

MINUTES TO AGENDA MEETING OF JULY 11, 2017

The Agenda meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:00 p.m. on Tuesday, July 11, 2017.

After the Pledge of Allegiance to the Flag, the following Council answered to roll call:

Mr. Ed Moeller
Mr. James Behers
Mr. Michael Ducker
Mr. John Conley- Vice-President
Mr. Michael Stelmasczyk-President
Mr. David Depretis-Mayor
Mr. Jason Stanton- Engineer
Mr. Stanley Lederman- Solicitor
Mr. Michael Lederman- Solicitor
Mr. John Barrett- Borough Manager

Absent: Mr. Kevin Fischer and Mr. Francis Scott

AUDIENCE AGENDA: Agenda Items Only: 5 MINUTES PER SPEAKER OR GROUP

Mr. Stelmasczyk asked the audience if they would like to address Council on anything that is on the Agenda.

Jenny Worley of the Baldwin Library would like to talk about the Library Project and the Leland Center building. Mr. Barrett explained as a reminder, we filed a joint application to the Keystone Library Grant for the purpose of renovating and relocating the Library to Leland Center. The Grant awarded \$500,000 as a matching grant. They were waiting for the grant agreement to come back from the state. Jenny is to provide the fundraising events and building questions for Council. Jenny Worley explained to council once they received the grant they first looked at the design of the building and produced pictures for the public to see to increase the attendance at the fundraisers and this will help with community awareness. She continued to explain their plans for the center and how they would fundraise for money to get their project completed.

Mr. Barrett explained they wanted to use a fundraising consultant to help build community support. There are also some agreements for the use of the space below for PW to use, in addition, a sub-division may need to be thought about and make this a positive move for the community.

Mr. Stelmasczyk moved forward on the agenda.

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ENGINEER'S REPORT

Mr. Jason Stanton submitted his monthly report on July 6, 2017 summarizing activity from the last Council Meeting. Additionally, Mr. Stanton provided brief updates on the following items:

- Under the Lick Run Consent Order and Agreement, The Pleasant Hills Authority (PHA) loan closing is completed. The PHA Master Meters will be bid as a separate construction contract. Mr. Stanton explained about the different meters along with explaining a feasibility study was completed by GF/PHA to evaluate both monitoring technologies. The report was issued at the June 22nd quarterly engineers meeting. LSSE will prepare a recommendation letter to council at the next meeting.
- The Equalization Tank construction is complete. The contractor has been performing water testing and installing a walk way and railing. The pumps run and slew speed divert water to the tank have not been able to connect as of yet.
- At next week's meeting, Mr. Stanton will be asking for a pay request for Mele & Mele & Sons, Inc. along with Guyer Brothers who have completed some restoration work in the last few days.
- The Pollution Reduction Plan (PRP) has been prepared and is related to the Municipal Storm Sewer System (MS4 System). We presented the annual MS4 training to Council in April. Also, The PRP is required to be submitted with the Notice of Intent (NOI) due in September 2017. A 30-day review and comment period will be required.
- Mr. Stanton further discussed Streets Run is an impaired water for sediment, Lick Run is not. Other communities we don't need to implement a (PRP) in the Lick Run tributary watershed.
- Mr. Stanton briefly went over the following:
 - Over the next 5 years we are required to reduce 10% sediment in our Borough
 - The DEP wants to see plans in each one of the tributary areas at each one of the outflows.
 - Streets Run Tributary runs through our roads and storm system and is around 1350 acres approximately. Utilizing that value, our storm sewers collect 1.2 million pounds of sediment per year. Explaining over the next five years we are required to remove this sediment.
- A draft of the five (5) projects for reducing Sediment in the Borough show the Municipal Building controlling rain guards and inlets and also implementing a series of projects for Elm Leaf Road that would assist in compliance. The other three (3) projects are existing Storm Water Management Ponds. The two ponds at Breckenridge and Cathell, if they are retro fitted to have more of a quality improvement or a focal point. Mr. Stanton provided Council with an example of a focal point. If we can stabilize a project, we can help reduce the sediment per the DEP regulations.
- Mr. Stanton provided an Engineering list for budgetary purposes. All of these projects need to be implemented in year 1 or year 5. We do have to submit an annual progress report, but with these five projects, the budgetary costs are about \$1.8 million.
- Mr. Stanton is asking next week on the agenda, for authorization to advertise for the Pollution Reduction Plan for the first thirty day review and comment period. The entire plan including the maps and spread sheets provide all the details and must be on display at the Borough for anyone wishing to review this plan.

