

**CASTLE SHANNON BOROUGH  
MINUTES OF REGULAR MEETING**

January 8, 2024

The following elected officials were present: N. Kovach, D. Swisher; K. Brannon; W. Oates; D. Seiler; D. Baumgarten; E. O'Malley. The following appointed officials were present: M. Foote, Borough Manager; D. Biondo, Borough Solicitor; K. Truver, Police Chief; P. Vietmeier, Code Official; J. Stanton, Borough Engineer.

**Public Notice:** Ms. Kovach announced that council met in executive session this evening at 6:00 pm for the purpose of collecting information or educating agency members about an issue.

The Council Vacancy Committee met after the January 2<sup>nd</sup> meeting to interview potential candidates for appointment to council.

**Revisions or Additions to the Agenda:** Mr. Foote noted that agenda item XI. Appointments will be tabled until the January 22<sup>nd</sup> meeting.

**Public Comment – Agenda Items:** Ms. Kovach opened the public comment for agenda items.

Bryan Gigliotti, Poplar Avenue – questioned the agenda item to engage the services of a graphic designer to produce a digital version of the castle logo. Mr. Gigliotti stated as this is a year that taxes will be raised and the budget is tight, what is the plan for the new logo, and where would it be used. Mr. Foote answered the professional services fees will be fairly nominal; and the updated digital castle logo would be used for newsletters, Facebook, social media, letterhead, etc.

Theresa Smith, Clara Avenue – questioned what would be done with the items in stock with the former logo. Mr. Foote answered that the stationery would be used until the supply is depleted. The new logo would be used mostly digitally.

There were no further comments, therefore Ms. Kovach closed the public comment.

Sean Garin, Dinsmore & Shohl, LLP – discussed a proposed \$1,000,000 line of credit through Dollar Bank to fund capital projects. The borough must pay for the construction projects before being reimbursed through grant funding. The laws that control debt procedures is the same for bond debt. An ordinance will be advertised in the Pittsburgh Post Gazette for adoption at the January 22<sup>nd</sup> council meeting. Dollar Bank's term sheet offers a tax-exempt variable rate of 80% of the prime rate minus ½ percent. Ten basis points is also charged annually on an unused line of credit. Mayor Baumgarten pointed out that this line of credit is similar to the one the borough had previously for the streetscape project. Mr. Garin explained that the former line of credit was paid off and closed out as required by the Commonwealth. Mr. Seiler noted that it is a three-year line of credit. Mr. Garin concurred and confirmed that the timing would be sufficient to complete the project. Mr. Garin plans to attend the next council meeting to present the ordinance.

Mr. Foote reported that borough staff and the borough solicitor are working on two ordinances: Ordinance #937 – Castle Shannon Borough Solid Waste Ordinance; and Ordinance #938 – Castle Shannon Recycling Ordinance. Drafts of these ordinances will be ready for council by early February.

**Minutes:** The minutes of the December 11, 2023 council meeting were presented. Mr. Swisher motioned to approve the minutes. Mr. Oates seconded; all in favor; motion carried. The minutes of the January 2, 2024 reorganization meeting were presented. Mr. Swisher motioned to approve the minutes. Mr. Seiler seconded; all in favor; motion carried.

**Administration:**

Ms. Kovach presented Resolution #744 to appoint Lisa Shartle to fill a vacancy on borough council. Mr. Swisher motioned to adopt Resolution #744 appointing Lisa Shartle to borough council for a two-year term effective January 8, 2024. Mr. Brannon seconded; all in favor; motion carried.

Ms. Kovach also presented Resolution #745 appointing Jeremy Emph to fill a vacancy on borough council. Mr. Brannon motioned to adopt Resolution #745 appointing Jeremy Emph to borough council for a two-year term effective on or after January 13, 2024.

Mr. Biondo explained that an elected candidate has decided not to take his seat on borough council. The individual has 10 days from January 2<sup>nd</sup> to take the oath of office and assume his seat on council. The individual has submitted a letter stating that he will not accept the position; however, the ten-day period remains in place. Therefore, the effective date for Resolution #745 is January 13, 2024. Mr. Biondo advised that Mr. Emph can take the oath of office any time after January 13<sup>th</sup>.

Mayor Baumgarten proceeded to give Ms. Shartle the oath of office, and council members welcomed her to the board.

Mr. Brannon motioned to authorize the borough manager to engage the services of a graphic designer to produce a digital version of the castle logo for use in multiple media channels. Mr. Seiler seconded; all in favor; motion carried.

