

MINUTES TO REGULAR MEETING OF APRIL 19, 2016

The Regular Meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:30 p.m. on Tuesday, April 19, 2016.

After the Invocation and Pledge of Allegiance to the Flag by Mr. Fischer, 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. Larry Souleret- Engineer
Mr. Stanley Lederman- Solicitor
Mr. John Barrett- Borough Manager
Mrs. Diana Behers-Treasurer

Absent: Mr. Michael Lederman- Solicitor

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 Regular Meeting of February 16, 2016; second by Mr. Scott. Upon vote, motion passed unanimously. One abstain from Mr. Ducker.*
- M-2** *Mr. Scott made the motion to approve the Minutes the Agenda Meeting of March 8, 2016; second by Mr. Fischer. Upon vote, motion passed unanimously. One abstain from Mr. Behers.*
- M-3** *Mr. Moeller made the motion to approve the Minutes the Regular Meeting of March 15, 2016; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-4** *Mr. Fischer made the motion to approve the Minutes the Special Meeting of April 5, 2016; second by Mr. Behers. Upon vote, motion passed unanimously. One abstain from Mr. Moeller.*

In addition, Mr. Scott made an amendment to the 1st page of the minutes to explain the suggestion for permit parking was done by Mr. Fischer. It was noted to change these minutes. Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to these motions, none were asked.

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

Mr. Stelmascyk 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. Mr. Stelmasczyk asked the audience if there were any questions that were on the agenda.

Mr. Stelmasczyk explained there would be a presentation from our Independent Auditors. Janet Feick and Jeff Kent, from the CPA firm of Maher Duessel, introduced themselves to the public and to Borough Council and then offered a review of the 2015 Audited Financial Statements as well as the Management Letter. There was discussion of the Borough's long-term pension obligations as well as benefits other than pensions, referred to as OPEB benefits. Additionally, Mr. Fischer reviewed the existing commentary offered in the Management Letter and noted that the number of comments has been reduced. The reduction is a reflection of efforts of the Borough to address prior years comments. Additional discussion of the Borough's fund balance ensured, prior to the presentation concluding.

ENGINEER'S REPORT

Mr. Souleret noted his report from April 7, 2016 was reviewed at the Agenda Meeting, and noted the presence of several motions. After asking Council for any questions on the motions or other activity,

Mr. Souleret asked for the following motions:

- M-5** *Mr. Scott made the Motion to Advertise the 2016 Road Program; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-6** *Mr. Ducker made the Motion to Award Contract No. 16-R02, to Matcon Diamond for the Road Maintenance- Crack Sealing project including Base Bid and Add Alternates 1 and 2 in the amount of \$18,000. 00; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-7** *Mr. Scott made the Motion to Advertise Contract No. 14-S1 Collection System Line Upsize Project in the Lick Run Sewershed; second by Mr. Fischer. Upon vote, motion passed unanimously.*
- M-8** *Mr. Fischer made the Motion to Advertise Contract No. 14-S2 Equalization Basin and Lift Station Project; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-9** *Mr. Ducker made the Motion to Approve Service Order Authorization for LR 30 Project; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Ducker modified the Motion to Approve Service Order Authorization for LR 30 adding the Phased Partial Parallel System along with the Aerial Mapping not to exceed \$306,800 per the recommendation of the Borough Engineer; second by Mr. Moeller.

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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. Stanley Lederman noted other than normal business conducted, he would like to ask for the following motions:

- M-10** *Mr. Ducker made a Motion to Adopt Ordinance 869 Authorizing and Fixing Charges for costs, expenses and fees to be added to Delinquent Accounts served by the sewers, sewage system, or sewage treatment works of the Borough of Baldwin; second by Mr. Fischer. Upon vote, motion passed unanimously.*
- M-11** *Mr. Fischer made a Motion to Adopt Ordinance 870 Prohibiting Parking of Motor Vehicles on Unimproved surfaces; second by Mr. Moeller. Upon vote, motion passed unanimously.*
- M-12** *Mr. Fischer made the motion for a First Reading and Motion to Advertise Potential Ordinance 871 setting Delinquent Collection Rate for Sewer Billing at 10% per annum. ;second by Mr. Scott. Upon vote, motion passed unanimously.*
- M-13** *Mr. Fischer made the motion to Approve Resolution No. 2016-04-10 Authorizing the Borough Solicitor to File Declaration of Takings for various Rights-of-Way to permit construction of the Colewood Equalization Basin Project; second by Mr. Scott. Upon vote, motion passed unanimously.*

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 March were 726 and calls given to police from 911 were 828. He read a brief overview of activity for K-9 Officer Ajay with Officer Pagane and K-9 Officer Niko with Officer Parrotta. The Mayor read a letter sent to the Chief thanking him for the service of Officer Matt Collier who removed cars parked on Macassar.

The Chief continued with the following items:

- Baldwin Officers attended the FBI Civil Rights Class on Tuesday, March 29, 2016 in the Borough auditorium.
- The DEA Drug Take Back Initiative will be held at the Borough Building on Saturday, April 30, 2016 from 10:00 am – 2:00 pm.
- The Chief presented Officer Lou Parrotta with a Certificate of Commendation for his commitment to his profession, Department, and the community by rendering first aid to an individual which prolonged or saved his life.
- Sergeant Tom Kearns and Officer Keith Hagan attended Crisis Intervention Training (CIT) for dealing with mentally challenged individuals.

