

MINUTES TO AGENDA MEETING OF May 9, 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, May 9, 2017.

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

Mr. James Behers
Mr. Michael Ducker
Mr. Ed Moeller
Mr. Kevin Fischer
Mr. Francis Scott
Mr. John Conley- Vice-President
Mr. Michael Stelmasczyk-President
Mr. Jason Stanton- Engineer
Mr. Stanley Lederman- Solicitor
Mr. Michael Lederman- Solicitor
Mr. John Barrett- Borough Manager

Absent: Mr. David Depretis-Mayor

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.

- Lori Sullivan of the Baldwin Whitehall Athletic Association (BWAA) would like to comment on the field permit denied for their association. She believes it was denied based on past applications. They were under the assumption they would have Municipal field on Sunday and realized they were denied. She also spoke of the Greater Baldwin Athletic Association (GBWAA) and how they have the majority of the fields at Leland Center. In addition, John Sullivan who is also interested in why they were denied a field permit on Sunday's when they were approved a few years ago?
- Mr. Barrett explained that this field permit applicant was PJ Malloy who explained to Mr. Barrett they were going to pour a mound for the Municipal field to play baseball, when all the fields are strictly for only recreational softball. We have a community that has multiple jurisdictions in the school district that use these fields. They partner with GBWAA league for the concession stand, restrooms and infield, etc. and would make it hard to accommodate for an additional league. Discussion continued between Council and Mr. Sullivan about their denial of a field and the possibility to examine the use of a field.
- Mr. Stelmasczyk would like to put the conversation to an end and move on to see if any other resident would like to make any comments from an item on the agenda.
- Tara Rockacy of Churchview Farms spoke on behalf of many residents on the complaints that large equipment and safety vehicles are not able to pass parked cars safely on certain parts of Churchview Ave. Photos were sent to Mr. Barrett for his review. Both the Police Chief and Sgt. T. Kearns were in attendance for the meeting to provide feedback if any

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more questions were raised about the currently posted No Parking signs. Mr. Stelmasczyk has commented that he would like these signs removed, however Mr. Ducker had comments from the recent Public Safety Meeting. He would like Sgt. Kearns to explain in more detail of his findings.

- Sgt. Kearns met with the Baldwin EMS Chief, the Fire Chief from Baldwin #105, additionally the Borough Public Works Department. He explained you can't assume when an emergency vehicle would need to come to one of those houses. His recommendation is to keep the signs up and use the left side of Churchview from Churchview Gardens to the dead end because that is the side in which the fire hydrants are located. There was an ordinance passed several years ago that designated which side of Churchview would be no parking. The very end of Churchview has been No Parking for a very long time and at the Public Safety Meeting, Chief Plunkett explained the No Parking allows their vehicles to turn around freely instead of backing up the road.
- Mr. Stelmasczyk explained they will put this item on the agenda explaining no parking signs from 3857 Churchview to the dead end are removed; not including the dead end.
- Cindy Begley of 3428 Brickley Drive, Mr. Barrett explained she had come to him in 2016, and explained the details of how only a portion of her bills were not paid. However, this was during the transition from Jordan to Legal Tax and interest fees were due. Because this amount was never paid, it increased to a large amount over time. This is considered a delinquent fee with Legal Tax Service and they adjusted the fee as a courtesy. Mr. Barrett will not waive additional fees as they are legitimate. They are justified in the billing of their amount due.
- Mr. Stelmasczyk asked about how current she remains with paying her bills on time and other members of Council provided their opinions on the issue. It was decided that Mr. Barrett will have Legal Tax waive this fee.
- Vance Thurman of 5511 Sagebrush, explained he is here on behalf of the GBWAA and their organization is trying to get the infields and have a matching grant with the Pirates for \$10,000 to fix the fields at Leland Center. The new in-fields would allow better dirt and resilience from the rain with less maintenance after the games. The Borough would need to match with \$5,000 for their part. Mr. Barrett went on to explain more details of the grant and how GBWAA have already put into these fields to maintain them.

Mr. Stelmasczyk moved forward on the agenda.

ENGINEER'S REPORT

Mr. Jason Stanton submitted his monthly report on May 5, 2017 summarizing activity from the last Council Meeting. Additionally, Mr. Stanton provided brief updates on the following items:

- Under the Lick Run Consent Order and Agreement, the guarantee Ordinances for PENNVEST will be ready for approval at the next Council Meeting.
- The ROW kick off meeting took place at Leland Center on May 4, 2017 with the residents in the LR-30. Council will remain to be updated on the progress of the approvals. LSSE was able to hold a briefing with Whitehall about this project for coordination purposes with the next step to brief Bethel Park as well.
- Mr. Stanton continued explaining the Baldwin Wet Weather Flow Strategy: Contract No. 14-S1 (Tank and Lift Station) updates include a recommendation at the May 17, 2017

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meeting, for payment for Mele & Mele & Sons, Inc. with over 95% of the site piping completed and the control building is completed with the exception of the wiring and equipment installation. The tank foundation has been completed with the project moving along.

