

**PRE-MEETING
BADEN BOROUGH COUNCIL
JULY 13, 2015**

Council President Mrs. Montell called the meeting to order at 7:00 p.m. in Council Chambers of the Baden Municipal Building, 149 State Street, to conduct business of general purposes.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Mr. Besong, Mr. Kotula, Mr. Stuban, Mr. Trzcianka, Mrs. Villella and Mrs. Montell (Not Present: Mrs. Michaels)

ALSO PRESENT: Police Chief Christner

ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

AGENDA (Changes and/or Deletions)

VISITORS

Jennifer Miketa from 424 Phillips Street and Michelle Baker from 416 Phillips Street addressed Council in regards to water runoff from the alley that is flooding the yard of one property and flooding the basement of the other. Part of the discussion included the mud runoff from the corner property that was demolished at the corner near Berry Street. Michael Demcak the Code Enforcement Officer addressed the corner property and noted that he will be sending the owner a letter regarding seeding of the property to prevent the mud runoff. Conversation took place regarding the water running into the property has been an issue for years and the corner property has just added to the problem. The alley is graded at an angle and the water is never making it to the storm sewer at the end of the alley. Mr. Trzcianka commented that a motion should be made on Wednesday to have the engineer look at the runoff issue. Public works will look at the storm sewer to make sure it is not clogged.

DEPARTMENT REPORTS

Secretary

2014 Audit

Completed. Waiting for copies to distribute to Council.

CCR Water Quality Report

Completed, approved by DEP and mailed.

Recycling Grant

Wrote a final summary of Baden's Recycling Program and submitted to DEP for processing and got approved for \$14,095 in grant funding.

CEO

Michael Demcak from Ambridge has filled out his paperwork and already starting to address borough issues.

Tax Collections

The Per Capita Taxes were mailed out and payments are already coming into the borough. Approximately 100 corrections for delinquent taxes have been sent to the county. Continuing to work with the FBI representative on the previous tax collector issues.

COMCAST Day of Caring April 25th

No update on when grant payment will be finalized. Additional paperwork was required and submitted last month.

Garbage Contract

The Garbage Contract has been changed to reflect a three and five year rate as well as an option for curbside pickup of electronic and other hazardous waste. It has been reviewed by Donna Michaels and Michael Stuban. Currently we are charging \$45 for a bid packet. Once council approves the changes a motion is needed to advertise for bids.

330 State Street

The DEP called to address some concerns from a neighbor regarding the condition of the asphalt and possible health concerns as well as the dumping of dirt and potential water runoff. It was explained that the borough is in the process of doing restoration of the property. Public Works scraped the asphalt area off of the one area and the DEP has been notified.

General Code

The preliminary update/revisions have come in for review.

Ubility

Programing of the software is taking place.

Building Inspector

The permit paperwork for last month's complaint regarding Mr. Darr has been found. Mr. Darr paid for a zoning permit which was required. A building permit was not required. Council was given a copy in their mailbox.

Zoning Hearing

The hearing date has been changed from July 20th to August 17th for 410 State Street.

FEMA Flood Plain Ordinance

Submitted signed copy to the FEMA Representative.

Bids for Tree Cutting

There are seven trees within the Borough Park that got damaged during last week's storm. We are in the process of getting prices. Keystone Tree Service and Hudson Tree Service were contacted by the secretary. Lockhart Tree Service is being contacted by Public Works.

Water Bills

Mailed on Tuesday, July 14th and due date is Wednesday, August 5th.

Insurance Claims

- Workers Comp – Fireman Shoulder Injury
- Property – Traffic Light Repair at Johnson and State, lightning damage. Covered (\$500 Ded.)
- Property – Motorcycle knocked over by Fire Truck. Insurance is handling.
- Property – Traffic Light and Storm Sewer at bottom of Harmony Road caused by vehicle accident. Turned over to the insurance company.
- Property – Water Line. Electrical Line fell at the intersection of Harmony Road and State Street. The line hit the metal water valve box causing the electrical current to blow out a water valve. Turned over to the insurance company and contacted Duquesne Light. (Not sure if it will fall under the vehicle accident from the previous days or Duquesne Light). Insurance Company is handling.
- Property – Light up sign at the end of the drive way. Struck by falling tree limb. Turned over to the insurance company. Deductible is \$500 not sure of value of sign. Waiting on fire department.

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Payroll Company

We currently use ADP who started with new software around the beginning of the year. There have been many issues with errors on the payroll. They are having difficulty with the calculation of rate adjustments for the Public Works Department. Currently looking at another company, Heartland that has been recommended by other municipalities.

Mr. Stuban addressed the Per Capita Tax and the problem with the tax collector not mailing or updating the list. They have been mailed out by the borough office and corrections and updates have and continue to be done. At the end of the council will determine if the Per Capita will be turned back over to the elected tax collector continue to have the collections done by the borough office.

