

**REGULAR SESSION
BADEN BOROUGH COUNCIL
JULY13, 2016**

No Monday Meeting Due To Lack of Quorum.

Council Pro Tem Mr. Shelkons called the Regular Session of Council to order at 6:30 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: Mrs. Furr, Mr. Kotula, Mr. Shelkons, and Mr. Stuban (Not Present: Mrs. Montell, Mr. Besong, and Mr. Trzcianka)

ALSO PRESENT: Attorney James Amato

ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

AGENDA (Changes and/or Deletions)

VISITORS

- Tom Turney from 336 State Street addressed council in regards to a few issues. He expressed his "ache in his stomach" over how he was treated at the previous months Monday meeting in regards to being rudely interrupted by a gentleman in the audience with that individual being ruled out of order by council or the chair. He explained Robert Rules of Order as well as the basic parliamentary procedures of speaking until you are recognized by the chair. He also questioned the egg timer that which is not a five minute but a three minute timer. Mr. Turney stated that in the future when he speaks if he is interrupted by council or people in the audience then the five minutes starts over again. Mr. Turney then asked if Mr. Trzcianka resigned from Council. Mr. Shelkons noted that a letter was submitted by Mr. Trzcianka and then he rescinded that letter a few days later. Lastly Mr. Turney asked if borough resources were being used at the Baden Legion and who gave authorization if this is in fact true. Mr. Shelkons commented that he did hear the same thing however he did not personally see any work being done. Mr. Stuban stated that this is not to be happening and it was supposed to be brought up during Monday's work session to get more details however there was no meeting due to lack of quorum. By law the borough is not permitted to go on private property and it should not have happened. Mr. Turney asked who authorized the work order. He was told there was no work order submitted through the office. What is understood that one member of council told the employees to do it.
- Joe Kostial asked who is responsible to see if the tax collector has a bond. The bond is to be submitted to the county clerk. Mr. Kostial asked if the printers and copiers were brand new. He was told yes and explained that this is not like a new car. The model that best met the boroughs need happen to be a model that was not made in current year.
- John Moss from 297 Prospect Street addressed council in regards to replacing a roof on his porch. He stated that he is having issues with the building inspector requiring him to submit additional paperwork. Mrs. Rakovan noted that this situation is all new to her and she would have to check into his issue. She explained that the UCC needs to be followed for the safety of the home owner and their insurance.

MINUTES – June 13th and 15th 2016 (Tabled for next month)

BILLS TO BE PAID

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to pay all bills with two signatures.

RESOLUTIONS - Attached for public review

- 16-06 Appointing the borough secretary (Elaine Rakovan) as the authorized representative and liaison with Berkheimer for the Per Capita Tax Collector
- 16-07 Appointing Berkheimer as the Per Capita Tax Hearing Office
- 16-08 Empowering Berkheimer to retain administer, receipt and enforce the provisions of and adopting their rules and regulations to enforce the Per Capita Tax.
- 16-09 Authorizing Berkheimer to impose and retain costs of collection on delinquent Per Capita Taxes.

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to adopt Resolution 16-06, 16-07, 16-08, =16-09

ORDINANCES - None

BIDS - None

CORRESPONDENCE

1. July 6th letter from the DEP announcing the renewed NPDES General Permit for Storm water Discharges from Small Municipal Separate Storm Sewer Systems.
2. July 13th letter from Tax Collector Donna Michaels with attached documentation from the Pennsylvania Department of Military and Veterans Affairs requesting tax exemption for Huxley J. Lipscomb residing at 280 Walnut Street. This exemption request is based upon the applicant being totally and permanently disabled as a result of service connected causes incurred during a period of war or armed conflict.

MOTION by Mr. Kotula, second by Mr. Stuban, carried unanimously to approve the tax exemption for Huxley Lipscomb.

DEPARTMENT REPORTS

SECRETARY – (written report supplied to council)

2014 Tax Upset Sale List

There are over 40 properties listed in Baden for upset. This involves the 2014 taxes which the courts appointed “Baden’s Secretary” as the interim. They all seem to appear school taxes. So far five people have come to the borough office to correct this matter. Working with Mr. Kohlman at the county along with the school district Superintendent to resolve this matter as quickly as possible. Still a very time consuming matter.

Water Request from West View Water

The engineer reviewed West View Water wanting to purchase water from the borough to test their lines. They advise against allowing the sale of water.

330 State Street

Waiting for closing to be scheduled soon.

Transfer to Wesbanco Bank

All accounts with the exception of one (General Fund) is not closed at Citizens. Our State Aid as well as other revenue (Franchise Fees, County Collections) gets deposited into this account. Do not want to close until confirmation of bank change has occurred.

Quigley Waterline Agreement

Waiting for signed copies of the agreement. Resent the agreement along with a copy of the paid invoice for the valve repair asking for their portion to be reimbursed.

Timber Harvesting

The Lions Club harvesting is complete. They will be starting on the Villella property. Waiting for permit fee, paperwork and bonding confirmation.

Ordinance – Street Weight Study

Attached is the weight limit ordinance for review. Motion to advertise is needed.

