

BOROUGH OF WHITEHALL

INDEX

MINUTES OF THE AUGUST 16, 2023 COUNCIL MEETING

\*\*\*\*\*

	Motion	Page
Appoint President Pro Tempore	M-1	1
Adopt Resolution No. 1020	M-2	1
Bills, Payroll - Approve	M-3,4,5	3
August 2, 2023 Meeting Minutes – Approve	M-6	3
Pay Application 2 to Roto Rooter for PW Trench Drain	M-7	4
Table Overlook Park Improvements Bid	M-8	4
Read CDBG Resolution in Summary Form	M-9	5
Adopt Resolution No. 1021	M-10	5
Joint O&M Preventative Maintenance – Year 13 – State Pipe Services	M-11	5
Authorize Manager to Apply for Local Share Account Grant	M-12	5
Place Local Share Grant Resolution on Public Display	M-13	5
Updated Ruthrauff Maintenance Agreement – Remainder of 2023	M-14	6
Approve 2023-SLD-06 Grove Pointe Fifth Amendment	M-15	7
Authorize Chief to Order Two 2024 Ford Police Interceptors	M-16	8
Adjournment	M-17	8

## BOROUGH OF WHITEHALL

Regular Meeting August 16, 2023

The Council of the Borough of Whitehall met at the Borough Building, 100 Borough Park Drive, Pittsburgh, Pennsylvania, Wednesday, August 16, 2023, at 7:00 PM, for a regular meeting. Mayor Nowalk announced that all meetings will be recorded auditorily and visually. Mayor Nowalk called the meeting to order, followed by the Pledge of Allegiance.

ROLL CALL:

Present: Philip J. Lahr  
Glenn P. Nagy  
Stone Sobieralski  
William J. Veith  
James F. Nowalk, Mayor  
Irving Firman, Solicitor  
Scott Rusmisl, Engineer

Absent: Kathleen N. DePuy  
Linda J. Book  
Robert J. McKown

STAFF: Courtney M. Wertz, Borough Manager  
Jason C. Gagorik, Chief of Police  
Scott Dellett, Director of Planning, Zoning & Code  
Alyssa M. Rogalla, Administrative Assistant

Mayor Nowalk stated the Mrs. DePuy and Ms. Book are attending a PSAB conference this evening. Mayor Nowalk asked for a motion to appoint a President Pro Tempore for the August 16, 2023 Council Meeting.

M-1 Mr. Lahr moved, seconded by Mr. Veith to appoint Glenn Nagy as the President Pro Tempore. The motion carried unanimously.

PRESENTATION HONORING RON YOSI:

Mr. Nagy stated that the Resolution honoring Ron Yosi and Caste Village Automotive has been on Public Display for two weeks.

M-2 Mr. Lahr moved, seconded by Mr. Sobieralski to adopt a Resolution Honoring Ron Yosi. On a roll call vote, Mr. Nagy, Mr. Lahr, Mr. Veith and Mr. Sobieralski voted yes. The motion carried unanimously. The Resolution No. is 1020.

Mayor Nowalk read the Resolution in its entirety to recognize and celebrate the Yosi Family doing business as Caste Village Automotive for 56 years.

Mr. Yosi was presented with Resolution No. 1020 and an appreciation plaque from the Whitehall Police Department for many years of friendship and professional automotive repair service to the Department.

Council thanked Mr. Yosi for 56 years of commercial and public service to the people and businesses of Whitehall Borough.

#### CITIZENS' REQUESTS:

Ken Barker, 5002 Frich Drive, appeared before Council and asked why Mr. McKown has not been present at recent Council Meetings.

Mr. Lahr stated that Mr. McKown has been absent due to medical reasons.

Mr. Barker asked about the Local Share Grant that is on the Agenda tonight and if there are any strings attached to this Grant.

Ms. Wertz stated that there is not. The Borough applied for this Grant last year and was successful. The Grant money was used to purchase a backhoe for the Public Works Department.

Mr. Barker stated that he is disappointed in the concession stand at the Swimming Pool.

