

# MINUTES TO REGULAR MEETING OF JUNE 20, 2017 **draft**

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The Regular Meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:30 p.m. on Tuesday, June 20, 2017

After the Invocation and Pledge of Allegiance to the Flag by Mayor Depretis, the following Council answered to roll call:

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

Absent: Mr. Michael Lederman- Solicitor

Staff Present: Tammi Genilla, Administrative Assistant

Mr. Stelmasczyk said Council had a brief executive session before tonight's meeting to discuss personnel issues.

## **APPROVAL OF MINUTES**

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

**M-1** *Mr. Fischer made the motion to approve the Regular Meeting Minutes of Meeting of May 17, 2017; 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**

Mr. Stelmasczyk asked the audience if they would like to address Council on anything that is on the Agenda.

Joseph Dilla of 3901 Churchview Ave. asked about the parking issues on Churchview Ave. because there was some confusion as to the locations for the no parking signs. Mr. Stelmasczyk asked Mr. Dilla to identify to locations for Council. Mr. Dilla explained these locations along with mentioning, after the meeting; Officer Kearns spoke of another option to allow Mr. Dilla to park on his parking pad without the need to remove other signs.

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Karen Held of 101 Palace Court, Baldwin Village, has flooding issues. Mr. Stelmasczyk asked for her to wait until after the meeting when it's the audience time to speak.

## ENGINEER'S REPORT

Mr. Stanton noted his report from June 9, 2017 summarizing activity since reviewing it with Council at the Agenda Meeting on June 13, 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-2** *Mr. Scott made the Motion to Approve Partial Payment Request (No. 9) from Mele & Mele and Sons for the Equalization Basin and Lift Station, Contract No. 14-S1 in the amount of \$446,324.79 per the recommendation of the Borough Engineer; second by Mr. Behers. Upon vote, motion passed unanimously*

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. Lederman explained item b. under his report lists a motion to adopt Ordinance No. 879 Pleasant Hills Authority Debt Guarantee. This has already been adopted at last month's meeting.

He asked Mr. Barrett for Ordinance No. 881 establishing measures for addressing deterioration and blight. Mr. Lederman explained this Ordinance is so we can get procedures in line for vacant and abandoned areas of the Borough. Establish measures to try and alleviate some of the blighted residencies and vacant properties. The borough would make a path to the property to be renovated, sold, torn down and recover some of the liens and back taxes. We must establish through an Ordinance, our procedures, registrations, and requirements. We are looking to have Community Champions who would require bank owned properties for the financial institution that owns them, to register through the Borough.

**M-3** *Mr. Scott made a motion for a First Reading of potential Ordinance No. 881 establishing measures for addressing deterioration and blight including prescribing registration, maintenance and security requirements; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. None were asked.

Mr. Lederman explained the Borough will be borrowing \$152,000 for the purchase of a 10-ton international truck. We must go through the procedures outlined under the *State Dead Act* with improvements within a municipality. In order for us to make the application and have the funds in order to purchase the truck, we have to pass an Ordinance that complies with the AIM requirements. A first reading of this Ordinance will be done and will be on the Borough website.

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**M-4** *Mr. Fischer made a motion for a First Reading of potential Ordinance No. 882 authorizing the Borough to accept the terms of Loan Request No. 2017-03 with the Authority for Improvements in Municipalities (AIM), Allegheny County; second by Mr. Scott. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. None were asked.

Mr. Lederman explained a discussion took place in Council Chambers last week on a personnel issue. It was a potential settlement on a minor claim in the amount of \$2500 regarding the Federal Lawsuit brought by former Councilmen Mr. Ferris. He has lost his case and therefore it was dismissed in Federal Lawsuit.

**M-5** *Mr. Scott made a motion to accept the terms of the settlement on the Federal lawsuit in the amount of \$2500.00; second by Mr. Behers. Upon vote, a roll call was taken and it passed 4-3 with the Mayor's deciding vote.*

Mr. Ducker asked if Mr. Lederman handled this case, Mr. Lederman replied no the insurance carriers did. A roll call was taken when asking all in favor:

Mr. Moeller- ABSTAIN  
Mr. Fischer- NO  
Mr. Scott- YES  
Mr. Behers- YES  
Mr. Conley-YES  
Mr. Stelmasczyk- NO  
Mayor Depretis- YES (Deciding vote)

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

### **MAYOR'S REPORT**

The Mayor reported calls for the month of May were 608 and calls given to police from 911 were 836. In addition, the fees collected for the month were \$1,619.50. Next, the Mayor read the monthly activity reports for K-9 Officer Niko and K-9 Officer Ajay.

