

## CASTLE SHANNON BOROUGH MINUTES OF REGULAR MEETING

May 10, 2021

The May 10, 2021 meeting of the Castle Shannon Borough Council was held as a virtual meeting using Zoom Meeting technology in compliance with the disaster emergency proclamation of the Governor of Pennsylvania related to the coronavirus pandemic, including the closure of non-essential businesses, stay-at-home order, and social distancing directives.

The following elected officials were present: M. Heckmann; M. Randazzo; R. Astor; N. Kovach; J. Maloney; B. Oates; D. Swisher; D. Baumgarten; E. O'Malley. The following appointed officials were present: K. Truver, Police Chief; P. Vietmeier, Codes Official; D. Biondo, Solicitor; L. Miller, Acting Manager; A. Lyda, Junior Council Representative.

The minutes of the April 26, 2021 Council Meeting were presented. Ms. Randazzo motioned to approve the minutes as presented; Mr. Astor seconded; all in favor; motion carried.

**Public Comment – Agenda Items:** Mr. Heckmann presented the Streetscape Survey Results via a power point presentation. Residents and business owners could view the proposed designs on the borough's website and social media channels for eight days. Mr. Heckmann thanked those who viewed the presentation and participated in the survey. The YouTube video had 519 views with 58 responses to the survey. Regarding the design, 75.95% of the survey reports were satisfied with the design and 13.8% were dissatisfied. Positive comments included: people liked the brick sidewalks, appreciated more accessibility, valued additional greening features, liked additional seating, and appreciated a shift towards a more pedestrian friendly area.

Areas of concern that were submitted:

1. Brick pavers - maintenance and heaving; surface being bumpy for strollers and wheelchairs; additional expense of paver installation; and potential for water intrusion into basements. Mr. Heckmann visited five locations in the Pittsburgh area with brick pavers. Some sidewalks with pavers were terrible, and some looked good. In the case of Dormont, the borough officials felt the aesthetic value was worth the cost. There were a few brick sidewalk areas with weeds, however no heaving or water infiltration was reported. Council will consider options to the brick pavers.
2. Long term maintenance of streetscape. Mr. Heckmann is exploring the option of a Castle Shannon Main Street Endowment to maintain the streetscape starting with the 2022 budget.
3. Removal of four parking spaces on Willow Avenue for a parklet. Regarding parking, Mr. Heckmann offered a gift card to Coffee Etc. if anyone on the call could guess the number of available public parking spaces in the downtown area. Mr. Heckmann advised that urban planners use a quarter mile radius as a walkable distance to a business area. He revised the radius area to .125 miles and noted various locations with available parking on downtown streets. Currently there are 123 available public parking spaces, excluding private parking lots. A CSRC parking study, which was completed by Delta Development in 2011, noted that at no time were there more than 30% of the parking spaces used, however there exists

a perceived lack of parking due to the fact that existing parking throughout the business district is fragmented. Another Delta Development recommendation was to evaluate opportunities to increase the width of sidewalks to a minimum of 8 feet. It was in that spirit and to generate space, that created the proposal to remove the parking spaces on Willow and install a parklet.

There are policy tools available to assist with main street parking. 1) Move residential parking permits off Willow Avenue; 2) Give business owners parking options off main street; 3) Metered parking; 4) Increase parking enforcement; 5) Invest in wayfinding (signage). Council is considering all options; however metered parking is not a popular option.

Mr. Heckmann opened the streetscape conversation to the public.

Bethany Kovach – spoke as a representative of several businesses on Willow Avenue, i.e., Kimmie’s, Treasure Shack, Santoro’s Pizza and Shannon Sweet Stop. As a member of revitalization that endeavors to draw people into the downtown area, she knows that walking traffic cannot support their business district. A vibrant business district needs both local neighbors and customers from other areas. Ms. B. Kovach noted many changes have occurred in the number and types of viable businesses since the Delta Development report was created. Although there may be parking spaces around the district, businesses need the spaces visible to the businesses. In addition, by shifting parking permits off Willow Avenue, drivers will have to use other streets such as Park Avenue which is currently used by both businesses and residents without driveways. Ms. B. Kovach advised that sometimes numbers do not tell the whole story.

