

MINUTES TO REGULAR MEETING OF JANUARY 17, 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, January 17, 2017.

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

Mr. James Behers
Mr. Michael Ducker (via phone)
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. Michael Lederman- Solicitor
Mr. John Barrett- Borough Manager

Staff Present: Tammi Genilla- Administrative Assistant

Mr. Stelmasczyk asked Council to make a motion to go into executive session before moving forward with the Regular Meeting:

M-1 *Mr. Fischer made the motion to go into an executive session; second by Mr. Behers. Upon vote, motion passed.*

M-2 *Mr. Fischer made the motion to go out of executive session and back into regular session; second by Mr. Behers. Upon vote, motion passed.*

Mr. Stelmasczyk explained to the audience, Council went into executive session prior to the start of the Regular Meeting due to personnel issues.

APPROVAL OF MINUTES

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

M-3 *Mr. Fischer made the motion to approve the Minutes the Agenda Meeting of December 13 2016; second by Mr. Moeller. Upon vote, motion passed unanimously.*

M-4 *Mr. Fischer made the motion to approve the Minutes the Regular Meeting of December 20, 2016; second by Mr. Behers. 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**

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Mr. Stelmascyk asked the audience if they would like to address Council on anything that is on the Agenda. No items to address from the audience.

ENGINEER'S REPORT

Mr. Stanton noted his report from January 6, 2017 summarizing activity since reviewing it with Council at the Agenda Meeting on January 10, 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:

M-5 *Mr. Fischer made the motion to Approve Partial Payment Request (No. 4) from Mele & Mele and Sons for the Lick Run Wet Weather Flow Strategy, contract No. 14-S1. The amount is \$542,945.17 per the recommendation of the Borough Engineer; second by Mr. Scott. Upon vote, the motion passed unanimously.*

The next motion was stated in a letter dated January 10, 2017 for Council:

M-6 *Mr. Behers made the motion to Approve Partial Payment Request Motion to Approve Partial Payment Request (No. 5) from Guyer Brothers, Inc. for the Lick Run Wet Weather Flow Strategy, contract No. 14-S2. The amount is \$137,416.50 per the recommendation of the Borough Engineer; second by Mr. Fischer. Upon vote, the motion passed unanimously.*

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

SOLICITOR'S REPORT

Mr. Stanley Lederman explained the Borough recently signed a collective bargaining agreement with the police department. Also, he has made a few amendments to this final passage of Ordinance 877. Specifically the changes will establish new pension benefits for any officer hired in the future. Additionally, there is some language changes related to disability pension benefits.

He asked that Council make the following motion:

M-7 *Mr. Fischer made a motion for a Final Reading and Motion to Adopt Ordinance 877 amending the Baldwin Police Pension Plan Documents to conform with the Collective Bargaining Agreement; second by Mr. Moeller. Upon vote, the 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 December 2016 were 500 and calls given to police from 911 were 774. He read a brief overview of activity for K-9 Officer Niko and K-9 Officer Ajay.

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

ADMINISTRATION

Mr. John Barrett submitted his written report to Council last month and reviewed it at the January Agenda Meeting. If there were not any questions, Mr. Barrett has a number of formal motions needed by Council:

The first motion is to formally adopt all salaries for non-union employees which would conform to the 2017 budget that has been approved

M-8 *Mr. Fischer made the motion to Approve Resolution No. 2017-01-01 Salary Resolution for the Borough of Baldwin Non-Union Employees; second by Mr. Moeller. Upon vote, the motion passed unanimously.*

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

The second motion is pertaining to the personnel manual and requires two additions. The first addition is for reimbursement costs on Health Insurance for non-uniform employees to opt-out of the plan and if so, would save the Borough money. The second addition involves per diem expenses for traveling. A new copy of these changes would be redistributed to all employees. Mr. Barrett asked for the following motion:

M-9 *Mr. Fischer made the motion to amend the Baldwin Personnel Manual to Include a Health Insurance Opt-Out and Travel Per Diem Policy; second by Mr. Behers. Upon vote, the motion passed unanimously.*

Next, Mr. Barrett explained a partial payment is needed for Emmocon Corporation, the auditorium project contractor, to move forward with demolition of the auditorium.

M-10 *Mr. Fischer made the motion to approve Partial Payment Request (No. 1) from Emmocon Corporation for the Municipal Auditorium Renovation Project in the amount of \$24, 637. 50 for the Municipal Auditorium Renovation Project per the recommendation of the Project Architect; second by Mr. Scott. Upon vote, the motion passed unanimously.*

Lastly, Mr. Barrett explained bids were received for a replacement for a Zoning Hearing Board Solicitor. They went with the qualified lowest bidder and therefore would like to ask for the following motion:

M-11 *Mr. Moeller made the Motion to retain McGrail & Associates LLC for Zoning Hearing Board Solicitor Services; second by Mr. Fischer. Upon vote, the 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 at the Agenda Meeting with the year ending positive. However, the Borough audit started today with the Borough possibly being in the negative for the ending of 2016. He asked if Council had any questions pertaining to these items, none were asked.

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

M-12 *Mr. Fischer made the motion to approve the Treasurer's Report for December 2016; second by Mr. Conley. Upon vote, motion passed unanimously.*

M-13 *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$829,561.00 and approve bills in the amount of \$912,429.15 for a total of \$1,741,990.15; 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 provided a report to Council at the Agenda Meeting. He stated the Public Works Department has been assisting with several Capital Projects. This includes initial demo of the auditorium. Mr. Behers also would like to thank the road crew for the excellent work in maintaining the streets during the past snow storms in the Borough.