Public Works

- Fifth Street and Rose Street – property owner wants to fill in the ravine behind his home because he can't maintain it anymore.
- Anderson Candy – Dye Test done on lower portion of the drain and it appears to be fine. Cost estimated is currently over \$30,000.
- Mr. Besong addressed Mrs. Marmagen complaining about weeds growing over from the neighbor's fence and onto her property. The Code Enforcement Officer will be asked to handle this matter.

CEO

Michael Demcak stated that he is reviewing and learning the Ordinance as well as handling complaints.

Police Chief

Chief Christner addressed himself and Sgt. Alvarez going over on comp time. He stated that for fifteen years the chief always took care of tracking the sick, vacation and comp time but Mr. Stuban wanted to change it so the lady's in the office do it and stating we are in a transition period now. Chief Christner stated that this fine by him because it is less work for him. He continued to say this is at no fault of the ladies. He said that when he took comp time it said he had comp time available. Then he got another report and it said he was over on the comp time. He claimed that he didn't have final numbers because he doesn't track it, the lady's in the office do. Mr. Stuban asked to clarify because he felt Chief Christners statements were inaccurate. Mr. Stuban stated first of all that he never told Chief Christner not to keep track of his comp time. He stated that it is the Chiefs responsibility to keep track of the whole departments comp time and any time off. We have the office staff track it to double check your (the Chief's) figures. Chief Christner commented that he was told by the Mayor that if they (the office) is doing it then don't keep track. Mr. Stuban again stated that you (Chief Christner) are the department head and that is your job. Chief Christner stated that you (Mr. Stuban) is not his boss and he doing what he is told to do by Mayor. Chief Christner addressed Mr. Stuban stating the he (Mr. Stuban) wanted to come in and change everything. Mr. Stuban stated he never spoke to him (Chief Christner) about it. Chief Christner stated that they told him that you guys are now keeping track of the sick, vacation and comp time which is fine because it is less work for him. Chief Christner stated that he (the Mayor) told him not to keep track because he didn't want there to be an issue with discrepancies coming back on the police. Mrs. Villella stated that he (Chief Christner) misunderstood and it is the Chiefs and Mayors job to track the time off and comp time. The checks and balance with the office is a good thing. Mrs. Rakovan said that the purpose of the office tracking the time off and comp time was to double check what the Chief had on record. Chief Christner commented that he is tired of being in the middle and he is doing what he is told to do by his boss. Mrs. Villella and Mr. Trzcianka both commented that the Mayor is in charge of daily operations, not the enforcement of policies and procedures set forth by council. Chief Christner asked Council who he should listen to and he will because his only concern is the safety of Baden. Mrs.

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Villella stated that she is the Public Safety chairman and the chief should report to her who in turn reports to Council with any issue that the police chief may have. Chief Christner stated that he wants to come to work and keep Baden safe. He is sick and tired of having a stomach ache over everything that is going on. Mayor Gagliardi asked who was to keep the records. Mrs. Villella stated that the Chief keeps the records and the office double checks them. Mrs. Villella addressed the posting of the schedule in the office. Mayor Gagliardi stated that he doesn't need to post anything.

Chief Christner than addressed Council in regards to him and Sgt. Alvarez being over on their uniform allowance. He commented that this has never been an issue in the past. He stated that he went to buy an off duty weapon and they wouldn't sale him (Dave Christner) an off duty weapon. They would only sale Chief Christner of Baden Borough a weapon. He stated that he explained this to Elaine and told her to take it out of his next pay check. Mrs. Rakovan did explain that she was totally aware of gun purchase and the fact that he would be over spent and Chiefs wishes to have it withheld from his pay. She explained that withholding the purchase from a pay is not the correct way to handle the reimbursement. She also commented that Chief Christner was waiting for the total that was owed. The memo's intent was for justification to explain that there wasn't overspending on the Chiefs (or Alvarez's) part and reimbursement was taking place. Mr. Stuban wanted to clarify that this wasn't an issue. It was just clarification before a question was asked. Mr. Stuban also noted that the office keeps track of the public works department too.