- Contract No. 14-S2 (Collection System) with Guyer Brothers; the construction, roadway and Mainline work have been completed. A preliminary walk-through was done May 2, 2017. LSSE will have a payment request (No. 8) on the Agenda for the May Regular Meeting. Both of these contracts the retainage has been reduced to 5% as they are clearly done with about 50% of the work.
- Not much to report on ALCOSAN other than their contractor, Red Zone Robotics, has initiated work on televising the Interceptor sewers and regionalization program.
- Mr. Stanton updated Council on the 2017 Road Improvement Program. Favorable bids were received last Thursday, May 4, 2017. LSSE has prepared the bid report for Contract No. 17-R01 (Liquid Fuels) on Elmwood Drive. The low bidder was A. Liberoni, Inc. at \$431,500.22. Under Contract No. 17-R02 (General Fund) the low bidder was also A. Liberoni, Inc. with the base bid in terms of General Funds were \$696,341.77. The base bids for the Collection System include the roadways in south Baldwin were \$660,705.42. The Base Bid total with taking the General Funding mechanism \$1, 357, 47.19. All of the add alternates were also by A. Liberoni making it easier to decide who won the bid.

Mr. Scott if they were a reputable company, both Mr. Stanton and Mr. Firek agreed they were good and did other municipalities in the area.

- Mr. Stanton continued with explaining each Add Alternate and the amounts with asking for comments from Council. Mr. Barrett explained they budgeted for 1.8 million for the program. He explained about utility paving with the roads have utility work being done and only paving half the road. Council discussed how they wished to proceed for the Road Program. Mr. Barrett suggested and all of Council agreed to do the base bid and the utility paving.
- Mr. Stanton explained a payment request from for the release of the retainer request for the demolition Contract for 18 Somerset Street.
- Mr. Barrett, Mr. Firek and Mr. Stanton met with the Engineers, of Whitehall, West Mifflin and Brentwood related to relocating a small section the Streets Run Rd. interceptor. Walsh / Granite will be doing this work with Mr. Barrett explaining the details of the reimbursement to the Borough.

Mr. Stelmasczyk asked if there were any questions for the Engineer, Mr. Moeller asked Mr. Barrett where we stand on the other projects in the Borough.

- Mr. Barrett explained as a component of the Lutz Hollow bridge replacement first requires PennDOT to relocate a sanitary sewer line that is physically in the Borough of Baldwin.
- Mr. Stanton explained he needed to have Council sign the contract previously awarded to Gary Metzinger Cement Contractor in April. The Contract documents for the McAnnulty Road culvert need Council's signature.

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SOLICITOR'S REPORT

- Mr. Lederman began first with a comment on the poor work done by A. Liberoni in West Homestead and how the road wasn't paved correctly. After many attempts to contact Liberoni, they eventually came back a month later to fix their mistakes. He provided Mr. Stelmasczyk with West Homesteads Engineer's contact information.
- Next, Mr. Lederman explained all the things being done for The Pleasant Hills Authority (PHA). The Borough passed an Ordinance in proposed form last month with the final form to be passed. He provided Mr. Barrett gave him forms for the base borrowing certificate and the debt statements with exhibits for this Ordinance. He still has a few additional exhibits to attach and will provide them to Mr. Barrett for Councils approval.
- Mr. Lederman explained by passing this Ordinance it also passes the Guarantee Agreement. For Council's information, it's a 17 M plus project. They are talking of borrowing from Penn VEST, of which the Borough is responsible as a guarantor for 34.04%. You will see a loan schedule for the 5.9M dollar payout. We can then review our budget before the end of the year. Part of this Ordinance will give permission to those who will be signing the Agreement.
- The Operation Agreement between Baldwin and Pleasant Hills for the Equalization Tank Project we are doing will have most of this done for passage next week.

Mr. Lederman explained the remaining portion of his report will be in executive session.

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 due to his absence.

ADMINISTRATION

Mr. Barrett provided his written report to Council for tonight's meeting. Mr. Barrett mentioned a few items for Council to consider:

- Mr. Barrett asked Council members to look at the auditorium and see all of the progress. There is a punch list left for the completion of the auditorium. He has reached out to the Pat Lombardi the President of the Historical Society, and spoke to her about putting items into the main corridor shelving units before the next Council meeting. Sound is still needed and wanted to get an initial quote that was very high, they are looking at more options for the sound system.
- A Signature Resolution is required for the Library's Keystone Recreation Grant. It must be signed and date by two municipal officials who are authorized to enter into legal agreements.
- Mr. Barrett was contacted by homeowner Marie Batronis from 4030 Brentwood Rd. She explained to Mr. Barrett the house is beyond repair and she is moving. Prior to her leaving, the home suffered continuous flooding that removed the basement steps giving her no access to the electrical service. Additionally, the home suffered a severe fire leaving the property in an unsafe condition. To begin the Slum and Blight process for a

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property, they first must declare it blighted along with a hearing scheduled to start the process. The process was described by Mr. Barrett to Council.