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The Council asked several questions on this plan with both Mr. Stanton and Mr. Firek explaining these five year plans.

Lastly the storm complaints from the flooding were reviewed by Mr. Stanton, Mr. Firek and Mr. Barrett. Several of these complaints are due to nature and would not have happened had it not rained so many days. Other categories in this graph of complaints, Mr. Firek divided each one into specific complaints that were similar.

Mr. Stelmasczyk asked if there were any questions for the Engineer, none were asked.

SOLICITOR'S REPORT

Mr. Lederman talked how we will explain the operation and maintenance of the Equalization Tank when it goes public in a few weeks.

- In March of 2015, the Borough signed an agreement with Whitehall was as to our contributions to the maintenance and operations of the tank. After the agreement, the Pleasant Hills Authority and the Borough started detailing the agreement on the maintenance of the tank. A meeting took place with the Pleasant Hills Authority and they took action and passed it and have already done what they needed to do. Mr. Lederman has the agreement along with a checklist and the Whitehall agreement is an appendix with the agreement. He would like to have a motion to vote on this tonight from Council.
- Mr. Lederman provided the details of costs and outline of the Borough's responsibilities for the Equalization Tank.

M-1 *Mr. Ducker made the motion to approve the operation and maintenance agreement between the Borough of Baldwin and the Pleasant Hills Authority; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk stated this item was not on the agenda if anyone has any questions or comments on the motion. None were asked.

Next, Mr. Lederman explained the AIM loan.

- Borough will be borrowing \$152,634.80 for the purchase of a new 10-ton truck. The details of the Authority for Improvements (AIM) loan in Municipalities is how the Borough will purchase the truck. This must be advertised will go in on Thursday since there is a 7 day rule for when it may be advertised. At the August 8, 2017 meeting, this approval can be passed.
- Michael Lederman went to court at the local magistrate last week. Code Enforcement Officer, Anthony Ascioffa had cited Tom Lockaton who had begun piling up garbage in the front corner of his lot. Mr. Ascioffa did a citation instead of a hearing along and was asked to take pictures beforehand. The garage was almost cleaned up, but not enough. Mr. Ascioffa went to Mr. Lockton's home watching to make sure he cleaned up the entire garbage. The resident is back in compliance.
- Mr. Lederman is in need to speak with John and compile the exhibits for the Drive Time. They needed to go back to county and have the plan reviewed.

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Mr. Stelmasczyk asked if there were any questions for the solicitor, none were asked.

MAYOR'S REPORT

Mayor Depretis will give his report at the next meeting.

- He would like to have the committee of the Community Day be present at the meetings before the event. He has had several complaints, not enough information has been provided to Council.

Mr. Barrett explained updates for the Schuette Rd. closure and if it would be completed before Community Day, July 8, 2017.

Mr. Stelmasczyk asked if anyone had any questions for the Mayor. None were asked.

ADMINISTRATION

Mr. Barrett referred to his written report submitted to Council. He mentioned a few items for Council to consider.

- Feedback from a meeting about Streets Run Rd. and fill Council in on the progress that has been made since the flooding. Rep. Readshaw and Rep. Kortz, Sen. Brewster, DEP, Corp. of Engineers, PennDOT and the City of Pittsburgh were in attendance to speak about the many occurrences of flooding on Streets Run Rd. The main idea for the meeting tried to come up with a solution of this constant flooding. The DEP provided a permit to allow for dredging in this location, however Mr. Barrett is concerned over the cost of the project and how the removal of debris in the future would be handled.

Mr. Firek explained the road needs to be raised to hopefully assist in the flooding. Along with dredging a part of the creek to assist in helping after the flooding.

