

MINUTES TO REGULAR MEETING OF MARCH 19, 2019

The Regular Meeting of the Borough of Baldwin Council was called to order by President Edward Moeller at 7:30 p.m. on Tuesday, March 19, 2019

After the invocation the Pledge of Allegiance to the Flag by Mrs. Conley, the following Council answered to roll call:

Mr. Michael Stelmasczyk
Mr. John Egger
Mr. Francis Scott
Mr. James Behers-absent
Mr. Chad Hurka
Mrs. Marianne Conley- Vice-President
Mr. Edward Moeller-President
Mr. David Depretis-Mayor
Mr. Jason Stanton- Engineer
Mr. Stanley Lederman- Solicitor
Mr. Michael Lederman- Solicitor
Mrs. Diana Behers- Treasurer-absent
Mr. Robert Firek- Borough Manager

APPROVAL OF MINUTES:

- M-1** *Mr. Stelmasczyk made a motion to approve the Agenda Meeting Minutes of December 11, 2018; second by Mr. Scott. Upon vote, motion passed.*
- M-2** *Mr. Egger made a motion to approve the Regular Meeting Minutes of December 18 2018; second by Mrs. Conley. Upon vote, motion passed.*

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

Mr. Moeller asked the audience if they would like to address Council on anything that is on the Agenda. Please come forward and state your name and address for the record.

Mary Rick 3782 Cready Hill Rd. asked why the meeting minutes are behind. Mr. Firek said the January and February 2019 minutes will be done for the next meeting.

ENGINEER'S REPORT

Mr. Stanton noted his Monthly Engineers report from March 7, 2019 summarizing activity for the month. He asked Council for the following motions for consideration:

- M-3** *Mrs. Conley made a Motion to approve partial payment No. 7 in the amount of \$602,724.00 to Independent Enterprises, Inc. for Contract No. 17-S1, per the recommendation of the Borough Engineer; second by Mr. Egger. Upon vote, motion passed.*
- M-4** *Mr. Scott made the Motion to approve partial payment No. 7 in the amount of \$18,340.45 to A. Liberoni, Inc. for Contract No. 18-R01 (2018 Roadway and Storm Sewer Project), per the*

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recommendation of the Borough Engineer; second by Mrs. Conley. Upon vote, motion passed.

M-5 *Mr. Stelmasczyk made the Motion to Approve Partial Payment No. 1 (Final) in the amount of \$16,700.00 to Plavchak Construction Co., Inc. No Payment will be made by the Borough. A motion is required by SHACOG who will be paying the full amount per the CDBG Grant received; second by Mrs. Conley. Upon vote, motion passed.*

M-6 *Mr. Stelmasczyk made the Motion to approve the initial pro rata flow allocation tributary to the Pleasant Hills Authority Master Meter No. 2 as a 95%/5% flow split between Baldwin Borough and Pleasant Hills Borough as recommended by the Borough Engineer. The motion is subject to revisiting the pro-rata flow split every two years for a reasonable period of time (estimated at 4 to 6-year period) to confirm/reaffirm the initial allocation as well as revisiting the pro-rata split during the PaDEP Planning Module process should development / redevelopment occur in the area tributary to Master Meter No. 2; second by Mrs. Conley. Upon vote, motion passed.*

Mr. Moeller asked if anyone had any questions for the Engineer.

Mr. Stelmasczyk would like to thank Mr. Stanton for adding the two-year review so they may look at any percentage that may change in the flow between Baldwin and Pleasant Hills.

SOLICITOR'S REPORT

Mr. Stanley Lederman said they have recently concluded negotiations with the Public Works Employees Union contract. Per the completed negotiations, it is necessary to make amendments to their Pension Plan via ordinance. He asked Mr. Firek if he had anything to add for this motion.

Mr. Firek explained this will increase the benefits for the participants from years 1-5 of the contract as per the negotiations and it details each increase in the ordinance. Mr. Lederman asked for the motion:

M-7 *Mr. Stelmasczyk asked for a Motion to Advertise and First reading of Potential Ordinance 895 amending The Borough of Baldwin Service Employees Pension; second by Mrs. Conley. Upon vote, motion passed.*

Mr. Moeller asked if there were any questions for the Solicitor. None were asked.

Mr. Moeller said there was a short executive session held prior to the Regular Meeting to discuss personnel.

