

MINUTES TO REGULAR MEETING OF JULY 18, 2017

The Regular Meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:30 p.m. on Tuesday, July 18, 2017

After the Invocation and Pledge of Allegiance to the Flag by Mr. Ducker, the following Council answered to roll call:

Mr. Ed Moeller
Mr. Kevin Fischer
Mr. Francis Scott
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
Mrs. Diana Behers-Treasurer
Mr. John Barrett- Borough Manager

Absent:

Staff Present:

APPROVAL OF MINUTES

Mr. Stelmasczyk asked for the following approval of Council Meeting Minutes:

M-1 *Mr. Ducker made the motion to approve the Agenda Meeting Minutes of May 9, 2017; second by Mr. Moeller. Upon vote, motion passed unanimously.*

M-2 *Mr. Fischer made the motion to approve the Regular Meeting Minutes of June 20, 2017; second by Mr. Ducker. Upon vote, motion passed unanimously*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to these motions, none were asked.

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

Mr. Stelmasczyk asked the audience if they would like to address Council on agenda items only. No questions were asked.

ENGINEER'S REPORT

Mr. Stanton noted his report from July 6, 2017 summarizing activity since reviewing it with Council at the Agenda Meeting on July 11, 2017. He does not have any additional items to add to this report and asked if anyone had any questions pertaining to any other Engineering item, no questions were asked by Council. He asked for the following motions:

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M-3 *Mr. Scott made the Motion to Motion to Advertise a Pollutant Reduction Plan (PRP) to be submitted with the Borough's NPDES MS4 Permit; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. None were asked.

M-4 *Mr. Fischer made the Motion to Approve Partial Payment Request (No.10) from Mele & Mele and Sons for the Equalization Basin and Lift Station, contract No. 14-S1 in the amount of \$449,023.49 per the recommendation of the Borough Engineer; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. None were asked.

M-5 *Mr. Scott made the Motion to Approve Partial Payment Request (No. 9) from Guyer Brothers Inc. for the Lick Run Wet Weather Flow Strategy, contract No. 14-S2 in the amount of \$27,567.28 per the recommendation of the Borough Engineer; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments for the Engineer, none were asked.

SOLICITOR'S REPORT

Mr. Lederman explained last week the Borough finalized the Operations and Maintenance Agreement with the Pleasant Hills Authority. This agreement is regarding the services for the Equalization Tank and work and money spent on this project.

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

MAYOR'S REPORT

The Mayor reported calls for the month of June were 557 and calls given to police from 911 were 741. In addition, the fees collected for the month were \$8,590.00. Next, the Mayor read the monthly activity reports for K-9 Officer Niko and K-9 Officer Ajay.

Mr. Stelmasczyk asked if anyone had any questions for the Mayor.

ADMINISTRATION

Mr. John Barrett submitted his written report to Council at the last Agenda Meeting. He has a number of motions for consideration from Council:

A final pay request payable to Emmocon for the municipal auditorium renovation project.

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M-6 *Mr. Scott made the Motion to Approve Final Payment Request from Emmocon Corporation for the Municipal Auditorium Renovation Project in the amount of \$13,395.00 per the recommendation of the Project Architect; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. None were asked.

Mr. Barrett a letter was submitted from our general contractor for the Pool phase II renovation request:

M-7 *Mr. Fischer made the Motion to Approve Partial Payment Request (No. 2) from Swede Construction for the Phase II of the Baldwin Community Pool Renovation Project in the amount of \$72,373.50 per the recommendation of the Project Architect; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. Mr. Scott asked what is remaining on this project. Mr. Barrett explained the delivery of the shade structures has been delayed and then once delivered, they need to be installed along with concrete pads to secure these shades.

Mr. Barrett explained this next motion is a resolution for the Borough to continue to serve as coordinator for the PA Impaired Driving Grant. This grant we approve each year and upon renewal of this grant, we are required to approve a resolution to approve the endorsement of the grant.

