

MINUTES TO REGULAR MEETING OF OCTOBER 17, 2017

A Public Hearing took place at 7:00 pm before the Regular Council Meeting tonight.

The Regular Meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk at 7:30 p.m. on Tuesday, October 17, 2017.

After the Invocation and Pledge of Allegiance to the Flag by Mr. Scott, the following Council answered to roll call:

Mr. Frank Scott
Mr. Kevin Fischer
Mr. Ed Moeller
Mrs. Marianne Conley
Mr. James Behers
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

APPROVAL OF MINUTES

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

- M-1** *Mr. Scott made the motion to approve the Agenda Meeting Minutes of September 12, 2017; second by Mr. Moeller. Upon vote, motion passed unanimously.*
- M-2** *Mrs. Conley made the motion to approve the Regular Meeting Minutes of September 19, 2017; second by Mr. Fischer. 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. No one approached the podium.

ENGINEER'S REPORT

Mr. Stanton noted his report from October 6, 2017 summarizing activity since the Agenda Meeting on October 10, 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 items, no questions were asked by Council. He asked for the following motions:

- M-3** *Mr. Scott made the motion to Approve Partial Payment Request (No. 3) from A. Liberoni, Inc. for the 2017 Roadway and Storm Sewer Improvement Program (Contract*

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No. 17-R01) (GF) in the amount of \$169,421.41 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.

M-4 *Mrs. Conley made the motion to Approve Partial Payment Request (No. 3) from A. Liberoni, Inc. for the 2017 Roadway and Storm Sewer Improvement Program (Contract No. 17-R02) (LF) in the amount of \$188,478.79 per the recommendation of the Borough Engineer; second by Moeller. 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. Scott made the motion to approve Partial Payment Request (No.1) from Gary Metzinger Cement Contractor, Inc. for the McAnnulty Road Bridge Replacement (Contract No. 17-ST1) in the amount of \$243,074.04 per the recommendation of the Borough Engineer; Mrs. Conley; Upon vote, motion passed unanimously*

Mr. Stelmasczyk asked Mr. Stanton if this is a final payment. Mr. Stanton explained this is the first partial payment request. The road has been paved, and a final walk-through will be scheduled within the next week. They will complete punch list items and then award their final payment next month.

On the next motion, Mr. Stanton explained the Planning Commission has recommended, with conditions, a final land development approval for the Stonewater Salon and Spa. They are proposing an addition to the existing structure with conditions explained by Mr. Stanton.

Final approval from the Zoning Hearing Board will need to be accepted with the conditions and administrative requirements. They have addressed these conditions and more at the last ZHB meeting.

M-6 *Mr. Scott made the motion to approve (final) the Stonewater Salon and Spa Land Development Application, per the recommendation of the Baldwin Planning Commission and the Borough Engineer and approved upon receipt of the proof of the recordation of conditions. The property is located at 5326 Clairton Blvd, c-2 zoning district; second by Mr. Behers. Upon vote, motion passed unanimously.*

The motion was amended to include, and approved upon receipt of the proof of the recordation of conditions. Mr. Stelmasczyk asked if anyone had any questions or comments pertaining to this motion or for the Engineer, none were asked.

M-7 *Mr. Moeller made the motion to approve the Subdivision Plan and Lot Line Revision for 5230 Wolfe Drive, per the recommendation of the Baldwin Planning Commission and the Borough Engineer; second by Fischer. 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.

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SOLICITOR'S REPORT

Mr. Lederman said he has two motions required for tonight. He explained details of Ordinance 883 with the amendments of Ord. 873. The Ordinance is the last component of the Curative Amendment process that the Borough has been undertaking in recent months. The driving force behind the legislation was the unintentional change in zoning to two parcels on Gardenville Road that occurred during the 2016 adoption of a new Zoning Ordinance and Zoning Map. In addition, Ordinance 883 formally brings back pre-existing language related to sight distance and the regulation of swimming pools that was inadvertently excluded from Ordinance 873. The Borough has passed two separate resolutions on this matter, in accordance with the PA Municipalities Planning Code and held a Public Hearing earlier this evening. At the Regular Meeting of November, Council will formally adopt Ordinance 883 thus completing the curative amendment process.

M-8 *Mr. Scott made the motion for a First Reading and Motion to Advertise Potential Ordinance No. 883 Amending Ordinance 873 to include two additional subsections of supplemental regulations and further amending the Zoning Map; second by Fischer. Upon vote, motion passed unanimously.*

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

Mr. Lederman explained Council has been discussing this Agreement in the past. He asked Mr. Barrett to further explain the details of the Agreement with Community Champions, a non-profit organization. Mr. Barrett explained this agreement creates a Vacant Property Registration Program that require all bank owned properties be registered with the Borough. A fee is charged for the registration and contact information is provided. The process also enables the Borough to articulate our maintenance standards to the responsible party. This is another way for the Borough to fight blighted properties.