- At the April Regular Meeting, he asked Council to postpone the bids for the pool for the contractors asked to delay the bid date for the pool for an additional week. The low bid was Swede and Construction with an amount of \$193,000. Mr. Barrett wanted to go through the formality of this process for next week.
- The Library Board has two applications they've approved to fill the two expired terms they wished to fill by the end of the year. Mr. Barrett was provided this information and will have it included on the agenda for next week.
- The Code Enforcement Officer, Anthony Ascioffa attended tonight's meeting to talk about Ordinance No. 874 to enforce the parking of commercial vehicles in the street. A few questions did arise when trying to enforce this Ordinance and they wanted to speak to Council to clarify the terms of the Ordinance. They would like to table this discussion and get more clear details related to this Ordinance from Michael Lederman.
- Anthony Ascioffa spoke about how inspection is done at the Residences of South Hills (ROSH). Mr. Barrett received a letter from the Management Company laying out a 10-year plan to show the code violations and items needing repairs for their complex to become code-compliant. The Borough would not agree to this 10 year plan for the property to become code-compliant. So far Anthony has done over 300 inspections there since his hiring. If he saw anything in those inspections that needed attention, Stephanie from ROSH would have them repaired within two weeks. However, in the past few weeks, there was a change in ownership from West Minster Company to Lincoln Properties. During this transfer process, Anthony remained in touch with Jason Stanton and since the end of last year their own plumber was doing the dye test and camera tests. Out of the 75 sewer laterals, about 29 of them failed both tests. They gave Anthony a corrective action plan for over the next seven months. Mr. Stanton provided comments on these failed tests and Council was provided the cover letter, the 10 year plan and corrective action, and the letter from Mr. Barrett to the new property owners. Anthony and Mr. Barrett explained a follow-up plan for the future to have these repairs completed within the next six months. Council discussed that the Borough should not have to be paying for broken repairs to downspouts going into the sewer system. Mr. Scott explained there is no 10 year plan and conversation continued on how the Borough should move forward.

Mr. Stelmasczyk asked Council if they had any questions with the Managers report. None were asked.

FINANCE

- Mr. Fischer reviewed the monthly Revenue and Expenditure Report for the end of April 2017. It is about 33% through the year. Mr. Fischer believes they will increase toward the end of the month.
- He explained the current year's expenses as the following; the CCTV being done by Waste Management when cleaning out the catch basins, the street light bill was mistakenly taken from the wrong account and got fixed. Since our payroll is outsourced, we are unable to correct any errors. Unfortunately, when a journal entry with our

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accounting software was entered for unemployment compensation, it took out double amounts. According to the Finance Officer, Molly Brennan, she made a journal entry and since the Borough outsources the payroll this is unable to be fixed on our end. She is currently speaking with the auditors on how to get the refund back into our account.

- Mr. Fischer explained Tax Collections could be paid online since last year; however, more people participated in the online payment system.

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

PUBLIC WORKS

Mr. Behers reviewed a few items with Council with general maintenance; Bob Firek has items to cover with Council:

- Mr. Behers explained the Public Works Department is continuing with the CCTV work for the storm and sanitary roadways for the 2017 Roadway Programs. The swimming pool repairs are almost completed to be ready for opening day.
- Mr. Firek explained the Brentwood Road Demolition and the 2017 Road Improvement program was covered as well is in his report for Council to review.
- Mr. Firek explained he has been working on Street Opening Permits since January 1, 2017. He compiled a list of these roads for restoration and paving work. He met with the contractors Pennsylvania American Water (PAW) has most of the work and Colosimo (COL) as their contractor doing most of the yard restoration and now working on the roadway ones. COS regarding completion of their capital project (main line replacement) as well as the group of restorations on four roadways. (Lechner Lane, Fidelity Drive, Gerry Drive and Irwin Drive)
- Tying all of this work in, previously they did a street detail adopting a Street Opening Ordinance. Providing it back when Tim Little was the Borough Manager. LSSE had provided a new detail that never got adopted and street ordinances did not get updated. The utilities have been working off of the street detail and haven't said anything about it. The street detail has been working off a detail that requires updates and this will be adopted at their next Regular Council Meeting.

