

# REGULAR MEETING MINUTES OF OCTOBER 19, 2021

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The Regular Meeting of the Borough of Baldwin Council was called to order by President Marianne Conley at 7:30 p.m. on Tuesday, October 19, 2021.

The invocation was done by Mrs. Maiden and the following Council and staff answered to roll call:

Mrs. Patty Boyer  
Mr. Chad Hurka  
Mrs. Denise Maiden  
Mr. Francis Scott  
Mr. James Behers  
Mr. John Egger, Vice-President  
Mrs. Marianne Conley, President  
Mr. David Depretis, Mayor  
Mr. Jason Stanton, Engineer  
Mr. Gavin Robb, Solicitor  
Mrs. Diana Behers - Treasurer  
Mr. Robert Firek, Borough Manager  
Chief Tony Cortazzo

## **APPROVAL OF MEETING MINUTES**

Mrs. Conley asked for the following approval of Council Meeting Minutes:

**M-1**      *Mr. Hurka made a motion to approve the Agenda Meeting Minutes of September 14, 2021; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any corrections or additions on the motion. There were none.

**M-2**      *Mr. Hurka made a motion to approve the Regular Meeting Minutes of September 21, 2021; second by Mrs. Maiden. Upon vote, motion passed.*

Solicitor, Mr. Gavin Robb noted an executive session was held prior to tonight's meeting to discuss personnel and Borough property issues.

Mrs. Conley asked if there were any corrections or additions on the motion. There were none.

## **AUDIENCE AGENDA: Agenda Items Only: 5 MINUTES PER SPEAKER OR GROUP**

Mrs. Conley asked the audience if they would like to address Council on anything that is on the agenda. If so, they should come forward and state their name and address for the record. No one asked to speak.

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## ENGINEER'S REPORT

Mr. Stanton previously submitted the Monthly Engineers Report to Council and had summarized the activity for the month. Mr. Stanton provided his presentation to Council on the following two items: The ALCOSAN Grow Grant Review and the Phase II COA Agreement Review.

Mr. Stanton continued to discuss the remainder of his report:

**Permitting for the Multi-Municipal Project:** The Railroad Crossing Permits have been submitted. Wheeling and Lake Erie Railroad are in the process of executing the license agreement. Mr. Stanton expects to receive shortly both license agreements from the Car Load Express as well as the PaDEP Stream Crossing permits.

**General MS4 Activity:** A PaDEP Remote Audit took place last month. An email was received October 5, 2021 stating no violations, no deficiencies, comments, or action items. Mr. Stanton does not anticipate an inspection or audit for another 5 years.

**PRP Plan Project:** LSSE and administration met with the property owner at Churchview Ave. who said they will not be signing the ROW. The recommendation is to allocate resources toward stream restoration in the vicinity of St. Joseph's Cemetery and defer the Churchview project.

**2021 Road Improvement Program:** A payment request will be on the agenda tonight for Council consideration.

**2021 Municipal Building Improvements:** Within the next 2 months, the Municipal Building Improvements will go out for rebid as construction material costs are stabilizing.

Mr. Stanton asked Council for the following motions:

**M-3** *Mr. Scott made Motion to approve Partial Payment No. 3 in the amount of \$66,166.59, to A. Liberoni, Inc. for Contract No. 21-R01 (2021 General Fund, Roadway and Storm Sewer Project) per the recommendation of the Borough Engineer; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

**M-4** *Mr. Scott made a Motion to approve Bond Reduction No. 3 for Everest Foods (Double Fresh Market) from \$62,394.40 to \$47,331.90 for a total reduction*

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*amount of \$15,062.50 per the recommendation of the Borough Engineer; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. Mr. Scott wanted to know what is left on the project. Mr. Stanton explained all work is completed but they need to get the Notice of Termination approval from Allegheny County Conservation District to close out the project.

Mrs. Conley asked if anyone had any questions for the Engineer. None were asked.

### **SOLICITOR'S REPORT**

Mr. Robb had no items to report and will have a few items for discussion in executive session.

Mrs. Conley asked if anyone had any questions for Mr. Robb. None were asked.