Ms. Wertz stated that the concession services are available through the duration of the pool season. An RFP will be issued for next year's pool season.

#### ACT 537 PLAN UPDATE SPECIAL STUDY – BRENTWOOD BOROUGH PRESENTATION:

Mr. Nagy turned the meeting over to a Representative from Gateway Engineers, Dennis Flynn and a Representative from PA American Water, Rachel Beam.

Mr. Flynn gave a presentation of the ACT 537 Plan Updated Special Study as part of the purchase of the Brentwood Sewer System by PA American Water. This presentation is required as part of the sale to surrounding Municipalities. Brentwood Borough is requesting that the Municipalities acknowledge the plan through Council action via Resolution.

Council had a lengthy discussion regarding potential increased water rates in the area if Brentwood is successful in the sewer sale. Mr. Nagy asked that more information be provided before there is any action taken by Council.

CONSIDERATION OF BILLS & PAYROLL:

- M-3 Mr. Lahr moved, seconded by Mr. Veith, that the bills contained on the bill list presented to Council on August 16, 2023 for \$225,078.36 from the General Fund, \$1,880.50 from the Storm Sewer Fund, \$884,248.31 from the Sanitary Sewer Fund, \$65,835.34 from the 2022 Construction Fund, \$31,978.50 from the Capital Projects Fund, and \$6,273.13 from the Local Fiscal Recovery Fund be approved. The motion carried unanimously.
- M-4 Mr. Lahr moved, seconded by Mr. Veith, that checks and transfers for \$58,296.78 from the General Fund and \$59,457.92 from the Payroll Fund be ratified. The motion carried unanimously.
- M-5 Mr. Lahr moved, seconded by Mr. Veith, that General Fund payroll for the pay period ending August 11, 2023 for \$195,580.77 as presented to Council on August 16, 2023 be ratified. The motion carried unanimously.

CONSIDERATION OF MINUTES:

- M-6 Mr. Sobieralski moved, seconded by Mr. Lahr to approve the Regular Minutes of the August 2, 2023 Council Meeting as presented. The motion carried unanimously.

MAYOR:

Mayor Nowalk presented the Animal Control Report for July 2023:

The Police Department received 77 animal complaints for the month of July. 57 calls were referred to South Hills Animal Control, which represents a 7.62% system usage rate.

Mayor Nowalk stated that Chief Gagorik reports that more utility work is coming to the Borough within the next month. Water line replacement is planned for Baptist Road, Grove Road, and Streets Run Road and gas line replacement is planned for Prospect Road. Additional information will be shared on the Police Department and Administration Facebook pages as it becomes available.

Mayor Nowalk stated that Chief Gagorik reports that the Whitehall Police Department's annual Hunter Safety Education Program will be held on Saturday, September 16 from 8:30 AM-4:00 PM in the Community Room.

Mayor Nowalk stated that Chief Gagorik reports that Suburban Wildlife is preparing for the 2023-2024 Public Archery Hunt that is a part of the Borough's Deer Management Program. Borough Residents interested in participating as archers are encouraged to apply. Applications are available for download on the Police section of the Borough Website. Mayor Nowalk provided an update on the Mayor's Association Conference. Many interesting

topics were discussed including cyber security and the rise of AI.

SOLICITOR:

Mr. Firman requested an Executive Session after the meeting regarding matters of litigation.

ENGINEER:

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

- PW Trench Drain Separation – Roto Rooter Services Company submitted Pay Application No. 2 and Final.

M-7 Mr. Veith moved, seconded by Mr. Lahr to approve Pay Application No. 2 and Final in the amount of \$1,781.42 for the PW Trench Drain Separation Project to Roto Rooter Services Company. The motion carried unanimously.

