

# MINUTES TO REGULAR MEETING OF JULY 19, 2016

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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 19, 2016.

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

Mr. James Behers  
Mr. Michael Ducker  
Mr. Ed Moeller  
Mr. Kevin Fischer  
Mr. Francis Scott  
Mr. John Conley- Vice-President  
Mr. Michael Stelmasczyk-President  
Mr. David Depretis-Mayor  
Mr. Larry Souleret- Engineer  
Mr. Stanley Lederman- Solicitor  
Mr. Michael Lederman- Solicitor  
Mr. John Barrett- Borough Manager  
Mrs. Diana Behers-Treasurer

Staff Present: Tammi Genilla- Administrative Assistant

## APPROVAL OF MINUTES

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

- M-1** *Mr. Fischer made the motion to approve the Minutes the Agenda Meeting of June 14, 2016; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-2** *Mr. Fischer made the motion to approve the Minutes the Regular Meeting of June 21, 2016; second by Mr. Conley. Upon vote, motion passed unanimously. One abstain from Mr. Scott.*

Mr. Fischer would also like to amend under Finance, Motion 12 should reflect he made the first motion and second by Mr. Conley. The adopted minutes shall reflect this change.

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 anything that is on the Agenda.

Thomas Helm of 432 Elaine Drive would like to address Council on the flooding taking place on his property. Mr. Helm believes the storm inlet is too small to accept stormwater and causes flooding on his property. This issue was discussed with Mr. Barrett, Council and the Borough

## **MINUTES TO REGULAR MEETING OF JULY 19, 2016**

---

Engineer. Mr. Barrett explained the investigative work the Borough has done to examine this issue and provided Council and Mr. Helm with additional details.

Mr. Stelmasczyk asked if there were any other questions about an agenda item, none were asked.

### **ENGINEER'S REPORT**

Mr. Souleret noted his report from July 8, 2016 summarizing activity since reviewing it with Council at the Agenda Meeting on July 12, 2016. 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.

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

### **SOLICITOR'S REPORT**

Mr. Michael Lederman had nothing additional to report to Council.

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

### **MAYOR'S REPORT**

The Mayor reported calls for the month for June were 591 and calls given to police from 911 were 718. He read a brief overview of activity for and K-9 Officer Niko with Officer Parrotta and K-9 Officer Ajay with Officer Pagane.

The Chief presented Sergeant Thomas Kearns with a Certificate of Commendation for aiding in the apprehension in Baldwin of a suspect in a reported carjacking in Homestead.

In addition, The Mayor explained that the Chief and Detective Cortazzo recently returned from Erie, PA and announced the Borough Police Department is now accredited by the State of Pennsylvania.

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

### **ADMINISTRATION**

Mr. Barrett submitted his written report to Council last month and reviewed it at the July Agenda Meeting. He asked Council for the following formal motions:

Mr. Barrett explained the 2016 Road Improvement Program has started with the award of this contract to Michael Facchianno Contracting, Inc. Paving is scheduled to begin on the following streets in the Borough: Manhasset, Springdale, Wallace, Robbins St., Magnolia Dr., parking lot off Elm Leaf, and the BEMS parking lot. The contractor will be providing prior notification to these residents before construction.

## **MINUTES TO REGULAR MEETING OF JULY 19, 2016**

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Next, a contract has been awarded for the Lick Run EQ Basin and pipe upsizing project near Colewood. A Borough webpage will be provide residents all the latest information on this entire project.

Mr. Barrett asked Council for consideration for purchase of two (2) police Ford Interceptors. One will be purchased outright and the other will be financed with Huntington Bank. Competitive quotes were considered with Huntington Bank being the lowest for this purchase and Mr. Barrett asked for the following motion:

**M-3** *Mr. Fischer made the motion to approve Resolution No. 2016-07-16 approving a Capital Lease from Huntington Public Capital Corporation for the purchase of one (1) police vehicle; second by Mr. Scott.*

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

### **FINANCE**

Mr. Fischer noted the monthly financial reports with Revenues and Expenditures as well as the current cash position discussed by Mr. Barrett at the Agenda Meeting. He asked if Council had any questions pertaining to these items, none were asked.

He asked council if they had any questions on the Treasurer's Report for June 2016. Mr. Fischer would like to ask for the following motions:

**M-4** *Mr. Fischer made the motion to approve the Treasurer's Report for June 2016; second by Mr. Conley. Upon vote, motion passed unanimously.*

**M-5** *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$494,169.77 and approve bills in the amount of \$596,358.46 for a total of \$1,074,701.94; second by Mr. Conley. Upon vote, motion passed unanimously.*

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

### **PUBLIC WORKS**

Mr. Behers noted Public Works is continuing their efforts on repairing damage from the storm at the beginning of July. Many areas of the Borough are being reviewed for storm damage along with regular scheduled maintenance within the Borough.

