

**CASTLE SHANNON BOROUGH
MINUTES OF REGULAR MEETING**

January 22, 2024

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

Mr. Biondo noted that at the January 8th council meeting, Resolution #745 was passed whereby the person elected to a position on borough council chose not to accept the position. The individual had ten days after January 2nd to take the oath of office and assume his seat on council. As this individual did not proceed with the oath of office and had submitted a letter declining the position, Resolution 745 appointing Jeremy Emph is now in effect for the vacancy.

District Justice David Barton stated that it is always his pleasure to attend a council meeting to administer the oath of office to local elected officials. Judge Barton added that it is the collective wisdom of the entire body (council, mayor, and staff) that results in the good decisions that we see coming out of local government. Prior to becoming a judicial officer, Judge Barton served on Whitehall's council for 11 years. Judge Barton proceeded to give Jeremy Emph the oath of office. The signed oath of office was then presented to Council President Kovach. Mr. Emph was added to the roll call as present.

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.

Public Presentations: Sean Garin of Dinsmore & Shohl LLP – discussed a \$1 million line of credit to finance the streetscape project that is partially grant funded. The line of credit was previously discussed at the January 8th council meeting. Ms. Kovach opened the public hearing on Ordinance #939. Mr. Seiler questioned application fees for the line of credit. Mr. Garin stated that Dollar Bank has a one-time commitment fee of \$1,000 for setting up the account, and that no unused line of credit fees will be incurred. Mr. Swisher noted that for the amount of business the borough does with Dollar Bank that the fee should be waived. Mr. Foote added that he did request a fee waiver, however Dollar Bank would not agree to that suggestion. Mr. Swisher motioned to approve Ordinance #939 and authorize the council president and borough manager to execute all documents related to the line of credit from Dollar Bank. Mr. Seiler seconded. The vote was unanimously approved by every member on council.

Carla Parkes and Brian Dawson of Columbia Gas – distributed copies of a project map for Castle Shannon and reported that two significant gas pipeline replacements will be undertaken in 2024. Borough streets affected will be Castle Shannon Boulevard, Cooke Lane, Mt. Lebanon Blvd., Rockwood Avenue, James Street and Willow Avenue between St. Anne Street and Baldwin Street. Work is expected through the fall of 2024 from 7 am to 7 pm. Ms. Parkes and Mr. Dawson have been in contact with Chief Truver and Mr. Foote regarding updates on the current project on Willow Avenue. Mr. Swisher questioned if the gas company was working on upper Willow by Ulrich. Mr. Dawson confirmed the crew was wrapping up a project on Bockstoce. Ms. Shartle questioned if Castle Shannon Boulevard would be fully closed. Chief Truver answered no, as this is a state highway. Mr. Dawson stated that Castle Shannon Boulevard work may possibly be done

in the evening. Mr. Brannon questioned how much open excavation would happen during the winter months. Mr. Dawson answered approximately 80' to 100' will continue through the winter. Mr. Brannon stated that cold patch does not last in winter conditions, and he would like to have the contractor be mindful of trenching in roadways. Mr. Seiler questioned if the gas line project would affect businesses as well as residential homes. Mr. Dawson answered the properties are both business and residential. Ms. Parkes stated that the gas company did send out letters to residents and businesses that were associated with service lines. Mr. Seiler referenced the meter replacements section for indoor gas meters and questioned flexibility of time frames for this part of the project. Mr. Dawson answered that meter replacement will be based on the customer's availability. Ms. Shartle added that the meter replacement at her home was a very smooth process.

Mr. Brannon noted that streetscape phase 2 is planned for Castle Shannon Boulevard. Mr. Foote stated that the project will go out for bid this spring. Columbia Gas will be completing work mid-March through end of June. Mr. Brannon suggested that coordination may be needed with the streetscape contractor. Chief Truver advised that the streetscape project will most likely end approximately where the gas company project begins; therefore, there should be little overlap of projects. Chief Truver added that Ms. Parkes and Mr. Dawson are terrific to work with and are very responsive to any issues.

