

REGULAR SESSION BADEN BOROUGH COUNCIL MAY 18, 2016

Council President Mr. Besong 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, Mrs. Montell, Mr. Stuban, Mr. Shelkons, Mr. Trzcianka and Mr. Besong

ALSO PRESENT: Mayor Sam Gagliardi, Chief Christner, Engineer Tony Sadaka and 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 the June 4th community yard sale that will have over 150 participants. The rain date is June 11th. He stated that he received a lot of local business support at a total of \$1,280. The flyer will be ready on Friday. He asked that residents support the businesses that support the borough. Secondly Mr. Turney asked about the status of Mr. Weber as being the full time CEO. He was informed that the original motion was for him to fill in as the CEO. Mr. Turney felt that this shouldn't be an option and Mr. Weber should be the full time CEO. Next Mr. Turney asked about the logging at the Lions Club and he asked about weight study of the roads. He was informed that it was done and roads will be posted however Harmony Road and Johnson Avenue already have limits posted. He asked if the fire truck purchase is still taking place. He was told yes and the cost to get the fire truck to the borough will be at the fire department expense. The fire truck will not cause a tax increase.
- Harvey addressed council in regards to PennDOT requiring a fence to be put up around his business. He wanted to know if council would approve it. He was told by Mr. Stuban that council does not approve fences. He will need to fill paperwork out for the building inspector/zoning officer to approve. Harvey then explained the process involved for getting rid of cars that legally he has to pick up cars for the police departments. Harvey also asked that the tree alongside his building be cut down. The dirt and leaves from the tree is causing problems for his paint jobs. Additionally the tree is interfering with the electrical lines.

APPROVAL OF MINUTES

The minutes of April 18th and 20th 2016

MOTION by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to accept the minutes.

APPROVAL OF BILLS TO BE PAID

MOTION by Mrs. Montell, second by Mrs. Furr, carried unanimously to pay all bills with two signatures.

RESOLUTIONS - (Attached for public review)

- **16-03** Approving the procedures for compliance with the procurement of professional services pursuant to the provisions of Act 44 of 2009.
- **16-04 Eliminating** police officers' contribution to the Police Pension Plan for the Years 2014, 2015 and 2016.
- **16-05** Approving the disposition of records under the Pennsylvania Municipal Records Manual. Thirty boxes including 2008 EIT receipts, invoices, payroll, bank statements and utility billing receipts as well as 1997-2008 Property Tax Receipts and miscellaneous working papers from the property tax collector's office.

MOTION by Mrs. Montell, second by Mr. Trzcianka, carried unanimously to adopt Resolution 16-03, 16-04 and 16-05

ORDINANCES - None

BIDS – None

CORRESPONDENCE

1. April letter from PennDOT regarding the construction and maintenance of pedestrian facilities at the intersections of Phillips Street and Berry Street. Maintaining of the structures beyond the curb line will be the borough's responsibility and they are requesting a 20% reimbursement for the ramps as well the execution of an agreement and resolution.
2. April email from Duquesne Light regarding the LED Pilot Program for Street Lights.

COMMITTEE REPORTS

Administration & Finance (John Shelkons)

- General Fund Balance \$272,401 - Expenses \$125,174
- Water Fund Balance \$105,270 - Expenses \$81,016

MOTION by Mr. Shelkons, second by Mr. Trzcianka, carried unanimously to sign the sales agreement for 330 State Street.

Community Relations (Michael Stuban)

- **Bond Refinance –** Mr. Stuban addressed the refinancing of the bond issues because of the low interest rates as well obtaining funding to purchase a fire truck, street sweeper and emergency generator for the water tank. They have looked at borrowing anywhere from \$500,000 to \$1million. Monday's meeting it was asked to look at \$750,000. Borrowing \$500,000 would reduce the monthly payment and leave the term the same at 2030. \$1 million would give a lower payment than we currently have but it will extend the payments by three years. \$750,000 would also extend the payments but the monthly payments would still be less than we currently have. Mr. Stuban recommends going with the \$750,000 loan. \$286,000 would be the annual payments. Currently we pay \$308,000 per year. Discussion followed. Mayor Gagliardi asked that council consider purchasing a new PA system.

MOTION by Mr. Stuban, second by Mrs. Montell, carried unanimously to proceed with the bond issue refinancing and adding on \$750,000.

Mr. Kotula commented on some concerns with the budget categories already being at 80%. He also addressed the treasurer reports and had some questions that he would go over later with the secretary or finance chair.

- Zoning and Mr. Eichhorns property on Berry Street – Mr. Stuban commented that the building inspector and planning board need to address his questions because it is not council who determines zoning issues. That is what the inspector and board are for.
- Junk Vehicles in the parking lot – Mr. Stuban asked for junk vehicles to be ban from the parking lot until some sort of agreement or procedure is put in place.

MOTION by Mr. Stuban, second by Mrs. Furr, carried unanimously to ban junk vehicles from the parking lot until some sort of agreement or procedure is in place.

