

# INDEX TO REGULAR MEETING OF SEPTEMBER 19, 2017

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Project in the amount of \$18,000.00 per the recommendation of the  
Project Architect

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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, September 19, 2017

After the Invocation and Pledge of Allegiance to the Flag by Mr. Fischer, 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  
Mrs. Diana Behers-Treasurer  
Mr. John Barrett- Borough Manager

Absent:

Staff Present: Tammi Genilla, Administrative Assistant

## APPROVAL OF MINUTES

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

**M-1**        *Mr. Fischer made the motion to approve the Special Meeting Minutes of August 1, 2017; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion. Mr. Moeller would like to make a correction on page two (2) of the Special Meeting Minutes. The minutes should reflect a correction to the sentence the Dollar General opened mistakenly *with* an occupancy permit. It should read opened mistakenly *without* an occupancy permit. The correction was noted.

**M-2**        *Mr. Fischer made the motion to approve the Agenda Meeting Minutes of August 8, 2017; second by Mr. Moeller. Upon vote, motion passed unanimously with one abstain from Mr. Scott.*

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

**M-3**        *Mr. Fischer made the motion to approve the Regular Meeting Minutes of August 15, 2017; second by Mr. Moeller. Upon vote, motion passed unanimously.*



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Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion, 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. No one approached the podium.

## **ENGINEER'S REPORT**

Mr. Stanton noted his report from September 7, 2017 summarizing activity since reviewing it with Council at the Agenda Meeting on September 11, 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-4** *Mr. Scott made the Motion to recommend the use of Tidalflux Electromagnetic Flow Meter technology to the Pleasant Hills Authority; 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.

**M-5** *Mr. Moeller made the motion to approve the Pleasant Hills Authority proposed replacement of Digester Lid No. 2; second by Mr. Scott. Upon vote, motion passed unanimously*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion or for the Engineer.

Mr. Stelmasczyk asked Mr. Stanton to provide additional clarification. Mr. Stanton said this will help move the project forward. This capital improvement that exceeds 20% of the operating budget, meaning \$800,000 or larger, needs to have a consensus to move forward. This project requires a municipal "Majority Consent" for the PHA to proceed. LSSE is recommending this motion as the PHA is requiring a response by September 30, 2017.

Mr. Stelmasczyk asked for a change in the motion, but Mr. Stanton explained this request for a motion is written exactly as it needs to be and explained in further the consensus on moving forward. The motion language did not get changed.

**M-6** *Mr. Moeller made a motion to Approve Partial Payment Request (No.12) from Mele & Mele and Sons for the Equalization Basin and Lift Station, Contract No. 14-S1 in the amount of \$57,380.00 per the recommendation of the Borough Engineer; second by Mr. Fischer. Upon vote, motion passed unanimously*

Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion.



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Mr. Moeller asked Mr. Stanton if they are close to completing the project. Mr. Stanton explained the tank is in operation and with a wash down system and operating manuals in progress. A punchlist walkthrough will be scheduled within the next few weeks.

**M-7** *Mr. Scott made the motion to Approve Partial Payment Request (No. 2) from A. Liberoni, Inc. for the 2017 Roadway and Storm Sewer Improvement Program (Contract No. 17-R01) (GF) in the amount of \$375,315.72 per the recommendation of the Borough Engineer; second by Mrs. Conley. Upon vote, motion passed unanimously*

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

**M-8** *Mr. Scott made the motion to Approve Partial Payment Request (No. 2) from A. Liberoni, Inc. for the 2017 Roadway and Storm Sewer Improvement Program (Contract No. 17-R02) (LF) in the amount of \$177,421.59 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.

Asking about Colewood Project and soccer fields. Mr. Barrett provided details of the schedule of events to take place on the fields. Seeding for the fields are hoping to get completed by the end of the year and not ready for use for about 2-3 years for the fields to remain dormant and be established for the fields.

## SOLICITOR'S REPORT

Mr. Lederman explained they are working on the Right of Way (ROW) acquisitions for the Equalization Tanks. Phase II is coming up and they are proceeding with the agreements requiring signatures.