Mr. Lederman asked if anyone has any questions on this motion. No questions asked.

M-9 *Mr. Scott made the motion to Enter into an Agreement with Community Champions to administer a Vacant Property Registration Program; second by Fischer. Upon vote, motion passed unanimously.*

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

REPORT

The Mayor reported calls for the month of September were 598 and calls given to police from 911 were 898.

In addition, the fees collected for the month were \$727.00. The Mayor provided the monthly activity report for K-9 Ajay for this month.

The Mayor announced Halloween Trick-or-Treating will be on Tuesday, October 31, 2017 from 6-8pm. Police will be handing out wrist bands to children. Next, he wanted to remind everyone the Baldwin Kiwanis will be hosting a Holiday Festival on Friday, December 1, 2017 from 6 -

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9:00 pm. at the Borough Municipal Building with crafts for children, craft vendors, music, Santa, and refreshments.

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

ADMINISTRATION

Mr. Barrett submitted his written report to Council at the Agenda Meeting. Mr. Barrett explained there were a few housekeeping items to take care of along with motions for pay requests. Mr. Barrett would like to move forward with the first motion. This motion is related to first phase of Elm Leaf Park. The Borough has captured drone footage of the park construction each week to illustrate the transformation. Mr. Barrett showed the footage to give the sequence of construction.

Mr. Barrett explained the work completed in the stream on Streets Run Rd, and updated Council on details of the efforts. Two payment requests have been submitted to the Borough for these projects:

M-10 *Mr. Fischer made a motion to Approve Partial Payment Request (No. 2) from Stefanik's Next Generation Contracting Co. for the Phase I of the Elm Leaf Park Redevelopment Project in the amount of \$165,379.95 per the recommendation of the Project Architect; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if anyone had any questions on the motion. Mr. Moeller asked Mr. Barrett to further explain the new development of Elm Leaf Park. Mr. Barrett explained the park will have restored horseshoe pits, along with a corn hole area, a new playground, restroom facilities and a pavilion. Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

M-11 *Mrs. Conley made a motion to Approve Partial Payment Request (No. 1) from Stefanik's Next Generation Contracting Co. for the Streets Run Road Stream Restoration Project in the amount of \$61,525.00; second by Mr. Conley. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

Mr. Barrett explained the next payment request is for the Pool Building Renovation Project with continual updates to the pool. The concrete has been poured for the location of new shade structures but they will not be installed until the spring.

M-12 *Mr. Fischer made a motion to Approve Partial Payment Request (No. 4) from Swede Construction Corp, for Phase II of the Pool Building Renovation Project in the amount of \$4,037.50 per the recommendation of the Project Architect; second by Mrs. Conley. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

Part of the Borough Capital Plan involves replacing vehicles and in our budget, we planned for two vehicles this year. They went to market for a capital lease, and with looking for the best rate, selected Huntington Bank.

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M-13 *Mr. Fischer made the motion to Approve Resolution No. 2017-10-18 authorizing a capital lease from Huntington Public Capital Corporation for the purchase of a police vehicle; second by Mr. Behers. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked Mr. Barrett if this was a lease to own and Mr. Barrett explained this vehicle was purchased with the terms for a three-year repayment plan for a lease to own. Additionally, Mr. Scott asked about a report he had seen about the emissions being a big issue for Ford Explorers and wanted to know if this could be addressed. The Chief said they have carbon monoxide monitors in each of the vehicles for the safety of the officers.

Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

Mr. Barrett described a resolution that is needed per the recommendation of our new Emergency Management Coordinator, Joe Cambest, Chief of South Baldwin Volunteer Fire Co. He brought to Mr. Barrett's attention paperwork on file with Allegheny County was not current. His recommendation is to adopt the National Incident Management System (NIMS) compliance resolution, as the one on file is dated. NIMS establishes a protocol for an Emergency Command Center and has been accepted as the standard for local municipalities to follow in emergency conditions.

M-14 *Mr. Scott made the motion to Approve Resolution No. 2017-10-19 adopting the National Incident Management System (NIMS) to be followed during emergency situations; second by Moeller. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

Mr. Barrett explained this next resolution is pertaining to the CDBG Program administered by SHACOG. In the past, the Borough has used the CDBG Program for the demolition of structures in the Borough. The requirements of the program have changed slightly, making demolition projects harder to fund. Other appropriate uses of CDBG funding would be accessibility. The Borough proposes to apply for CDBG funding to install ADA accessible doors in the Municipal Building.