### **MAYOR'S REPORT**

The mayor provided information from the Police Monthly Activity Report for September 2021:

Calls to Police from 911: 784  
Fees Collected for September 2021: \$46.50  
Arrest totals: 14  
Citations/Tags: 38

Mayor Depretis asked the Fire Dept. if they applied for the PA American Water Grant. Mr. Hurka explained yes, they have applied for this along with a Peoples Gas Grant.

Chief Cortazzo said the railroad company is increasing the speed limit of its trains on the tracks along Streets Run Rd. from 15 mph to 25 mph. This has been posted on social media and he will be increasing patrols in this area for any violators.

Mrs. Conley asked if there were any questions on the mayor's report. None were asked.

### **ADMINISTRATION**

Mr. Firek reviewed his monthly report with Council:

**Elm Leaf Park Phase III:** This was awarded to A. Liberoni, Inc. at the Sept. 21<sup>st</sup> Council meeting, but an error in the amount awarded was off by \$40. Mr. Firek has this item on the agenda for the correct amount of \$653,110.49.

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**2022 Pool Management Services:** Mr. Firek is asking for authorization from Council to prepare an early RFP for the 2022 Pool Management Services. By placing the RFP out early, it would allow the Borough to finalized the contract before potentially having to compete with neighboring municipalities for the same service.

**Revised Fee Schedule:** The Chief of Police has contracted Car Fax to issue all Police Accident Reports at no cost to the Borough. However, it requires the fee to be the same for everyone. Mr. Firek is asking Council's approval to change the current fee structure of resident/non-resident to one standard fee of \$10 and place this on the agenda potentially in December for approval.

Mr. Scott asked the Chief about Car Fax and Chief Cortazzo explained the procedure and benefit to the Borough.

**Municipal Advertising Requirement Letter:** The Manager has received feedback from Council and has the final letter for Council signatures to send to the Local State Legislators.

**Resolution No. 2021-10-12:** This is the yearly Pension Allocation from the State. Per law, the Borough has 30 days to allocate those funds after a formal resolution is passed into our Pension Plans. Mr. Firek has this item on the agenda tonight for a vote by Council.

**Crossgates Subdivision:** This plan was approved by Council at the February 16, 2021 Meeting. The owner and engineer did not file the plan with the County within the 90 days as required by PaMPC. A 90-day extension is needed to get this properly recorded by the owner and is on the agenda tonight for consideration.

**Coen Market Project:** This is for consideration of the consolidation of two lots and has been presented to the Planning Commission who has required a few conditions which need to be met prior to approval. Also, a conditional use hearing is required for the proposed development of this Automobile Fuel Station. This is on the agenda tonight for approval.

**ALCOSAN GROW Grant Award:** The Borough received about \$1.4 million more than originally anticipated. This is on the agenda for consideration to allow Mr. Firek to execute the agreement.

**Maher Duessel Final 2020 Auditors Report:** The Manager received the Final Report which was an overall favorable report and has provided copies of same to Council.

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**The Library Board Meeting Date Change:** The meeting has been changed to October 28<sup>th</sup>, 2021.

**Tax Bill Payment Issue:** Mr. Firek explained an issue with a resident who claims he did not receive his tax bill in the mail; however, Gail Mikush-Tax Collector said the bills were all mailed. The Resident wanted Council to recognize he is a veteran and a resident of 55 years and asked to pay the face value of his tax bill and not to include the penalty fee.

Mr. Robb would ask that Council wait to consider the penalty until further discussion takes place.

Mr. Firek has the following motions for Council's consideration:

**M-5** *Mr. Egger made a Motion to Adopt Resolution No. 2021-10-12 Allocating the State Aid Pension Funds received under Act 205 of the General Municipal Pension System State Aid Program; second by Mr. Hurka. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

**M-6** *Mr. Scott made a Motion to Adopt Resolution No. 2021-10-13 Confirming the Borough's Grant Request from the Redevelopment Authority of Allegheny County for a Gaming Economic Development Tourism Fund (GEDTF) \$500,000.00 Grant for the Baldwin Pool Improvements; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

**M-7** *Mr. Egger made a Motion to Correct the Awarded Amount for Elm Leaf Park Ph. III Improvements for the Base Bid and Add Alternate Nos. 2, 3, and 4 to A. Liberoni, Inc. in the total amount of \$653,110.49; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion.