Mr. Lederman has been working along with Anthony Ascioffa, Code Enforcement Officer with ongoing issues in the Borough. Both Stan and Moe Lederman are completing business for the completion for the occupancy of the Dollar General.

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

## MAYORS REPORT

The Mayor reported calls for the month of August were 598 and calls given to police from 911 were 811.

In addition, the fees collected for the month were \$523.93. The Mayor provided the monthly activity reports for K-9 Nikko and K-9 Ajay for this month.

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





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## ADMINISTRATION

Mr. John Barrett submitted his written report to Council at the last Agenda Meeting. Mr. Barrett explained a few items before asking for motions.

The Streets Run Road Project is requiring the removal of non-native materials in the creek with our own Public Works Department assisting in the removal and hauling of this material. Mr. Stelmasczyk reminded Mr. Barrett to contact Cory O'Connor the City County Councilman to update him on the current conditions of this area.

The Mayor asked Mr. Barrett about the conditions of Streets Run Rd. from PennDOT and how much material has been left on the road. Mr. Barrett agreed this area needs to be cleaned up or these materials will go back into the stream.

Mr. Barrett would like to move forward with the first motion and explained they are on schedule and would like the project to be completed by the 1<sup>st</sup> week in November. He would like to show Council pictures along with drone footage showing the progression of the project.

**M-9** *Mr. Fischer made a motion to Approve Partial Payment Request (No. 1) from Stefanik's Next Generation Contracting Co. for the Phase I of the Elm Leaf Park Redevelopment Project in the amount of \$18,000.00 per the recommendation of the Project Architect; second by Mrs. Conley. Upon vote, motion passed unanimously.*

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

Mr. Barrett explained the details of the Provisional Terms of Membership and explaining the only thing that would be missed are the dividends from this year and not too much of an increase in costs.

**M-10** *Mrs. Conley made a motion to Approve Resolution No. 2017-09-17 accepting the Provisional Terms of Membership with the Municipal Risk Management Trust; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for the Borough Manager. Mr. Moeller made a comment on what he feels should happen in the future with this agreement.

**M-11** *Mr. Moeller made a motion to advertise a Public Hearing on Tuesday, October 17, 2017 at 7:00 PM for the Curative Amendment to the Baldwin Zoning Ordinance; second by Mr. Fischer. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for the Borough Manager; it was explained this meeting will take place right before the Regular Meeting in the auditorium.

## FINANCE

Mr. Fischer noted the monthly financial reports with Revenues and Expenditures as well as the current cash position at the Agenda Meeting, current Tax Collection for April is about 88%



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which is positive. 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 August 2017; second by Mr. Conley. Upon vote, motion passed unanimously.*

**M-13** *Mr. Fischer made the Motion to Ratify Bills in the Amount of \$618,382.69 and approve bills in the amount of \$747,198.31 for a total of \$1,367,011.00.; second by Mr. Conley. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Mr. Fischer, Mr. Stelmasczyk said a check for \$1430.00 out of the approved bills, was pulled for RFFLR LLC and believes we don't have enough information to pay this bill. This will be discussed further with Council at the October meeting. Mr. Barrett explained these final numbers in the bills will be adjusted and shown to Council at the next meeting.

## PUBLIC WORKS

Mr. Behers explained the Public Works Department has removed mud and debris from the headwall in Palace Court along with taking other measures to correct so it should not flood again.

They also repaired the dip around the inlet located at Churchview and Walton. A resident from 3764 Willett had an issue with a curb needing replaced so she will not have any more issues with flooding. On Vernon and Becky Dr. the inlets were repaired with asphalt placed around the inlets when the work was completed.

Lastly, they have been televising for the storm and sanitary lines for the 2017 Road Program.

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

## PARKS AND RECREATION

Mr. Conley explained the September 19<sup>th</sup> Blanket list was approved at the Agenda Meeting.