**Bid Openings:** Mr. Stanton reported that the current contractor for Upper Hamilton Park is working on utilities and the splash pad foundation. Following that work, the splash pad vendor will install the material. Then the contractor for sidewalks, trails in upper and mid Hamilton, and concrete will complete the project. Mr. Stanton reported that Contract #23-PK 12 Trails and Splash Pad Concrete was publicly advertised twice, and no bids were received. Requests for proposals were received, and the engineers recommend awarding the base bid contract.

Mr. Swisher noted that the three alternates to the bid for 1) steps to Fountain Street, 2) a switchback ramp to Fountain Street, or a 3) ramp and stairs between the dentist office and Mindful Brewing were not approved. Mr. Oates motioned to award Contract #23-PK 12 (Re-bid) to the low bidder - Independent Enterprises Inc. for the base bid of \$386,230.00. Mr. Swisher seconded; all in favor; motion carried.

Mr. Foote reported that the borough solicitor and staff are working on updating the borough's fee schedule which will be introduced to council as Resolution No. 741 at a future meeting. Mr. Foote thanked Mr. Vietmeier, Ms. Morrow, Chief Truver, Ms. Seiler, and Mr. Ausman for their input.

## **Council Committee Reports**

**Finance:** Mr. Swisher reviewed the check register for December 15<sup>th</sup> and questioned a payment for the library shade sails. Mr. Stanton answered that the payment was for 50% of the costs. The engineers plan to address council in February with options for corrective actions for this project.

Mr. Swisher reviewed the check registers for December 21<sup>st</sup> and December 29<sup>th</sup> and had no further questions. Mr. Swisher questioned a payment to KMA Design on the January 5<sup>th</sup> check register. Mr. Stanton replied that KMA was the vendor for the phase one wayfinding. Ms. Miller replied that this invoice was from May and completed their wayfinding project cost.

Mr. Swisher motioned to authorize the payment of all outstanding bills and invoices. Mr. Seiler seconded; all in favor; motion carried.

**Public Safety/Planning & Codes** – Mr. Vietmeier stated that a new business attempted to open at 1106 Castle Shannon Boulevard – Asian Massage – without following borough procedures. This business will require a conditional use approval by the planning commission.

Former Fire Chief William Reffner wished everyone a happy new year and welcomed the new council member. Mr. Reffner then presented the Castle Shannon Volunteer Fire Department report for December 2023. The fire department responded to thirty-four total calls: 22 in Castle Shannon, 4 in Baldwin Township and 8 mutual aid/out of town. The department averaged a call every day.

A very bad motor vehicle crash with entrapment occurred on Hamilton Road, and the fire department completed the extrication within 45 minutes of being dispatched. The driver will survive their injuries.

In-house fire training occurred on December 11<sup>th</sup> with members participating in quarterly joint training with mutual-aid friends at Mt. Lebanon and Dormont fire departments. Crews also met for a year-end review.

The fire department brought in one new associate member in December. It was a good year for recruitment - 15 new members with five starting Essentials Fire Fighting training later this month. The biggest challenge this year will be retaining these members. We hope to bring in three new members this month: two as firefighters and one associate member.

Mr. Reffner gave a history of Light-Up Night. This was the 40<sup>th</sup> year for the event. The event began when a member of the Chamber of Commerce appointed Mr. Reffner, Dick Earny, and Jim Feller to a committee. The committee received the paperwork and permission from Port Authority to use their property. In the past, trees were cut down and displayed on the lot for the event. It was a one-hour program with choral groups from schools and churches including ministers and priests who gave the invocation and benediction. Mayor Baumgarten acts as the master of ceremony and introduces any dignitaries in attendance. Santa Claus is on top of the fire truck as it moves towards the stage, and everyone joins in the countdown to the tree lighting. After the tree lighting, young children can visit with Santa and get their pictures taken. Approximately 450 people attended in 2023. The number of attendees fluctuate between 500-1800 people based on the weather (which is one of the biggest challenges).

When the Chamber of Commerce disbanded, the fire department was asked to continue with Light-Up Night. The money generated by the solicitation of businesses funds the annual expenses and paid for the nativity scene and the addition of a Santa Claus figurine. Everyone cooperates and works together on this event: borough officials, the police department, public works, MRTSA, and fire department members.

