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# MINUTES TO AGENDA MEETING OF SEPTEMBER 12, 2017

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The Agenda meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:00 p.m. on Tuesday, September 12, 2017.

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

Mr. Francis Scott  
Mr. James Behers  
Mrs. Marianne Conley  
Mr. Ed Moeller  
Mr. Kevin Fischer  
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. Stelmasczyk provide a brief update on Mr. Larry Souleret, of LSSE and his condition and he thanks everyone for the gift they sent.

## **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 the podium.

Mr. Stelmasczyk moved forward on the agenda.

## **ENGINEER'S REPORT**

Mr. Jason Stanton submitted his monthly report on September 7, 2017 summarizing activity from the last Council Meeting. Additionally, Mr. Stanton provided brief updates on the following items:

- At the Regular Meeting, he will ask for action from Council on two items related to the Pleasant Hills Authority.
- First the PHA requested Baldwin's preference to the monitoring technology associated with the Master Monitors. LSSE has recommended they use the same type as used with the Colewood Project. Council will be provided a letter from LSSE.
- Second, The Aerobic Digester No. 2 needs a new lid at the plant site and to move forward, this project will require a municipal "majority consent" for PHA to proceed.
- Updates on the LR-30 at Gardenville, a neighborhood meeting is tentatively scheduled for September 26, 2017 at the Leland Center to further the ROW acquisition process. A timeline for these signatures will be until the end of October and then it will be turned

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over to Mr. Lederman for further action. They would like to have a late spring bid for this project.

- Mr. Firek, Mr. Barrett and Mr. Stanton, attended a meeting with Bethel Park's Environmental Engineer on September 1, 2017 about the Gardenville (LR-30) project that will require tying into a Bethel Park storm sewer at the end of Gardenville Road.
- The Colewood Equalization Project is now operational as of Friday, August 4<sup>th</sup>, 2017. The wash-down system is not completed but is schedule for installation in the next few weeks. A tour with all first responders is planned for Friday, September 15<sup>th</sup>. The purpose of the meeting is to show the departments exactly what the EQ basin is and how they can respond to emergency calls to the area.
- The McAnnulty Road Bridge Culvert construction began on September 5, 2017 with the demolition completed and detours set. The Culvert delivery is scheduled for September 15<sup>th</sup> or 16<sup>th</sup>. Weather permitting, the contractor plans to be completed by the end of October.
- The Streets Run Emergency Permit has been issued to the Borough and we are granted a 60-day time period to complete our efforts in the stream.
- Progress is being made with Everest Foods with the planning module being processed. A geotechnical report was received on August 25, 2017 and is under review. Once a full planning module application is compiled by the developer's engineer, a resolution adopting the planning module will be required of the Borough.
- Leland Center updates: a Land Development Application, site plan, and storm water management information was received on August 3, 2017. LSSE is preparing a consolidation /subdivision plan.
- The Crossroads Towers II; shop drawings have been submitted and reviewed with a pre-construction meeting scheduled for September 12, 2017.
- The Stonewater Salon and Spa have submitted Land development plans for an addition to an existing building on Clairton Blvd.

Mr. Stelmasczyk asked questions about the replacement of the PHA digester lid and Mr. Stanton explained the need for the replacement.

Mr. Firek provided Council with updates on the 2017 Road Improvement Program.

- The contractor has been working on all of the roads, removed all the concrete curbs that existed. All the roadways have been milled and a binder has been placed with the exception of Keepport and Youngridge. They are working diligently to get the road work completed.
- Anticipated completion is the end of October.

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

## SOLICITOR'S REPORT

Mr. Lederman explained the following about the Dollar General development.

- They were given a conditional use that gives 45 days in which to complete a list of items. This will expire on Friday Sept. 15<sup>th</sup> and from what he understands is they will be able to comply with these conditions, with the exception of storm water management that will take a few weeks longer

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- They have agreed to make the necessary storm water improvements and are asking for an extension until the end of October to complete the work. Mr. Caruso is in attendance to explain what his plans are for the storm water management. He explained to Council his scheduled plans to be completed by the deadline of October 31<sup>st</sup>.
- Mr. Lederman asked if anyone from Council had any objections to this extension. Mr. Moeller said he does not approve of the extension since he feels we should have followed the original deadline. Mr. Scott believes it is a benefit to the residents and if they need the extension to achieve the benefit, then it should be permitted.

**M-1** *Mr. Scott made a motion to grant The Dollar General Zukiewicz, a final extension to complete the Storm Water phase until October 31<sup>st</sup>, 2017; second by Mr. Behers. Upon vote, motion passed 6-1, Mr. Moeller voted no.*

Mr. Stelmasczyk asked if there were any questions or comments on the motion, Mr. Moeller voted no.

- Mr. Lederman provided a rough draft to Molly Brennan, the lease with the Baldwin Library. It is available now for any additional items to be added to the lease. A sub-division has to be prepared, reviewed, approved and recorded before a deed can be transferred.
  - Mr. Barrett explained some concerns about the sub-division of the lot and explained how he would address the division and building additions by the Library.
  - Mr. Barrett also asked about giving them the \$300,000 agreed to for the purchase of the Leland Center. The Library is running low on funds and would like to acquire these funds now.
- Mr. Lederman mention the ROW's for the next phase and how they are moving forward. Mr. Barrett explained on September 26, 2017 at the Borough Building a meeting for the residents of the LR-30 Project will be receiving revised plans that would require their signature of approvals.
- Lastly, Mr. Lederman has a few items for executive session.