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- Lastly, the Chief encouraged residents to consider the use of DNA Mapping that would identify stolen valuables with a unique DNA Marker of the homeowner.

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

ADMINISTRATION

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

- M-14** *Mr. Ducker made the Motion to Approve Participation in the 2016/2017 SHACOG Sewer Camera Project; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-15** *Mr. Fischer made the Motion to Adopt Traffic Resolution No. 368-228 for the Breckenridge Housing Plan; a “Stop sign” posted on the east side of Michael Drive at Towervue Drive. In addition, “No Parking” signs posted along the even side of Michael Drive; second by Mr. Scott. Upon vote, motion passed unanimously.*
- M-16** *Mr. Scott made the Motion to Approve Partial Payment (Payment No. 1) to Liokareas Construction for services rendered on the Community Pool Building Renovation Project in the amount of \$129,825.00 per the recommendation of the Project Architect; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-17** *Mr. Fischer made the Motion to Accept Aquatic Facility Management Services Proposal from Jeff Ellis Management Company for an amount not to exceed \$72,312 and Consideration of Length of Term from 1 to 3 years; second by Mr. Behers. Upon vote, motion passed unanimously. With one abstain from Mr. Moeller.*
- M-18** *Mr. Ducker made the Motion to advertise for a Public hearing for a Conditional Use Hearing for D & D Commercial Properties LLC on Tuesday, May 9, 2016 at 6:00 pm; second by Mr. Behers. Upon vote, motion passed unanimously.*
- M-19** *Mr. Scott made the Motion to advertise for a Public hearing for a Conditional Use Hearing for Joseph St. & Custer Ave. with JV Realty LLC on Tuesday, May 9, 2016 at 6:00 pm; second by Mr. Fischer. Upon vote, motion passed unanimously.*
- M-20** *Mr. Fischer made the Motion to advertise a Public Hearing for proposed changes to Chapter 168 of the Borough of Baldwin Code, Zoning and proposed Zoning Map Changes for Tuesday, May 17 at 6:00 pm; second by Mr. Moeller. Upon vote, motion passed unanimously.*

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

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FINANCE

Mr. Fischer noted the monthly financial reports with Revenues and Expenditures as well as the current cash position discussed 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 February 2016. Mr. Fischer would like to ask for the following motions:

M-21 *Mr. Fischer made the motion to approve the Treasurer's Report for March 2016; second by Mr. Conley. Upon vote, motion passed unanimously.*

M-22 *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$354,091.97 and approve bills in the amount of \$424,336.09 for a total of \$778,428.06; 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 everyone has received the monthly departmental reports and explained Public Works has been working on cleaning up the storm and sanitary sewers along with replacing two doors at the Municipal fields.

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:

M-23 *Mr. Conley asked for a motion to approve the April Blanket Approval List for the Borough parks and facilities; second by Mr. Fischer. Upon vote, the motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Parks and Recreation, none were asked.

ZONING AND PLANNING

Mr. Moeller reported that both the Planning Commission met on April 11, 2016 to discuss the several issues and what instructions needed to move forward. The Zoning Hearing Board Meeting is scheduled to meet on April 21, 2016 at 7:30 pm.

He noted everyone had their monthly inspection reports listing:

- March 2016 fees collected a total of \$15,408.55 compared to \$7,075.00 for February 2015
- The YTD fees collected for March 2016 were \$31,532.95 compared to \$19,124.65 in 2015.

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PUBLIC SAFETY

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

- Chief Brian McCaffrey of BEMS had nothing to report at this time. Chief Jim Barbour of Option #107 had nothing to report as well.

Mr. Stelmasczyk asked if there were any questions for Mr. Ducker pertaining to this motion. None were asked.

PERSONNEL

Mr. Scott explained there have been executive sessions discussing personnel issues that are ongoing.

Mr. Scott would ask for a formal motion to for the hiring of Public Works seasonal employees:

M-24 *Mr. Scott asked for a motion to approve the Hiring of Six (6) Seasonal Public Works Employees; second by Mr. Moeller. Upon vote, the motion passed unanimously.*

Mr. Stelmasczyk asked if anyone from Council has any new business to discuss. Mr. Stelmasczyk continued to ask if anyone from the audience would like to address Council with anything related to Borough business.

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

- Lance Davis of Ranchview Drive had questions pertaining to the Colewood Sanitary Project (Lick Run) and asked about the Boroughs use of eminent domain. Mr. Souleret was able to explain the Right of Way acquisition process, which is different from eminent domain. Mr. Lederman described the Declaration of Taking process as it pertains to the Rights of Way in question, but noted the property owners will not lose ownership of their land.

The meeting adjourned by Mr. Stelmasczyk at 9:00 pm with a motion to adjourn to executive session:

M-25 *Mr. Ducker made the motion to adjourn; second by Mr. Moeller. Motion passed unanimously.*

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett

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Borough Manager