A steel tree was purchased and built on the property because at that time there were plans to develop the Port Authority property. Moving the event into the downtown area or a different location would require the space for possibly 2,000 people with parking and the many vehicles, i.e. fire truck, police vehicles, public works truck, etc. The Port Authority property continues to be the best location.

Mr. Reffner concluded stating that Castle Shannon, for a small community, does many events that bigger communities do not. The Memorial Day program is under committee. The downtown area is decorated for the holidays. Castle Shannon was the second town to adopt the veterans banner program thanks to Michael Warhold. The program is now in 22 states across the country and is a great tribute to the veterans. Mr. Reffner thanked council for having the banners displayed on Route 88 instead of the smaller community streets. Mr. Reffner thanked everyone on council for their work in the community and Chief Truver for his support of community events.

Mayor Baumgarten added that Mr. Reffner has been organizing in Light-Up Night for all 40 years and coordinating the Memorial Day parade for many decades. Mayor Baumgarten expressed his thanks to Mr. Reffner for his leadership, dedication, and commitment to the borough.

### **Board Reports:**

**Civil Service** – The agenda contained the minutes of the January 2, 2024 meeting.

**Library** – Ms. Myrah, Library Director – gave an update on library events. The Winter Reading Challenge started January 1<sup>st</sup> and continues until February 29<sup>th</sup>. This program can be done individually or as a family. There are different levels to participate with an eligibility for prizes. Information is available at the library and online.

Ms. Myrah provided statistics regarding participants in library programming for 2023. The library provided 115 adult programs in 2023 with 1,125 people participating. The library provided 277 youth services programs with 3,038 children attending and 1,277 adults attending for a total of 4,315 people. These numbers include outreach events such as Tiny Art Show, Trunk-or-Treat, Light-Up Night, and school visits. Last year over 80,000 people visited the library.

All programming information is available on the library website, social media and via weekly e-mail messages. Hoopla and Libby are apps available for books, magazines, movies, music, etc. Ms. Myrah thanked council for providing funding for the library as well as the funding by the Regional Asset District. Ms. Myrah invited everyone to visit the library. Mr. Swisher asked whether the library has received income tax forms for 2023. Ms. Myrah stated that 1040 forms were received, but no instruction books have arrived. A library associate can print tax forms for residents for 10 cents per copy.

**MRTSA** – Mr. Swisher stated an executive session was held last week, and the organization is seeking an executive director.

**Mayor's Report:** Mayor Baumgarten complimented Ms. Myrah for doing a great job as director of the Community Library of Castle Shannon, which is the crown jewel of the borough.

Mayor Baumgarten noted that the borough's SWAT team members have been called to participate in several incidents in the South Hills.

Mayor Baumgarten stated that the CSPD has made a number of arrests and drug busts over the years, but drug use continues to be a problem in every community.

Mayor Baumgarten reported that legislation to allow local police to use radar for traffic is once again in state committees. It is the mayor's opinion that this bill will never pass. It has been 18 years since this bill was first introduced.

**Manager's Report:** Mr. Foote stated that the contractor has been working at lower Hamilton Park. The area is now ready for utility work which will begin in the next few weeks. Mr. Foote added that manhole structures have been installed in upper Hamilton.

Mr. Foote reported that the borough applied for a \$500,000 grant last year. With the assistance of Representative Dan Miller and Senator Jim Brewster, the borough was awarded \$425,000 which will be used for the splash pad at upper Hamilton Park.

**Real Estate Tax Collector:** Ms. O'Malley will be preparing information for exoneration of the 2023 unpaid borough taxes for the January 22<sup>nd</sup> council meeting.

**Public Comment – Non-agenda Items:**

Nancy Dempsey, Willow Avenue – questioned if the garbage company would take the existing trash cans when the new carts are received. Ms. Kovach answered that the cans/bins could be put out on bulk pickup days. Ms. Dempsey questioned how many bulk items can be taken. Mr. Foote will contact our Waste Management representative and have the information available for the next council meeting.

Ms. Dempsey stated that she believes the millage increase for real estate taxes is excessive. She noted that the borough purchased the Vitte's property using tax dollars that could have been retained in the borough funds. Ms. Dempsey believes this purchase was not fiscally responsible, and many residents will struggle financially with the tax increase. Ms. Kovach noted that everyone on council is a property owner and will be affected by the tax increase, and the current council inherited this financial situation. Mr. Swisher added that some municipalities are having the garbage billing sent to directly to residents which would cost approximately \$350 per year. The approximate cost to homeowners in Castle Shannon is \$250 per year. Ms. Dempsey replied that Mt. Lebanon residents will be charged for trash collection, however the real estate millage rate was reduced.