M-15 *Mr. Fischer made the motion to Approve Resolution No. 2017-10-20 a concurring resolution confirming application to the CD Year 44 program. Project would construct ADA accessible entrance doors at two locations at the Baldwin Municipal Building; second by Mrs. Conley. Upon vote, motion passed unanimously.*

Mr. Stelmasczyk asked if there were any questions or comments on the motion, none were asked.

The last motion relates to the library subdivision. This project would bring the Baldwin Library into the Leland Center. An agreement between the library and the Borough has to be completed to define the terms of the use of the building.

M-16 *Mr. Fischer made the motion to approve a Lease Agreement with the Baldwin Public Library for the property located at 5230 Wolfe Drive contingent upon the library acquiring the title, and contingent upon a Right of First Refusal Clause being included; second by Mrs. Conley. Upon vote, motion passed unanimously.*

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Mr. Stelmasczyk asked if there were any questions for the Borough Manager, Mr. Moeller asked about having a time limit on the acquiring of the title. Mr. Barrett explained also the right of refusal if the library would decide to sell the building.

FINANCE

Mr. Fischer noted the monthly financial reports with Revenues and Expenditures as well as the current cash position at the Agenda Meeting. 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-17 *Mr. Fischer made the motion to approve the Treasurer's Report for September 2017; second by Mr. Conley. Upon vote, motion passed unanimously.*

M-18 *Mr. Fischer made the motion to Ratify Bills in the Amount of \$619,992.66 and approve bills in the amount of \$2,967,373.85 for a total of \$3,587,366.51; second by Mrs. 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 has been assisting in the clearing of the debris on Streets Run Road. This has saved the Borough by the Public Works doing the work that would normally be contracted. Also, they are repairing inlets in the Borough and cutting roots, so the sanitary lines can be camera'd.

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

PARKS AND RECREATION

Mr. Conley explained the October Blanket List had no requests for the month.

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

ZONING AND PLANNING

- ❖ Mrs. Conley reported the Planning Commission Meeting had a meeting on Monday, October 9, 2017. They had two items on their agenda to discuss.
- ❖ The Zoning Hearing Board will be meeting Thursday, October 19, 2017 at 7:30 pm with three appeals to discuss.

Mrs. Conley went over items in the Building Inspection Monthly report:

Residential building permits issued for September were 8 with a YTD total of 112.
September fees collected were \$1, 685.75 for a YTD total of \$18,841.98
Commercial Building permits issued for September were 0 with a YTD total of 14.
September fees collected were \$817.75 for a YTD total of \$17956.92

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Residential occupancy permits issued for September were 50 with a YTD total of 514. September fees collected were \$3,000 for a YTD total of \$30,400.00 with Mrs. Conley completed her report with additional fees collected for the month.

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

PUBLIC SAFETY

Mr. Moeller noted everyone has received the Volunteer Fire Department Monthly Activity Reports along with the Emergency Medical Service Monthly Report.

He read a few details for the BEMS report along with asking if Chief Todd Plunkett had anything to announce. He mentioned that BEMS received the American Heart Association gold plus award. Mr. Moeller read details from both Option and South Baldwin reports, not having the Baldwin #1 report as of date. A reminder that a Public Safety Meeting will be on October 25, 2017 will give him the opportunity to meet all the emergency personnel.

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

PERSONNEL

Mr. Scott had nothing to report for tonight.

NEW BUSINESS

The SHACOG Franchising Authority Board has called a meeting to take place at the Whitehall Borough Building on October 26, 2017 at 6:30 pm. Mr. Stelmasczyk will attend on behalf of the Borough.

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

- ❖ Joe Karcher of 127 Mary Ann Drive- Sewer problems
- ❖ Jean Stefanick of 220 Conrad Drive- road repairs
- ❖ Mike Sharp of 3018 Meadowvue wanted to piggy back with the residents' comments on repair work that should be done on Meadowvue, Roland and Wildwood
- ❖ Several other residents talked as well about the bad pot holes and road conditions.
- ❖ Jennifer Fox of 3558 Churchview- speeding on Churchview and asking for a traffic study.
- ❖ Mike Fitzgerald of 3238 Churchview- agreed the speeding on Churchview needs to be addressed.

M-19 *Mr. Moeller made the motion to adjourn; second by Mr. Fischer. Motion passed unanimously.*

The meeting adjourned by Mr. Stelmasczyk at 9:15 pm.

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett
Borough Manager