Mr. Heckmann respected Ms. B. Kovach’s points. Permit parking would be redirected from Willow Avenue to Park Avenue or Poplar or Pine. Sometimes these private property owners need to make accommodations for their own residents. Justification should be required for obtaining a permit close to main street. Many main streets would not permit parking close to the business district because they want the area available for business customers. Mr. Heckmann agrees with Ms. B. Kovach that visible parking is important; however, signage and traffic flow could navigate draws to parking areas. Signage and parking maps are tools that could help.

According to Mr. Heckmann’s presentation, each business has eight public parking spots available throughout the business district. Ms. B. Kovach questioned that with a concentration of businesses as on Willow Avenue, where would her available parking spots be located. Mr. Heckmann noted that the parking spaces are a statistical average, and no one is assigned parking spots. Each business has the mathematical equivalent of eight parking spaces throughout the district.

Mr. Heckmann stated that we cannot be afraid that people at peak hours will have to park off street to patronize businesses. In a 24-hour day, there are maybe two or three peak times where the parking lots on Willow or any other main street corridor are full. We cannot make a plan with good fiscal stewardship if we are not honest that 96% of the time there is available parking.

Ms. B. Kovach noted that business hours can be fluid. She and her husband opened their business in Castle Shannon because they believe in the business district. To foster that kind of growth for open store fronts downtown, it is uncertain to know how attractive that is to someone if they don’t see the visibility of parking. In summary, the business community want to retain the parking spaces.

Nancy Kovach has been on the CSRC board for many years and has owned a business in the downtown district since 1984. Ms. N. Kovach noted that the original streetscape from 2020 did not have the parking spaces removed. Ms. N. Kovach noted that a parklet gathering place is only used seasonally, which is not a good trade-off for removing parking. There are other areas downtown designated for benches and plantings. Local businesses that have sidewalk tables and chairs can fulfill the category for meeting places. Mr. Heckmann answered that the parklet came into play as the engineer's design evolved. The parklet will create a place for people to rest, create physical signs of intimacy as buffer from traffic, create an opportunity to plan programs, and provide a pedestrian safety measure by widening sidewalks at key intersections.

Ms. N. Kovach questioned if the parking change was presented to the CSRC Design Committee. Mr. Heckmann noted that the CSRC Board has no formal place in council's business. The CSRC is a community led organization that can make recommendations on behalf of interested parties. Ms. N. Kovach stated that the removal of parking spaces was not brought to the attention of council. Mr. Heckmann answered that is why the twenty-two-minute video was prepared, why a survey was taken for public opinion, and what this public hearing is about. Ms. N. Kovach commented that she believes what we lose in parking we do not gain enough with a parklet, and the spaces available for benches are adequate as to not to remove parking.

Lisa Shartle asked in a chat if there was a committee on council for this. Mr. Heckmann answered stated it is a council lead committee, and all members of council agreed to have a public comment portion and to present the presentation publicly via video.

Mr. Swisher referenced a prior resident who attended council meetings and advocated for accessibility for handicapped individuals. The brick pavers are a nightmare for wheelchairs, and he advised against installing brick sidewalks. Ms. O'Malley added that the pavers are very slick in the winter.

Mr. Heckmann advised that decisions on the streetscape will not be voted on in tonight's meeting. Council will decide what elements will be included in the bid package for a vote at a future meeting.

Janell Filson asked council members for their opinion on the streetscape program. Mr. Maloney agreed that pavers are not functional because of heaving and difficulty for snow removal. Mr. Oates spoke to Bob Ausman, who agrees that maintenance outweighs the aesthetics for brick pavers. Concrete or exposed aggregate would be good alternatives. Mr. Oates added that parking spaces should not be eliminated as it is very challenging to find parking close to the businesses.

Mayor Baumgarten stated that in a heavy competitive area with Lebanon Shops, who has available parking, keeping available parking close to the downtown businesses is important, especially in inclement weather.