Mr. Stelmasczyk mentioned the graffiti on the door of the salt building as well as the newly constructed outdoor storage facility at the bottom of Elm Leaf Drive. He would like to have police monitor this area more closely and Mr. Fischer recommended the possibility of looking into security cameras as well.

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

PARKS AND RECREATION

M- 14 *Mr. Conley asked for a motion to approve the January Blanket Approval list for the parks and facilities; second by Mr. Fischer. 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 January 9, 2017 at 7:30 pm. At the Agenda meeting the details were discussed and the results provided. The Zoning Hearing Board Meeting will be on Thursday, January 19, 2017 at 7:30 pm.

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He noted everyone had their Building Inspection Monthly reports: He has decided to not approve the monthly inspection Report since November and December numbers are not correctly matching on the current report.

Mr. Moeller asked for the following motion on a conditional use hearing:

M-15 *Mr. Moeller made a motion to approve a Conditional Use/Land Use Application for A.R Builders, Inc. for the Crossroad Towers II apartment project, per the recommendation of the Baldwin Planning commission and upon satisfactory resolution of the conditions stated by the Borough Engineer; second by Mr. Fischer. Upon vote, motion passed with one abstain from Mr. Scott since he was absent from this hearing.*

The next motion is from a Lot Consolidation hearing for Drive Time Inc.:

M-16 *Mr. Moeller made the motion to approve Lot consolidation plan for Drive Time Inc. per the recommendation of the Baldwin Planning Commission and Borough Engineer. The Property is bound by Clairton Blvd. to the west and Old Clairton Road to the east in the C-2 Zoning District; second by Mr. Fischer. Upon vote, motion passed with one abstain from Mr. Scott since he was absent from this hearing.*

The last motion is for another Conditional use hearing for Drive Time Inc.:

M-17 *Mr. Moeller made the motion to approve a Conditional Use / Land Application for Drive Time Inc. per the recommendation of the Baldwin Planning Commission and upon satisfactory resolution of the conditions stated by the Borough Engineer; second by Mr. Fischer. Upon vote, motion passed with one abstain from Mr. Scott since he was absent from this hearing.*

Mr. Stelmasczyk asked if there were any questions for Mr. Moeller. None were asked.

PUBLIC SAFETY

In the absence of Mr. Ducker, Mr. Barrett noted everyone has received the Volunteer Fire Department Monthly Activity Reports from Option and SBVFC along with the Emergency Medical Service Monthly Report. He wanted to remind Council of the Public Safety Meeting taking place on Wednesday, January 25, 2017.

He asked if BEMS Chief Todd Plunkett had anything to address with Council.

BEMS Chief Todd Plunkett explained in addition to his monthly report he would like to discuss he was approached by the Eat N Park Construction Manager on their intent to make significant changes to the traffic patterns on Readshaw Way. Mr. Barrett further explained the parcel is in Whitehall Borough and they would need to comply with their zoning/land development procedures. Chief Plunkett asked Council to consider the impact to Readshaw Way and Route 51 in the Borough before granting approval to Eat N Park. Mr. Barrett stated that he would work towards convening a meeting with Chief Plunkett, Chief Scott, and the restaurant to review the impact, before returning to Council with a recommendation.

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

PERSONNEL

Mr. Scott explained a short executive session was held at the beginning of the meeting due to Personnel issues. He does have two formal motions for approval:

- M- 18** *Mr. Scott made the motion to appoint Mr. Jesse Posset to the Baldwin Library Board (3 year term to expire December 31, 2019); second by Mr. Fischer. Upon vote, motion passed unanimously.*
- M- 19** *Mr. Scott made the motion to appoint Mr. Christopher Seymour to the Multi Municipal Shade Tree Commission (4 year term to expire December 31, 2020); second by Mr. Fischer. Upon vote, motion passed unanimously.*
- M- 20** *Mr. Scott made the motion to appoint Mrs. Charlotte Hagan to the Baldwin Vacancy Board (1 year appointment to expire December 31, 2017); second by Mr. Behers. Upon vote, motion passed unanimously.*
- M- 21** *Mr. Scott made the motion to appoint Mr. Timothy Esken to the Baldwin Zoning Hearing Board (5 year term to expire December 31, 2021); second by Mr. Moeller. Upon vote, motion passed unanimously.*
- M- 22** *Mr. Scott made the motion to advertise vacancies on the Baldwin Library Board, and the UCC Board of Appeals; second by Mr. Moeller. Upon vote, motion passed unanimously.*
- M- 23** *Mr. Scott made the motion to terminate Officer Timothy Kreger effective immediately; second by Mr. Moeller. Upon vote, motion passed 6-0 with one abstention from Mr. Behers.*

Mr. Lederman explained Officer Kreger has been charged with offenses and was provided a Loudermill Hearing. The Solicitor has met with Council and the Mayor to review the charges and ultimately a decision was made to terminate Officer Kreger. He has the right to appeal this decision by Council. It was further explained that Mr. Behers did not participate in the Executive Session nor the vote to terminate since he serves on the Civil Service Commission.

Mr. Stelmasczyk asked if there were any questions on this motion since it was not listed on the Agenda. None were asked.

NEW BUSINESS

Mr. Stelmasczyk explained a meeting with the Civil Service Commission was conducted and an alternate is needed on this board. Mr. Scott asked for the following motion:

- M-24** *Mr. Scott asked for a motion to advertise for a Civil Service Alternate Member; second by Mr. Moeller. Upon vote, motion passed unanimously.*

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

No one approached Council.

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

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

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett
Borough Manager