

## **MINUTES TO AGENDA MEETING OF FEBRUARY 9, 2016**

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The Agenda meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:30 p.m. on Tuesday, February 9, 2016. After the Pledge of Allegiance to the Flag, the following answered the roll call: Mr. Behers, Mr. Ducker (conferenced in), Mr. Moeller, Mr. Fischer, Mr. Scott, Mr. Conley, and Mr. Stelmasczyk. Also present were Mayor Depretis, Larry Souleret, Engineer, Mr. Stanley Lederman, Solicitor, Michael Lederman Solicitor and Mr. John Barrett, Borough Manager.

### **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 as well as non-agenda items.

No one approached with questions.

### **ENGINEER'S REPORT**

Mr. Larry Souleret, of Lennon, Smith, Souleret Engineering, Inc. (LSSE) had submitted his monthly report on February 4, 2016 summarizing activity from the last Council Meeting. Additionally, Mr. Souleret provided brief updates on the following items that would need to be placed on the Agenda for motions at the next Council Meeting:

- Mr. Souleret explained the 2015 Roadway and Storm Sewer Improvement Contract No. 15-R01, awarded to Michael Facchiano Contracting, Inc. includes Change Order No. 3 (Final) with a reduction in the contract amount by \$28,750.28. In addition, a second motion as Partial Payment No. 5 (Final) in the amount of \$96,165.70 is needed to close out the contract.
- Second, Mr. Souleret explained the next motion for the Pool Building Roof Replacement Contract No. 15-RF01, awarded to Phoenix Roofing. Approval for Change Order No. 2 with an overall decrease of \$3,525.00 is stated in their February 2, 2016 letter to the Borough. They are also recommending Partial Payment No. 2 (Final) in the amount of \$16,937.85 to be paid to Phoenix Roofing, Inc. which was included in a February 2, 2016 letter to the Borough. This final payment will close out the Contract.
- Lastly, LSSE reviewed the bond reduction request in the amount of \$319,404.00 asked by the Baldwin Apartments developer A.R. Building Company. LSSE is recommending a release of \$308,697.36 with a difference of \$10,706.64 from the developers' request stated in a letter to the Borough on January 21, 2016. Council will be asked to formally approve at the Regular Meeting.

Mr. Barrett explained he had a few items that would also need to be on the agenda for the Regular Meeting. First, The Glass Run Road Bridge Replacements Project, PennDOT requires resolutions that go with a cost share or reimbursement of the project. Lastly, Mr. Barrett was provided a Service Order Authorization (SOA) for a proposed Source Flow Reduction study for Streets Run and Becks Run Rd.

- Jason Stanton, of LSSE, explained the status of the LR-30 with Council and how the Borough is operating under the revised Phase I Consent Order Agreement (COA) that requires a Source Flow Reduction Study be submitted by December of 2017. In addition,

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a Source Flow Reduction Demonstration project must be completed by August 2017. A letter dated February 3, 2016, showed LSSE has prepared this SOA and work associated with this proposed study.

Mr. Stelmasczyk asked about the bond reduction for the Baldwin Apartments. Mr. Souleret explained the determination of the amount recommended as less than the developers' request due to field observations and in-place quantities.

Mr. Stanton continued to explain about the Source Flow Reduction Study and detailed the following items.

- The proposed project to eliminate the constructed sanitary sewer overflow at manhole LR 30 along Gardenville Rd. needs to be constructed in the next 12-18 months. The recommended plan was either a full parallel approach or a phased approach about private laterals affecting approximately 45 properties in the Borough.
- Mr. Barrett explained the options Council has with regards to private laterals versus main line replacements. Mr. Fischer asked what the average cost is to the property owners to replace their laterals, Mr. Stanton explained the cost is estimated to be about \$3650.00, but will vary depending upon condition of driveway and location of laterals. Mr. Ducker and Mr. Stelmasczyk added comments pertaining to these sewer lines and inspections. Mr. Stanton further explained the effectiveness of each approach and how they would determine flow along these lines.

Mr. Souleret asked Council if they have any questions on the report. No questions were asked by Council.

### **SOLICITOR'S REPORT**

Mr. Stanley Lederman explained to Council about the Lockaton properties:

- He asked Council if everyone was satisfied with the pictures taken at the Lockaton properties since the court order. Council agreed they were satisfied with the results. Mr. Lederman continued to explain the court order states that periodic inspections of the properties can be done both inside and outside over the next two years. The Streets Run Rd. property has all vehicles removed and away from the railroad tracks with the inside almost complete.
- Mr. Barrett explained that Mr. Dryer is aware he must submit a letter confirming that all of Lockaton materials are out of the building on Streets Run Rd. All of the court orders now affect both Mr. Lockaton and Mr. Dryer.
- Mr. Michael Lederman presented Council with a rough draft of an amendment to our parking Ordinance for residential prohibiting parking on lawns. He asked that any comments or changes be done at next months meeting. He continued to explain the details of the ordinance and asked Council for an amount of the fines to go along with this amendment.

