

CASTLE SHANNON BOROUGH MINUTES OF REGULAR MEETING

March 25, 2024

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

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 Comment – Agenda Items: Ms. Kovach opened the public comment for agenda items. Being none, the public comment section was closed.

Public Presentations: Jason Stanton of Lennon, Smith, Souleret Engineering – presented a slide show and updated council on the status of the Six Parks Plus Plan. Mr. Stanton went over the groups that each park is in, the cost elements for each park, and the current construction schedule. Mr. Oates questioned if the “soft costs” listed on the slide included consulting fees and if the prices listed were final. Mr. Stanton stated these costs are 30-40% of construction fees used as an allowance for engineering design and unforeseen costs. Ms. Kovach asked for clarification on the construction schedule for Hamilton Park. Mr. Stanton confirmed that Lower and Rear Hamilton are slightly behind schedule, while Upper and Mid Hamilton are slightly ahead of schedule.

Mr. Stanton also covered the current grant funding that the Borough has secured, with six grants totaling \$1,025,000.00. Ms. Kovach asked if we were still looking for grants for future funding on this project and Mr. Stanton confirmed.

Mr. Stanton gave an overview of the work completed with the Group 1 parks, Prospect Park, and the Community Library of Castle Shannon. He noted two outstanding items for this section of the project, the shade sails in the front of the Library and the side parking lot. The side parking lot was included in the restoration bid for Hamilton Park and will be completed this spring or summer in conjunction with Hamilton. Ms. Kovach questioned the pavement for the lower Library parking lot, and Mr. Stanton replied that that parking lot was included in phase two of the Library construction.

Mayor Baumgarten questioned whether a plan has been made for the front of the Library and the unfinished shade sail area. Mr. Stanton replied that a committee of Council Members and Library Board Members has been formed to discuss further plans for this area.

An overview of the work done at Prospect Park was given, showing that a new pavilion, tot lot, swing set, and basketball court were installed. A new retaining wall has also been installed, replacing the original wooden wall that was showing stability issues. With these updates, Prospect Park has been rejuvenated and work there is complete.

Myrtle Park has also been completed, and includes an updated tot lot, pavilion, and guide rail replacement along the road.

Mr. Stanton gave an overview of the amenities planned for Lower and Rear Hamilton Park, including a rain garden, a combination tennis and pickleball court, a new turf field, re-paved trails surrounding and through the park, and a multi-purpose structure to include restrooms, storage, and the main pavilion. A new playground and tot lot area will be built next to the multi-purpose structure. Rear Hamilton will include cornhole and horseshoe courts, as well as a new basketball court that can also be used for food trucks. Ms. Shartle questioned whether a swing set area will be included in Lower Hamilton. Mr. Stanton replied that Lower Hamilton will not have swings. A resident in attendance questioned what happened to the plan for swings in Lower Hamilton, as they were included in a previous meeting. Mr. Stanton replied they were cut from the plan and a tot lot was decided upon.

Mr. Stanton went over the current status of construction at Hamilton Park. The storm and sanitary sewer lines will be completed this week, and the turf contractors for the field plan to begin their preparations on Monday, April 1st. A new retaining wall to include additional parking will also begin next week. The multi-purpose structure installer is planning to begin their work the week of April 15th. Ms. Kovach questioned whether there were any penalty issues due to the original contractor not completing work on time. Mr. Stanton replied that those costs were factored into the agreement made with the previous contractors bonding company.

Mr. Swisher mentioned that the material for the multi-purpose structure was still being stored at the Fire Department and questioned when that would be moved. Mr. Stanton replied that the installer would like to move it sometime in early April, and that a majority of the material there is for the roofing of the structure. Mr. Swisher also questioned how large of a vehicle would be needed to transport the material and who would be paying for the move. Mr. Stanton confirmed that it would be a tractor trailer moving the material, and that the cost was included in the bid of the contractor for the multi-purpose structure.