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

### **PARKS AND RECREATION**

Mr. Conley asked for a motion on the Borough parks and facilities:

## MINUTES TO REGULAR MEETING OF JULY 19, 2016

---

- M-6** *Mr. Conley asked for a motion to approve the July Blanket Approval List for the Borough parks and facilities; second by Mr. Fischer. Upon vote, the motion passed unanimously.*
- M-7** *Mr. Conley asked for a motion to approve a fee waiver for the Baldwin Cub Scouts Pack #326 for the use of Elm Leaf Park in September and October pending availability; second by Mr. Moeller. Upon vote, the motion passed unanimously.*

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

### ZONING AND PLANNING

Mr. Moeller reported the Planning Commission Meeting was held July 11, 2016 at 7:30 pm and the motions will be considered later in the meeting. The Zoning Hearing Board Meeting scheduled for July 21, 2016 was cancelled with nothing on their agenda.

He noted everyone had their Building Inspection Monthly reports:

June 2016 fees collected a total of \$17,830.78 compared to \$14,985.55 for June 2015. The YTD fees collected for June 2016 were \$42,265.95 compared to \$86,797.34 in 2015. The large gap is due to last year with fees in new commercial property, The Crossroad Towers at the Cloverleaf.

Mr. Souleret explained the first motion will need to have language added to it before adoption. It should read at the end, and waive the requirement to post a bond for the site work since it is minimal and all work is privately owned. This amendment to the motion was added.

- M-8** *Mr. Moeller made the motion for Final Approval of Land Development application at 5235 Clairton Boulevard (C-2 Zoning District) per the recommendation of the Planning Commission and the Borough Engineer and waive the requirement to post a bond for the site work since it is minimal and all work is privately owned; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-9** *Motion to approve a lot line revision at 3202 Mellott Road (R-1 Zoning District) per the recommendation of the Planning Commission and the Borough Engineer and this does not include taking over the existing private road; second by Mr. Scott. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Mr. Moeller. Mr. Stelmasczyk asked about the description of the lines in the plan pertaining to dedication. Mr. Souleret explained this is a standard clause that's on all subdivisions as a County requirement. In this case, they are just moving the lot line no improvements as the road is private. Mr. Souleret recommended the motion be amended with "and this does not include taking over the existing private road."

# MINUTES TO REGULAR MEETING OF JULY 19, 2016

---

## PUBLIC SAFETY

Mr. Ducker noted everyone has received some of the Volunteer Fire Department Monthly Activity Reports noting the fire monthly activity reports will now be issued quarterly. In addition, the Emergency Medical Service Monthly Report was provided to Council.

BEMS Assistant Chief, Brian McCaffrey had nothing additional to report.

Mr. Ducker had a motion that was not on the agenda, but due to recent of an officer recently deployed to active duty for over one (1) year. He asked for the following motion:

**M-10** *Mr. Ducker made a motion that Council request the return of the Baldwin Borough Police Officer that has been working for the DEA Task Force to return to his regular duty in patrolling the streets of Baldwin Borough; second by Mr. Scott. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions on the motion.

Mr. Ducker commented about the current hourly rate benefits package cost the taxpayers of Baldwin Borough over \$150,000 per year to give the Federal Government one of our officers over 2,000 hours. With the officer being deployed, someone will now be paid overtime to fill this position and he believes it will be advantageous to have this DEA officer back.

Mr. Ducker asked the Chief about his comments made on the record in March 2016, stating when the budget is passed, Council would see DEA asset forfeiture money. At this time, Mr. Ducker has not been aware of any asset forfeiture money given. The Chief explained he received an email stating approximately \$32,000 will be given in asset forfeiture. Mr. Ducker said over \$120,000 is still outstanding with the addition of overtime pay. The Chief explained overtime pay, managing current officers to fill in with the shortage of five officers and what his plans are when the rules are updated with the Civil Service Rules and Regulations.

Mr. Fischer, Mr. Moeller, Mr. Scott and Mr. Stelmasczyk and the Mayor commented on Mr. Ducker's motion along with the following topics:

- Written report from the Chief to Council with his schedule and departmental needs
- Hiring of part-time Police Officers, their hiring rate and what other communities are doing to hire. In addition, Mr. Stelmasczyk said these officers would be at-will employees and not hired under the Civil Service Rules and Regulations
- Civil Service Rules and Regulations with comments from Mr. Gamble and Mr. Lederman
- DEA Task Force Officer information and the use of other municipalities to fill the position at the Task Force
- K-9 usage reports to include what other municipalities that utilize our K-9's

Mr. Stelmasczyk asked if there were any questions for Mr. Ducker on this motion, none were asked.

## **MINUTES TO REGULAR MEETING OF JULY 19, 2016**

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One additional comment from Mr. Ducker asking the Chief to provide more details about the DUI Grant from page 4 explaining why we are not charging for the fringe benefits along with an explanation of overtime rates, wages and salaries of the officers participating in the DUI patrols.

### **PERSONNEL**

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

### **NEW BUSINESS**

Mr. Stelmasczyk asked if anyone from the audience would like to address Council with anything related to Borough business.

Mr. Stelmasczyk wanted to let residents know he is looking into the pole on Churchview Ave. that is causing resident concerns. They are working toward a solution in getting this broken pole replaced whether via Verizon, Comcast or Duquesne Light.

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

The meeting adjourned by Mr. Stelmasczyk at 8:30 pm with a motion to adjourn to executive session:

**M-11** *Mr. Moeller made the motion to adjourn; second by Mr. Fischer. Motion passed unanimously.*

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett  
Borough Manager