

**CASTLE SHANNON BOROUGH
MINUTES OF REGULAR MEETING**

September 25, 2023

The following elected officials were present: J. Maloney, R. Astor; N. Kovach; B. Oates; M. Randazzo; D. Swisher; D. Baumgarten; E. O'Malley. Council President M. Heckmann was absent. The following appointed officials were present: M. Foote, Borough Manager; K. Truver, Police Chief; P. Vietmeier, Code Official; D. Biondo, Solicitor; J. Callender, Borough Engineer.

Minutes: The minutes of the September 11, 2023 council meeting were presented. Mr. Oates motioned to approve the minutes. Mr. Astor seconded; all in favor; motion carried.

Mr. Foote stated that borough staff received an email from Council President Mark Heckmann that he has resigned his position on council. Mr. Astor motioned to receive the resignation. Ms. Kovach seconded; all in favor; motion carried. Mr. Biondo advised that acceptance of the resignation will be an agenda item at the future meeting.

Mr. Astor read the following letter from Mr. Heckmann addressed to the Castle Shannon Community:

“I thank you for your years of support as your Councilman and your Council President. My political service to the Borough ended today at noon, as I have resigned from my elected office. I do so proudly and without regret.

My family has given up many days, nights, and weekends without me in the last seven years so that I may serve this community. With the arrival of a baby girl in the coming months, I am excited to invest that time back at home, as I had promised my wife that I would do years ago.

I have often remarked that local government is the only version of government that I can tolerate. State and national politics attract heightened degrees of egoism and striking levels of resistance to change. After seven years on the job here, I must concede that local politics involves a special brand of difficulty – a difficulty better navigated by others at this time.

There is an irony in the careers of politicians: the longest-tenured often create the least progress, whereas the shorter-tenured offer bursts of creativity, newness, and change. Those bursts challenge norms, demand more of the establishment, and bring hope to staff and constituents alike who wish to see their community evolve for the better.

With our Borough’s political leadership now primarily composed of the long-tenured elected, ask yourselves: who is truly being represented at this time? What policies will be done or undone due to a developed allergy to progress? What improvements to our community have we witnessed in the last 5 years that could have been addressed decades ago had the establishment not sat idly by? And what is the true cost of that idleness if returned?

I am proud of the progress that is attributable to my time in office – progress that I believe is reflective of the community we should strive to be.

To our staff, you have my utmost respect and gratitude for doing the work of the public each day. Thank you for selflessly serving our community even when it is difficult to do.

To my fellow residents and voters, I simply offer wisdom from Jefferson: “The government you elect is the government you deserve.”

And to my now former Council colleagues, I offer a brief historical note. On July 11th, 2016, I was appointed to complete the Council term of Karen Brannon. I had already begun to volunteer in the community when Mike Warhold and Nancy Kovach asked me if I could serve the community in this way. My master’s degree in public policy and my wide-ranging skill set, they assured me, would be most desirable to Council.

Per the meeting minutes, I received votes of support from a notable list: Nancy Kovach, Mike Warhold, Dan Swisher, and Bill Oates. Another Council subset later elevated me to the role of Council President in January of 2018 and again in 2020 and 2022, initiating five years of tremendous growth and transformation in this community.

As I reflect on the wonderful changes Castle Shannon has witnessed during the last 5-7 years, I hope Council will proudly accept the role that you played in elevating me to this leadership position in the first place. The community thanks you for your excellent judgement then, and it hopes you will rediscover good judgment again someday.

Good luck,
Mark Heckmann”

Mr. Maloney announced that an executive session was held prior to the meeting this evening, and another executive session will be held after the meeting.

Public Comment – Agenda Items: Mr. Maloney opened the public comment section on agenda items. Being none, the public comment section was closed.

Real Estate Tax Collector: Ms. O’Malley reported August collections of \$22,978.67 and year-to-date collections of \$3,765,155.88. Letters will be mailed in October for real estate taxes that are delinquent.

Council Committee Reports

Building & Grounds/Public Works: Mr. Maloney reported that the parking lot at 981 Castle Shannon Boulevard has been paved and striped for parking.

Mr. Callender stated that the engineers are working with contractors to move forward on the Contract 23-PK4 - Lower Hamilton Park Infrastructure and Retaining Wall project. Work with the current contractor has been slow. The synthetic field installation is ready once the utilities are completed.

