

BOROUGH OF WHITEHALL

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BOROUGH OF WHITEHALL

Regular Meeting July 5, 2023

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

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

ROLL CALL:

Present:

Linda J. Book – Via Phone
Kathleen N. DePuy
Glenn P. Nagy
Philip J. Lahr
Robert J. McKown
William J. Veith
James F. Nowalk, Mayor
Irving Firman, Solicitor
Scott Rusmisl, Engineer

Absent:

Stone Sobieralski

STAFF:

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

EXTRAORDINARY DEEDS AWARD:

Mayor Nowalk stated that on June 4, 2023 Whitehall Fire Company and Whitehall Police Department responded to a structure fire on Bauman Ave where a Resident was trapped on the rear porch. Neighbors Threasa Szalla, Jaclyn Szalla, and Shane Grosik assisted in helping the Resident, Kelly Butelli, jump from the rear porch to safety. The Residents were not in attendance to receive their awards, but may attend to be recognized at the July 19, 2023 Council Meeting.

CITIZENS' REQUESTS:

James Kester, 4212 McKee Drive, appeared before Council and stated that the new Swimming Pool looks great, and he is excited for the pool to open. Mr. Kester asked Council if there were damages included in the contracts for the Swimming Pool Improvement Project. Mr. McKown stated that there are.

Mr. Kester asked if the Parks Committee has ever considered putting a dog park in Whitehall. Mrs. DePuy stated that the Park Committee will investigate further.

Harold Plusa, 4647 Doverdell Drive, appeared before Council and asked about Executive Session and the circumstances where discussions from Executive Session would be made public.

Mr. Firman stated that typically Executive Session discussions would not be made public as these discussions are regarding matters of personnel or litigation.

Mr. Plusa stated that Executive Session matters being leaked is a huge problem for the integrity of Borough Council and if Council deems necessary for certain information to be provided to the public it should take place in a public Council Meeting.

Mr. Nagy stated that he has been on Council for 28 years and this issue has never come up except in the last year and a half.

Mr. Plusa asked that this matter be looked into and appropriate action is taken.

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 July 5, 2023 for \$26,992.63 from the General Fund, \$26,715.13 from the Storm Sewer Fund, \$47,902.99 from the Sanitary Sewer Fund, and \$569,572.89 from the 2022 Construction Fund be approved. The motion carried unanimously.

M-2 Mr. McKown moved, seconded by Mr. Lahr, that checks and transfers for \$40,005.79 from the General Fund and \$68,941.45 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 June 30, 2023 for \$174,364.29 as presented to Council on July 5, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

M-4 Mr. Lahr moved, seconded by Mr. McKown to approve the Minutes of the June 21, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented the Police report for June 2023:

EMS Assists.....	179
Court/Hearings/Pretrial	76
Accidents	19
Criminal Arrests (DUI – 0)	18
Traffic Stops	150
Traffic Details	93
Written Traffic Citations.	83
Written Warnings Traffic Violations.	124

Money collected and turned over to the Borough during June 2023. The breakdown is as follows:

MVC from District Magistrate	\$1,286.55
Crimes Code & Code Violations from District Magistrate....	\$1,706.54
Parking Fines	\$1,360.00
Copies	\$210.00
Fines from Clerk of Courts	\$381.26

Will Hoagland, President of the Fire Company gave a report.

Mayor Nowalk stated that Chief Gagorik reports that the annual Caste Village Merchant Night and Firework Display was once again a success. The Chief extends a special thank you to Whitehall Public Works, Whitehall Fire Company, Medical Rescue Team South, and Allegheny County Emergency Services for their assistance.

Mayor Nowalk stated that Chief Gagorik reports that on June 29, Pennsylvania State Police completed its biannual NCIC/CLEAN Compliance Audit of the Police Department. The Chief is pleased to report that the Police Department was found to be in compliance with all policy and procedures related to access, storage, and dissemination of information related to NCIC/CLEAN database.

Mayor Nowalk stated that he will be speaking at the Chamber of Commerce meeting tomorrow and presenting “Whitehall Borough – How it Began.”

Mayor Nowalk stated that he will be issuing a Proclamation for National Night Out on August 1, 2023. Council concurred.

Mayor Nowalk discussed Community Day Awards. The Community Service Award will be presented to John Wotus for his contribution and dedication to the Whitehall Historical Society. The Person of the Year Award will be presented to Phil Lahr for his dedicated service to the Fire Company and Borough Council.