M-8 *Mr. Moeller made the Motion to Approve Resolution No. 2017-07-12 authorizing the Borough to administer the PA Impaired Driving Grant; second by Mr. Fischer. Upon vote, Mr. Stelmasczyk voted no. However, no roll call is need and the motion passed 6-1.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion.

Council asked if this covers all the costs or will the Borough be paying additional money for the Grant. The Chief explained this would cover everything including the training and the conferences the DUI Coordinator to attend. Mr. Stelmasczyk is voting against this grant because he believes other municipalities that participate, should be paying these costs.

Mr. Ducker asked how the DUI trailer is pulled, with the Chief responding a Ford Explorer hauls the trailer. Several of Council will probably not approve the DUI Grant for the 2018 renewal and have another municipality step up and take over the administration of the grant.

Mr. Barrett explained the next motion of for a resolution related to our Zoning Ordinance and a need for a Curative Amendment to address some issues that were left off the recent adoption of our new zoning ordinance. There will be a series of items like this in our future meetings. Mr. Barrett is asking for the adoption of this resolution:

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M-9 *Mr. Fischer made the Motion to Approve Resolution No. 2017-07-13 regarding invalid portions of the zoning ordinance and beginning the Curative Amendment Process; second by Mr. Behers. Upon vote, motion passed unanimously*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion, none were asked.

Mr. Barrett explained they opened sealed bids for the Elm Leaf Park Phase renovation project. A total of eight (8) bidders with Stefanik's Next Generation Contracting as the lowest bidder. He is asking for the motion:

M-10 *Mr. Moeller made the Motion to Award Contract for Elm Leaf Park Phase I to Stefanik's Next Generation Contracting for an amount not to exceed \$772,070.00; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. Mr. Moeller is asking if he has any idea of a starting and completion date. Mr. Barrett explained After the meeting, he will provide notice to the contractor, get their contracts in order, have a pre-construction meeting and would anticipate around thirty + days from now.

Mr. Barrett would like to explain the next motion is an administrative error after the June Meetings with regard to a public advertisement for two ordinances (AIM loan, Vacant Property Registration Program). Because of the timeline, the need to adopt these ordinances will be adopted at a Special Meeting of August 1, 2017.

M-11 *Mr. Scott made the Motion to Advertise a Special Meeting of Borough Council on Tuesday, August 1, 2017 at 5:30 pm at the Borough Municipal Building; Second by Mr. Ducker. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion.

Mr. Stelmasczyk asked if there were any questions for the Borough Manager; none were asked

FINANCE

Mr. Fischer noted he was not in attendance and had Mr. Barrett went over the Monthly Financial Reports explaining Revenues and Expenditures as well as the current cash position in detail.

Mr. Fischer would like to ask for the following motions:

M-12 *Mr. Fischer made the motion to approve the Treasurer's Report for June 2017; second by Mr. Conley. Upon vote, motion passed unanimously.*

M-13 *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$451,871.77 and approve bills in the amount of \$990,040.96 for a total of \$1,450,912.73; second by Mr. Conley. Upon vote, motion passed unanimously.*

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Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to these motions or for Mr. Fischer, no questions.

PUBLIC WORKS

Mr. Behers stated the following updates from Public Works Department (PWD) since the last Council Meeting:

- DPW has been working hard on the response to recent flooding and storm events. The sewer camera and flusher to view our sanitary lines and make sure they are flowing well. They have also been assisting the Borough Manager and Dir. Of Municipal Services with specific houses damaged from flooding.
- Next the walking entrance to the front of the pool needs replaced. PW resurfaced this access road along with completing patch work on Green Glen Drive.
- The PW Department supported the Community Day event by setting up for the entire event.
- The 2017 Road Program has started with removal of curbs then storm work before milling, paving and restoration. Bob Firek, Director of Municipal Services will ask for the PW Department's help in inspecting these items getting done.

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

Mr. Scott would like to say a special thank you to the people who organized and volunteered for Community Day.

