

MINUTES TO AGENDA MEETING OF JANUARY 10, 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, January 10, 2017.

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

Mr. Michael Ducker (via phone)
Mr. Ed Moeller
Mr. Kevin Fischer
Mr. James Behers
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. 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. No one approached.

Mr. Barrett placed the Conditional Use items on the Agenda time permitting for the explanation of the applications. He explained to these applicants, the meeting is informative and the approvals would be at the Regular Meeting on January 17, 2017 for approvals.

Mr. Stelmasczyk explained any concerns or questions for the Conditional Use applicants can be addressed at this time rather than later in the meeting.

Mr. Stelmasczyk had a question on the Cross Road Tower lighting since a residential area would be close to these buildings. Mr. Barrett explained it would mirror the two existing buildings already and would not be a concern.

Mr. Jason Stanton explained public lighting was addressed in their Land Development submittal and he believes the lighting is contained within the site. Their parking lot lighting is closer to the building and not on the borders of the site. Mr. Moeller explained all conditions must be met within 90 days of the letter from LSSE dated January 6, 2017 in order to continue with the project.

Mr. Barrett asked about the pending Drive Time Subdivision Plan Application to consolidate three existing lots into one. His comments were pertaining to the EMS controls or the Highway Occupancy Permit (HOP) and realizes Penn DOT may be difficult to work through. Mr. Moeller explained the conditional 90 days required to address these concerns need to be met and if not it would have to come back to the Planning Commission for re-approval and an extension. Pertaining to the time frame with the Drive Time, a comment from Kristen- Ann Staley, Attorney for Babst Colonial, explained since they are subject to a sales agreement, one of the

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conditions is the time provision related to receipt of approval. She discussed if Council would approve this based on Ordinance Compliant Comment so it would not conflict with their provisions in their sales agreement. Council will phrase the motion to reflect these changes next week at the Regular Meeting.

ENGINEER'S REPORT

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

- The Pleasant Hills Authority Engineers Coordination meeting was held on January 5, 2017. They are in the process of lining up contractors through a public bidding process. They have an electrical contract rebid on January 19, 2017. They were considering holding a joint municipal meeting to update everyone on the status and the understanding that PHA would be requesting municipal guarantees with their Penn Vest funding.
- The LR-30 drawings are almost complete with preparing the ROW exhibit drawings. LSSE with administrations assistance, are planning to schedule a ROW acquisition meeting in south Baldwin with around 32 properties. This is a more complex construction that requires back yards affected. Planning this meeting for mid-February.
- The Colewood project will require a payment to Mele & Mele & Sons, Inc. for tank work in the amount of \$42,945.17. They are moving forward on the foundations for the tank and sanitary related work. Mr. Stanton gave a few more updates to this project.
- Contract No. 14-S2 (Collection System), payment is recommended for Guyer Brothers, Inc. for \$137,416.50. They are currently on Colewood Drive and almost to the Ranchview intersection. They have not been working due to weather conditions. They are still ahead of schedule, but currently delayed with weather.
- North Baldwin on Joseph Street has a pipe defect on a sewer line behind the Shop N Save. It is about 32 feet deep with water pouring out and they will try to repair this defect in the line. Council will remain to be updated.
- Lastly, Mr. Stanton provided the latest development and re-development of the borough. Conditional Use Hearings have taken place along with receiving Land Development applications for Paramount.

Mr. Barrett asked Mr. Stanton about the pay requests and they will be received before checks are written for the Borough.

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

SOLICITOR'S REPORT

Mr. Lederman reviewed ACT 172 of 2016 providing a Tax Credit to Volunteer Fire/Medics listed under Mr. Barrett's report. It is a very interesting bill that will become law shortly. It allows municipalities to create an Ordinance that allows members of your volunteer forces to have earned income tax credits or property tax credits in your borough. He continued to explain the terms and conditions of the ordinance that would give incentive to have volunteers provide public service.

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Council had questions whether this has already been passed with other municipalities, how we can get the number of personnel affected and what penalties could be incurred by the borough. Mr. Stelmasczyk said they would wait and get a better understanding of the bill and how many Firefighters we have within the borough. The remaining items will be discussed in executive session.

In addition, Mr. Lederman explained they will be providing new ROW agreements for the sewer lines. He will need copies from Mr. Stanton, of the lot and blocks of each property that will be affected so the declaration of taking documents can be signed at the public meeting.

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.

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

ADMINISTRATION

Mr. Barrett referred to his written report submitted previously to Council. He mentioned a few housekeeping items for Council to consider. The first of these would be the annual salary resolution which complies with the approved 2017 Budget. It relates to the current work force and also a job advertisement for a newly created position. When there is a change to an employee's pay, a new resolution is required to be passed.

Since this year is not a Reorganization year, all members with expired terms in December 2016 serving on a Board or Commission in Baldwin, were sent of letter of interest. A letter of interest was received from those having expired terms except for one member on the Library Board. This vacancy would be advertised by the Library along with a notice provided on the Baldwin Borough website. It was suggested to appoint those members at the next Regular Meeting.

Next, Mr. Barrett explained the Civil Service Commission and Borough consultants will have a public meeting on January 17, 2017 at 6:00 pm, before the Regular Meeting, to discuss proposed changes to the current Civil Service Rules and Regulations.

Mr. Barrett prepared a few adjustments to the current Personnel Employee Handbook, excluding members of the collective bargaining unit. These changes are a per diem allotment for traveling for the Borough and around a 20% opt-out for the current healthcare. Discussion continued with coverage of the health care policy and the traveling per diems.