SOLICITOR:

No report.

ENGINEER:

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

M-5 Mr. Lahr moved, seconded by Mr. McKown to approve Pay Application No. 8 in the amount of \$69,350.00 for the 2022 Whitehall Borough Sanitary Sewer Excavation Repair Contract to Roto-Rooter Services Company. The motion carried unanimously.

- Overlook Park – The advertisement for the Overlook Park Improvement Project was run on June 29, 2023. Contract documents were finalized and are ready for bidders to pick up. Engineers will start notifying contractors of the project on July 3.
- Pool Construction – The liner in the main pool and the baby pool has been completed and filled with water. Landscaping is ongoing. Fencing work is ongoing. The gas company came to turn on the gas and determined that a pressure test be conducted. Aqua Pool will be onsite to install water features and test chemical balance. Punchlist items have been provided to the contractors. Inspections will be conducted by Allegheny County Health Department and the Department of Labor & Industry.

Mr. McKown stated that due to punchlist items and inspections, he recommended continuing the Council Meeting until July 12, 2023 to have a more accurate schedule of construction to announce an opening date.

Lacey Thomas, 4708 Baldwin Manor Road, asked for clarification on continuing the Council Meeting until next week.

Mr. Firman stated that a motion will be made at the end of the meeting to continue this public meeting until July 12, 2023. The meeting will be advertised and will be open to the public.

The purpose of the meeting will be to discuss the status of the Swimming Pool and any other matters that come before Council.

MANAGER:

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

- Emergency Operations Plan Resolution – The Resolution adopting the updated plan has been on public display for two weeks.
- M-6 Mr. Lahr moved, seconded by Mr. McKown to read the Emergency Operations Plan Resolution in summary form. The motion carried unanimously.
- M-7 After the reading of the Resolution, Mr. Lahr moved for adoption. Mr. McKown seconded the motion. On a roll call vote, Ms. Book, Mrs. DePuy, Mr. Lahr, Mr. McKown, Mr. Nagy, and Mr. Veith voted yes. The Resolution No. is 1018.
- Credit Card Payments – Included in Ms. Wertz's report is a breakdown of costs associated with implementing credit cards and online payments for various fees, fines, and activities in the Borough. Based on projected revenues across the departments, the maximum potential for monies collected via credit card would be \$39,000.00. Using that figure, the annual cost of implementing a credit card payment system would be \$4,000.00/year. This assumes all fees being paid by credit card. Staff believes a more realistic cost would be in the \$3-3,500.00 range, recognizing some residents still prefer cash or check payment options. Staff is prepared to implement this as soon as the Fall or the item can be discussed at budget meetings in November for a January 1, 2024 launch.

Mr. McKown asked Ms. Wertz to work with the Finance Director and Solicitor to clarify who is responsible for transaction fees.

- SHACOG Refuse & Recycling Contract – Two bids were received – Waste Management and Westmoreland Sanitary Landfill (Noble Environmental/County Hauling). After running the numbers on all options, Waste Management is the apparent low bidder for a bid that includes a move to automated recycling collection. The data is included in the meeting packet for Council's review. Ms. Wertz asked that Council review this information before a motion is added to the July 19 Council Meeting Agenda for consideration.

Mr. Lahr asked about the savings the Borough would see if automated recycling were implemented.

Ms. Wertz stated that over the life of the contract, the Borough would save about \$250,000.00 moving to automated recycling even with the overall increase in price.

Mr. Lahr expressed concerns for elderly residents and their ability to move these trash and recycling totes. Ms. Wertz stated that under the current contract, there are medical exemptions for elderly or ill residents.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

Mr. McKown stated that an updated fee Resolution for Act 22 and Act 134 Police Records has been prepared to be placed on Public Display to be adopted at the July 19, 2023 Council Meeting.

M-8 Mr. McKown moved, seconded by Mr. Veith to place the updated fee Resolution for Act 22 and Act 134 Police Records on Public Display. The motion carried unanimously.

Mr. McKown stated that Chief Gagorik reports that the Police Department will receive \$61,020.00 in Grant funding from the Pennsylvania Commission on Crime and Delinquency for 2023 technology projects. The Chief requests permission to use grant funds to purchase police accreditation and online training software modules from Lexipol Policy Solution.