MAYOR'S REPORT

The Mayor reported the following for the month of February:

- Calls for the month were 602
- Calls given to police from 911 were 762
- Fees collected for February 2019 were \$3351.00
- The monthly activity report for K-9 Nikko was provided.

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The Mayor stated this is not on his report, but would like to mention the retiring of Officer Bill Cain this Thursday, March 21, 2019.

Mr. Moeller asked if there were any questions for the Mayor. Mr. Scott made a comment that he would like to thank him for his many years of service to the borough.

ADMINISTRATION

Mr. Firek reviewed his report with Council at the last meeting and asked if anyone had any questions. He has one additional item for discussion pertaining to the Hays Woods Group to have a meeting with Council and Borough residents to review the Groups plans for the property with the City of Pittsburgh and any affects it may have on Baldwin. Mr. Firek will update council when the date is selected and a notice will be provided via social media for all to attend.

Mr. Firek asked for the following motion:

M-8 *Mr. Stelmasczyk made a Motion to Adopt Resolution No. 2019-03-01, amending the fee Schedule for Borough Services; second by Mrs. Conley. Upon vote, motion passed.*

M-9 *Mrs. Conley made the Motion to Adopt Resolution No. 2019-03-02, in support of the Borough's Application for a DCNR Grant for Elm Leaf Park Ph. 3; second by Mr. Egger. Upon vote, motion passed.*

M-10 *Mrs. Conley made a Motion to approve the Center St. Parking findings by the Chief Cortazzo and Sgt. Kearns, establishing "No Parking" on the northern side of Center St. Additionally, they request Public Works to paint a white line establishing a driving lane wide enough to pass emergency vehicles and Borough salt trucks from the northern side to the newly established white line near the southern side. "Parking behind White Line Only" signs will be placed on this side. Additionally, Hayes Way would be posted "No Parking" on Both sides of the street as this roadway is too narrow to allow parking on one side and to allow cars to pass; second by Mr. Egger. Upon vote, motion passed.*

Mr. Stelmasczyk asked Chief Cortazzo if any resident objected to these changes. Chief Cortazzo said the residents did not have any complaints.

M-11 *Mr. Stelmasczyk made a Motion to Award the Pool Management Contract to American Pool in the amount of \$82,250.00 for the 2019 Season with Borough Option for two additional one-year extensions; second by Mrs. Conley. Upon vote, motion passed.*

Mr. Scott said he wished to thank Mr. Firek in finding a company that is a reduction in cost for the borough.

M-12 *Mr. Scott made a Motion regarding the Zoning Hearing Solicitor. Appointment of Ashley Sweeney Wagner of Tucker Arensberg at the same rates from her previous firm, McGrail & Associates; second by Mrs. Conley. Upon vote, motion passed.*

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

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FINANCE

Mr. Hurka reviewed the Monthly Revenue and Expenditure reports with Council the previous week.

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

M-13 *Mr. Hurka made the motion to approve the Treasurer's Report for February 2019; second by Mr. Stelmasczyk. Upon vote, motion passed.*

M-14 *Mr. Hurka made the Motion to Ratify Bills in the Amount of \$617,051.65 and approve bills in the amount of \$804,617.00 for a total of \$1,421,668.65; second by Mrs. Conley.*

Mr. Moeller asked if there were any questions on the motion, Mr. Stelmasczyk wanted one check to be removed from the list and to be paid separately. It is check #0080145 made out to Tupper in c/o Deputy Chief Dennis McDonough of South Park Twp. for an annual membership fee for software with Tupper Systems for the Police Department.

Council discussed how the check should be written in the future and how it would be resolved for today's bills to be approved.

Mr. Hurka will rescind his motion to ratify the bills and it would fall under the approval amount. The motion will reflect the new totals minus \$1750.00. He will reduce the total amount in reference to this check and be reduced by \$1750.00; second by Mrs. Conley. Upon vote, motion passed.

M-15 *Mr. Hurka made the Motion to approve payment of check # 0080145 in the amount of \$1750 according to this current line item of Tupper c/o Deputy Chief Dennis McDonough for the annual membership fee; second by Mrs. Conley. Upon vote, roll call was taken:*

Mr. Stelmasczyk, no

Mr. Egger, yes

Mr. Scott, no

Mr. Behers-n/a

Mr. Hurka, no

Mrs. Conley, yes

Mr. Moeller, no

Motion fails 2-4. Mr. Moeller explained they will have the police department submit this bill again the following month for payment to reflect a name change.