- Mr. and Mrs. Stanko are in the audience that the Borough took a tour of the rail lines that are above Gardenville Road after the storm. Physically the condition of the train track is in bad shape. Railroad ties and debris are on the tracks along with a few homes along the wash out area that has affected many homes. Along with Streets Run Rd. now the railroad tracks have similar debris making it very dangerous. Mr. Barrett explained Wheeling Lake Erie Railroad are the owners of the railway and they tried numerous times to contact them (phone calls, emails, etc.) to have them come out and observe the conditions that are in this area.

Bob Stanko who lives up by the tracks and this same condition goes at least two miles down the railroad. The water washed down to the tunnel and comes over the hill to his and other properties.

- Mr. Barrett explained commercial property that is discharging above resident homes. It may be a time to enforce our Borough Stormwater Ordinance to enforce the issue.

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- Next, he explained they opened competitive bids for the first part of Elm Leaf. Next week they will bring forward a motion to accept the low bid from Stefanik's Next Generation Contracting submitted a not to exceed number of \$772, 070.00 Eight bids were received and in terms of these bids, he was \$80,000 less than the next responsible bidder.
- Mr. Barrett provided an update on the Planning Commission with the Dollar General. There was a project renovation of this plaza and they were provided with a number of items to resubmit for a July Planning Commission Meeting. The Planning Commission asked for an extension from the applicant with some items that were demonstrating what is built that meets our Ordinance.

Mr. Moeller believed a building permit was issued for the Dollar General and then opened. Since they opened, how and why did they open without the occupancy permit? Do we have the right to shut down or fine because they opened without the correct protocol being used.

- Mr. Barrett said they unfortunately opened before their plans were approved for the Dollar General. He detailed the items that still are required for the Dollar General to open officially.

Attorney, John Corban, council for the Zukiewicz plaza not Dollar General. He was able to provide a copy of an approved Occupancy permit. How was our Code Enforcement able to supply an Occupancy permit when it wasn't fully approved? They were unaware this was not to be the case and the Occupancy should have not been given until all items are approved.

Mr. Lederman asked how long it would take to have the Planning Commission and Council to approve the motion for opening. Mr. Lederman asked Mr. Corban how long it would take to have them be ready for the required permits. It was recommended by Mr. Lederman, Mr. Barrett and Mr. Firek the time frame for which all of this should take place with Mr. Corban.

Chris Stock who owns Co Stock Construction on Joseph St. complained about the runoff of rain from the new Dollar General. Since the road was paved the parking lot on the side of Dollar General, they have received a substantial amount of flooding. Storage units have been flooded and no longer have the ability to rent out these units. Now there's water coming down Joseph, and the catch basin is in complete disrepair. It was decided the Borough will look into this matter.

Mr. Lederman explained to Mr. Corban, within seven (7) days, they are required to get required information and a letter explaining the details of the plan, so the Borough will be ready to provide them an Occupancy Permit. It was decided that Mr. Lederman will be waiting for these papers to present to Council.

- Lastly, Mr. Barrett spoke about the changes in the zoning map with a few properties on Gardenville who were affected. These properties were originally zoned commercial have been rezoned accidentally to residential. Mr. Barrett explained we now need to go through a Curative Amendment Process. Two Resolutions need to be passed for this to happen. The First Resolution is stating that we have errors in our zoning map that we need to change and the second resolution is to identify what those changes will be. Then

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we need to address this with the Planning Commission and get approval, a public hearing and advertise the zoning changes.

Mr. Stelmasczyk asked Council if they had any questions with the Managers report. None were asked.

FINANCE

- Mr. Fischer was absent from tonight's meeting. Mr. Stelmasczyk said Mr. Fischer will go over his report at the next meeting.

Mr. Stelmasczyk asked if anyone had questions.

Mr. Moeller is asking about the line for the cost of the management for the concession stand is more than last year, around a \$9,000 more. Mr. Barrett explained the increase and will provide a detail of the expenses for the concession stand.