The multipurpose structure for lower Hamilton park has been delivered on site. Contract 23-PK10 – Multi-Purpose Structure Installation was bid twice; however, no bids were received. As the public bidding requirement has been met, the engineers are currently requesting proposals from contractors for this installation. Two contractors have indicated an interest in this project.

Contract PK11-23 Splash Pad Site Preparations, Storm Sewer & Utilities and Contract No. 23-PK 12 Trails and Splash Pad Concrete were out for bid in September. No bids were received; therefore, the projects have been readvertised for bid for an October 18th bid opening. Splash Pad materials have been purchased from Vortex and delivery is anticipated in October with a spring installation. Mr. Callender added that Contract No. 23-PK12 included three add alternates for trails/retaining walls/steps for Fountain Street.

Mr. Foote asked for additional information regarding Contract 23-PK4. Mr. Callender stated that the engineers have been in contact with the current contractor, Dragun Contracting and Landscape Design's bonding agency due to the lack of progress. Multiple contractors have been contacted to provide quotes to complete the work. Mr. Foote stated that he received correspondence from our engineers with the recommendation for council to take action to terminate the contract with Dragun. Ms. Kovach motioned to terminate the contract with Dragun Contracting due to lack of progress. Mr. Swisher seconded; all in favor; motion carried. Mr. Biondo commented that the contract requires a ten-day notice of termination.

Public Safety/Fire: Fire Chief Bill Reffner presented the CSVFD September incident report – 18 total calls; 9 in Castle Shannon, 1 in Baldwin Township and 8 mutual aid responses.

The fire at 980 Walnut Street is under investigation by the Allegheny County Fire Marshal. This incident was assisted by Mt. Lebanon, Dormont, and Pleasant Hills fire departments. Everyone came home safely, and there were no injuries to the fire fighters.

In-house fire schools for September continue. On Monday, September 11th crews practiced high-rise evolutions, hose line advancement and management, ladders and radio communication. On September 18th, crews practiced at the borough's property at 981 Castle Shannon Blvd. Chief Reffner thanked council for allowing this valuable training session for their volunteers. Using simulated smoke, the crew had simulated house fire training, practiced hose line management, radios and ladder communication, and fire fighter accountability. The fire department would like to use this property again for training in October.

For outside training, the CSVFD is hosting a Basic Vehicle Rescue (BVR) class and has opened the class up in October to other fire departments in SHACOG. The students receive hands on training with six cars.

One volunteer attended a blue car (command system) simulator class in Mt. Lebanon and will attend a conference in October on this system.

Chief Reffner announced that a new member joined the department, and eleven new members have joined in 2023. It is wonderful to see the participation from our community.

Chief Truver requested that council authorize the sale of a 2018 Ford Explorer police vehicle. Mr. Astor motioned to set the minimum bid of \$8,000 for the 2018 Ford Explorer and authorize

the sale through Municibid to an acceptable bidder. Ms. Randazzo seconded; all in favor; motion carried.

Finance: Mr. Swisher reviewed the September 15th check register and questioned an asset forfeiture purchase. Chief Truver stated the expenditure was for security fobs for the doors and evidence room to meet accreditation standards, and funding was secured through either the DEA or FBI.

Mr. Swisher also reviewed the check register for September 22nd and had no further questions. Ms. Kovach motioned to approve the September expenditures. Mr. Swisher seconded; all in favor; motion carried.

Library – Ms. Randazzo announced that the Allegheny County Library Association Love Your Library campaign continues through September. Donations are matched on a pro rata basis from the Buncher Foundation. Ms. Randazzo encouraged residents to make a donation to the library.

Friends of the Library Flea Market will be held October 14th from 9am to 2pm.

A vendor and craft fair is scheduled for November 18th from 10am to 3pm.

The Little Free Pantry in the back of the library has been well received. Residents can donate non-perishable food items or take items they need from this stand. This is a great resource for the community.

MRTSA – Mr. Swisher announced that the board will be meeting Wednesday evening. Ms. Kovach noted that Mr. Heckmann was the other Castle Shannon representative on this board and questioned if another representative should be appointed. Ms. Miller added that Mr. Heckmann has expressed an interest to remain on the MRTSA board through his term.

SHACOG – Mr. Oates attended the monthly Board of Director’s meeting on September 21st in Jefferson Hills. The October meeting will be the annual dinner meeting at The Club at Nevillewood.

Pension Plans – The agenda contained the signed 2024 Minimum Municipal Obligation Worksheets.

Manager’s Report – Mr. Foote requested that council execute the RACP contract for the next phase of the streetscape. Ms. Kovach motioned to authorize the appropriate officials to execute the contract. Mr. Swisher seconded; all in favor; motion carried.