Mr. Heckmann noted that the number of available parking spaces is not an indication of a business's ability to thrive and mentioned Vitte's and Mindful Brewing as examples. Mayor Baumgarten stated that customers of Mindful Brewing can park across the street. Ms. Kovach added that Vitte's is not for sale, but they want to work with a developer.

Janell Filson advised that rock salt should not be used on pavers. Calcium chloride is preferred and more expensive. Mr. Heckmann stated that a device with a brush would be purchased to clean the sidewalks. Ms. Kovach stated that business owners are responsible for snow removal from sidewalks. Mr. Heckmann noted that public works would address safety issues, and business owners would be cited for lack of snow removal.

Bethany Kovach suggested developing Vitte's as a parklet. Mr. Heckmann advised that he looks at every single property to determine if we could develop, purchase, install parking, etc. There are possibly only two ideal locations in town for expanding parking or consolidating parking. Ms. B. Kovach discussed leasing Laughlin's parking lot. Mr. Heckmann responded that Laughlin's is not interested in leasing or selling their property. Ms. B. Kovach discussed the possibility of leasing Laughlin's green space for public space. Mr. Heckmann noted that the owners have stated it is not for lease, not for sale, and not for development. Ms. O'Malley added that when visitors are in mourning and going to a funeral home, an adjacent parklet with activity may not be an appropriate location.

Ms. Randazzo believes a workable solution can be found and appreciates everyone's comments. Mr. Heckmann thanked everyone for their ideas and comments.

**Real Estate Tax Collector:** Ms. O'Malley reported April collections of \$2,229,976.50 and year-to-date collections of \$3,497,690.85.

### **Council Committee Reports:**

**Building & Grounds/Public Works** – Mr. Maloney stated that public works is cutting grass in cartways. The crew is also patching potholes and undertaking additional sewer televising activities.

**Public Safety** – Mr. Astor will be meeting with CSVFD President Bob Sutton and Fire Chief Bill Reffner on Thursday to discuss the sale and purchase of apparatus.

**Finance** – Mr. Swisher reviewed the check register for April 29<sup>th</sup> and questioned an engineering expense. Ms. Miller noted the expense was for the Active Allegheny Connectivity Study. Mr. Swisher also received a check register for May 7<sup>th</sup> and had no further questions.

**Community Activities/Planning and Codes** – Ms. Kovach announced that Madsen Donuts will be opening by the Sherwin Williams paint store on Route 88.

Ken Mandrier, Assistant Codes Officer, has started this week in a seasonal position.

Myrtle Avenue PFO held a successful flower sale fundraiser and will host a food truck rally in June.

The Castle Shannon Volunteer Fire Department is planning a food truck rally on June 20<sup>th</sup>. In addition, they are planning a food truck rally and car raffle drawing on July 31<sup>st</sup>. Ms. Kovach proposed partnering with their event to schedule a fireworks display. Mr. Heckmann added that a deposit was submitted to Pyrotecnico for a 2020 display, which was cancelled due to COVID restrictions, and the deposit was rolled over to 2021. Ms. Kovach will discuss entertainment options with the CSVFD.

The borough has received applications for summer recreation program directors, and staff is vetting to see if we have the staff capacity. Council intends to host the program if it can be staffed.

Mr. Heckmann advised that the county responded to concerns regarding the urban agriculture ordinance. The borough will create a fee resolution for the permits and advertise the ordinance for a public hearing.

**Library** – Ms. Randazzo reported that the library board will meet on Thursday, May 6th. Ms. Randazzo was pleased to report that the official reopening of the library to the public is scheduled for Tuesday, June 1<sup>st</sup>.

Both virtual and outdoor programming is scheduled. The IN KeystoneOaks magazine has good information regarding available programs at the library and includes a donation form to support our library. The summer reading challenge entitled (Tales & Tails) starts June 14<sup>th</sup> for both children and adults.

Amber Morgan-Opitz will begin employment with the library on June 7<sup>th</sup> as Children and Youth Services Coordinator.