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to advertise the Street Weight Ordinance with intention to adopt.

Ordinances Tabled at November meeting

941 Amending the Code striking Chapter 170

942 Establishing the licensing and inspection of all rental units

Fire Truck Loan

Another \$1,000 monthly installment payment (bill) has been submitted.

Pension Audit

The Auditor General did the pension audit.

2015 Audit

The 2015 Audit is complete.

Printers and Copier

New printers and copiers are up and running.

School Crossing Guard

The crossing guard will be having surgery in August and will not be able to do his job for a couple of months. This is advance notice for the borough to find a temporary crossing guard for this time.

CCR 2015 Water Report

Mailed out and paperwork submitted to the DEP.

Applefest

The recreation board is requesting a donation for prizes for their Art Show.

Workers Comp Claim

Volunteer Fire Fighter got hurt during training. Currently getting physical therapy and not sure if surgery is needed.

QuickBooks

Accounts are entered. Pam Seanez is working on formatting the software and will start training next week.

Ubility

Meeting with the representative on Thursday, July 21st to finalize the online/phone payment service. This will give residents access to their bills and the ability to pay their bills online or over the phone. This is separate from accepting credit card payments in the office. Now that we are switched over to WesBanco I will have the bank supply us with the equipment to accept credit/debit cards.

Training

Rick Sedlacek and Randy Dobich will be attending a local training class on August 31st as required for their water certification.

Bond Refi

Final documentation was supplied to the bonding company.

Right To Know

There were two right to know requests this past month. One for check copies from the 175th Anniversary and the second for a copy of the printer/copier agreement.

PUBLIC WORKS

Not present

CEO

Bob Weber presented his report to Council. He thanked the fire chief for cutting the grass on First Street next to his residents. Two banks took care of their properties and one more bank should be addressing another property next week. Mr. Weber addressed his concern with homes not having house numbers. He stated it is the law and for safety reasons it should be enforced. He also addressed Harvey's "junk yard" and how it is affecting the property value of the surrounding homes as well as being a visual eye sore. He also noted that Harvey is parking his junk cars on the borough's property.

Mr. Kotula asked to speak and addressed Mr. Weber. He first thanked Mr. Weber for supplying a great list of what he is doing. Secondly he addressed Mr. Weber in regards to him speaking harshly to residents.

Mr. Sheikons asked for an update on the halfway house. Mr. Weber stated that the house was to be locked up and put up for sale. The neighbors said that during the night guys are getting back into the house so the locks were probably not changed. Mr. Kotula stated that he will speak to the Chief regarding this matter.

POLICE

Not present

FIRE

Not present

COMMITTEE REPORTS**Administration & Finance (Michael Stuban)**

- General Fund Balance \$351,709
Water Fund Balance \$74,221

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to appoint Berkheimer as the Per Capita Tax Collector.

Mr. Turney asked why the Borough was going to go with Berkheimer feeling that there will be loss next year because of the cost associated with paying Berkheimer. Mrs. Rakovan and Mr. Stuban both stated that there will not be a loss to the borough.

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to authorize the solicitor to request a copy of the Pinney Street Bridge Inspection that was part of the PUC requirements in regards to the railroad and borough.

Community Relations (Michael Stuban)

MOTION by Mr. Stuban, second by Mrs. Furr, carried unanimously to have an outside company do a fall newsletter for the Borough.

Buildings, Property & Grounds (Ted Kotula)

Mr. Kotula stated that he had three companies come look at the library repairs. Only one gave a bid. Their name is Cassidy and they bid \$3,200 for re-flashing the left and

right side of the library and the overhang. He also noted that the roof would need to be replaced soon.

Public Safety (Ted Kotula)

Mr. Kotula stated that one part time officer got hurt so they are looking to hire at least three part time officers to help fill the schedule.

Public Works (Dave Trzcianka)

Not Present

Library (Suzie Furr)

Mrs. Furr stated that the library will have a booth at the Applefest. They also are reviewing the by-laws.

Recreation & Communications (Suzie Furr)

Mrs. Furr stated that the recreation board would like to change their meeting time from Monday to the 4th Tuesday of the month. Mrs. Rakovan asked that the Recreation Board put their request in writing with the day and times.

Applefest will be October 8th.

Mrs. Furr stated that the basketball courts are being fixed up too.

Sanitation, Recycling & Municipal Authority (Judith Montell)

Not present.

Solicitor's Report

Nothing to report

Engineer's Report

Not present.

Mayor's Report

Not present.

President's Report

Not present.

OLD BUSINESS

Mr. Turney asked for the status on 330 State Street. Mr. Amato stated that they are waiting for a closing date from the purchaser.

Mr. Kostial asked for the status on the loan and asked that council reconsider the loan to purchase a fire truck and street sweeper.

Mr. Kotula gave an update on the Narcan Policy that is being reviewed by the Mayor this week and then given to the police department for implementation. Bob Symoniak will be getting the Narcan for the Police Department.

ADJOURNMENT

MOTION by Mr. Stuban, second by Mrs. Furr, carried unanimously to adjourn the meeting. Meeting adjourned at 7:11 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
August 15, 2016