The Mayor explained the motion for a Declaration of Local Disaster with flooding on June 14<sup>th</sup> and 15<sup>th</sup>. This is to help with the costs incurred during this time, he believes residents can also give us their information to pass onto the County to get the paperwork started.

**M-6** *Mr. Ducker made the motion for a Declaration of Local disaster Emergency following the June 14<sup>th</sup> and 15<sup>th</sup> flash flooding in the Borough of Baldwin; second by Mr. Fischer. Upon vote, motion passed unanimously.*

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**M-7** *Mr. Moeller made the Motion to Amend Traffic Resolution No. 369-229, regulating parking near the termination of Churchview Avenue ext.; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Fischer asked Mr. Dilla asked about the neighbors and if they are satisfied with this solution. Mr. Dilla explained it really does not affect them and with adding the two signs in the area per his speaking with Officer Kearns. Further discussion on this resolution was discussed.

Mr. Stelmasczyk asked if anyone had any questions for the Mayor.

## ADMINISTRATION

Mr. John Barrett submitted his written report to Council at the last Agenda Meeting. Mr. Barrett first wished to thank all of the first responders who helped during this flooding. They were called out several times over these two days and reacted promptly. Mr. Barret then explained the following motions needing Councils approval:

Mr. Barrett explained the motion is related to a state grant the Borough for the Multimodal Transportation is seeking for funding for the trail that is part of the Elmleaf Park Development. This is part of the Phase II of the project.

**M-8** *Mr. Fischer Motion to Approve Resolution No. 2017-06-11 for the Multimodal Transportation Fund Grant application; second by Mr. Moeller. Upon vote, motion passed unanimously.*

A proposal was received by McGrail and Associates that serves as our Zoning Hearing Board Solicitor. It is for the proposal for a Curative Amendment to clean up the zoning map.

**M-9** *Mr. Moeller made a Motion to Accept Proposal for Curative Amendment to Baldwin Zoning Ordinance from McGrail and Associates for the terms and conditions stated in the letter dated June 7, 2017; second by Mr. Fischer. Upon vote, motion passed unanimously.*

A number of pay requests are next with the first for the auditorium and not final payment.

**M-10** *Mr. Fischer made a Motion to Approve Partial Payment Request No. (3) from Scalise Industries for the Municipal Auditorium Renovation Project Electrical in the amount of \$1,420.90 per the recommendation of the Project Architect; second by Mr. Behers. Upon vote, motion passed unanimously.*

A similar request for payment with the HVAC.

**M-11** *Mr. Fischer Motion to Approve Partial Payment Request (No. 3) from Advanced Plumbing & Mechanical, Inc. for the Municipal Auditorium Renovation Project HVAC in the amount of \$22,101.75 per the recommendation of the Project Architect; second by Mr. Behers. Upon vote, motion passed unanimously.*

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This next motion is for the swimming pool, Phase II has begun.

**M-12** Mr. Fischer *Motion to Approve Partial Payment Request (No. 1) from Swede Construction for the Phase II of the Baldwin Community Pool Renovation Project in the amount of \$25,245.00 per the recommendation of the Project Architect; second by Mr. Moeller. Upon vote, motion passed unanimously.*

The last motion is for a final pay request from Liokareas Construction for Phase I of the pool.

**M-13** Mr. Scott made the *Motion to Approve Final Payment Request from Liokareas Construction for the Phase I Baldwin Community Pool Building Renovation Project in the amount of \$16,355 per the recommendation of the Project Architect; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for the Borough Manager; none were asked

## **FINANCE**

Mr. Fischer noted he was not in attendance and had Mr. Barrett went over the Monthly Financial Reports explaining Revenues and Expenditures as well as the current cash position in detail.

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

**M-14** *Mr. Fischer made the motion to approve the Treasurer's Report for May 2017; second by Mr. Conley. Upon vote, motion passed unanimously.*

**M-15** *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$981,013.79 and approve bills in the amount of \$683,295.63 for a total of \$1,664,309.42; 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 explained the Public Works Department (PWD) provided updates to Council since the last Council Meeting.

- PWD has been working hard at the swimming pool to have it in good conditions for opening day. Work included patching the pool bottom, priming and painting, pressure washing the deck and working on pump and filter operations.
- Road patching throughout the Borough is being done. A resident on Ganlet Drive required a wedge curb with additional restoration on the curb. The resident was pleased with the results and extended her gratitude.
- The 2017 Road Program is getting to begin, before this starts, the PWD has been using our sewer camera to video all of the storm and sanitary lines below the roadways. This work is

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done in-house and allows our road program to pave more roads by avoiding this cost to the contractor.