Ms. Parkes advised that if the borough has a restoration schedule for certain streets in the next few years, please forward the information to her to coordinate projects. Mr. Callender replied that the engineers are completing a roadway study of all streets with ratings for future road improvement projects.

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

Annie Shaw, Glen Shannon Drive – addressed Resolution #741 regarding the borough's fees schedule for 2024 and specifically noted the amusement device license fees for gaming, i.e., juke boxes and pinball machines. Ms. Shaw noted the 2023 income statement lists a zero balance for this type of revenue. Ms. Shaw also noted that these fees were raised \$50 and believes that some fees were raised without looking at the receipts. Ms. Shaw continued stating that the fees should be comparable to what it costs the borough to administer, for example hearing costs should reflect the cost of the hearing officer and staff time. Ms. Shaw believes that no one really looked at the fee schedule, and the fees were blatantly raised. Ms. Shaw stated that every single business must get a conditional use permit, and that is unique to Castle Shannon, with a \$750 deposit and \$300 hearing fee. This fee also increased \$50.00, and Ms. Shaw questioned if there is justification why that fee increased. Although the fee schedule has not changed since 2004, Ms. Shaw asked council to table the fee resolution for further review.

Ms. Kovach stated that Mr. Vietmeier and Mr. Foote have reviewed the fees. Mr. Vietmeier stated the vendors pay fees for amusement devices, and these fees have been in place for many years. Ms. Miller advised that these fees are recorded in the revenue line for mechanical devices. Mr. Vietmeier explained that the fee increase for hearings for the zoning board, conditional use hearings by the planning commission, and UCC Board of Appeal hearings are due to lengthy sessions, court reporter fees, and advertising costs. Mr. Vietmeier added that these fees have not increased in the sixteen years he has worked for the borough. Mr. Foote stated that the fee schedule was not done arbitrarily or without thought. Staff in various departments reviewed the list to make adjustments from a fee schedule that has been in place for a number of years. The future plan is

to update the fee schedule for 2024; and, as a normal course of business, fee schedules will be reviewed either annually or every two years at the reorganization meetings.

Bill Gross, Home Avenue – questioned whether the fee resolution included new fees or simply adjustments to existing fees. Mr. Foote stated that the public may be seeing new fees for right-to-know requests and public works fees for billable activities. Mr. Gross suggested that the borough provide information for comparison between existing fees and proposed fees. Council agreed that a comparison could be provided.

Jerry Coombs, Belleville Street – noted that various information has been posted/distributed that is inconsistent regarding the time for placing trash to the curb. Ms. Kovach said the proposed ordinance lists 4 pm. Mr. Coombs stated the incorrect information should be removed until the ordinance is adopted to prevent confusion. Mr. Coombs added that he appreciates the fact that borough council is going to revise the time change to 4 pm.

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

Minutes: The minutes of the January 8, 2024 council meeting were presented. Ms. Shartle motioned to approve the minutes. Mr. Oates seconded; all in favor; motion carried.

Administration:

Ms. Kovach reported that Pittsburgh Regional Transit (PRT) is applying to the Federal Transit Administration's 2024 All Stations Accessibility Program (ASAP). This application seeks funding for design and construction to improve Red Line light rail stations constructed in the 1980s to make them accessible to customers with disabilities per the requirements of the Americans with Disabilities Act (ADA). Mr. Brannon motioned to authorize the borough manager to sign and submit a letter of support for Pittsburgh Regional Transit. Mr. Swisher seconded; all in favor; motion carried.

Ms. Kovach presented a request to advertise Ordinance #937 – Castle Shannon Borough Solid Waste Ordinance. Ms. Shartle motioned to authorize the borough manager to advertise Ordinance #937. Mr. Swisher seconded; all in favor; motion carried.

Ms. Kovach presented a request to advertise Ordinance #938 – Castle Shannon Recycling Ordinance. Mr. Seiler motioned to authorize the borough manager to advertise Ordinance #938. Mr. Oates seconded; all in favor; motion carried.