Chief Truver discussed the traffic pattern at the intersection of Castle Shannon Boulevard and Myrtle Avenue. A temporary right-turn only sign has been posted from the parking lot of 981 Castle Shannon Boulevard onto Myrtle Avenue. Mr. Biondo will prepare an ordinance for council.

Mr. Foote asked council to authorize an agreement between the borough and CSVFD for the use of 981 Castle Shannon Boulevard as a training site. Mr. Biondo discussed the proposal with the borough’s insurance carrier and has prepared the agreement accordingly. Mr. Astor motioned to

authorize the appropriate officials to execute the agreement. Mr. Oates seconded; all in favor; motion carried.

Planning Commission – The agenda contained the minutes of the August 21, 2023 meeting.

Other Business: Mr. Swisher asked about the construction on Castle Shannon Boulevard. Chief Truver explained that a Verizon conduit line had leakage that eroded the PennDOT bridge base. The projected street reopening time frame is mid-October. The completion of the first phase of the streetscape will be finalized once PennDOT has completed their project.

Ms. Kovach questioned the progress on the Ice Castle Annual Assessment. Mr. Biondo will follow up with the property owner.

Ms. Kovach stated that the Castle Shannon Revitalization Corporation would like to invite residents to attend the Kenny Ross Touch a Truck Event on September 30th from 11am to 3pm.

Ms. O'Malley asked if the parking at 981 Castle Shannon Blvd would have a two-hour limit. Mr. Astor and Mr. Maloney stated that the parking was intended to be limited to prevent all day transit rider parking.

Ms. Randazzo publicly thanked Mr. Mark Heckmann for seven years of dedicated service to Castle Shannon Borough.

Public Comment:

Bob Sutton, CSVFD President – stated that building materials for the lower Hamilton Park pavilion are being stored at the CSVFD lot and was concerned about it being protected. Ms. Miller said that temporary fencing is scheduled to be installed tomorrow. Mr. Callender added that temporary fencing was also ordered for the equipment being stored at lower Hamilton Park.

Jerry Coombs, Belleville Street – revisited his concerns about the concrete pad at Prospect Park. Mr. Callender explained that when the concrete was poured, some vandalism occurred that damaged it before curing. The contractor then skim coated the area. LSSE reviewed the area and sent correspondence to remove and replace the pad. The contractor then ground down the concrete, polished and sealed it with a coating; thereby finishing the job. Mr. Coombs said he is concerned with the safety of people slipping on a painted concrete surface. Mr. Callender stated that a portion of the contract price is being retained at this time, and he plans to visit the site.

Mr. Coombs also revisited his concerns regarding the playground equipment at Prospect Park and an area that is inaccessible to adults for emergencies. Mr. Callender will review the equipment with the contractor for options.

Bryan Gigliotti, Poplar Avenue – announced that the CSYA Golf Outing will be held October 7th. Over 100 golfers have registered, and the organization is hoping for a great turn out.

CSYA Fall Ball is in full swing. The field is being maintained and is in great condition. Kudos to Mr. Tom Beck for getting signage sponsors.

As Summer Recreation Director, Mr. Gigliotti asked about a completion date for lower Hamilton Park construction. Mr. Callender replied that the target completion date is for Memorial Day 2024. Mr. Gigliotti stated that he was told the recreation program would be relocated for only one year at Riehl Park and making the program work at that location was challenging. Mr. Gigliotti is hoping that lower Hamilton will be ready for the 2024 Summer Recreation Program. Mr. Swisher stated that the engineers have advised council that contractors can continue to work on the project through winter. Ms. Kovach questioned whether (if needed) Mr. Gigliotti could handle a second year at Riehl Park for the program. Mr. Gigliotti answered that they would have to discuss it.

As a resident, Mr. Gigliotti agrees with Mr. Coombs that the borough should not accept the concrete work at Prospect Park as that is not what we paid for, i.e. grinding and skim coating. Painted concrete does present a safety hazard.

Mr. Gigliotti discussed the library shade sails and asked the progress on that amenity. Mr. Callender answered that the contractor conducted an evaluation on the amount of shade provided during various hours of the day, and we are waiting for that data to either reconfigure the attachment points based off the angle of the sun, add an additional shade sail, or remove and install a bigger structure for shade. Mr. Callender added that final payment is being withheld.

