comments and questions should be directed to Council and not Staff members as Council is the decision-making body.

Aigbirhemwen Kloghiren-Afegbua, 4806 Carlyn Drive, appeared before Council and asked about fencing regulations in the Borough as she is having issues with deer eating her plants. Mr. Dellett stated that he would investigate further.

Mr. McKown suggested that the Planning & Zoning Committee review fencing guidelines.

Bello Afegbua, 4806 Carlyn Drive, appeared before Council regarding a neighbor dispute. Chief Gagorik stated that he would contact Mr. Afegbua tomorrow.

CONSIDERATION OF BILLS & PAYROLL:

Mr. Sobieralski asked about the Breakfast with Santa line item.

Ms. Wertz stated that the Borough just recently received the invoice from GV Social Hall for the event from December 2022.

M-1 Mr. McKown moved, seconded by Mr. Veith, that the bills contained on the bill list presented to Council on June 21, 2023 for \$245,390.43 from the General Fund, \$3,572.50 from the Storm Sewer Fund, \$242,415.17 from the Sanitary Sewer Fund, \$22,394.50 from the Capital Projects Fund and \$6,472.50 from the Local Fiscal Recovery Fund be approved. The motion carried unanimously.

M-2 Mr. Lahr moved, seconded by Mr. McKown, that checks and transfers for \$77,475.01 from the General Fund and \$54,199.58 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 pay period ending June 16, 2023 for \$173,175.98 as presented to Council on June 21, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

M-4 Mr. Veith moved, seconded by Mr. McKown to approve the Minutes of the June 7, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented the Animal Control Report for May 2023:

The Police Department received 100 animal complaints for the month of May. 73 calls were referred to South Hills Animal Control, which represents a 11.21% system usage rate.

Mayor Nowalk stated that Chief Gagorik reports that Officer Joseph Persichetti was selected to be a Tactical Operator with SHACOG Critical Incident Response Team. He will begin training with the team in July.

Mayor Nowalk stated that Chief Gagorik reports that one of the Officers sustained a foot injury while assisting Brentwood Police Department with apprehending a wanted subject. This occurred on June 12 and his next doctor's appointment is scheduled for July 6.

Update on road and utility projects along Provost and Weyman corridors:

- The Columbia Gas contractor hopes to have Provost Road open sometime during the first week of July.
- PennDOT plans to begin the Weyman Bridge Replacement project on July 10, 2023. Weyman Road will be closed to all vehicle and pedestrian traffic between Red Dot Storage and Provost Road through November 2023.

Police training activities:

- Chief Gagorik completed Advance Incident Command System training at the State Police Northwest Training Facility in Meadville, PA on June 13-14.
- Sergeant Bowman, Investigator Newbould, and Juvenile Officer Smith completed a Latent Fingerprint workshop at the Allegheny County Medical Examiner's office on June 21.

Mayor Nowalk stated that he contacted the local news stations to provide his phone number in the event that the news needs to speak with a Borough Representative.

Mayor Nowalk stated that the Residents who assisted in helping the Resident jump from the deck at the Bauman Avenue fire will be recognized at the July 5, 2023 Council meeting.

Mayor Nowalk provided suggestions he had received from a Resident regarding pool pass pricing.

Mayor Nowalk asked for clarification on Adult Swim and Lap Lane Swimming. The Residents requesting Adult Swim are asking that no children be allowed in the pool complex for at least 30 minutes.

Mrs. Bower stated that Lap Lane Swimming will be permitted from 12:00-1:00 and 5:00-6:00 PM in the activity section and one lane will be available all day for lap swimmers. Council has not authorized an Adult Swim, where children would be prohibited from using the pool.

Mayor Nowalk asked that Council authorize him to attend the Pennsylvania State Mayor's Association Conference.

M-5 Mr. Veith moved, seconded by Mr. McKown to authorize payment for Mayor Nowalk to attend the Pennsylvania State Mayor's Association Conference in the amount of \$250.00. The motion carried unanimously.

Mayor Nowalk asked Council to stay after the meeting to discuss the Person of the Year Award.

SOLICITOR:

No report.

ENGINEER:

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

- Overlook Park – Engineers have revised the construction plans for the stairs, playground area, and concession building.