Ms. Shartle motioned to table Resolution #741 – Borough Fee Schedule for 2024. Mr. Swisher seconded; all in favor; motion carried.

Appointments: Ms. Shartle motioned to appoint Louis Wehar to the Planning Commission. Mr. Oates seconded; all in favor; motion carried. Mr. Vietmeier noted that Mr. Wehar is a retired engineer from American Bridge.

Council Committees:

1. Community Engagement/Events Committee – Chairman Jeremy Emph; Co-chairman Kevin Brannon.
2. Finance Committee – Chairman Daniel Swisher; Co-chairman David Seiler.
3. HR/Personnel/Policy Committee – Chairman Lisa Shartle; Co-chairman Daniel Swisher
4. Planning/Codes Committee – Chairman Kevin Brannon; Co-chairman William Oates
5. Public Safety – Co-chairmen Donald Baumgarten and Nancy Kovach
6. Public Works Committee – Chairman William Oates; Co-chairman Jeremy Emph

Boards

1. ACBA – Delegate Nancy Kovach; Alternate Lisa Shartle
2. Civil Service – Kevin Brannon
3. Economic Development/CSRC – David Seiler
4. Library – Lisa Shartle
5. MRTSA – Daniel Swisher
6. SHACOG – Delegate David Seiler; Alternate William Oates

Mr. Swisher noted that the second delegate to the MRTSA Board is former council president Mark Heckmann whose term expires in December 2024.

Mr. Swisher motioned to adopt Resolution #742 appointing David Seiler as representative and William Oates as alternate to the SHACOG Franchising Authority Board. Mr. Brannon seconded; all in favor; motion carried.

Ms. Shartle motioned to adopt Resolution #743 appointing David Seiler as representative and William Oates as alternate to the SHACOG Joint Rate Review Board. Mr. Swisher seconded; all in favor; motion carried.

Council Committee Reports

Community Engagement/Events – Mr. Emph stated that details are progressing on a community event with the CSVFD. Ms. Kovach stated that Hamilton Park will not be ready in May for Community Day; therefore, council would like to coordinate an event with the fire department.

Finance: Mr. Swisher reviewed the check registers for January 12th and January 19th and had no further questions. Mr. Brannon motioned to authorize the payment of all outstanding bills and invoices. Ms. Shartle seconded; all in favor; motion carried.

Public Safety/Planning & Codes – Mr. Vietmeier stated that a zoning matter has been going on for well over a year at 900 Sleepy Hollow, Shyam Ventures vs. Castle Shannon Zoning Hearing Board. The business owners wanted to install a mini-mart with the U-Haul and laundromat. The business is already a non-conforming use, and another non-conforming use cannot be added. Mr. Biondo advised that the case is scheduled for argument before the Commonwealth Court on February 6th. It will be several months before a decision will be rendered.

Mr. Brannon noted the agenda contained several pages of outstanding violations in the report provided by Mr. Vietmeier.

Public Safety – The agenda contained the December 2023 reports for animal control, fines and fees, and vehicle maintenance reports.

Chief Truver presented the Equitable Sharing Agreement. The CSPD works with federal task forces, usually drug related. An officer was assigned to the DEA task force in 2017 and 2018, and an officer is currently assigned to another federal task force. When assets are forfeited in cases where our officers were involved, the CSPD gets a percent of the assets. Funds received and spent are reported to the Department of Justice each year. Mr. Emph motioned to authorize the appropriate borough officials to execute the Equitable Sharing Agreement. Ms. Shartle seconded; all in favor; motion carried.

Bob Sutton, President of the Castle Shannon Volunteer Fire Department, presented the January 2024 report. Chief Reffner left the council meeting to respond to a report of a natural gas smell on James Street. For the year 2023, there were a total of 271 calls. The average number of firefighters per call was 7.5. Mr. Sutton continued reporting statics for mutual aid/auto aid given and mutual aid/auto aid received. Firefighters attended 1,795.5 hours of training.