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

PUBLIC WORKS

Mr. Scott updated Council for and listed the items that Public Works is currently or working on or have completed beginning with the seasonal items for the borough:

Continuing with winter seasonal work, salt supplies are excellent and both facilities are fully stocked We have met the required minimum purchase and delivery of salt with SHACOG and COSTARS

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A list of items the Public Works Department have been working on was provided to council in their monthly report.

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

PARKS AND RECREATION

M-16 *Mr. Stelmasczyk made a Motion to approve the March 2019 Blanket List; second by Mr. Scott. Upon vote, motion passed.*

Mr. Moeller asked if anyone has any questions for Mr. Stelmasczyk. None were asked.

ZONING & PLANNING

Mr. Egger asked council to review the monthly Inspection Report for February 2019.

The Planning Commission met Monday, March 4, 2019 to discuss the Overlay District on Rt. 51. The Zoning Hearing Board Meeting is scheduled for March 21, 2019.

Mr. Egger provided the results of the monthly report:

February of 2019 had 57 total permits with a YTD of 89 total permits
Total Fees for February 2019 were \$6,637.04 with a YTD total of \$8,709.04

As a comparison:

Fees for February 2018 were \$13,480.71 with a YTD total of \$ 17,890.71

PUBLIC SAFETY

Mr. Behers was not in attendance tonight and Mr. Moeller explained all Public Safety Activity Reports were provided to council this month.

Mr. Moeller asked if anyone has any questions for Mr. Behers to please email him with any questions.

PERSONNEL

Mrs. Conley said she has several motions for tonight:

M-17 *Mrs. Conley made a Motion to re-appoint Ann Scott to the Civil Service Commission retroactive to April 2018 for a six-year term to expire March 2024; second by Mr. Egger. Upon vote, motion passed.*

M-18 *Mrs. Conley made a Motion to re-appoint Kelly Mossbauer to the Library Board for a 3-year term, expiring December 2021; second by Mr. Egger. Upon vote, motion passed.*

M-19 *Mrs. Conley made a Motion to re-appoint Micha Taylor to the Planning Commission for a 4-year term expiring December 2022; second by Mr. Egger. Upon vote, motion passed.*

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- M-20** *Mrs. Conley made a Motion to re-appoint Pat Bondi to the Pleasant Hills Authority Board for a 5-year term expiring December 2023; second by Mr. Egger. Upon vote, motion passed.*
- M-21** *Mrs. Conley made a Motion to re-appoint Brian Meador to the Zoning Hearing Board for a 5-year term expiring December 2023; second by Mr. Egger. Upon vote, motion passed.*
- M-22** *Mrs. Conley made a Motion to advertise for an opening on the Shade Tree Commission for a 3-year term; second by Mr. Egger.*

Mr. Moeller would like to ask if they could amend the motion to advertise for any commissions that are looking for any borough residents looking to serve on any commissions or as an alternate when a vacancy occurs.

Mr. Stelmasczyk stated: for all commissions and positions on all commissions and potential alternates for the purpose of getting interest from the citizens on these committees.

Mr. Moeller amended the motion per Mr. Stelmasczyk to include: *for all commissions and potential alternates to all commissions to get recognition from any residents who may be interested in positions if they become available; second by Mrs. Conley. Upon vote, motion passed.*

Mrs. Conley had one last motion for council.

- M-23** *Mrs. Conley made a Motion to appoint the current Interim Borough Manager Robert Firek to the Position of Borough Manager effective April 1, 2019; second by Mr. Egger. Upon vote, motion passed.*

Mr. Lederman made a suggestion to make another motion giving Borough Council the authority to enter into a contract of employment with the Borough Manager Robert Firek.

- M-24** *Mr. Stelmasczyk made a motion giving Borough Council the authority to enter into a contract of employment with the Borough Manager Robert Firek; second by Mr. Scott. Upon vote, motion passed.*

Since this motion was not on the agenda, Mr. Moeller asked the audience if they had any questions or comments. None were asked.

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

NEW BUSINESS- No new business from the audience.

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

No one approached council.

- M-25** *Mr. Egger made the motion to adjourn; second by Mrs. Conley. Upon vote, motion passed.*

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Respectively submitted,

BOROUGH OF BALDWIN

Robert T. Firek
Borough Manager