- Six (6) Summer Aides have started with their work being scheduled from input from the Dir. Of Municipal Services and the Roads Superintendent.

Mr. Barrett explained in May a first reading for Ord. 880 was passed to create requirements for Street Opening Permits. They come with a sketch drawing to show where material should be place with a utility company. Mr. Barrett asked for the following motion to be adopted:

**M-16** *Mr. Moeller made the motion for a Motion to Advertise Ordinance No. 880 amending the Borough's Street Opening and Excavation Requirements; second by Mr. Fischer. Upon vote, motion passed unanimously.*

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

## **PARKS AND RECREATION**

Mr. Conley asked for a motion to approve the June 2017 Blanket Approval list and a request to use Elm Leaf Park for the Knights of Columbus/ Ed Moeller on July 23, 2017 from 9:00 am – 9:00 pm.

**M-17** *Mr. Conley made a Motion to approve the June 2017 Blanket List for the Borough parks and facilities; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Moeller wished to abstain from this motion as he is part of the group renting the park.

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

## **ZONING AND PLANNING**

Mr. Moeller reported the Planning Commission did meet in June to speak about a few issues; nothing need any action.

The Zoning Hearing Board did not meet in June.

He noted the Building Inspection Monthly reports were included in his report:

*May 2017, fees collected (133 permits and appeals) were \$13,629.78*

*May 2017, YTD fees collected for a total of \$490.00*

*May 2016 fees collected were \$9214.25*

*May 2016 YTD fees collected for a total of \$52,767.56*

Mr. Stelmasczyk asked if there were any questions for Mr. Moeller.

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## **PUBLIC SAFETY**

Mr. Ducker noted everyone has received the Emergency Medical Service Monthly Report. The Volunteer Fire Department Monthly Activity Reports are due next month. Chief Barbour was asked if he had anything additional to add,

**M-18** *Mr. Ducker made a Motion to approve the appointment of Chief Joe Cambest as the acting Emergency Management Coordinator; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Mr. Ducker since this item was not on the agenda, none were asked.

Mr. Scott would like to recognize the passing of Ken Guerra for his past service he has provided to the Borough.

**M-19** *Mr. Ducker made a motion to advertise for a full-time Emergency Management Coordinator; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Mr. Ducker since this item was not on the agenda, none were asked.

Mr. Ducker would like to publicly thank our Public Works Department, Baldwin Emergency Medical Services, Baldwin Police Officers, and all of the volunteer fire departments. Knowingly they put their lives on the line recently on June 14 and 15<sup>th</sup> on Streets Run Rd.

## **PERSONNEL**

Mr. Scott had nothing to report for tonight's meeting.

## **NEW BUSINESS**

Mr. Stelmasczyk asked Council if they had any new business to discuss, no one requested new business to discuss.

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

Karen Held of 101 Palace Ct. / Baldwin Village has had numerous issues with water from the cemetery and overflows into the 500 Block of Palace Ct. This was discussed at length with the contribution of Council and Engineer, Jason Stanton and Mr. Barrett will be in touch with Mrs. Held with helping to look at the storm inlets.

Bill Heinzl of 5239 Colewood was extremely upset over the restoration of his property by Guyer Brothers who were contracted to restore properties affected by the Colewood Project. If he took photos of his property before the project began, they would make sure to have his property restored back to its original form.

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James and Judy O'Connor of 572 Jenne Dr. have been flooded three (3) years in a row with over 4 ft. coming from Charlotte Drive when the Borough paved the road. They said Jenne Dr. no longer has the lip on the curbs so the water comes right into their yard instead of draining into the storm sewer. She has paid already over \$5,000 to sanitize her home. Mr. Barrett explained he has received complaints on Blossom, Judith, etc. and recalls her husband came to him before about these issues. The Engineers had come out and checked their downspouts. Mr. Stelmasczyk will have Mr. Stanton look at Charlotte and Jenne to complete a smoke and dye test on their homes.

Mr. Stanton explained in detail the Wet Weather Flows and how these are being reported to the Pleasant Hills Authority (PHA) and how this 500 year storm (as it is uncommon) produced so much water not in only our borough, but many others.

Judy O'Connor continued to be upset over what has happened to her home and wanted to know what the Borough is doing about it. It was decided that Public Works and our Engineer would come out and look at the issues.

The meeting adjourned by Mr. Stelmasczyk at 8:45 pm.

**M-20** *Mr. Ducker made the motion to adjourn; second by Mr. Fischer. Motion passed unanimously.*

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett  
Borough Manager