- 2023 Pavement Maintenance Program – Mele & Mele & Sons are tentatively scheduled to start work at the end of August.
- Overlook Park – Bids were received for the Overlook Park Improvement Project on August 9, 2023. There are four contracts: General, Electrical, Plumbing, and Mechanical Construction. Two bids were received for Contract 1 - General Construction. Caliber Contracting Services, Inc submitted the lowest base bid price and any combination of base bid with add-alternates. The lowest base bid price was \$1,321,026.00. Only one bid was received for Contract 2 – Electrical Construction. Hanlon Electrical Company submitted a bid with a total price of \$93,900.00. Two bids were received for Contract 3 – Plumbing Construction. The bid proposal included two add-alternates for water line installation of each of the pavilions. First American Industries, Inc. submitted the lowest base bid price and any combination of base bid with add-alternates. The lowest base bid was \$159,000.00. Only one bid was received for Contract 4 – Mechanical Construction. Controlled Climate Systems, Inc., submitted a bid with a total price of \$21,700.00.

Council had a discussion regarding Overlook Park Improvements.

M-8 Mr. Veith moved, seconded by Mr. Sobieralski to table the motion to award the Overlook Park Improvement Project until the September 6, 2023 Council Meeting. The motion carried unanimously.

MANAGER:

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

- Community Development Block Grants – The CDBG Resolution for Allegheny County has been on public display for two weeks.
- M-9 Mr. Lahr moved, seconded by Mr. Veith to read the CDBG Resolution in summary form. The motion carried unanimously.
- M-10 After the summary reading of the Resolution, Mr. Lahr moved for adoption. Mr. Veith seconded the motion. On a roll call vote, Mr. Nagy, Mr. Lahr, Mr. Veith and Mr. Sobieralski voted yes. The motion carried unanimously. The Resolution No. is 1021.
- Brentwood Borough Partnership Request – Sawmill Run Restoration Project – Following up on Brentwood Borough's request to enter into an Intergovernmental Agreement for the Sawmill Run Stream Restoration Project. The Borough Solicitor has concluded that such an agreement would be inappropriate. Ms. Wertz has notified Brentwood Borough's Manager. No further action is needed.
  - SHACOG Joint O&M Preventative Maintenance Year 13 – Bids for the Joint O&M Preventative Maintenance Contract were received by SHACOG on August 2. State Pipe Services, Inc. is the low bidder with Whitehall's share totaling \$58,245.00.
- M-11 Mr. Lahr moved, seconded by Mr. Veith to concur with awarding the Joint O&M Preventative Maintenance Year 13 Contract to State Pipe Services, Inc. The motion carried unanimously.
- Local Share Account – PA Race Horse Development & Gaming Act Grant – Applications for the Local Share Account Grant open on September 1. This is the Grant that the Borough previously utilized to purchase a backhoe last year. Public Works is interested in obtaining a woodchipper. A Resolution is needed as part of the application.
- M-12 Mr. Lahr moved, seconded by Mr. Veith to authorize the Borough Manager to apply for the Local Share Account - PA Race Horse Development & Gaming Act Grant. The motion carried unanimously.
- M-13 Mr. Veith moved, seconded by Mr. Lahr to read the Proposed Local Share Account - PA Race Horse Development & Gaming Act Grant Resolution in summary form and place the Resolution on Public Display. The motion carried unanimously.

- HVAC Update – Ms. Wertz had a follow up meeting with Ruthrauff on August 3 to review the status of the HVAC units in the building. A quote for an updated maintenance agreement including Repair & Replace was received. The cost for this plan from September-December 2023 is \$7,060.00. The Borough owes \$7,080.00 on the current service agreement. This new agreement would supersede the existing maintenance agreement. Repairs for 2023 have totaled a little over \$12,000.00. The Library and Administration units are currently not functioning properly. Given that the recent Police Department repairs alone totaled almost \$6,000.00 after a negotiated credit, Ms. Wertz recommends that Council enter into the updated maintenance agreement for the remainder of 2023. A new maintenance agreement including Repair & Replace for 2024 can be considered at the November Budget meetings. Estimated cost is \$21,180.00 for next year.