PUBLIC WORKS

- Mr. Behers summarized Public Works activities since the last Council meeting. The Director of Municipal Services Report is also available for Councils review.
- Flood Response, PW in recent weeks have been using the sewer camera and flusher to make sure all sanitary line are in good condition and flowing. They have assisted the Borough Manager and Dir. Of Mun. Services with specific property concerns.
- The pool entrance asphalt work was completed by our PW. In addition to roads, Green Glen has been repaired with patching an asphalt.
- Lastly, Mr. Behers explained how much work the PW crews did in preparation of Community Day. Placing up the booths as well as taking them down. They as always, provide site support during the event.
- The Director of Municipal Services Report was highlighted by Mr. Behers
- Mr. Firek explained the follow items:

Street Opening permits, Colewood Sanitary Project and EQ Tank Project, 2017 Road Program, McAnnulty Road Bridge Replacement Project, Pool House Renovation Phase II, Elm Leaf Park Phase I, MS4 training and compliance, and lastly the Borough Flooding Issues.
- Mr. Firek explained the major flooding issues from June 14 & 15th that had many homes damaged from continuous rain. A large slide happened at the pool and they will clean this up and put up some large rock at the bottom to hold the hill side up.
- Street Opening Permits are slowly working with the utility companies and he will keep everyone updated.

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- The 2017 Road Program has started and they began over on Colewood Drive to remove the curbs and also on Ranchview Drive they are doing the curbs. When this is complete, they will begin working on the storm inlets that need repairs.

Mr. Barrett explained a few comments on the Road Program. The manager at the Residents of South Hills reached out to us and ask what road are on our paving program. They were interested to know about Keepport and Youngridge being paved. Mr. Barrett explained that Youngridge was an add alternate and decided not to pay for this alternate road. The new owners asked if Council placed this road back onto the paving program, they would pay half \$112,500, of the cost to pave the road.

Mr. Barrett recommended to accept their offer going through the year determining how much we went over budget, and then reduce the paving project by this amount for next year. Mr. Lederman agreed to create an agreement to get the project started:

M-2 *Mr. Ducker made the motion to have the Borough Solicitor produce and agreement for the Borough to add Youngridge Drive back into the 2017 Road Paving Program; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked this motion was not on the agenda, if anyone has any questions or comments on the motion, no one asked.

Mr. Stelmasczyk asked if anyone had any questions or items from Mr. Behers report. No questions were asked.

PARKS AND RECREATION

Mr. Conley noted noting on the Blanket monthly parks and facilities report for July 2017. He explained there is nothing to report.

ZONING AND PLANNING

Mr. Moeller reported the following monthly report for May, 2017:

- The Planning Commission met on Monday, July 10, 2017 with two other items on the Agenda.

Mr. Bob Ieraci explained they approved two subdivisions, but the land development of these two properties have not been approved.

- The Zoning Hearing Board is scheduled to meet Thursday, July 20, 2017.
- The monthly Zoning and Planning and inspection and activity reports will be discussed at the next meeting. The Code Enforcement and violations have not been listed, he expected more violations on the list. He also asked about a house located in the corner of Waterman and Spencer in the city that he saw with a raised pool and no fencing around it? Mr. Lederman suggested he call the city inspectors office.

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Mr. Stelmasczyk asked if anyone had any questions or items from Mr. Moeller's report. No questions were asked.

PUBLIC SAFETY

Mr. Ducker announced the Monthly Activity Reports he received and the ones not as of today. He will ask Tammi if she has received any of the remaining reports for the next meeting.

- The vacant position for Emergency Management Coordinator would be advertised for next Thursday. He talked with Joe Cambest who is interested in filling the position and Mr. Ducker suggested he provide both a cover letter and a resume.

Mr. Stelmasczyk asked if anyone had any questions for Mr. Ducker. No questions were asked.

PERSONNEL

Mr. Scott was absent and will provide his monthly report next week.

Mr. Barrett explained in February that Bill Gamble reviewed the Civil Service Rules and Regulations were approved at the last meeting. We had two items that were addressed and they met in May again.

Mr. Stelmasczyk asked if anyone had any questions for Mr. Scott. No questions were asked.

NEW BUSINESS

No new business to discuss.

AUDIENCE AGENDA: Any issue pertaining to Borough Business; 5 MINUTES PER SPEAKER OR GROUP

No one approached Council.

M-3 *Mr. Moeller made a motion to enter Executive Session; second by Mr. Behers. Upon vote, motion passed unanimously.*

Council entered Executive Session at 9:30 pm.

Respectively Submitted,

BOROUGH OF BALDWIN
John Barrett
Borough Manager