Bryan Gigliotti, Poplar Avenue – had discussed Light-Up Night at the previous meeting and had commented on Facebook about the program. Mr. Gigliotti stated that the fire department does a

very nice job, and he appreciates their organizing the event. Mr. Gigliotti believes the borough is missing an opportunity to make it better. Ms. Kovach agreed that council could work on this.

CSYA started registration on January 1<sup>st</sup>, and the teams are filling up quickly. T-ball registration is higher. Girls 10-U fast pitch is almost full. The program is getting bigger, and the organization is trying to reach more children. The Kick-Off Party will be March 23<sup>rd</sup> at the fire hall, and council was invited to attend.

Mr. Gigliotti is organizing the Summer Recreation Program at Riehl Park. Information will be posted on Facebook and sign ups will start in late May/early June. Mr. Gigliotti has coordinated the free lunch program with Dr. Stropkaj to take place during the summer recreation program.

Theresa Smith, Clara Avenue – stated that she did not receive the information in the mail regarding changes in trash collection from Waste Management and neither did her neighbors. Ms. Smith found the information on the We Live in Castle Shannon Facebook page. Ms. Kovach stated that Waste Management sent the flyers by mail to residents. Ms. Miller stated that in the past the post office informed the borough that carriers are not required to deliver bulk mail. Mr. Swisher noted that people in his building did not receive the information either. Ms. Smith listed concerns about having to rent/pay for an additional cart. Ms. Kovach stated that there were only two companies who bid on the waste contract; therefore, there was a limited choice for haulers. Ms. Kovach noted the fee increase was close to \$1,000,000 for trash pickup. Mr. Swisher stated that the other trash company that bid was more expensive with manual pickup. Ms. Kovach advised that automated pickup is the future of waste collection. Ms. Smith listed concerns regarding increased taxes and that automated collection eliminates jobs. Mr. Foote stated the original flyer from Waste Management had some incorrect information, and borough administration can provide flyers for residents to pick up at the municipal center and library.

Susan Walsh, Prospect Avenue – found out about the tax increase through a neighbor that follows social media. Ms. Walsh listed concerns about the hilly terrain for the elderly for moving the heavy 96-gallon trash carts. Mr. Swisher stated the borough representatives have been in contact with Waste Management about accommodations for some areas. Mr. Brannon advised that after two months, residents can request a smaller 64-gallon cart.

Ms. Walsh also discussed leaf collection and suggested that the borough provide curbside leaf collection with a vacuum. Ms. Miller advised that the borough has a leaf vacuum and does collections at the apartments on Vermont and Hoodridge. Mr. Foote will discuss this suggestion with public works.

Jerry Coombs, Belleville Street – thanked Mr. Foote and Ms. Miller for investigating his questions on recycling. Mr. Coombs stated that plastics from 1-5 and glass can now be recycled.

Mr. Coombs questioned if the new solid waste ordinance being proposed would change the time residents can put their trash curbside. Mr. Foote answered the timing for setting out the trash will be addressed.

Annie Shaw, Glen Shannon Drive – stated that if Waste Management's contract lists public education/advertising costs as their responsibility, the borough could charge the company for the costs of printing the flyers.

Ms. Shaw appreciated that new ordinances and resolutions are being considered and hopes that in the future the full ordinances will be put on the public agenda for at least the meeting it will be considered...and possibly two meetings prior. Mr. Foote answered his procedure is to post the agenda and supporting documents for council meetings on the borough website.

Laura Thompson, Home Avenue – believes that Home Avenue is well represented and was informed that there is an exemption for trash cart collection for residents with disabilities. Ms. Thompson stated that it took her one hour to find information on the borough’s website and Waste Management’s website, and she would like to see this exemption more prominently available, either on the main website page or as a mailer as many senior citizens are not on social media. Ms. Thompson added that she also did not receive the flyer from Waste Management. Ms. Thompson requested guidance on what the doctor’s letter should say, and to whom it should be sent. Mr. Foote stated that the borough can print the FAQ information for residents that lists instructions on how to waive the “back door service fee” for residents with medical conditions.

The public comment section was closed.

**Old Business:** Ms. Kovach announced that the borough is seeking a junior or senior high school student to serve as Junior Council Person.

Approved as presented this 22nd day of January 2024.

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C. Michael Foote  
Borough Manager

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Nancy Kovach  
Council President