The CSVFD responded to 10 calls in January thus far: 5 in Castle Shannon; 1 in Baldwin Township; and 4 mutual aid. On January 8th, firefighters reviewed the new accountability boards and ran a few training exercises. These accountability boards are the same board as used by our mutual-aid friends at Mt. Lebanon and Dormont. This provides cohesiveness when the departments work together on mutual aid events in any one of the three communities. On January 15th, firefighters performed a walk through of 600 Newport Drive in Baldwin Township. This is an educational building with 350-375 students (K-8) and faculty on any school day. Firefighters familiarized themselves with the school's layout, evacuation plan FDC, utilities, alarm panel along with an induction to some of the staff. Officers have been completing 40 hours of on-line training for the Blue Card Command System. Mr. Sutton was pleased to announce that six new firefighters are starting the IFSTA – Essentials of Fire Fighting through CCAC and the Commonwealth of PA. As always, Chief Reffner noted the CSVFD is very much appreciative of the support they receive from council members.

As CSVFD President, Mr. Sutton presented council with a review of 2023. In 2023 the CSVFD continued to invest in the future, not only in the department itself, but in the communities of Castle Shannon and Baldwin Township which they are charged to serve. The department does these on three fronts.

1) Membership. The challenge of recruiting is great. Whether it is in the public sector, the private sector, or the volunteer sector, we all understand the challenges. For many years, the membership growth in the department was weak. The department had a recruitment retention committee, however unfortunately the committee did not have the tools necessary to be successful. In 2022, the department started development of a recruitment video which rolled out in 2023. This has had a positive impact on membership. Mr. Sutton invited people to visit the new website and view the video. The department in 2023 recruited 14 new members, with nine being firefighters. A personal outreach program to recruit potential members in a face-to-face fashion is planned by having a larger presence at community events in the future.

2) Investing in the physical plant. This also invests in the future of the communities in which we serve. In 2023, the department converted to all LED lighting including the station, Memorial

Hall and parking lot. The second major improvement was to replace the HVAC system in the Social Hall. One component in the HVAC system was over 40 years old.

3) Continuation of working with local government partners. The CSVFD is proud to provide support and good will to the communities in which we live, whether with Community Day, assisting CSYA, the library, Light-Up Night, Summer Recreation Program, the Castle Shannon Police Department and Public Works.

Mr. Sutton stated, in closing, the CSVFD's goal for 2024 is to build on these three fronts described above and to adjust as needed for every changing environment. On behalf of the CSVFD, Mr. Sutton thanked the council members for their support in the past and looks forward to working with council in the future.

Mr. Swisher asked if the CSVFD still had difficulty with firefighters responding during daylight hours. Mr. Sutton answered that this is certainly a weak spot and hopes this will improve. The fire department's administrative assistant is certified as an EMT and has firefighter 2 certification and is in the process of apparatus training. Unfortunately, one person and one pumper does not make a fire fighting force. The training is important for her to respond quickly to get the engine out, get to the scene, and establish a command structure. Mr. Sutton advised that 911 calls get a large response from local fire departments.

Board Reports:

Library – Ms. Myrah, Library Director – gave an update on library events.

The Library recently hosted the last two Saturdays: A Girl Scout Star Party to learn about the Girl Scouts and volunteer training for Literacy Pittsburgh

Recent updates to the Library with money raised at the Library's Vendor & Craft Fair and the Jack Buncher Foundation end of the year gift include a new study area with new coffee tables and loveseat/chair. An expanded Makerspace area with new seating for adults and children, shelving and lighting was created. New bookcases for the Young Adult area and the Juvenile area were purchased, and additional Young Adult materials were purchased for the library.

Juvenile and teen programming will resume in February. Two walls in the children's area will be getting painted in the near future by the Public Works Dept.

A business resource section was created that provides books (regular and large print and sound recordings) for individuals starting their own small business.

Ms. Myrah urged patrons to come out and support the library on Wednesday, January 31st from 11am-11pm at the Mt. Lebanon location of Primanti Bros. 20% of sales come back to the library. Customers can order online or dine in at the restaurant. More information and the flyer is available on our website and social media sites. These restaurant fundraisers provide free books to children at community events.