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- Secondly, Mr. Lederman explained the School District and their filing of property assessment appeals. They have been filing several appeals since 2013 for under assessed properties and some values will be going up instead of down.
- Mr. Stanley Lederman explained that Whitehall has asked the Borough to pass a Resolution to support a concept with PennDOT and their maintenance responsibilities. This is a Resolution lending our support along with Whitehall asking PennDOT to reconsider their policy long standing policy on the ownership of pipe and drains underneath state roadways.

Mr. Conley asked about the existing Resolution for parking commercial vehicles in the street and also in personal driveways. Mr. Barrett said they may want to review the current Resolution to expand the language to address other areas.

### **MAYOR'S REPORT**

Mayor Depretis said he will give his monthly police report at the Regular meeting next week.

- A meeting took place between the Mayor, Manager, the Police Chief, Councilman Conley and a DEA Agent. Clarification was made on overtime that is being reimbursed to the Borough and the formula by which liquid assets are distributed to participating municipalities.
- The Chief explained they have partnered with the FBI on a Three Part Initiative Program. Any time a heroin arrest or seizure is done, any identification from a stamp bag is recorded and logged into a database. Any two overdoses with the same stamp indicators result in an investigation in the community. The Borough is part of a nationwide pilot program to eventually include schools to try and stem the heroin epidemic.

The Mayor asked if the Chief had anything to add. The Chief said they will be entering into a Pilot Program with a private vendor that allows homeowners to place their DNA on their personal property. Additionally, the homeowner is given a DNA identifier to use to help recover stolen property. Along with the Precious Metals website the Police Department currently uses, they are able to recover more stolen property.

Mr. Fischer wished to comment that Channel 11 did a story on clearing major cases. Baldwin Borough was highlighted as one of the better municipalizes of all the police forces. The Chief recognized that Officer Hagan was presented an award last month for his work in clearing several cases. It was through sending him to two criminal investigation courses and able to learn more advanced forms of fingerprinting. Officer Hagan was able to lift fingerprints off items and able to clear 10 burglaries and identified two homes that were burglarized that didn't know they had been burglarized. Mr. Fischer commented the recognition from the story put the Borough Police Department in a positive light.

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

### **ADMINISTRATION**

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Mr. Barrett reviewed several items on tonight's agenda represent items that require additional information or Council input prior to formal action. These items include:

- First, Mr. Barrett spoke about the Colewood Park Presentation and wanted to see if there was any feedback about from the presentation from Jim Feath, of HRG, the Borough's Recreation Planning Consultants. Many questions and comments were expressed on the current conditions and adjusting the plans to be reevaluated from resident and Council feedback. Mr. Barrett commented that next steps would be for a revised conceptual plan to be submitted to Council for feedback and then to be placed on public display.

Mr. Souleret explained a few security concerns relating to the steps leading to the Equalization Basin and how the entire area may be amended for these concerns. Members of Council continued to discuss a few of the resident feedbacks for the location of the new fields and playgrounds with concerns to continuous noise in the area. Speed bumps and lighted speed signs were also discussed to help slow the flow of traffic surrounding the roads of the park.

- Second, Mr. Barrett is proposing next week to approve and finalize the Elm Leaf Master Plan. This is strictly a Resolution that neither binds the Borough to the details of the plan, but used to show a commitment to the plan. He further explained the grant sources would be more favorable to view an existing plan and would help the Borough with completing grant applications. He explained the strategy is a formal adoption of the Elm Leaf Master Plan and then to implement two separate phases of the project.

Mr. Feath of HRG, explained the Master Plan would be a document that gives the ability for change. By adopting the plan it does not lock the Borough into specific plans and allows for modifications over several years.

- Third, Mr. Barrett wanted to speak about the potential plans for the Leland building with the possibility of moving either the Library or District Magistrate into the building. He has asked members of the Library Board to be present and provide Council their thoughts on a potential to move into Leland. Kelly Mossbauer and Paul Hayhurst of the Library Board, explained both enthusiasm and concerns with the Library moving into Leland. The cost of many renovations is a major concern and they would be looking for a partnership in funding with the Borough for these renovations.

Mr. Stelmasczyk asked if Council would like to have the Borough engineers do an assessment of Leland and get back to Council once this is completed. In addition, Mr. Barrett explained originally the District Magistrate may be interested in this location as well, but they would not have the funds for these renovations.

- Fourth, Mr. Barrett said he's received notice from both Tracey Macek and Carrie Radacsi letting him know they would not be organizing the 2016 Community Day. He asked for any suggestions from Council. They have received a proposal from EDS for a shared recreation program, however the Borough declined the offer. One suggestions would be to ask this EDS employee, who is a Baldwin resident, if they are willing to coordinate any special events in the Borough for a fee.

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Mr. Stelmasczyk suggested to mention the event to Gail Mikush, Tax Collector and Tammi Genilla, Administrative Assistant. Council would like to continue with their discussion on the event with possibility of a proposal from those interested.

- Mr. Barrett would like to mention the new sewage vendor, Legal Tax Service, Inc. is mailing out bills on Thursday. These are the first bills residents will be receiving from the new vendor, additionally Legal tax has agreed for the first 30 days not to impose any interest on any past due amounts. Residents who currently are enrolled in Auto pay or e-billing will need to again be set up with Legal Tax for those wishing to pay online.