M-9 Mr. McKown moved, seconded by Mr. Lahr to authorize the Chief of Police to purchase Police Accreditation and Online Training Software Modules from Lexipol Policy Solutions with grant funding. The motion carried unanimously.

RECREATION:

Mrs. Bower stated that the next concert will be this Friday, July 7, 2023 and Novus will be playing. Food trucks include Hot Diggity Dogs, Woodstoked BBQ and Hot Bunz.

Mrs. Bower stated that Summer Camp is going well. Camp was cancelled a few days last week due to the Air Quality Alerts. There was an incident at Frank Park restrooms that has led to the park being closed temporarily while contractors work to replace the sewer line. The Frank Park campers are at Snyder Park for the time being.

Mrs. Bower stated that Ms. Wertz and herself met with SHIM this afternoon to discuss park safety for our respective summer camps. They will be working with the Chief to coordinate a safety assessment of all Borough Parks.

Mrs. Bower stated that the Camp Out in the Park will be July 29 at Highland Park. Interested Residents should register on EventBrite for a "Movie Under the Stars." Snacks will be provided that night and a light breakfast in the morning.

ADMINISTRATIVE SERVICES:

No report.

PLANNING & ZONING:

Ms. Wertz stated that there are a number of old escrow accounts from previous developments in the Borough that the previous Finance Director was not able to wrap up before he retired.

M-10 Mr. Veith moved, seconded by Mr. McKown to authorize the proper Borough Staff to release Thomas Bell – Newbell New Century Escrow Funds in the amount of \$7,154.43 to Mr. Thomas Bell. The motion carried unanimously.

LIBRARY:

No report.

PARKS:

Mrs. DePuy stated that she had asked Council to review the Shade Tree Commission agreement as discussions have been ongoing with Mrs. McCrea about their role in the Borough. Mrs. DePuy stated that her understanding was that the Shade Tree Commission was an educational body for the residents.

Mr. McKown stated that the Shade Tree Commission is an advisory board and should report to the Borough Manager with any inquiries.

Mr. Lahr stated that there have been issues in the past where members of the commission had questioned Staff and contractors performing work. The Shade Tree Commission has no authority over Staff. The Shade Tree Commission should report to the Borough Manager to bring matters before Council.

Ms. Book stated that she voted to implement the Shade Tree Commission based on the educational benefits for residents. The Commission has been a great asset to the Borough and in the past year the role of the Shade Tree Commission has become convoluted. Borough Council is the decision-making body.

Mayor Nowalk stated that he was an advocate for the Shade Tree Commission when the Commission was first formed. Mayor Nowalk read the intergovernmental agreement.

Members of the Shade Tree Commission had a lengthy discussion regarding the miscommunication of who to report to.

Mr. McKown stated that the Shade Tree Commission was put together by EDS. As they are now defunct, the Commission should work through the Manager.

DELEGATE REPORTS:

ACBA – Ms. Book stated that the Erie Fall Conference will be held on October 15-17.

PSAB – Ms. Book stated that she has been working on a PSAB project that she will be presenting at the next Council Meeting.

CHAMBER OF COMMERCE – Mr. McKown stated that the Chamber will meet tomorrow at 9:00 AM at the Whitehall House.

MRTSA – Mr. McKown stated that MRTSA has begun their 2024 Budget process and will report back once share contributions are determined.

SHACOG – Mr. Veith explained the process and value of SHACOG. The Refuse & Recycling Contract is being evaluated.

NEW BUSINESS:

None.

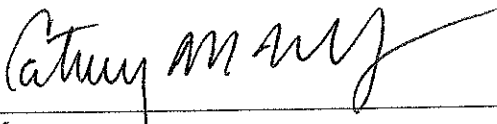
CONTINUANCE:

M-11 Mr. McKown moved, seconded by Mr. Lahr to add a motion to the Agenda continuing the July 5, 2023 Council Meeting until July, 12, 2023 due to time restraints. The motion carried unanimously.

M-12 Mr. McKown moved, seconded by Mr. Lahr to continue the July 5, 2023 Council Meeting until July, 12, 2023 to discuss the status of the Swimming Pool and any other matters that come before Council. The motion carried unanimously.

The meeting was recessed at 8:24 PM and continued until Wednesday, July 12, 2023 at 7:00 PM.

READ AND APPROVED THIS DAY OF JULY 19, 2023:



Manager