Mr. Seiler questioned the surface distance of the walking trail through and around Hamilton, and whether it was planned out in measured sections of specific length. Mr. Stanton replied that is was not laid out in specific dimensions like a track, but functioned more as a walking trail without a specific mile length. Mr. Seiler also asked if water fountains will be available through the park. Mr. Stanton confirmed that access to water fountains will be available.

A resident, Mr. Coombs, asked about a previous presentation showing playground equipment by the pavilion and tennis courts. Mr. Stanton replied that the playground by the pavilion is still included, but the playground area by the tennis courts was removed from the plan for budgetary reasons. Mr. Stanton also mentioned that there was not adequate room for a play structure in the area by the tennis courts. Mr. Coombs also questioned if swings will only be on Upper Hamilton, with Mr. Stanton replying that some swings are incorporated in the Lower play structure.

Mr. Emph mentioned reference to a rain garden in the plans for Hamilton, and asked for clarification on it. Mr. Stanton replied that it was part of stormwater management to manage stormwater runoff from the slope nearby. The rain garden will include native grasses, and will

help filter stormwater before it flows into the existing stormwater system. Mr. Stanton also mentioned that the area for the rain garden has historically laid wet, and is a good application for a rain garden. Ms. Kovach asked if we received any grant money to include the rain garden. Mr. Stanton replied that it was included in the larger trail plans that did receive some grant money.

Ms. Shartle asked if it would be possible to look into adding an additional swing area to Lower Hamilton for older children that wasn't included in the tot lot. Mr. Stanton replied that there may be some opportunity near the trails that can be explored.

Mr. Stanton gave an overview of Group 3 parks, including Upper and Mid Hamilton. Upper Hamilton includes the splash pad, a large tot lot, and retaining the existing swing set. There will also be an additional section of trail added to bypass the pavilion to give more privacy to private parties renting the pavilion. There will also be an offshoot of the walking trail to a passive recreation area in Mid Hamilton. These sections are currently ahead of schedule.

Ms. Shartle questioned if there would be a fence or wall to separate the splash pad area from the resident home right next to the park. Mr. Stanton replied that there was an existing fence between the house and the park, but that additional landscaping may be done to further separate the two. Ms. Kovach asked if there was currently money set aside to go towards landscaping. Mr. Stanton confirmed that there was a cost already built into the budget. Mr. Stanton also replied that per a decision by Council last year, restoration would be completed by the Public Works department rather than an outside contractor.

Mr. Swisher asked if the contractor Tedesco was doing all of the work for the equipment for the splash pad and tot lot. Mr. Stanton replied that Tedesco was doing the work for all of the utilities related to the splash pad and is currently ahead of schedule. Vortex, the splash pad company, is also at work installing the underground pipes and drainage for the splash pad.

Mr. Stanton gave an overview of the projected timeline for each project completion, with Upper, Mid, and Lower Hamilton being completed in the Summer-Fall of 2024.

Mr. Stanton also went over the current plans for Group 4 parks, including Riehl Park and the Municipal Center. Mr. Stanton stated that the Engineers, Council, and Borough Manager will be taking a "midyear" look at the budget to finalize the scope of work for these projects. This work will include removing the gym at the Municipal Center and creating a parking lot, as well as adding a sport court lot. The existing walking trails will also be updated and repaired. A smaller shaded pavilion will also be added, as well as a smaller tot lot or jungle gym by the ball field.

Riehl Park will include updated sports fields, repaved walking trails, maintaining the existing facilities, a tot lot or jungle gym, and additional picnic tables added along the walking areas. A new retaining wall will be added to replace the existing one, and is planned to be some type of artistic wall endeavor. The other key element for Riehl Park, a dek hockey court, is not included in the cost estimate. This has been identified as a fundraising opportunity, and may be considered by various sports charity organizations in Pittsburgh.

