

**REGULAR MEETING  
BADEN BOROUGH COUNCIL  
AUGUST 20, 2014**

Council President Judi Montell called the Regular Meeting of Council 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**

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

**ALSO PRESENT:** Mayor Sam Gagliardi, Solicitor James Amato, Engineer Tony Sadaka, CEO Jim Napolitan, Chief Christner,

**Acknowledgement of Recordings**

**VISITORS**

Susie Furr from State Street complained about the weeds on the hillside that are hanging onto the sidewalk between her house and Louise School of Dance. Jim Napolitan stated that he spoke to the property owner on Tuesday and they were supposed to cut it today.

Stella Vogel from 375 Johnson Avenue addressed Council in regards to when complaints are made to the borough that the teller's (informant's) name not be given out. She explained how her daughter and son-in-law is now having problems with their neighbor because the neighbor was told by the Code Enforcement Officer who turned them in. Mrs. Vogel asked if there was a policy about not giving the names out. Discussion took place regarding details of the complaint (rats, cats, high grass), other complaints and what is public knowledge on a complaint form. Mr. Trzcianka asked the solicitor what the protocol was regarding this matter. Mr. Amato asked the secretary what she is aware of regarding the Right-To-Know. Mrs. Rakovan stated that under the law working notes are not public record. Mrs. Rakovan then stated the question is "What is the written complaint considered?" Mrs. Montell stated that her feeling is that the complainant's name should not be stated. Mrs. Vogel continue to state that the Mayor and the Code Enforcement Officer where not very nice to her son-in-law. Mrs. Vogel was told that Council will look into complaint procedures. Mrs. Vogel ended by addressing the Library Wine & Cheese Fete on October 27<sup>th</sup>. Mrs. Vilella noted to Mr. Napolitan that he must be consistent with enforcing the law.

Chief Christner stated that a policy should be written that addresses this matter.

**MOTION** by Mr. Stuban, second by Mr. Trzcianka, carried unanimously that any complaint to the borough office does not have a record of the informant.

The current policy that the borough has regarding complaints states that any complaint including anonymous ones must be investigated. Mr. Stuban noted that when he receives a complaint from a resident he has the complaint written up under his name since he is filing it.

**MINUTES**

**MOTION** by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to approve the minutes of July 16<sup>th</sup> 2014.

**BILLS TO BE PAID**

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

### **RESOLUTIONS (Attached to agenda for public review)**

- 14-03 Establishing polices, rules and regulations regarding billing utilities including, garbage, sewage and water.

**MOTION** by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to adopt resolution 14-03.

### **ORDINANCES (To be advertised)**

- Setting Police Ranks – Authorizing the creation and designation of certain ranks within the Baden Borough Police Department

**MOTION** by Mr. Stuban, second by Mrs. Michaels carried unanimously to advertise with the intent to adopt the Ordinance setting police ranks.

- MS4s – Following Federal and Pennsylvania regulations to adopt the statewide DEP's program for stormwater discharges from small municipal separate storm sewer systems - revised 2012 MS4 Operation and Maintenance Ordinance

**MOTION** by Mr. Stuban, second by Mrs. Villella, carried unanimously to advertise with the intent to adopt the MS4s Ordinance.

### **BIDS**

- None

### **CORRESPONDENCE**

1. July 24<sup>th</sup> email from Ambridge Water Authority stating that their water rate has gone up 45 cents per 1,000 gallons for the first tier. Effective July 1, 2014.

Mr. Trzcianka questioned this correspondence asking if per the contract was Ambridge Water Authority supposed to give legal notice that they are raising their rates. Discussion followed and the agreement should be looked at. Mr. Sadaka noted that any increase in the water rates should be backed up by a rate study from their engineer.

**MOTION** by Mr. Trzcianka, second by Mr. Stuban, carried unanimously to ask Ambridge for the copy of the rate study for the recent water increase.

2. July letter from Thomas J. Anderson & Associates with attached MMO requirements for the 2015 Budget. Non-Uniform Pension MMO requirement is \$33,164 for the 7 Public Work and officer Staff. \$86,977 for the 4 police officers. (\$12,776 member contribution and \$73,201 borough MMO requirement)

**MOTION** by Mr. Stuban, second by Mrs. Michaels, carried unanimously to accept the MMO requirements for the 2015 budget.

3. Letter from Bankson Engineers stating that they have applied for DEP Permitting for the West View Water Transmission Main.

### **COMMITTEE REPORTS**

#### **Administration & Finance - (Michael Stuban)**

- Property Incident Report Policy – Distributed Monday night for review.

**MOTION** by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to adopt the Property Incident Report Policy.

- Camera Safety Policy - Distributed Monday night for review.