PARKS AND RECREATION

Mr. Conley explained there is nothing requiring approval from Council on the blanket approval list for July.

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

ZONING AND PLANNING

Mr. Moeller reported the Planning Commission met on July 10, 2017 with items on their agenda to include:

Questions with the Curative Amendment Process and the Zukiewicz Plaza (Dollar General)
The Zoning Hearing Board did not meet in July with nothing on their agenda.

He noted the Building Inspection Monthly reports were included in his report:

- *June 2017, collected for 105 permits and appeals for a total of fees collected of \$11,190.44*
- *June 2017, 590 YTD permits and appeals issued*
- *June 2017, YTD fees collected for a total of \$60,158.00*
- *June 2016 fees collected were \$7,188.43*
- *June 2016 YTD fees collected for a total of \$58,645.88*

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- *This is an approximate increase of 1,500 from last year*
- *One citation and 4 letters were issued to residents*
- *June 2017 YTD total of 30 citations and 211 letters*

Mr. Stelmasczyk asked if there were any questions for Mr. Moeller.

PUBLIC SAFETY

Mr. Ducker noted everyone has received only the BEMS Emergency Medical Service Monthly Report. The Volunteer Fire Department Monthly Activity Reports will be available next month.

BEMS Assist. Chief Brian McCaffrey, explained two years ago he announced they received the American Heart and Lung Association recognition Silver Medal Cardiac Care. In addition, last year they received the Gold Medical in Cardiac Care. This year, he announced BEMS received the Gold plus Award from the American Heart and Lung Association. Information from a press release stated BEMS is one of 23 agencies in the state to receive this high of a recognition. It places BEMS in the top 1% of all ems agencies across the country in terms of cardiac care. He thanks Baldwin for all of their support.

Mr. Ducker had residents come to the meeting from Gardenville Rd. with the condition of the railroad tracks in this area. Mr. Barrett was able to speak to them and say they toured the area and the track meets the safety criteria and obligated to meet based on the age of the track. Council will be updated as Mr. Barrett receives a written report.

Mr. Stelmasczyk asked if there were any questions for Mr. Ducker since this item was not on the agenda, none were asked.

PERSONNEL

Mr. Scott had nothing to report for tonight's meeting.

He has a motion for adoption:

M-14 *Mr. Scott made the motion to adopt Resolution No. 2017-07-14 Revising the Rules and Regulations of the Borough of Baldwin Civil Service Commission; second by Mr. Moeller. Upon vote, motion passed unanimously*

NEW BUSINESS

Mr. Stelmasczyk asked Council if they had any new business to discuss, no one requested new business to discuss.

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

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Joe Archer of 127 Maryanne Dr. He has been flooded with sewage that one time saw their car floating in the garage. The borough ran a camera through the main sewer lines. He discussed his issues with the Borough and Mr. Barrett will speak with him again once all of the paperwork is completed.

Heather Kichta of 4729 Gardenville Rd. has been in touch with Mr. Barrett since June 14th. Her entire house is damaged. A bill was provided by a restoration company that was very high. She has done what she can do to restore portions of her home and is going to list her home for sale. She is here tonight to see if there is anything the Borough can do to help and will be sending all of her bills and information hoping they can help. She was asked about her homeowners insurance paying for this and they refused since she is not in a flood zone area.

Neighbor of Joe Archer (this is her in-laws house) at 131 Maryanne Dr. had severe flooding not once but twice in the home since they have been away. It was suggested by Mr. Stanton who explained they may not have needed to go down the manhole to view the lines. He will look at her property within the next week.

Mary Kelly of 3782 Cready Hill Rd. has water off the roadway into her property. Her home is having water flowing from the road down into her home.

M-15 *Mr. Ducker made the motion to go into executive session; second by Mr. Moeller. Motion passed unanimously.*

The meeting adjourned by Mr. Stelmasczyk at 8:55 pm.

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett
Borough Manager