An Affordable Connectivity Program (ACP) Enrollment Event-Thursdays, February 1st at 3:30 pm is scheduled at the library. Neighborhood Allies (NA) will be at the Library on Thursdays, February 1st at 3:30pm to provide information and enroll households into the Affordable

Connectivity Program (ACP), a federal benefit that provides \$30/month towards the internet bill. More information about the program and eligibility requirements is on our website and social media sites.

Friends of the Library Meeting on Tuesday, February 6th at 7 pm. This volunteer group supports the library with the flea markets and book sale events. Everyone is welcome to attend!

Federal tax instruction booklets have arrived. IRS 1040 and 1040 SR forms are available in the lobby entrance of the library.

Allegheny County Library Association (ACLA) has started a road trip passport for libraries outside the City of Pittsburgh. Patrons receive a stamp on their passports for visiting local libraries. Pittsburgh Today Live will be at our library to film a segment on Books and Beyond on January 29th at 11:30 am. The library will be open, and the segment will air in February.

MRTSA – Mr. Swisher stated a meeting is scheduled for January 24th. The organization is seeking an executive director with a finance background.

SHACOG – Mr. Oates attended the January board of director's meeting in Brentwood. Mr. Foote noted that the borough will host the April meeting.

Manager's Report: Mr. Foote referred to questions about bulk items from the previous council meeting. On bulk pick up days, two items can be put curbside for trash pickup.

Staff met with the Waste Management representative to review the trash/recycling program. Information will continue to be posted on the borough's website. Mr. Foote added that he is working towards upgrading our website to make information more accessible.

Solicitor – Mr. Biondo noted that Mr. Garin of Dinsmore & Shohl had to leave the council meeting. Mr. Biondo confirmed that the motion and vote to pass Ordinance #939 for the line of credit required a roll call vote or required that the ordinance be passed by council unanimously. The record will reflect that the vote was passed unanimously.

Real Estate Tax Collector: Ms. O'Malley presented Resolution #746 to dispose of 2016 and 2017 tax records. Ms. Shartle motioned to adopt Resolution #746 authorizing the Real Estate Tax Collector to dispose of all 2016-2017 borough tax duplicates (office copies), tax certifications, records of borough tax deposits, monthly reports, correspondence, deed transfer records, delinquent tax collection lists, and exoneration certificates issued to the tax collector. Mr. Swisher seconded; all in favor; motion carried. Mr. Brannon questioned the method of disposal of the records. Ms. O'Malley answered the records are included in the borough's document shred program.

Ms. O'Malley reported due to an issue with a mortgage company, the exoneration list for delinquent taxes will be presented at a future council meeting.

Mr. O'Malley thanked public works for painting the hallway in the tax office.

Public Comment – Non-agenda Items:

Jerry Coombs – thanked the public works department for doing an outstanding job clearing the roadways during the last winter snow storm.

Mr. Coombs noted the new lights and crosswalk improvements on Mt. Lebanon Boulevard at Cooke Lane. Chief Truver explained that the lights were posted and turned on last week with significant signage upgrades.

Chief Truver added that the borough applied for a grant for a second crosswalk improvement project at Mt. Lebanon Boulevard and Hoodridge Drive.

Ms. O’Malley also commended the public works department for their roadwork during the snowstorm. Ms. O’Malley stated that Rockwood Avenue was covered and slippery; however, Baldwin Street was plowed and clear. Ms. O’Malley noted that Facebook posts also referenced the great work the road crew does for our community.

New Business: Mr. Brannon noted that Facebook comments discussed a coffee fund for the road crew. Ms. Kovach added this was set up as a Go Fund Me page. Ms. O’Malley stated that she believes there was \$300 collected. Mr. Brannon stated that an anonymous benefactor donated a Keurig machine and K-cups to public works.

The public comment section was closed.

Mr. Oates motioned to adjourn. Mr. Emph seconded; all in favor; motion carried.

Approved as presented this 12th day of February 2024.

C. Michael Foote
Borough Manager

Nancy Kovach
Council President