**MRTSA** – Mr. Heckmann announced that Chief Worth has been hired as the new Operations Chief.

**SHACOG** – Mr. Oates announced that the SHACOG Board of Directors will meet on May 20<sup>th</sup>.

**Manager:** Ms. Miller presented Resolution #696 – to clarify the roles of the elected and appointed officers and officials of the borough who may obligate the borough with regard to service providers and other contractors of the borough. Mr. Heckmann explained that the resolution is to place appropriate financial controls on public money for services such as engineering and legal advice. Mayor Baumgarten questioned that if a council member or mayor would call the solicitor or borough engineer to clarify something, would the elected official be required to get approval from the Borough Manager or Council President and could the individual be billed for the call. Mr. Heckmann stated the resolution states that only the Borough Manager or President of Council or their designees may obligate the borough for goods or services. We cannot have elected officials or staff incurring billable expenses that the public pays for.

Mayor Baumgarten stated that this should be a privilege of a council person to be able to have access to our solicitor or engineer. Mayor Baumgarten added that if he had a personal question, he does not want to ask for permission to make a call. Mr. Heckmann advised that personal questions should only be borough related. If it is borough related, it should be part of the financial controls in place. It is important to limit independently incurring expenses without appropriate permissions, especially with public dollars. Ms. Kovach asked Ms. Miller if we have had bills wherein council has asked advice from these vendors. Ms. Miller admitted that she has noted invoices listed for council conversations. Vendors have contacted Mr. Heckmann and discussed some grey areas wherein elected officials are asking questions outside of the formal process which puts the service providers in awkward situations when billing the borough for personal phone calls.

Ms. Kovach would like to have more discussion on this resolution and made a motion to table the resolution until the next meeting. Mr. Oates seconded the motion. Mr. Heckmann asked for a roll call vote as yes to table the resolution and no to proceed. Council voted as follows: Ms. Randazzo – no; Mr.

Astor – no; Ms. Kovach – yes; Mr. Maloney – no; Mr. Oates – yes; Mr. Swisher – no; Mr. Heckmann – no. Motion did not pass.

Mayor Baumgarten stated that as mayor, if he needed to call the solicitor about something that pertains to the mayor versus council or for an opinion or ask for advice on how to proceed, he is going to do it. Mayor Baumgarten added that he would not ask the Council President or Borough Manager or anyone else. If we are billed for that time, that is fine; but he will not pay it. Ms. Randazzo motioned to adopt Resolution #696; Mr. Swisher seconded; Ms. Kovach and Mr. Oates voted no; motion passed five to two.

Mr. Heckmann discussed a proposal from SeeClickFix for a 311 app. Council is in receipt of the proposed two-year agreement to allow for all residents to submit a maintenance or zoning concern to the borough via an app on their cell phones. The app allows for notifications to the resident for receipt and abatement of concerns. It has a public interfacing dimension that can be published and demonstrates where staff time and energy are expended. Currently residents have the opportunity to call the borough for their concerns; however, many residents have family members or friends that would not make a telephone call. In the interest of accessibility, it is important for keeping the borough in good shape to give residents this tool. The 311 app would 1) improve response time and prioritize a citizen's request; 2) provide a "Force Multiplier", i.e., more capacity for codes and public works to see items that need addressed; 3) provide documentation and analytics for future hiring and staffing decisions; 4) demonstrate publicly where public works/codes activities occur, thereby building transparency. Mr. Heckmann outlined the costs - \$3,648.86 for 2021 (91¢ per parcel) and \$8,000 for 2022 (\$2.00 per parcel). Funds are available in the 2021 budget through redesignating lines items that experienced savings; however, the borough will seek American Rescue Plan funds for a two-year purchase. Swissvale, Zelienople and Ross Township use this technology.