Council had a few questions for Mr. Barret about any liens placed on properties that were sewage delinquent. Mr. Barrett explained Legal Tax Service confirmed with him they will be able to satisfy these liens for residents.

- Mr. Barrett explained Breckenridge is still holding out for the placement of sidewalks. He said the Home Owners Association (HOA) opted not to pursue the sidewalks, but instead have the developer get rid of the current sidewalks and seed this area as landscape that they would maintain. Mr. Barrett explained the developer proposed not to install these sidewalks and give the Borough payment in lieu the sidewalks. Mr. Barrett would like council's approval to allow this action by the developer, all were in agreement.
- Mr. Barrett explained that Mr. Souleret spoke of A.R. Builders of the Baldwin Apartments and the Borough commercial occupancy inspections. The Borough currently has an Ordinance that requires apartment buildings over a certain size can have an inspection only once a year, but when the apartment is turned over, an occupancy plus a fire safety inspection is performed. A.R. Builders asked us to consider a revision that would not require annual inspections for newly constructed buildings. Mr. Barrett suggested a compromise to the builders explaining they would not impose the individual \$60 occupancy inspection fee until a turnover is made on an apartment.
- Next, Mr. Barrett explained six contractors that bid on the Pool Renovations. There was a large disparity between these bids. It was determined to go with the low bid around \$408,000 which is lower than what the architects estimated. He will put a motion next week on the agenda to approve this bid for the pool.
- Lastly, a Personnel Manual is enclosed for Council to formally adopt this at the next meeting. It applies to Public Works and Administration. The base of this document came from the Labor Attorney and it was adjusted to fit to our requirements.

Mr. Scott mentioned the Saint Elizabeth of Hungary Parish who is asking for fee waivers of building permits for interior renovations. Mr. Barrett explained our fees along with third party fees and the possibility of waiving only our percentage of the fees. Council discussed whether they would like to consider these waivers and they have never been waived in the past. Mr. Barrett asked Council if they had any questions for him with his report. None were asked.

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## **FINANCE**

Mr. Fischer asked everyone to review the Revenue and Expenditure report for January 2016 showing the budget. Since it is the beginning of the year, he does not have any revenue or expenditures to report.

- First, Mr. Fischer explained the tax bill are being prepared to be mailed out shortly. The logistics of the online payment platform are not quite finalized, and the Tax Collector has sent out bills without a notice of e-payment availability. Council asked Mr. Barrett to make the operation of the on-line tax payment a priority and to report back to Council a plan to implement for 2016 tax payments.
- Second, Mr. Fischer stated the Finance Committee had a meeting on February 4, 2016. Diana Behers, The Borough Treasurer is now a part of the committee. The year- end audit and presentation were discussed with the Borough Manager and Finance Officer doing a presentation of the Borough Finances. The goals of 2015-16 of the Committee were mentioned and he asked for any suggestions from Council.
- Lastly, Mr. Fischer explained the Consulting Services from Dave Thomas expends almost \$18,000. It's believed that the Finance Officer should be able to provide these same reports to Council with a substantial savings to the Borough.

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

## **PUBLIC WORKS**

Mr. Behers provided the Public Works listing of bills and the projects currently being done in the Borough.

- Mr. Behers explained Public Works Department is working on several items from January and February.

Mr. Barrett mentioned an update on the salt usage. Last year the purchase of salt was split between SHACOG and CO-STARS. The amount provided by SHACOG is complete and now they are working off the purchase from the CO-STARS. Mr. Stelmasczyk asked if anyone had any questions or items from Mr. Behers report. No questions were asked.

## **PARKS AND RECREATION**

Mr. Conley noted the blanket items listed for February 2016. A revised list was provided to Council on February 9, 2016.

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

## **ZONING AND PLANNING**

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Mr. Moeller reported that the Planning Commission meeting is re-scheduled to meet on Thursday, February 24, 2016.

The Zoning Hearing Board Meeting is scheduled to meet on Thursday, February 18, 2016.

- Mr. Moeller will review the monthly report at the Regular Meeting. He asked Mr. Barrett for the monthly reports for 2015 so he can report the corrected total amount of fees collected.

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

## **PUBLIC SAFETY**

Mr. Ducker reported via phone conference. He wanted to comment he was sorry he was not able to attend the meeting with the DEA. He hopes to have a meeting in the future with the DEA to have him answer a few more questions especially when it comes to their budget.

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

## **PERSONNEL**

Mr. Scott has nothing to report at this time.

## **NEW BUSINESS**

Mr. Conley would like to discuss the potential to create a new map for the Borough along with creating an online map for viewers of the website with Municipal Publications. Mr. Barrett explained a meeting is already set up with this company.

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

No one approached Council from the audience.

**M-1** *Mr. Moeller made a motion to enter Executive Session; second by Mr. Behers. Upon vote, motion passed unanimously.*

Council entered Executive Session at 9:48 p.m.

Respectively Submitted,  
BOROUGH OF BALDWIN

John Barrett  
Borough Manager