**M-8** *Mr. Egger made a Motion Authorize the Manager to prepare and send out Requests for Proposal for Pool Management Services for the 2022 Season; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were

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None.

**M-9** *Mr. Scott made a Motion to re-approve the 90 Day requirement for recording the Crossgates Subdivision Plan; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

**M-10** *Mr. Scott made a Motion to advertise for a Conditional Use Hearing for Coen Market at the November 16, 2021 Regular Council Meeting; second by Mrs. Boyer. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

**M-11** *Mr. Scott made a Motion Adopt Resolution No. 2021-10-14 a Concurring Resolution for matching funds and to move forward with a Grant Application for CDBG Funding for three Structures in the North Baldwin Area in the total amount of \$36,200.00; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. Mr. Egger asked how many properties as of four years ago did the Borough perform demolitions on. Mr. Firek explained about 5 properties including the 3 just submitted with about a year process to be funded by CDBG/County and partially by the Borough.

**M-12** *Mr. Egger made a Motion to Adopt Resolution No. 2021-10-15 Slum and Blight for the three properties associated with the North Baldwin Area CDBG Application; second by Mr. Hurka. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were None.

Mr. Stanton asked that the Grow Grant application be listed for approval. This would need to be added as a motion prior to the motion for approval.

**M-13** *Mr. Hurka made a Motion to add a motion to the agenda to approve the Grow Grant Agreement with ALCOSAN for the Grow Grant 2021-01 subject to review and approval of the grant agreement by the Borough Solicitor; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were

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None

**M-14** *Mr. Egger made a Motion to approve a Grant Agreement with ALCOSAN for Grow Grant 2021-01 subject to review and approval by the Borough Manager and the Borough Solicitor; second by Mrs. Maiden. Upon vote, motion passed.*

Mr. Hurka had a question about the Grow Grant application to be discussed in executive session. Mr. Robb explained this can be voted on as it's also subject to review.

Mrs. Conley said since this was not on the agenda, are there any questions or discussion on this motion. There were none.

Mrs. Conley asked if there were any questions for Mr. Firek. None were asked.

## **FINANCE**

Mr. Hurka said the Monthly Revenue and Expenditure Reports were provided to Council the previous week. He asked Council to consider the following motions:

**M-15** *Mr. Hurka made a motion to accept the Treasurer's Report for September 2021; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were none.

**M-16** *Mr. Hurka made a Motion to Ratify Bills in the Amount of \$1,426,661.45 and approve bills in the amount of \$2,591,135.44 for a total of \$4,017,796.89; second by Mr. Scott. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions for Mr. Hurka or discussion on this motion.

## **PUBLIC WORKS**

Mrs. Boyer reported the activities by Public Works for the month of September.

Mrs. Conley asked if anyone had any questions for Mrs. Boyer. None were asked.

Mr. Lubin provided the following items from the Municipal Managers Report:

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**2021 Road Paving Program:** A lot of activity has been taking place after a few delays, but currently the program is substantially completed. The anticipated completion of the roadways and paving should be at the end of October.

**MS4 Audit** – This update was previously provided by Mr. Stanton

**Utility Work and Projects (gas, water, electric etc.):** Columbia Gas Co. completed final paving and restoration on most of their open projects in South Baldwin areas.

**Duquesne Light:** LED Lighting, this work is on-going and is being installed as well as new pole installations near Curry, Becky, Blossom, Holiday, Meadowcrest and Olympic areas (total 86 poles).

**SHACOG and PW Advisory Committee:** Meetings have begun with the Annual Salt Meeting taking place October 13, 2021 at the Borough. Balance of last winter season salt storage was ordered and released per agreement (175 tons). Meeting September 7, 2021-discussed upcoming winter salt season and vehicle ordering concerns.