Mr. Maloney commented that Bob Ausman, Public Works Foreman, was overwhelmingly in favor of this tool. Ms. Kovach asked for Ms. Miller's opinion. Ms. Miller replied she did not feel the size of the borough warranted the cost; however, the public works foreman and code official are in favor of having this technology. Ms. Kovach believes that with the borough's aging population the app would not be widely utilized and had concerns about the cost going forward. Mr. Heckmann stated that he negotiated a fixed price of \$8,000 for the next four years and added that residents with technology challenges can still telephone borough offices. Ms. Lyda stated that she would never call the borough with concerns, however, everyone on her street would utilize the app before making a telephone call.

Ms. Filson believes the funds should be used for a playground at Hamilton Park. Mr. Heckmann responded that this app is a good tool to report maintenance issues at the parks and public facilities. Ms. Kovach questioned if the app tracks the number of users so that council can reevaluate the contract after two years. Mr. Heckmann proposed checking the statistics for the number of code violations and the number of reported issues as a better gauge of usefulness, along with efficiency gains.

Mr. Swisher motioned to approve adoption of the two-year contract with SeeClickFix subject to the appropriate borough official renegotiating final terms; Mr. Maloney seconded; all in favor; motion carried.

**Mayor's Report:** Mayor Baumgarten stated that he and Chief Truver had an initial meeting with Chief Worth of MRTSA, who is a very well qualified individual.

Mayor Baumgarten sadly reported that hundreds of police officers were killed in the line of duty last year and read a proclamation for National Police Week May 9-15, 2021 to recognize and honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy. He further calls upon all citizens of Castle Shannon to observe May 15, 2021 as Peace Officers' Memorial Day in honor of those officers who through their courageous deeds have made the ultimate sacrifice or have become disabled in the performance of duty.

**Solicitor:** Mr. Biondo advised that the urban agriculture ordinance fee will be established by a separate resolution.

**Junior Council Person:** Ms. Lyda stated that Keystone Oaks started vaccination clinics for ages 16 and older. Hopefully, with the restrictions being lifted on age limits, the rest of the students in the high school and middle school can be vaccinated. Mr. Heckmann asked how students felt about getting vaccinated. Ms. Lyda replied students were very excited about it and are looking forward to a return to normalcy. Mr. Heckmann advised that the vaccination clinic at the CSVFD will be closing May 21<sup>st</sup>.

High school students are proceeding with plans for successful prom and graduation events.

**Public Comment:**

Gary Gerst, 3849 Willow Avenue – reported possible flooding concerns from Saw Mill Run due to a dead tree that is uprooted and an unstable retaining wall. Mayor Baumgarten and Mr. Vietmeier have visited the site. Mr. Heckmann stated the borough needs to determine property ownership and alert appropriate agencies regarding the health and wellness of the stream. Mr. Vietmeier is in the process of notifying the property owner about removing the tree. Mr. Vietmeier agreed that the wall is unsafe. Mr. Heckmann questioned if the wall was on public or private property. Mr. Vietmeier answered that as with any easement, each property owner of the creek owns half. The wall is supporting the parking lot behind Someone Else's Bar; therefore, Mayor Baumgarten believes it is the responsibility of that property owner. The wall is beyond the scope of the pollution reduction plan stream project. Mr. Vietmeier will address the condition of the wall with the current property owner. Mr. Biondo added that from the description of the wall site, the property owner has to take the liability that goes with the wall, particularly if it is holding up his parking lot.

Mayor Baumgarten added that the backyard of the stream where the tree is located is in deplorable condition and full of junk.

Mr. Gerst is also concerned about the stability of the bridge if the creek's flow is increased from the stream bank renovation. Mr. Heckmann noted that the mitigation plan upstream will widen the stream to reduce flow, and stream bank plantings help reduce water volume. The plan will cause less runoff in the stream with a lower flow.