Project timeline:

Date of Publication – June 29, 2023

Prequalification due to Manager – July 13, 2023

Notice of Prequalification – July 20, 2023

Prebid meeting – July 26, 2023

Bid Opening – August 9, 2023

Potential Award – August 16, 2023

Mrs. DePuy explained that the Overlook project is being broken out into phases due to the previous high bids received.

Mr. McKown stated that the \$1.3 million budget is COVID-19 funds and must be spent by December 31, 2024.

Mrs. DePuy stated that potential plans for Snyder Park will be reviewed in September. Residents will have an opportunity to review several plans.

- Pollution Reduction Plan – Contract documents have been executed by C. Crump, Inc. Engineers will review the documentation provided and forward the contracts to the Borough for final execution.
 - Pool Construction – Nello Construction submitted their 14th Pay Application. Engineers have reviewed the Pay Application and change orders and recommend payment contingent on receiving the signed pay application, change orders, and surety form.
- M-6 Mr. McKown moved, seconded by Mr. Lahr to approve Pay Application No. 14 in the amount of \$421,946.20 for the Whitehall Pool Improvements Contract No. 1 – General Construction to Nello Construction Company contingent upon receiving the required signed pay application, change orders, and surety form documents. The motion carried unanimously.

Merit Electrical Group Inc., submitted their 13th Pay Application.

- M-7 Mr. McKown moved, seconded by Mr. Veith to approve Pay Application No. 13 in the amount of \$145,541.69 for the Whitehall Pool Improvements Contract No. 2 – Electrical Construction to Merit Electrical Group, Inc. The motion carried unanimously.

MANAGER:

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

- Police Collective Bargaining Agreement – Teamsters 205 have returned signed copies of the current CBA.
- M-8 Mr. McKown moved, seconded by Mr. Veith to authorize the proper Borough Officials to sign the Police Collective Bargaining Agreement. The motion carried unanimously.
- Emergency Operations Plan Resolution – Chief Gagorik completed the biennial review of the Borough Emergency Operations Plan as required by the PA Emergency Management Services Code. A Resolution adopting the updated plan is needed.
- M-9 Mr. Lahr moved, seconded by Mr. McKown to place a Resolution adopting the updated Borough Emergency Management Operations Plan on Public Display. The motion carried unanimously.

- Solar Panel Update – PA Solar Center performed a feasibility study on potential sites for solar panels in the Borough. The Borough initially was interested in the salt dome roof and a ground mount on the hillside on Borough Park Drive. PA Solar Center also identified the roofs of MRTSA and Fire Station No. 1 as additional options for consideration. Net prices for the sites range from an estimated \$26,000 to \$346,000 while total savings range from roughly \$19,000 to \$180,000. These estimates are based on current electricity rates and include assumed values of S-CRECs being sold via broker.
- Infrastructure Update – After two walkthroughs, preliminary quotes totaling a little over \$32,000 were received for wiring and hardware. This cost excludes an additional computer, server, and software costs which are still being investigated and coordinated with Administration and the Police Department IT. Final estimates will be secured once Comcast installs the Fiber lines and will be presented at the budget meetings.

Ms. Wertz stated that Staff Developmental Training has been rescheduled for August 21, 2023 from 11:00 AM-1:00 PM. Notices will be posted in advance.

Ms. Wertz stated that beginning Thursday, June 22, the upper Library Lot will be closed for milling/paving. This work is slated to be completed by the end of the month.

PUBLIC SAFETY:

Mr. McKown stated that Chief Gagorik reports that a motorist backed into the rear of car 26-8 in a parking lot and damaged the rear bumper. Damage estimate is \$750.00. The motorist accepted responsibility and will cover the repair cost.

Mr. McKown stated that Chief Gagorik reports that the documentary about the 2019 death of Elizabeth Wiesenfeld will air on June 28, 2023 at 10:00 PM on the Investigation Discovery Channel. Whitehall Officer Carl Morosetti and Allegheny County Homicide Detectives will be featured.

RECREATION:

Mr. McKown addressed questions asked during citizen's request. There are liquidated damage clauses in the Swimming Pool contracts. In regard to lap lane swimming times, patience is needed as the Borough navigates operating a brand-new pool. Council does not appreciate the negative verbiage being sent to Staff; it is unprofessional. Staff gives recommendations, but Borough Council makes the final decisions. Staff have not had a chance to operate this new pool and policies can be amended as needed. There is less grass at the pool complex as the new pool is larger than the old pool.