A question was asked about the Dollar General Development. Mr. Firek explained what was discussed with Mark Stephenson, Public Works Superintendent and Mr. Firek. They wanted to make changes to the lateral to all exterior changes without providing new drawings. Mr. Barrett provided them with a site plan application that would be required to receive and Occupancy Permit.

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

PARKS AND RECREATION

Mr. Conley noted the items for approval on the Blanket Approval List for the Borough Parks and Facilities report for May 2017.

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Mr. Moeller asked about a prior discussion about not renting out the auditorium for actives since its renovation. Mr. Barrett explained they have not issued a letter to all organizations requesting the use of the auditorium and serving food.

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 and items for Council to review:

- Mr. Moeller said the Planning Commission did not meet on May 8, 2017. They have requested a few items to discuss. Mr. Barrett and Anthony have spoken to Bob Ieraci and went through what they had to discuss. They addressed these items with them and suggested they come back with a buffer before presenting to Council.
- The Zoning Hearing Board is scheduled to meet Thursday, May 18, 2017 at 7:30 pm. They needed to cancel the last meeting because they did not have enough for a quorum. Mr. Moeller requested the Borough advertise for alternates since at least three need to be in attendance for a quorum. Recently not enough members were able to attend, so the meeting was cancelled.
- The ROHS Corrective Action Plan and Transition Plan have already been discussed.
- The Monthly inspection report was discussed and Mr. Moeller said most of the issues from this report have been resolved.
- Anthony asked to remind Council to forward any information related to grass cutting. If they can get a heads up on the issue, the Borough can be more proactive in getting these abandoned properties cut.
- Anthony explained most of the permits as well as code violations are disclosed to residents on the Borough website so residents are aware of what is happening in the Borough. Mr. Moeller asked about the monthly activity log not available yet, and Anthony said the numbers will be ready at the next meeting.
- Mr. Barrett reminded Council that The Drive Time went past the 90 day period for approvals. There is a clause in the MPC that says after governing body gives approval, they have 90 days to record the plan. It's been past the 90 days, they're back and by a simple motion we can reinstitute the plan since it's the same. There were a few items that needed attention and they need a developer's agreement along with an O&M Agreement (Operations and Management) for the stormwater. Other than this, they need a Highway Occupancy Permit.
- Anthony explained the progress for the Mexican restaurant since they haven't submitted any plans as of yet.
- Mr. Barrett explained what is required to qualify for the Vacant Property Registration Program. An agreement with the Borough and a third party, Community Champions, who will do the all the legwork to get the process started. The properties they are interested in would be bank owned properties/foreclosures and neglected properties. This item will be placed on the Agenda for the next Regular Meeting. Michael Lederman suggested we need to have an Ordinance in place in order for the agreement to be valid. Mr. Lederman

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will need to draft an Ordinance and then advertise it, it will take a few more weeks to get it passed.

Mr. Conley asked about the brightness of the signs right up from Streets Run Rd. onto Old Clairton Rd. Anthony said he will make sure to see if the brightness would be a violation of their codes.

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

PUBLIC SAFETY

- Mr. Ducker said at the recent Public Safety Meeting and the recent increase in false alarms and what is being done. North Baldwin Fire explained they did not have an increase in false alarms, they just categorized them incorrectly. For South Baldwin wasn't in attendance, but Option Independent said they did have a problem. They were informed that council will not take action on these types of calls and not to push the issue. It was concluded they will see how other communities handle this problem.
- Mr. Barrett explained that the police are doing something with alarms and collecting fees, but with false alarms they have not collected monies.

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

PERSONNEL

Mr. Scott will provide his monthly report next week.

- Mr. Scott stated he has another draft of the Civil Service Rules and Regulations which he still needs to review. He found the Mt. Lebanon language and have some of the provisions with morals clauses, etc. He is right this can't be used for firing, this is included instead in their general requirements to do hiring. He wants to contact Bill Gamble who wrote this language.
- Mr. Stelmasczyk asked about the process done for promotions. Right now it's taking an oral exam along with a written exam. We should also be able to know if they have any performance issues and why it isn't in the guidelines. Mr. Barrett explained that only look at the top three candidates and you will find this information for those top choices. You would not write these in the Civil Service Regulations. Mr. Lederman suggested they the applicants seeking promotion who qualifies on the list to sign a release form where this information could be disclosed to Council.
- The 2017 DPW Seasonal Employees were discussed. Mr. Barrett asked if Council wished to take action tonight or in executive session. In general terms, there were eight applicants that could be used for both the pool and public works.

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

NEW BUSINESS

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Mr. Conley asked the Chief if he had Officer Kearns look into the one way on Wolfe Dr. The Chief has spoken with Mark Stephenson about reviewing the signs in this area.

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

No one approached Council.

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

Council entered Executive Session at 10:30 pm.

Respectively Submitted,

BOROUGH OF BALDWIN
John Barrett
Borough Manager