Lisa Shartle, 3743 Rebecca Street – asked for an update on the manager position and questioned if an assistant manager position would be opening. Mr. Heckmann noted that Ms. Miller was appointed

Acting Manager which has a term of six-months. The term can be extended. It will be a council decision as to when or how the next hiring process will occur. A third-party search cost has not been budgeted. Mr. Heckmann advised that a professional search is usually priced between 20%-30% of the salary of the person being replaced. Ms. Shartle questioned the delay in moving forward. Mr. Heckmann replied that we are capably led and very busy with multiple projects. Council must choose a time that is logistically viable. Ms. Shartle added that her job is in human resources and suggested, that if Ms. Miller is doing both jobs, the manager hiring should be a high priority. Mr. Heckmann stated that the well-being of the government is a balance of a great many things, and thankfully Ms. Miller is quite capable. Council is aware that they do not have an infinite amount of time to fill the role and will be filling the position.

Ms. Shartle noted that the budget has not been posted on the website. Mr. Heckmann responded that the e-newsletter and budget, along with email addresses for elected officials, are scheduled in a batch for a website update. Ms. Shartle questioned if she could get a copy of the budget from the borough office. Mr. Heckmann answered yes.

Ms. Shartle asked about a plan to communicate the master parks plan to the public and give them ample time for public feedback. In addition, how long was the streetscape survey available to the public. Mr. Heckmann stated the survey was available online for eight days through social media. Ms. Shartle questioned if there was any other way for the community to know about that survey. Mr. Heckmann noted that all of the borough's affiliated organizations including the library and other Facebook groups provided information. Ms. Shartle is concerned about communications to residents in the community that are not on social media or do not visit the website. Mr. Heckmann asked for suggestions to make information more accessible. Ms. Shartle noted the newsletter and suggested that perhaps big projects with surveys could be included in an article or go out via mail as well. Mr. Heckmann stated that a forty-page report and a 22-minute recorded video could not be packaged in a mailer. Ms. Shartle proposed putting a notice in the newsletter for website surveys and believes that eight days is not sufficient time for a survey to get a proper response from the whole community.

Ms. Shartle wanted to know the publicity plan for the master parks project. Mr. Heckmann advised that the cost to do a mailing to the whole borough is approximately \$1,000.00. Ms. Shartle suggested coordination with the existing communication in place. Ms. Kovach recommended utilizing local bulletin boards and billboards. Ms. Shartle suggested having announcements and providing special project presentations at board meetings to create more interest. Mr. Heckmann affirmed that it was made clear that the survey results would be provided in this evening's meeting and the maximum zoom participants were 24 people. At this time, the format for the parks' presentation is not designed. The newsletter will be published before the presentation is ready, and the President's Message contains information on the parks project.

Dawn Graham, 254 Castle Road – provided a form submission regarding a dead tree on a right-of-way behind her home. Mr. Vietmeier will check the site; however, right-of-ways and easements are owned by the two connecting property owners.

**Other:** Ms. Kovach stated that Ms. Miller indicated she would like to see a manager search initiated by the end of June. Funds from the manager's salary could be used for a search. Ms. Kovach motioned to initiate a search for a borough manager with an outside search group. Mr. Heckmann noted that council



does not have proposals from a search group and questioned if Ms. Kovach was making a motion to seek proposals from a search group. Ms. Kovach noted that ALOM has a search engine that would be more cost effective than a national search engine, and there are local groups available. Mr. Heckmann restated that the motion is to seek proposals from a search group for an unbudgeted search for a borough manager. Mr. Oates questioned if this needed a motion; or, with the best interests of the borough in mind, can council move forward in that direction. Mr. Heckmann advised since this would incur a cost that was not budgeted, council should have a formal vote. No second on the motion was received, therefore the motion was not passed. Mr. Oates stated he believes council needs to move forward with a manager search in some way. Mr. Heckmann agreed that everyone on council is interested in filling the position; however, council has not met privately in executive session to discuss the process on how to proceed with filling the role. Mr. Heckmann summarized the discussion stating that at least two members of council are interested in a formal meeting of council to discuss how to proceed. An executive session will be convened to discuss this further.

Ms. Randazzo motioned to adjourn; Mr. Swisher seconded; all in favor; motion carried.

Approved as presented this 24th day of May 2021.

---

Loretta J. Miller  
Acting Manager

---

Mark J. Heckmann  
President