Council had a lengthy discussion regarding the pool pass fee structure.

M-10 Mr. McKown moved, seconded by Mr. Lahr to amend the pool pass fee structure at a 50% rate for Baldwin Township Residents. The motion carried unanimously.

M-11 Mr. McKown moved, seconded by Mr. Lahr to authorize no charge at the Swimming Pool for Whitehall Residents for the 2023 pool season, excluding guest passes that will be sold at the normal rate. The motion carried unanimously.

Residents will still have to go through the process of obtaining a pass and provide proof of residency. Whitehall Residents that elect not to register for a pass may still utilize the pool. Proof of residency will be required at every visit. Whitehall Residents that previously purchased pool passes will automatically have their passes reactivated. No additional action is needed.

Mrs. Bower stated that the third Concert in the Park with Abby Abbondanza was a huge success. The next concert will be held on July 7 with the band Novus. Public Works painted lines for another Pickleball Court at the Basketball Court near the Tennis Courts. Permit applications for the court are now being accepted.

Mrs. Bower stated that Summer Camp started on Monday and is going well. Camp Counselors have encountered several outside individuals attempting to utilize the parks while campers are on site. A reminder about the closed permit system was posted to the Recreation Facebook page

ADMINISTRATIVE SERVICES:

Mr. McKown stated that Code Enforcement Officer Marc Zeoli recently completed a four-day training course in Advanced Floodplain Concepts put on by PEMA and the PA Municipal League.

Mr. McKown stated that Residents at 201-231 Shadowlawn Circle sent a very kind note thanking Ms. Wertz and Mr. Harris for their quick response to a deceased deer off Provost Road.

PLANNING & ZONING:

Mr. Dellett stated that Staff requests Council consider a motion to act on the 2023-SLD-04 Grove Pointe Phase Two Second Amendment subdivision plan application. The applicant requests approval for a subdivision of Lot 29 of the Grove Pointe Residential Land Development to establish property lines along party walls of five townhouse units under construction.

Mr. Dellett stated that Staff recommends Council grant approval of 2023-SLD-04 Grove Pointe Phase Two Third Amendment combined preliminary and final subdivision plan application subject to the following conditions:

1. Borough Engineer Review Letter – The applicant shall address all outstanding issues referenced in the Borough Engineer’s review letters dated June 5, 2023, 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 Review Memorandum - The applicant shall address all outstanding issues referenced in the Director of Planning, Zoning and Code’s memorandum dated June 9, 2023 in a manner acceptable to the Director of Planning, Zoning and Code. Any additional issues raised by the Planning Director shall be resolved to the satisfaction of the Planning 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-12 Mr. Veith moved, seconded by Mr. McKown to approve the 2023-SLD-04 Grove Pointe Phase Two Third Amendment subdivision plan application, 252-260 Chesna Drive, subject to the conditions in the Director of Planning, Zoning and Code’s Review Memorandum. The motion carried unanimously.

LIBRARY:

Jason Holliday, a member of the Library Board gave a report.

PUBLIC WORKS:

Mr. Lahr stated that Public Works crews have been busy sprucing up the Honor Roll monument on Baptist Road. New concrete steps/sidewalk were poured to allow for better access to the monument. River rock and new plans will be added shortly.

Mr. Lahr stated that Public Works crews also started work on encasing the Police Department sign in front of the building in stone from the old swimming pool, similar to the work performed with the Administration sign last year.

Mr. Lahr stated that Public Works will be renting a Flail Machine to perform maintenance around the Borough to cut overgrowth and remove poison hemlock on Borough owned property.

PARKS:

No report.

NEW BUSINESS:

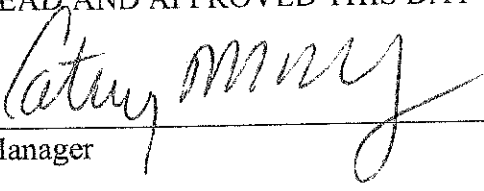
Mrs. DePuy asked Council to review the Shade Tree Commission Ordinance for further discussion at the next Council meeting.

ADJOURNMENT:

M-13 Mr. McKown moved, seconded by Mr. Lahr to adjourn the meeting The motion carried unanimously.

The meeting adjourned at 8:10 PM.

READ AND APPROVED THIS DAY OF JULY 5, 2023:



Manager