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

## MAYOR'S REPORT

Mayor Depretis will give his report at the next meeting.

- The parking studies on Grace Street, he understands these residents do not want a parking study. Mr. Barrett explained residents came to the last meeting and the residents decided the study would not be of help to their issues and create a larger problem.
- The Chief suggested a meeting with these residents before a ceremony would take place on their street and discuss parking issues, and residential concerns that come from an event that takes place over several days.
- The Mayor explained another issue was from a resident on Pleasantvue across from Paynter Elementary with a no parking sign on his street. It was discussed that he may be able to park there after school hours and weekends. A formal traffic analysis needs to still be completed for the signs to be changed.

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- The Mayor spoke about having a Police Department Facebook page and how many other departments have one. The Mayor had provided Mr. Lederman with this idea and provided his approval. Mr. Barrett explained the Borough has a Facebook page with only himself and Molly Brennan monitoring the site. They do not know if their carrier has insurance to protect the Borough. Next, Mr. Scott discussed several of his concerns with having a Facebook page.
  - Do we have coverage from the carrier if something may get posted inappropriately and we are opened to a lawsuit
  - Who follows the process of the posting and monitoring
- Mr. Lederman and Mr. Scott discussed the liability of the Police starting this page. The Chief explained this can be used as a public safety tool, road closures and other informative information. Mr. Lederman explained they are covered under the Immunity clause for anything that may be subject to liability.

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

## ADMINISTRATION

Mr. Barrett submitted his monthly written report to Council for review. Mr. Barrett mentioned a few items for Council to consider. There are a few items he would like to go through with Council:

- Mr. Barrett mentioned previously about the Emergency Permit they were able to secure with the PaDEP which is a 60 day permit. After securing a proposal from a contractor, we met to review integrating Public Works labor to reduce costs. Current proposal has the project estimate to be about \$85,000.
- Legislators provided a letter of support to Council, however didn't include the funds for the clean-up. Mr. Barrett believes the way for funding could be through another AIM Loan and Council agreed after discussion.
- Mr. Barrett spoke of the residential flooding concerns and the need to eliminate private cross connections in the system. Looking into the smoke and dye testing done on Gardenville recently, it was shown to be an effective way to pinpoint where areas of infiltration are coming from. By using a third party for this service, you pay a premium for this. Internally it was discussed with Mr. Firek and Mr. Stanton to have a strategy to take this task on ourselves with an oversight from Public Works and LSSE. They would like to capture smoke on drone photography to help identify these areas.
- Mr. Barrett asked Mr. Lederman if there are any legalities about reaching out to the residents and tell them they would be getting a smoke and dye test done. We are under DEP order to comply with our consent order and we have the authority to do what is necessary to comply, within reason.
- A motion will be placed on the Agenda for a Public Hearing Meeting on the curative amendment at 7:00 pm before the October Regular meeting.

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

## FINANCE

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- Mr. Fischer reviewed the monthly Revenue and Expenditure Report for the end of August 2017 which is about 67% through the year.
- Mr. Fischer asked for an explanation why we are over budget on several line items including legal expense. We carry high deductibles that must be met per occurrence, which have been triggered on multiple occasions this year.
- The tax collector reports were received for Real Estate Property collection with approximately almost a 100% collection.

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:

- The 2017 Road Program has had significant progress in the last 30 days.
- Public Works cleaned up mud and debris around Palace Ct and cleared a headwall and storm pipe that was believed to have caused some surface water flooding in the development.
- Mr. Firek updated Council on the Elm Leaf Project and where they are in the process.
- Complaints from residents were addressed and Mr. Firek responded with letters to each resident on what he plans to do to resolve the issues.
- Mr. Firek updated council on the summer help as requested, six employees were hired this year, they cut grass, maintenance, assistance with various crews, and helped with pothole patching, etc.
- Mr. Firek responded to a request from Council to come up with a form for police and public works that would provide Anthony with any problem areas in the Borough while they are out on the road.

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

## PARKS AND RECREATION

Mr. Conley noted noting on the Blanket monthly parks and facilities report for September 2017.

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 Monday, September 11, 2017 at 7:30 pm.
- Mr. Ieraci said the Stone Water Salon and Spa were on the Agenda for the evening.
- The Zoning Hearing Board is cancelled for September.



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

Mr. Barrett explained the Public Safety Committee will meet next Wednesday, September 20th at 6:30 pm at the Borough Building.

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

## **PUBLIC SAFETY**

Mr. Ducker announced the BEMS Monthly Activity Reports and will have them for the next meeting.

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. He does have items to discuss in executive session.

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

## **NEW BUSINESS**

Nothing new for Council.

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

A resident from 3449 Pleasantvue wanted to know why he hasn't been contacted regarding his parking issue. He claims to have nowhere to park and is unable to park at the school. He's trying to get permission to park on the street after hours. It was discussed prior to his question, Council already decided to do a traffic study for this issue.

*M-2 Mr. Moeller made a motion to enter Executive Session; second by Mr. Scott. Upon vote, motion passed unanimously.*

Council entered Executive Session at 8:45 pm.

Respectively Submitted,

BOROUGH OF BALDWIN  
John Barrett  
Borough Manager