### **General Misc. & (Public Works and Parks)**

**Eagle Scout Projects:** The Eagle Scout Project at Sanda Park has been completed. A new Eagle Scout Project is pending at Macek Park and should start in the next couple of weeks.

**Public Works Budget:** Mr. Lubin explain how there is a supply chain problem with trucks. Mr. Lubin explained these delays and how it would impact the Borough. A further discussion took place with Council. As discussed with Council at the last meeting, the order for a new Hill International 8-ton truck was submitted. We are waiting on final confirmation details and timelines for delivery. Anticipated to be in Fall of 2022.

Mrs. Conley asked if there were any questions for Mr. Lubin. None were asked.

### **PARKS AND RECREATION**

Mrs. Maiden did not have any items on the October Monthly Blanket List for Council.

Mrs. Maiden said she has been approached by residents asking why the Borough does not offer summer camps for the children. Mrs. Maiden discussed with Council that she has researched existing summer camps in other municipalities, use of McAnnulty school for a Summer Camp in Baldwin Borough, grant applications, costs associated with camps and organizations asking to participate in the program.

Mr. Egger was in favor of offering this for the youth in the Baldwin community. After discussion, Mrs. Maiden will continue to research the possibility of grant funding and will update Council with this information.

Mrs. Conley asked if anyone had any questions for Mrs. Maiden. None were asked.



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## ZONING & PLANNING

Mr. Egger provided his Monthly report to Council explaining:

The Planning Commission held a meeting on October 11, 2021.

Zoning Hearing Board has a meeting scheduled on Thursday, October 21, 2021 at 7:30 pm.

The Building Inspection and Zoning Office Monthly Report was provided:

A total of 42 permits were issued for September 2021

Total YTD permits issued were 381

August 2021 fees collected were \$4,991.

Fees collected YTD for 2021 were \$55,596.75

**M-17** *Mr. Egger made a Motion to Approve Coen Market Lot Consolidation Plan contingent on Addressing the comments in LSSE's Letter dated October 11, 2021 and ownership issue of the lots per the recommendation of the Planning Commission; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or comments on the motion.

Mr. Egger offered a comment asking Council to visit a current Coen Market in South Park. It will provide a clearer understanding for the Rt. 51 Overlay District on how it will enhance the area.

## PUBLIC SAFETY

Mr. Behers read the following Activity Reports for BEMS and the Volunteer Fire Departments with the following calls/incidents and response times:

	Calls/Incidents:	Avg. Response Time:
BEMS	305	7.0 minutes
OPTION Fire	33	6.16 minutes
Baldwin #105	NO Report	
SBVFC	21	10.24 minutes

Mrs. Conley asked if anyone had any questions for Mr. Behers. No questions were asked.

## PERSONNEL

Mr. Scott had the following motions for tonight:

**M-18** *Mr. Scott made a Motion to Change Officer Steven Cipple's status from the one-year Probationary Status to Regular Full-time Status per the*

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*recommendation of the Chief of Police; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were none.

**M-19** *Mr. Scott made a Motion to Change Officer Spencer McDowell's' status from the one-year Probationary Status to Regular Full-time Status per the recommendation of the Chief of Police; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion on this motion. There were none.

Mrs. Conley asked if there were any questions for Mr. Scott. None were asked

Mrs. Conley asked Chief Plunkett of BEMS if he had anything he wanted to add to their monthly report, she was remiss in asking if he had anything to add. Chief Plunkett explained the numbers were up for the month and regarding the previous fleet discussion by Mr. Lubin, BEMS has had a similar approach to order trucks for 2022.

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

No one approached Council.

### **NEW BUSINESS**

Mr. Egger asked about having the general public attend Council Meetings remotely vs. in person. Mr. Firek said he will research the costs associated with online meeting broadcasts via the web.

Mayor Depretis asked about the vacant Oakleaf Personal Care home and how the Borough could utilize the building. It was noted the property is currently not for sale.

**M-20** *Mr. Egger made the motion to go into executive session; second by Mr. Hurka. Upon vote, motion passed.*

Respectively submitted,  
BOROUGH OF BALDWIN

Robert T. Firek  
Borough Manager