Ms. Kovach asked what areas can be anticipated to be used this summer by residents. Mr. Stanton replied that while some items will be operational, like the splash pad at Upper Hamilton, restoration will not be completed enough to be able to use it until the fall. Mr. Swisher asked if Group 4 only included Riehl Park and the Municipal Center, with Mr. Stanton confirming. Ms. Shartle asked if there has been movement on plans for these locations, and Mr. Stanton confirmed that no plans have been finalized yet.

Paul Rech of the Veterans Memorial Committee – Mr. Rech presented the current plans by the Veterans Memorial Committee to relocate and recreate a previous monument and incorporating an “honor roll” of veterans. Previous fundraising endeavors have secured a piece of granite and the cost of engraving names. The current location of the monument poses accessibility issues for visitors, and a new placement would allow the monument to be a destination for visitors at times other than Memorial or Veterans days. The Committee is asking Council for permission to look for and plan a new location for the memorial on Borough Property. There are three proposed locations for this monument, being at Hamilton Park, the Municipal Center, or the Community Library of Castle Shannon. The committee is requesting the monument be located at Hamilton Park, including a small memorial garden. The ideal locations would be in Mid Hamilton or directly next to the parking lot of Upper Hamilton. At the Municipal Center, the location would be behind the main building in the flat area where a gazebo once stood. The last option would be at the Library behind the lower parking lot, in a grassy area.

The Veterans Memorial Committee has teamed up with the Castle Shannon Revitalization Corporation for fundraising in order to utilize their nonprofit status.

Mayor Baumgarten mentioned that the Memorial Day and Veterans Day parades normally lead to the current monument for a service, and questioned how that would work if it was located at Hamilton Park. Mr. Rech answered that that was something the Committee had not figured out yet, but is working on planning an alternate route for parades. Mr. Rech also mentioned that reason was why the location at the Library may work better, as the surrounding area has been used for parades in the past.

Mr. Rech went on to explain that the current location of the monument has multiple noise factors that interrupt services at the monument, including traffic, pedestrian, and streetcar noises. The current location is right next to the road and the Willow Port Authority Station, and while a nice area, doesn't offer the privacy or serenity a monument should have.

Mr. Swisher questioned if the current location is on Port Authority Property, or if that section of land was Borough Owned. Mr. Rech answered that he cannot say for certain that it is Borough property. Ms. O'Malley, a member of the Committee, answered that she believed it was Port Authority property, but would research and find out for certain.

Mr. Swisher also asked if the Committee had thought about putting the new additional pieces of the monument at the current location if it is indeed Borough property. Ms. O'Malley replied that the main issue with the current location is accessibility, particularly for elderly or handicapped residents. There is only space for one car closest to the memorial. Mr. Brannon added that the

Committee would like people to be able to visit the memorial at any time throughout the year, not just during ceremonies or parades.

A resident, Mr. Gigliotti, mentioned that the locations at the Municipal Center or Hamilton Park would not be ideal if the main goal was to create a serene and quiet place of reflection for the memorial, mainly due to noise levels from sports, park rentals, and other members of the public. He also mentioned that the area by the Library is not traffic heavy and is a generally quiet area. Mr. Swisher noted that the Memorial Day Parade did go past the Library in the past, and that location may work best. Mr. Rech replied that there is no exact utopia to place the memorial, and the Committee is planning to discuss all of these options at length.

Ms. Kovach questioned what exactly was being asked of Council, with Mr. Rech and Ms. O'Malley replying they would like recognition of the Committee and approval to continue seeking funds to move forward with the relocation plan. Ms. Kovach responded that they didn't need permission from Council as they are working with the Revitalization Corporation and are recognized as a community group, as well as being recognized when the initial plans began. She continued that as far as the monument being on Borough land, she did not want to commit to anything being at Hamilton Park until the current work there is completed.