Chief Christner asked for some reconciliation and resolve to the issues at hand because it is making him physically sick. Mr. Besong expressed his support for the Chief. Mayor Gagliardi stated that there needs to be better communication. He stated that what Council wants from them (Mayor and Police) is interpreted wrongly many times. He asked that Council be more specific with their request. Mrs. Villella stated to the Mayor that he is part of the issue and she felt that he is hurting the department referring to the request for ticket information. Mayor Gagliardi recalled the situation a few years back where an officer gave out information and it ended in a murder. Mrs. Villella stated that the request does not include names, addresses or any personal information. Mayor Gagliardi stated that there is a conflict in what is being requested. Mayor Gagliardi stated the wants clarification regarding the request and he contacted Harrisburg who told him to ask for it in writing. This gives him (the requester) the option to appeal. Mrs. Villella read the request word for word which stated: 1. please provide July's police schedule to post in the office. Mayor Gagliardi stated this was no problem. 2. 2015 six month incident report for Wednesday's meeting. Mayor Gagliardi said no problem. Mrs. Villella read the Mayor's response that incident reports and monthly police schedules are placed on council clipboard for viewing every month. Mrs. Villella stated that the reports were not there. The Mayor's response regarding as to how many tickets were issued for parking on yellow lines was that they are confidential information and this request must be submitted to the Mayor for legal advice. Mayor Gagliardi stated that we get an email on Friday afternoon and he and Chief interpret the request differently. The Mayor stated that he didn't know what to do so he called Harrisburg to clarify the request. Mayor Gagliardi asked what is the big deal about putting it on paper. Further discussion followed. Mrs. Villella stated that a police schedule with names is allowed to be seen by Council however it does not fall under the Right To Know Law. The Mayor stated that the police schedule does fall under the Right To Know Law. Mr. Stuban commented that all he asked for was for information that has always been supplied for council but it wasn't available this month.

Mrs. Rakovan explained that if this a request that the Mayor wishes to fall under the Right To Know Law then it must go through the Right To Know Officer which is Chief Christner. There are specific guidelines for the Right To Know request with guidelines, formatted letters and document tracking. This is a lot of work for Chief Christner.

Fire Department

Tim Firich stated there were 26 calls last month. There was a successful water rescue down at the river and one fatal car accident. Rescue truck went out for inspection and had some work done with air conditioner and lighting upgrades. There has been engine cooling problems with it so it is at Cummins for repair. Mr. Firich also commented that

the cars in the lower lot are being cleaned up. They did over 400 training hours on the cars. Mr. Stuban commented that it looked like a junk yard in the lower lot and he felt training should not take place in this location noting that there is broken glass everywhere which is unsafe when we have community events with children. He also commented that it is taking away parking spaces. Mr. Trzcianka asked that council get the fire department a training facility. Discussion followed. Mr. Stuban recommended using the Andy Tenant Field. Mr. Trzcianka asked if council would pay for lighting at the field. Further discussion followed.

A neighbor whose back yard faces the lower parking lot addressed her displeasure with having to look at the vehicles. She had no issues with training but she asked that the cleanup be done diligently. Mr. Trzcianka explained what is involved to remove the cars which are no cost to the borough. Discussion took place regarding the age of the fire truck and the plans to replace them.

COMMITTEE REPORTS

Administration & Finance (Michael Stuban)

- Bicycle Trail - Mr. Stuban addressed the plans for the trail and a bike lane that will take parking away. Mrs. Villella explained that it can be done without taking the parking spots. Mr. Stuban stated that the article states having a paved well marked bike lane. He asked that it be looked into before commitment. Mrs. Villella expressed her support for the bike trail and what it can bring to our town.
- Incident Reports - Mr. Stuban addressed the need for all departments to fill out incident reports for all insurance related matters. This would include vehicle accidents, traffic lights, waterlines... Mrs. Montell addressed insurance coverage for the tree that was destroyed by the vehicle accident. Mr. Kotula was against going after the insurance for a tree when a poor man died. Further discussion followed.

Buildings, Property & Grounds (Bob Besong)

- Trash on Phillips Street and Harmony Road – Mr. Besong stated that he is working on volunteers to clean up the streets.

Community Relations (Ted Kotula)

- Business Listing – Mr. Kotula commented that he is getting a letter and list together for businesses. He wants to show support of our local businesses.

Library (Kim Villella)

Mrs. Villella will have her report on Wednesday.

Public Safety (Kim Villella)

Mrs. Villella asked Chief Christner if a negotiation meeting may be held on Tuesday at 10:00 AM. Chief Christner stated that it shouldn't be a problem.

Public Works (Dave Trzcianka)

Mr. Trzcianka stated that he already covered what he wanted to talk about.

Recreation & Communications (Donna Michaels)

Not Present

Sanitation, Recycling & Municipal Authority (Donna Michaels)

Not Present

Mayor's Report

Mayor Gagliardi addressed the need for Council and the Mayor to get along and communicate. He felt the tension has been going on for two years now between him and council.

President's Report

Nothing to report.

OLD BUSINESS

Mr. Kotula addressed the need to make a long term plan regarding finances and the needs of the borough which include a new fire truck.

ADJOURNMENT

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to adjourn the meeting. Meeting adjourned at 7:56 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
August 17, 2015