Mr. Conley said a request by Baldwin Mercy Behavioral Health for their Fall-Dance to be held at the Leland Center on Friday, Oct. 13th, 2017 from 2:00 – 3:00 pm for set up, and Saturday, Oct. 14th, 2017 11:00 am – 3:30 pm for the event. Fee waiver requested. (This event has been approved since 2013)

Secondly, a request by Baldwin Kiwanis for a Winter Holiday Festival to be held in the Auditorium on Friday, December 1st, 2017 from 4:00 pm – 10:00 pm. Fee waiver requested. (This has been approved in the past).



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**M-14** *Mr. Conley made a motion to approve a request by Baldwin Mercy Behavioral Health for their Fall-Dance to be held at the Leland Center on Friday, Oct. 13th, 2017 from 2:00 – 3:00 pm for set up, and Saturday, Oct. 14th, 2017 11:00 am – 3:30 pm for the event, a fee waiver is requested; second by Mr. Scott. Upon vote, the motion passed 5 to 2. Roll call was taken by Mr. Barrett with Mr. Scott and Mr. Stelmasczyk voting no.*

Council discussed the reasons why they were for or against this approval. Discussion followed.

**M-15** *Mr. Conley made a motion to approve a request by Baldwin Kiwanis for a Winter Holiday Festival to be held in the Auditorium on Friday, December 1st, 2017 from 4:00 pm – 10:00 pm. a fee waiver is requested; second by Mr. Scott. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions for Mr. Conley. Mr. Fischer asked about the requirements for this festival that has food and tables for residents. He asked that certain perimeters should be given to anyone using the auditorium.

## ZONING AND PLANNING

Mr. Moeller reported the Planning Commission Meeting met on Monday, September 11, 2017 with one item on their agenda.

The Zoning Hearing Board will be meeting Thursday, September 21, 2017 at 7:30 pm with one commercial item and one residential item on the agenda.

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

For August a total of 112 permits with an YTD of 809 issued for 2017.

August 2017 fees collected were \$18,882.50

August 2017 YTD fees collected for a total of \$88,373.15

Compared to:

August 2016 fees collected were \$7,088.43

August 2016 YTD fees collected for a total of \$60,705.88

He discussed the Code Enforcement complaints and letters issued along with asking for the following motion:

**M-16** *Mr. Moeller made a motion to approve the Land Development Application for Everest Foods, LLC pending documentation and final approval by the Borough Engineer; Second by Mr. Fischer. Upon vote, motion passed 6-1 with Mr. Scott voting no.*

Mr. Barrett explained more information along with Kim Gales of J.R. Gales and Associates to explain this application. Mr. Stanton as well explained this is a two-step process that will need to be approved. Mr. Stelmasczyk as well asked questions on this land development.

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



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## PUBLIC SAFETY

Mr. Barrett asked if Asst. Chief Brian McCaffrey had anything new to report from BEMS. Chief McCaffrey said no, unless there were any question on the monthly report. There were none, but he wanted to announce the flu clinics that would be in October and November. These are free of charge and available to anyone over the age of 18 without having to be a Baldwin resident.

Mr. Barrett announced the tour of the Equalization Tank with all of our Public Safety members that could be in attendance. He also announced the Public Safety Committee Meeting tomorrow night, September 20<sup>th</sup> in Council chambers at 6:30 pm.

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

## PERSONNEL

Mr. Scott had nothing to report for tonight's meeting, but that Council met in executive session tonight at 6:30 pm to discuss personnel matters.

**NEW BUSINESS** Nothing from Council.

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

Robert Stanko- Gardenville Rd. - discuss problems with flooding from the railroad and the issues pertaining to the railroad tracks by his home.

Mike Sharp- Meadowvue- had a question about street paving and what streets will be done. His cul-de-sac is in bad shape and would like to advice Council of the need to get this repaired.

Gail Mikush- Portia Drive- had several comments for specifically two Council members and what her actions would be in the future.

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

**M-17** *Mr. Moeller made the motion to adjourn; second by Mr. Moeller. Motion passed unanimously.*

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett  
Borough Manager