Ms. O'Malley added that the Committee is asking for recognition by Council as that will help them in their fundraising efforts. Ms. Kovach asked Solicitor Mr. Biondo to draft a letter showing the Borough's support of this endeavor, but that the Borough itself is not fundraising for it. Ms. Kovach also stated that this topic would be tabled to a future meeting pending the drafting of this letter.

Mr. Swisher mentioned a previous idea of using bricks as a fundraising idea, with individual names on bricks on a wall or at a monument. Ms. Kovach noted that a member of the Revitalization Corporation had suggested this idea for a section of the brick in downtown.

Minutes: The minutes of the March 11th, 2024 council meeting were presented. Mr. Brannon motioned to approve the minutes. Mr. Seiler seconded; all in favor; motion carried.

Administration: Mr. Foote asked Council to consider and approve the agreement between Eastern Atlantic States Regional Council of Carpenters, which represents the Public Works Department, and Castle Shannon Borough for the period of January 1, 2024 through December 31, 2026. Mr. Oates motioned to authorize Council President and Borough Manager to execute the agreement. Mr. Seiler seconded; Mr. Brannon recused himself from the vote; all in favor, motion carried.

Ms. Shartle motioned to revise Chief Truver's Agreement to add Holiday Pay and Longevity Pay as existed prior to effective date of current agreement; Mr. Swisher seconded; all in favor, motion carried.

Bid Openings, Contracts and Resolutions: Mr. Foote introduced Resolution Number 751 Establishing and Adopting an Emergency Operations Plan. Chief Truver stated that the Emergency Operations Plan must be reviewed every 24 months per the Pennsylvania Emergency

Management Authority, and updated as needed. Chief Truver stated that not much has changed on this plan, aside from resources, personnel, and elected officials. Mr. Emph motioned to adopt Resolution Number 751 establishing an Emergency Operations Plan. Mr. Oates seconded; all in favor, motion carried.

Council Committee Reports

Finance – Mr. Swisher reviewed the check registers of March 15th and March 22nd. Mr. Swisher questioned a payment to the Postmaster/United States Postal Service on the March 15th check register. Ms. Copenheaver answered that the expense was a yearly fee to keep the Borough bulk mailing account active. Mr. Swisher also questioned a payment to Thomson Reuters West on the March 22nd check register. Ms. Copenheaver answered that the expense was for correspondence and dues for the zoning hearing board. Mr. Swisher motioned to authorize the payment of all outstanding bills and invoices. Mr. Oates seconded; all in favor; motion carried.

Ms. Kovach introduced a budget modification. Per Title 8 Borough Code, Chapter 13, subsection 1312. Modification of budget and supplemental appropriations and transfers, Council may during the course of the fiscal year modify the budget after its final adoption. Mr. Foote noted that the revision is due to an error in the budget line for fund balance forward that read as 66,000.00, but should have read as 6,600,000.00. There is also a revision to the Capital fund expense lines. Mr. Foote explained that this has no impact on the millage or taxes, and that this revision increases the fund balance for 2024. Mr. Swisher motioned to modify the Sinking Fund-Debt Budget by revising 2023 Fund Balance Forward to 6,656,500.00 and 2024 Transfer to Capital Fund to 6,000,000.00. Mr. Oates seconded; all in favor, motion carried.

Planning/Codes – Conditional use application: Aleshia Cooley is requesting to open an eyebrow and lash studio at 1009 Castle Shannon Boulevard above Yianni's Diner. Planning Commission has recommended the approval at their March 18th, 2024 meeting.

Mr. Biondo opened the floor to a public hearing. Ms. Cooley introduced herself and gave information on her current credentials, certifications, and state licensing. Ms. Shartle asked what services will be offered at this business. Ms. Cooley replied that only lash and brow services will be offered, although she is also licensed to perform skincare services. Mr. Swisher questioned where the entrance for the business would be located, with Ms. Cooley replying the entrance was on the side of the building. Mr. Swisher also asked if the business would have a sign. Ms. Cooley answered she is planning to have a sign, but that the building owner is also planning signage and will be working with them. She also noted that any new plans will be run by Mr. Vietmeier of the Borough Codes Office. Ms. Shartle motioned to approve, per the Planning Commission's recommendation, the Conditional Use request to open an eyebrow and lash studio at 1009 Castle Shannon Boulevard with the condition that Ms. Cooley provide the Planning Commission her state license and related business documentation. Mr. Oates seconded; all in favor, motion carried.