A First Reading of potential Ordinance 877 last month about the current Pension Plan. Mr. Barrett would like to review this Ordinance again with Council and be ready for a 2nd Reading and Adoption at the next Regular Meeting in February.

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A Department of Conservation and Natural Resources (DCNR) Grant was approved for the improvements to Elm Leaf Park. This \$200,000 Grant requires a match of funds from the Borough and is to be used for phase II of Elm Leaf Park where it provide the maximum benefit to the renovations in the Borough. In addition, a \$75,000 matching County CITF Grant was awarded last year. This grant covered the demolition of old playground equipment and the installation of new equipment at Elm Leaf Park.

Mr. Barrett mentioned the need for a rebid of the third-party landscaping contract. The contract is for a one-year term with option to renew for two years. He suggested they do not renew the contract with Pittsburgh Lawn Care and place it out for bid this year. In years past, the base bid includes a quote for the ball fields, outlying areas and add alternates for the vacant properties. Companies provide quotes as hourly rates, however, he would like to receive one quote for the scattered sites.

The third-party contract for the pool concession stand is up for renewal. A series of problems with this contractor are the lack of payment to the Borough and the service to the residents. Mr. Barrett would like to ask Council to consider a new contractor for the concessions or allow residents to bring in their own food and sell only beverages and vending items. A letter to our current contractor will be submitted by the solicitor to submit past due money to the Borough.

Mr. Barrett provided updates on the CD-42 program and awarded the funds for the demolition. The Fire Department received approvals for a controlled fire of this property. A bid is revised for restoration of the property for removal of the foundation and to seed the area when completed.

Lastly, Eat N Park had reached out to the Borough explaining they wished to reconfigure their parking lot. They want to have an opening from their parking lot onto Readshaw Way with parking spaces and an entrance to Readshaw Way. It was suggested to have them speak with BEMS being the most impacted by this change. Council discussed concern for driver safety when making a left turn onto Rt. 51.

Mr. Barrett asked Council if they had any questions for him with his report. None were asked.

FINANCE

Mr. Fischer reviewed the Revenue and Expenditure Report for the month. These numbers are not official until the auditors have completed the Borough audit. As of December 31st, the 2016 revenues were positive side, Real Estate liens, fines and investment returns are positive as well.

Additional comments on revenues fell a little short than what was budgeted, however transfers are still not complete. Adjustments were made to the budget on expenses and certain line items would need to be adjusted. Total expenses were around 86% year end, but the final audit may produce a different figure. The report shows around \$480,000 in the positive with actual projections around \$28,000. The sewer fund and pool funds were compared from previous years with increases to the pool fund. Financially we are ending 2016 in the positive before the completion of the audit report.

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The pension investment providers were discussed with a possible change from Signature to Rivers Edge to provide savings to the fund. The Finance Committee suggested the change from Signature to Rivers Edge to reduce administrative expenses saving \$136,000 in fees with more money to invest.

Mr. Stelmasczyk asked if anyone had questions for Mr. Fischer. None were asked.

PUBLIC WORKS

Mr. Behers reviewed his written report with members of Council. Public Works had to work only a few snow storms and has provided a lot of salt to remain for next season. The camera truck is continued to be used for CCTV work on sanitary sewer lines. Lastly, the auditorium renovation has had the assistance of our Public Works Department decreasing our overall costs. Mr. Behers explained there was a hold up with the electrician working in the auditorium which then delayed the installation of drywall. Mr. Barrett explained a meeting on Thursday will resolve the issue.

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 monthly parks and facilities report for January 2017. He was aware a request was made from the BBW Shade Tree Commission meeting dates for 2017 needing approval, but was unable to view the request. Mr. Barrett said this will be available to everyone before the next meeting.

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

ZONING AND PLANNING

Mr. Moeller reported the following meeting dates and times:

- The Planning Commission met on January 9, 2017 at 7:30 pm.

Mr. Robert Ieraci explained they discussed loading docks for apartments. Crossroad Towers II were requesting three loading docks per unit and the Planning Commission wants to change it to one dock per unit. In addition, they discussed indoor parking, a pool and making a change to the zoning map. The Garden Bar is located on Gardenville and incorrectly marked as residential instead of commercial. One last item discussed with the Planning Commission was the damage to the McAnnulty Bridge culvert asking Michael Brothers to participate in the cost of the repairs. A possible traffic study was suggested and future traffic patterns may help eliminate future damage.

- The Zoning Hearing Board is scheduled to meet January 20, 2017 at 7:30 pm.

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- The monthly Zoning and Planning report will be discussed at the next meeting.

Mr. Barrett explained a variance is needed for the Area 51 BBQ sign that is too large. The Code Enforcement Officer sent a letter to say they were in violation. They appeared before the board and they agreed to reduce the sign by a certain amount. The Zoning Hearing Board has not received any news as of date or to see any changes to the size of their sign. Mr. Barrett went into greater detail of the timeline and variance needed.

Mr. Moeller asked Mr. Ieraci about the loading docks if the building size were larger than currently constructed. Is it based on square footage or the size of the building; right now it's based on the amount of units in each building.

Mr. Barrett stated he would include the monthly report in the Regular Meeting materials for Council before the next meeting.

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

PUBLIC SAFETY

Mr. Ducker announced all Monthly Activity Reports will be available at the Regular meeting. He also mentioned House Bill 1683 that was discussed already earlier in the meeting.

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

PERSONNEL

Mr. Scott is not in attendance and Mr. Barrett had nothing to report.

NEW BUSINESS

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

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

Council entered Executive Session at 8:45 pm.

Respectively Submitted,

BOROUGH OF BALDWIN

John Barrett
Borough Manager