M-14 Mr. Veith moved, seconded by Mr. Lahr to authorize the Borough Manager to enter into the updated Ruthrauff maintenance agreement for the remainder of 2023. The motion carried unanimously.

Ms. Wertz stated that the Borough Building will be closed from 11:00 AM-1:00 PM for Staff Professional Development Training. The Library will be closed all day.

#### RECREATION:

Ms. Wertz stated that Community Weekend was a huge success. There were more activities and games than ever before. Sponsorship tripled this year, averaging over \$2,000.00. The number of vendors doubled from last year, totaling 46 vendor booths. 52 people ran the Family One Mile. Gateway Engineers sponsored all of the carnival games. Whitehall Police Department's Pie a Police Officer raised \$650.00 that will be donated to the Officer Sean Sluganski Memorial Scholarship Fund. A survey can be found on the Borough Website soliciting feedback on Community Weekend.

Council thanked Mrs. Bower for putting together such a great weekend.

Mayor Nowalk congratulated Phil Lahr, this year's recipient of the Person of the Year Award. John Wotus received the Community Service Award. Ken Mann, from Cherryvale Drive received the Good Neighbor Award.

#### ADMINISTRATIVE SERVICES:

No report.

PLANNING & ZONING:

Mr. Dellett stated that Staff requests Council consider a motion to act on the 2023-SLD-06 Grove Pointe Phase Two Fifth Amendment subdivision plan application. The applicant requests approval for a subdivision of Lot 24 of the Grove Pointe Residential Land Development to establish property lines along party walls of four townhouse units under construction.

Mr. Dellett stated that Staff recommends Council grant approval of 2023-SLD-06 Grove Pointe Phase Two Fifth 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 July 10, 2023 and July 28, 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 August 4, 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-15 Mr. Veith moved, seconded by Mr. Lahr to approve the 2023-SLD-06 Grove Pointe Phase Two Fifth Amendment subdivision plan application, 251-257 Chesna Drive, subject to the conditions in the Director of Planning, Zoning and Code’s Review Memorandum. The motion carried unanimously.

Mr. Veith stated that he has spoken with a Resident of Grove Pointe who is concerned about the liabilities of the walking trail on their property line.

Mr. Firman stated that he cannot accurately comment without seeing the documents provided by the HOA to the homeowner. This is a private matter between the homeowner and the HOA.

Mr. Lahr asked why the gates to Brennan Plaza are locked at night.

Ms. Wertz stated that the gates are open daily and locked at 4:30 PM for security reasons.

Mr. Lahr stated that it is a Borough Park and it should be open to the public after business hours. Mr. Lahr suggested that the Police Department lock the gates at dusk.

Ms. Wertz stated that she will discuss keeping the gates open at Brennan Plaza with the Chief of Police.



LIBRARY:

Christy Kuehn, a member of the Library Board gave a report.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

Mr. Veith stated that Chief Gagorik requests Council's permission to order two 2024 Ford Police Interceptor Utilities to ensure on time delivery next year. These vehicles will be purchased through the state bid contract and no money would be due until the vehicles are delivered in 2024.

M-16 Mr. Veith moved, seconded by Mr. Lahr to authorize the Chief of Police to order two 2024 Ford Police Interceptor Utilities from Tri-Star Ford. The motion carried unanimously.

Mr. Veith stated that Chief Gagorik would like to investigate potential upgrade options for the Police Departments body worn camera program.

PARKS:

No report.

NEW BUSINESS:

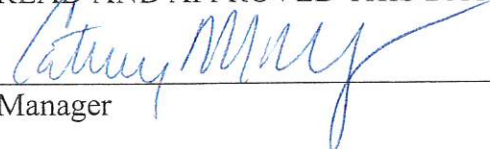
None.

ADJOURNMENT:

M-17 Mr. Veith moved, seconded by Mr. Lahr to adjourn the meeting to Executive Session. The motion carried unanimously.

The meeting adjourned at 8:35 PM.

READ AND APPROVED THIS DAY OF SEPTEMBER 6, 2023:

  
\_\_\_\_\_  
Manager