Mr. Biondo presented the settlement agreement between Nicholas Jackson/Polished Nails and Castle Shannon Borough. Mr. Biondo gave some background information regarding their lack of occupancy or building permits, and stated that all permits and required documentation are now

up to date. Mr. Oates motioned to authorize the appropriate Borough officials to execute a settlement agreement to resolve the litigation between the Borough and Nicholas Jackson related to the occupancy permit and building permit for the Polished Nail Studio & Spa in such form as the Borough Solicitor shall approve. Mr. Swisher seconded; all in favor, the motion carried.

Public Safety – Chief Truver presented the conditional offer of employment for a new Police Officer per Title 8 Borough Code subsections 1121, 1122, and 1171. Chief Truver noted that Castle Shannon Borough tested on February 13th, 2024 for the physical agility and written test for entry level officers. He also noted that oral boards were given on February 24th, 2024. The candidate passed a comprehensive background check and the Police Department is ready to move forward in the hiring process, with a projected hire date of April 15th. Ms. Kovach questioned if this new hire was budgeted for this year, with Chief Truver confirming. Mr. Swisher asked if the candidate had attended the Police Academy, with Chief Truver confirming and noting that the candidate was currently working as a security officer. Mr. Seiler motioned to authorize Chief Truver to make a conditional offer to Aaron Maggi for the position of Police Officer pending fulfilling all civil service and pre-employment screening requirements with an anticipated start date of April 15, 2024 at a pay rate in compliance with the Police Collective Bargaining Agreement. Mr. Oates seconded; all in favor, motion carried.

Chief Truver also introduced the concept of an Embedded Social Worker, and noted that several surrounding municipalities have one on staff. He also noted that a full-time position isn't feasible for the size of Castle Shannon, but that Mt. Lebanon is interested in starting a joint venture with other smaller police departments. This position would act as a co-responder to police calls that involve persons with behavioral or mental health responses. Ms. Kovach questioned if this is something that grant money would be able to go toward, with Chief Truver stating that it is possible to make that work.

Fire Chief Bill Reffner, Jr. presented the February incident report for the Fire Department. There were 28 calls, 14 in Castle Shannon, 5 in Baldwin Township, 9 Mutual Aid. March has had lower calls with 21 total, 19 in Castle Shannon, 1 in Baldwin Township, and 1 Mutual Aid. There have been 2 structure fires in the last three weeks, with crews able to contain both fires to a single room. In house training took place in March for Self-Contained Breathing Apparatus as well as skill training. There is a joint training course with the Mt. Lebanon Fire Department taking place this evening at the Dormont Rec Center on responding to Natural Gas calls. One officer has attended outside Hazmat training as well. Chief Reffner stated that it is sadly the first time in over a year that there are no new members for the month of March. There are, however, a few applications being reviewed for April. Ms. O'Malley thanked the Fire Department for their involvement in the Pittsburgh St. Patrick's Day parade, saying that they presented very well and that she was happy to see two female firefighters participating.

Public Works – Mr. Oates stated that he met with Public Works Foreman Mr. Ausman this morning and went over current projects for the crew. They are starting grass cutting, as well as coordinating with Waste Management for the new cart deliveries that will begin this Wednesday. The new Ford F150 dump truck has been acquired and is currently being built.