**MOTION** by Mr. Stuban, second by Mrs. Michaels, carried unanimously to adopt the Camera Safety Policy.

- Door Access Policy – Mr. Stuban stated that this has been discussed in the past. We need more member input. Mr. Besong is to handle this matter.
- Complaint Policy against borough employees or contractors - Mr. Stuban asked that Council review the policy.
- 330 State Street – Mr. Stuban stated that now we have purchased the property we need to decide what are we going to do with it. Mr. Stuban felt that the building should be torn down however he knows that other councilmembers have a difference of opinion. He suggested a compromise by trying to sell the property with stipulations regarding a time frame for tear down or remodeling. He noted that there has been some interest in the property and maybe we can get it sold quickly. Mrs. Villella stated that we shouldn't rush and should wait. Mr. Stuban stated that we can't do this because the property is still in violation even though we own it. Mrs. Montell stated that the assessed value of the property is \$122,000. Mr. Stuban noted that by law we can't sale it, but we can put it out for bid. Mrs. Montell felt it should be torn down. Mr. Trzcianka felt that the hot dog shop should be notified. Mrs. Villella felt that we should make some revenue on the property. Mr. Stuban stated that a decision needs made at next month's meeting.
- Quick Books – Accounting software for the office.

**MOTION** by Mr. Stuban, second by Mrs. Michaels, carried unanimously to purchase Quick Books for the office.

#### **Community Relations – (Ted Kotula)**

- Baden Walk - Mr. Kotula stated that the Baden Walk is still in process. A letter has been written to send to the businesses. It is the hope to have it done for a spring family walk kickoff. He thanked Kim Villella and the secretary for their help.

#### **Library – (Kimberly Villella)**

Mrs. Villella noted that the Wine and Cheese Fete will be on September 27<sup>th</sup>. Last month's attendance for the library activities was as follows:

Bubble Program – 20  
 Story Hour – 12  
 Shell & Tell – 4  
 Lego Club – 35  
 Build & Play – 10  
 Fizz Boom & Create – 12  
 Summer Reading Program – 84 signed up, about 50 finished the program

Mrs. Villella reported that new job descriptions have been written for the library personnel and a new staff has been hired. The library is also changing its look to a more of a bookstore system (Hobbies, History...).

Mrs. Villella noted that 1,401 items were in circulation last month.

Mrs. Villella asked council to authorize the Public Works Department to set up the table and chairs for the Wine & Cheese Fete the Friday before the event.

**MOTION** by Mrs. Villella, second by Mr. Trzcianka, carried unanimously to donate a \$50 gift basket to the Wine & Cheese Fete from the Flower Fund.

#### **Building, Property & Grounds (Bob Besong/Ted Kotula)**

Mr. Kotula addressed the door access to the lower level of the building. The automated system will be set up to unlock and lock during the same times as the doors on the main floor. (8AM to 4PM). Because of the new camera system we will be able to see who is coming and going.

Mr. Kotula addressed putting meeting information on the sign board at the top of the driveway. Mr. Trzcianka stated that the sign is owned by Fire Department so a request would have to be made to them in writing.

Mr. Kotula asked for an update on the Library ramp. Mr. Sadaka noted that it was in the hands of Street Foreman, Mike Josapak who was going to get pricing from various contractors to repair the wall. The wall is structurally sound, it just needs the facade fixed.

#### **Public Safety – (Kimberly Vilella)**

- Officer Shipley Police Training \$395 (\$100 will be paid by County) -

**MOTION** by Mrs. Vilella, second by Mr. Trzcianka, carried unanimously to authorize Officer Shipley to attend the Police Training at a cost of \$395.

- Guns

**MOTION** by Mrs. Vilella, second by Mrs. Michaels, carried unanimously to replace the entire arsenal with trade-ins and money from guns sold is \$3,090.

- Chairs for Interrogation Room

**MOTION** by Mrs. Vilella, second by Mrs. Michaels, carried unanimously to purchase 4 chairs not to exceed \$800.

- Ammo and Taser –

**MOTION** by Mrs. Vilella, second by Mr. Trzcianka, carried unanimously to purchase Taser cartridges at a cost of \$200.

- Ambridge School District Agreement with Police – Mrs. Vilella asked that a copy of the agreement signed by Chief Christner be given to the secretary for Council President signature.

#### **Public Works – (Dave Trzcianka)**

- Cutting of roadside (Harmony Road and Tevebaugh Road) with Boom Mower – Mr. Trzcianka noted that New Sewickley Township has put Baden on their list to help us out when they get the chance. Bell Acres also has a boom mower and he asked that they contact the secretary.
- Water run-off on currently paved roads – The residents on Murphy and Daly are complaining about the water run-off after the road paving. Mr. Trzcianka asked that the engineer look into this matter.
- Letter of vehicles

**MOTION** by Mr. Trzcianka, second by Mrs. Vilella, carried unanimously to letter the backhoe and bucket truck.

Mr. Trzcianka asked if PennDot or Matzie could be contacted to get jersey barriers to place in front of the Texaco Station.