Mr. Gigliotti concluded stating that he appreciates everything that council does and commented that CSYA has a good relationship with council, and he believes a big part of that was because of Mr. Heckmann and seeing what CSYA has done to change things. Mr. Gigliotti added that he hopes that this relationship continues with more meetings and good communication.

Rich Goff, Glen Shannon – discussed the new “squiggly line” logo and stated that most people he has talked with want the former castle logo back. Mr. Goff would like to see more discussion on the logo before more signage is installed and would like the castle to be the official symbol. Mr. Foote plans to review the wayfinding program with staff and borough engineers. Ms. Kovach proposed keeping the Celtic knot on only for the downtown revitalization area.

Nancy Dempsey, Willow Avenue – asked for an update on an unstable, loose railing on Willow Avenue by McMinn’s Pub. Mr. Vietmeier is in the process of notifying the property owner. Ms. Dempsey asked if the borough could fix the railing and get reimbursement from the property owner. Mr. Biondo advised that the borough does not have the authority to go on private property. Although it would limit the width of the sidewalk, Ms. Dempsey proposed installing construction horses on the sidewalk. Mr. Biondo advised that the sidewalk may also be private property and asked Mr. Vietmeier to review the area in question. The code official has avenues available for dangerous situations on private property such as issuing citations. Mr. Astor added that the borough must go through the legal process.

Kevin Brannon, Home Avenue – asked if public works goes onto private property to cut high grass and then the property is liened. Mr. Vietmeier answered that is true, after legal notices were provided to the property owner. Mr. Brannon stated that he told Mr. Vietmeier about the railing months ago and agreed with Ms. Dempsey that it is a safety hazard.

Mr. Brannon revisited the new garbage contract and its effect on Home Avenue residents. Mr. Foote answered that public works met with Waste Management’s route foreman to assess areas of the borough where accommodations may be needed for cart pickup. Mr. Brannon stated that

months ago he advised council that automated pickup would be a problem for his street. Mr. Oates noted that the contract does not begin until April 2024. Mr. Astor stated that borough representatives are working with Waste Management to review any issues to be resolved, and it takes time to work our way through this.

Mr. Brannon discussed a former suggestion that council change the time that garbage can be put curbside. Ms. Kovach asked Mr. Vietmeier to check with other municipalities on their times.

Annie Shaw, Glen Shannon – commented that the entire park project has been mismanaged and needs cleaned up. Ms. Shaw stated that there is a trifecta of failure by the contractor, engineers, and council at all points of the project. Ms. Shaw believes lower Hamilton had an unrealistic timeline and was bid out two weeks before the starting date. Ms. Shaw believes the bidding should have been done 4-6 weeks in advance. Ms. Shaw repeated that this is a trifecta of failure.

Jerry Coombs – revisited the railing discussion and discussed the possibility of the sidewalk/railing being in the borough right-of-way. Mayor Baumgarten stated that normally streets in the borough have a right-of-way of 50 feet, however not all borough streets are in the middle of the right-of-way because of the terrain. Mr. Coombs noted that the borough may own right-of-ways; but the property owners maintains them. Mr. Vietmeier advised that the borough ordinance states that property owners are responsible for their sidewalks, with the exception of the new streetscape. Mr. Swisher asked that more information regarding a solution be available for the October 9th council meeting. Mr. Foote suggested having a short discussion on right-of-ways and easements and private property and public property.

Dave Seiler, Arch Avenue – also discussed the castle logo and noted the following from the council meeting minutes of March 28, 2022: “The castle icon will be preserved on all borough vehicles, police patches, the municipal center façade, the borough seal which is on letterhead, the sign in council chambers, and also be preserved digitally on the header and footer of the borough website.” Mr. Seiler believes the new logo should not be on the newsletter or advertisements and not on the street signs which he believes are not part of wayfinding. If anyone visits the borough website, they are sure to see the castle. Mr. Seiler suggested that council put a halt to the street signs with the cross displayed. Mr. Seiler again noted that as it stated in the minutes, the castle logo would be preserved. Mr. Astor asked if the logo has been preserved on the listed locations. Mr. Seiler answered yes, but the new logo has also showed up on the newsletter and the advertisements in the front windows of Vitte’s and at the municipal center in the foyer on advertisements or behind the glass, which are not part of wayfinding. Not to mention the big sign coming into Castle Shannon by Mindful Brewing.

Mr. Maloney closed the public comment section.

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

Approved as presented this 9th day of October 2023.

C. Michael Foote
Borough Manager

Nancy Kovach
Council President