Board Reports –

ACBA – Nothing to Report

Civil Service - Nothing to Report

Economic Development - Nothing to Report

Library – Ms. Shartle shared updates from the Library. Last weekend was the Spring Used Book Sale put on by the Friends of the Library, and Ms. Shartle encouraged attendance at the Fall Book Sale as there is a large variety of books available. April 4th is the Library Board of Trustees Meeting. April 9th is the Tiny Art Exhibition and encouraged Council and the Public to attend. The Friends of the Library are hosting a Spring Flea Market on April 13th, which will include a bake sale.

MRTSA – Mr. Swisher reported that the board will be meeting this week on March 27th. Mr. Swisher also reported that today was the first day for the new Executive Director.

SHACOG – Mr. Seiler attended the meeting on March 21st and viewed a presentation about Medicare and advice, including free services available to those receiving Medicare.

Mayor's Report – Mayor Baumgarten noted his support of the Embedded Social Worker idea introduced by Chief Truver. Mayor Baumgarten also noted that today was a busy day for the Police Department, including several arrests, responding to multiple car crashes, and a few fire calls. He also noted that there is always a drug problem that the Police are working against.

Manager's Report – Nothing to Report

Solicitor's Report – Nothing to Report

Real Estate Tax Collector Report - Nothing to Report

Public Comment – Non-Agenda Items - Ms. Kovach opened the public comment section of the meeting.

Bryan Gigliotti – Mr. Gigliotti announced that the Summer Recreation Program is getting closer, and information on sign ups will be in the Spring Newsletter. Some applications for counselors, both paid and for community service hours, have been turned in already. The candidate for Assistant Director is waiting on his clearances to be approved and will be turning in his application shortly.

The CSYA Kickoff party was last weekend, and had the largest crowd so far. He noted that the party ended up running out of beer because it was so crowded. The season is about to start in mid-April, and the weather depending there will be some practices starting in the next week or two.

Mr. Gigliotti asked about the Shade Sails in front of the Library, and whether a committee had been formed to address them. Ms. Kovach confirmed that a committee was formed but no meetings were held yet.

Ms. Kovach asked Mr. Gigliotti if O'Malley Field at Myrtle Elementary was used by CSYA. Mr. Gigliotti responded that they were not allowed to use that field as it is property of the School District, and that he has had numerous conversations with the athletic director about using that field. Mr. Gigliotti and Mr. Beck from CSYA are also attending School Board meetings, and recently had a meeting with the athletic committee about sports and the use of facilities. Ms. Kovach asked if Council backing on this matter would help, with Mr. Gigliotti replying that help is always appreciated. Ms. Shartle asked about the use of O'Brien Field off of Sleepy Hollow Road. Mr. Gigliotti replied that the field is used for practices almost every weeknight during the season, but due to it's proximity to resident homes and lack of parking it isn't used for games.

Ms. Kovach opened the floor for other comments; being none, the public comment section was closed.

Old Business – Mr. Foote noted that the agenda item of the Trash and Recycling program had already been discussed, and had no further information. Mr. Foote reiterated that the new trash and recycling carts will begin delivery this week.

New Business – Mr. Swisher brought up that a few residents have mentioned some of the brick along the Streetscape area are not laying well. He also mentioned that there is a maintenance bond period that is nearly up. He asked if the contractor, Facchiano, was the lead on that, with Mr. Stanton replying that KU Resources was the designer of record for that project. Ms. Kovach noted that she walks her dog in that area every day and has not seen a problem anywhere. Ms. Kovach also noted a previous issue of a large lip on the curb along Willow Avenue, stating that it's far enough away from the walking area that it doesn't pose an issue. If that is still a concern, she suggested adding a planter between the curb and the sidewalk. Mr. Swisher reiterated that the maintenance bond will be up soon, and said that the original contractors should at least come out and take a look at the areas of concern. Mr. Foote stated that this topic will be added as a follow up item, and that he will reach out to KU Resources on this matter.

Ms. Kovach opened the floor for other comments; being none, the new business section was closed.

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

Approved as presented this 8 day of April 2024.

C. Michael Foote
Borough Manager

Nancy Kovach
Council President