Mr. Trzcianka noted that after meeting he would like to go into executive session regarding damage to the pole building.

#### **Recreation & Communications - (Donna Michaels)**

- Recreation Board Member

**MOTION** by Mrs. Michaels, second by Mr. Trzcianka, carried unanimously to appoint Gary Ford to the Recreation Board.

- Community Day – is August 23<sup>rd</sup> from 10AM to 9PM
- Applefest – October 11th
- Halloween Parade– October 25<sup>th</sup>
- Halloween Trick or Treat – October 30<sup>th</sup>

### **Sanitation, Recycling & Municipal Authority - (Donna Michaels)**

Mrs. Michaels stated that she is keeping an eye on the garbage complaints and making sure that they are being taken care of.

### **SOLICITOR'S REPORT**

Mr. Amato had nothing at this time.

### **ENGINEER'S REPORT**

Mr. Sadaka had nothing to report.

### **MAYOR'S REPORT**

Mayor Gagliardi asked Mr. Stuban about the complaint policy needing the name of the complainant. Mr. Stuban noted that since this is a more serious compliant policy against employees and contractors and the name of the complainant would be needed.

Chief Christner informed Council that a burglary took place at the convenience store. They broke a window. There were 3 juveniles and the police apprehended them.

Total fines collected: \$551.57

Total calls: 185

### **Old Business Not on the Agenda, New Business or Unfinished Business**

Mrs. Villella made a motion to participate in the Ambridge School District Career Path Program. Three students (1 for each department – office, police and public works). She explained that most of the students are seniors and 18 years old. They will come and do an apprenticeship in the borough. Mrs. Montell asked if there was anything written on the program for council to read and review. Mrs. Villella stated that she attended a class. The school will cover the liability of the child. The county will pay a small stipend of \$10 a day to each child that participates in the program. The only requirement of the borough is to write a small summary to the state explaining what their job duties will be. Mrs. Villella stated that time is an issue and if she supplies a copy of the information to council then maybe a phone vote can be done. Mr. Stuban noted that a phone vote would not work in this situation because it is not an emergency. Mr. Stuban stated that he does have concerns and wants more information. Having a child in the police department is not a wise decision. Mrs. Villella stated that they are 18 and an adult. Mr. Stuban continued to state his concerns about safety, child labor laws, liabilities and confidentiality. Mayor Gagliardi agreed with Mr. Stuban and he felt that guidelines need to be set forth. Council addressed their various concerns with the program. Mrs. Villella commented that the kid that they want to place in public works already owns his own landscaping business with 20 customers. He would be perfect to help maintain the grounds and in turn we can teach him snow removal in the winter. Mrs. Montell stated that her main concern is the police department and confidentiality. Mrs. Villella also noted that we do not have to have a student every day. We can say that we only want them twice a week. Mr. Trzcianka asked if a motion can be made pending everyone who has concerns reviews the paperwork and then move forward.

**Motion** by Mr. Trzcianka, second by Mrs. Villella, opposed by Mr. Stuban that pending everyone that reviews the paperwork, if they do not have a problem with the program we can proceed with the participation in the Ambridge School District Program. Motion carried.

Mrs. Rakovan asked for the time frame for council to respond to the paperwork and if a quorum of response be ok. Mrs. Villella asked if a meeting with the school representative Mrs. Bewar would be wanted. Mr. Stuban said a meeting would be great but he wouldn't be able to do it within the week.

Mr. Weber asked if public works would put the flags up for Community Day. Mr. Trzcianka stated that he will have it taken care of.

Mr. Trzcianka asked if we heard back from West View Water about river access. Mrs. Rakovan stated that the letter was sent last week and she has not heard from them yet.

Mr. Kotula asked that a letter be sent to the girl who did the 5K Run as her senior project congratulating her on a job well done.

#### **PRESIDENTS REPORT**

Nothing to report.

#### **ADJOURNMENT**

**MOTION** by Mr. Trzcianka, second by Mrs. Villella carried unanimously to go into executive session at 8:10PM.

**MOTION** by Mr. Stuban, second by Mrs. Villella carried unanimously to go back into session at 8:38.

**MOTION** by Mr. Trzcianka, second by Mrs. Villella carried unanimously to adjourn the meeting.

Meeting adjourned at 8:40 PM.

Respectfully submitted for approval,



Elaine K. Rakovan  
Borough Secretary  
September 15, 2014