Mr. Trzcianka expressed his disagreement with the motion including the much needed training. Harvey explained the process involved in getting rid of a vehicle which can take up to eight weeks. Chief Trzcianka explained the training process. Mr. Stuban asked how many Baden firemen are trained during these sessions. Chief Trzcianka said that training takes place two to three times per year. Mr. Shelkons asked if we can have a limit on the number of vehicles and how long they are permitted to sit in the parking lot. Mr. Kotula asked about putting together a form for the fire department to notify the borough of the training. Harvey commented that he does this for free so his time has to be considered too. Mr. Stuban's concern was Baden becoming a training facility for all of Beaver County. Mrs. Rakovan addressed the concern of the borough office not being notified because when the community room is rented out they access to parking for a room that they rented. Chief Trzcianka commented that the fire department was there first. They have bathroom facilities and equipment to get cleaned up. Mrs. Trzcianka spoke up stating that if we don't permit the vehicles then build a place that they can do their training. Further discussion followed including the number of vehicles that are in the lot. Mr. Kotula stated that he will work on the form that will include how many cars, dates, when will the cars be removed.

MOTION by Mr. Stuban, second by Mrs. Montell, carried unanimously to table Mr. Stuban's motion to ban junk vehicles. Went to roll call.

ROLL CALL to table Mr. Stuban's motion

Mrs. Furr	YES
Mr. Kotula	YES
Mrs. Montell	YES
Mr. Stuban	YES
Mr. Shelkons	YES
Mr. Trzcianka	YES
Mr. Besong	YES

Seven (7) yes, motion carried to table Mr. Stuban's motion.

Mrs. Connolly asked if she could bring something up.

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to go out of order on the agenda and let Mrs. Connolly speak.

Mrs. Connolly from 909 Fifth Street addressed council in regards to the weeds at the bottom of her hill. She stated that this is a borough issue. She brought this to council's attention last August and the engineer along with other council members saw the problems and she was told that it would be taken care. Currently, Mr. Shelkons, Mrs. Furr and Mr. Besong saw the weeds on Monday. It's May and the weeds are growing tall. She did research noting that it is from the bamboo family and is not easy to get rid of. She had literature on it too. She commented that they had it cut down professionally but it is too costly. Mr. Besong stated that he will get Mr. Josapak to look into it.

Cindy Proctor from 606 Bauman Avenue addressed council in regards to the neighbors behind her riding quads throughout the area behind her home. She can't open your windows or sit on her porch. The noise and fumes are horrible. Someone else spoke out that the same is happening on Camilla Street. Chief Christner stated that he would look into this matter.

Loretta Thomson complained to council about calling the office in regards to trees that are in the street and being asked if they are on borough property. She felt that this shouldn't matter if the tree is safety issue and a resident will not know if it is borough property. She thanks council for taking care of the tree.

Buildings, Property & Grounds (Ted Kotula)

Mr. Kotula reported that 12 to 15 stumps are being removed from the park and he is getting bids for the Library repairs.

Mr. Kotula stated that he will look into the LED light program if council wishes for him to do so. He will work with the police department to get the light listing.

Public Safety (Ted Kotula)

Nothing to report

Public Works (Dave Trzcianka)

Nothing to report

Library (Suzie Furr)

Nothing to report

Recreation & Communications (Suzie Furr)

Mrs. Furr stated that the community yard sale will be on June 4th with a rain date of June 11th.

Mrs. Furr wanted to make a motion to nominate Tom Turney for the recreation board but Mr. Turney declined the nomination.

Mrs. Furr discussed getting events into the Beaver County Tourism flyer.

Sanitation, Recycling & Municipal Authority (Judi Montell)

Due to the community yard sale trash pickup will be earlier that day.

Mrs. Montell thanked Mr. Weber for his hard work as CEO.

Solicitor's Report

Nothing to report

Engineer's Report

Mr. Sadaka reported that the weight limit report is being compiled and should be ready within the next few days.

Mr. Sadaka stated that the DEP will be doing the MS4 inspection on May 20th.

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Mr. Shelkon's asked about the status of the CEO and Mr. Weber. Mr. Weber addressed council in regards to weeds/grass that needs to be cut. In the past when he was CEO the borough cut the grass and then put a lien on the property. Discussion followed. Mr. Stuban explained that we don't get our money back. Liens can't be built upon. The secretary explained that liens were not done but charges were put on the outstanding utility bills which can remain outstanding for years until the property is sold. Mr. Trzcianka stated to lien it for a greater amount. The question is where the borough is going to get the money to pay for grass cutting if we won't see a payment for years. Council stated that they need to look into this matter.

MOTION by Mr. Kotula, second by Mr. Trzcianka, carried unanimously to terminate the CEO, Michael Demcak and appoint Robert Weber to as the CEO.

Mayor's Report

Mayor Gagliardi gave an overview of the fines and calls.

Total fines collected \$1,356.10 and 139 calls.

Mayor Gagliardi noted that council is invited to join the Memorial Day parade.

President's Report

Mr. Besong had nothing to report.

OLD BUSINESS

A gentleman from Second Street addressed council in regards to moving a handicap parking sign from the street. Chief Christner commented that there is an ongoing dispute between this gentleman and Mr. Matthews.

ADJOURNMENT

MOTION by Mrs. Montell, second by Mr. Stuban, carried unanimously to adjourn the meeting. Meeting adjourned at 8:05 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
May 16, 2016