

REGULAR MEETING BADEN BOROUGH COUNCIL SEPTEMBER 17, 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. Besong, Mr. Kotula, Mrs. Michaels, Mr. Stuban, Mr. Trzcianka and Mrs. Montell (Not Present: Mrs. Villella)

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

Acknowledgement of Recordings

VISITORS

Loretta Thomson from Bauman Avenue asked Council why a double yellow line cannot be painted on Bauman Avenue. She commented that 27 years when she bought her house there was a double yellow line on her street. After multiple paving over the years she has complained many times to have the yellow line repainted onto the street. She stated that when she called Sue at the office she was told that it is expensive to have the lines done. She turned to (Mrs. Rakovan) addressing her as Sue asking did she not call her regarding this matter. Mrs. Rakovan stated commented that she did not speak to her recently regarding this matter. Council agreed to have the lines painted.

Loretta Thomson asked who cut back the banks of Harmony Road. She was told Economy Borough did it for the borough. She asked why the vines hanging on the electrical lines were not cleared. Mr. Trzcianka stated that Duquesne Light is responsible for clearing electrical lines. Mrs. Montell stated that she got a phone call from Duquesne Light stating that they are going to be in town trimming trees around the power lines. Mrs. Thomson felt that the borough should address this matter. Mr. Trzcianka explained the safety issue involved in removing tree limbs and vines from electrical wires. This is why Duquesne Light does it.

Tom Turney – 336 State Street asked about the status of 330 State Street. Mr. Stuban commented that council has suggested to instruct the solicitor to put the property up for sale as is with the stipulation that it must either be torn down or brought up to code within a certain time frame.

Mr. Turney then addressed 251 State Street and the garage being unstable and felt that it should be looked at by Code Enforcement.

MINUTES

MOTION by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to approve the minutes of August 18th and 20th 2014.

BILLS TO BE PAID

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

RESOLUTIONS

- None

ORDINANCES

- 935 - Setting Police Ranks – Authorizing the creation and designation of certain ranks within the Baden Borough Police Department
- 936 - 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. Trzcianka, second by Mrs. Michaels, carried unanimously to adopt Ordinance 935.

MOTION by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to adopt Ordinance 936.

BIDS

- None

CORRESPONDENCE

1. September 17th receipt of requested information from the Ambridge Water Authority regarding their most recent 2003 water rate fee analysis.
2. Memo from Sgt. David Alvarez to Council stating that the Baden Police Association accepts the S.O.P.
3. August letter from Ambridge Veterans requesting their 2014 budgeted donation of \$525.
4. August letter from Baden Memorial Library requesting their 2014 budgeted allocation of \$18,000.

Mr. Stuban addressed correspondence number 1. He explained that Ambridge Water Authority increased the water rate for Baden and at this time the increase has not been forwarded to the residents. According to the agreement a rate study should backup all increase and one has not been done since 2003. He asked the solicitor and engineer what legal grounds we have regarding this matter.

Mr. Amato stated that the agreement does state that a study needs to be done however the repercussions of not doing the study need to be researched. Discussion took place regarding what we can do.

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to authorize the solicitor and engineer to review the Ambridge Water Authority agreement and contact them regarding this matter.

COMMITTEE REPORTS

Administration & Finance - (Michael Stuban)

- General Fund Ledger Balance \$297,108.65
- Water Fund Balance \$141,949.15
- Complaint Policy – Mr. Stuban stated that last month a policy was passed out for council review.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to adopt the complaint policy.

- 330 State Street

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to authorize the solicitor to proceed with an agreement to put 330 State Street up for bid with the condition that the building has to be put up to code or torn down within a set time frame.

- Ambridge School District SWAG – Mr. Stuban noted that during Monday's meeting discussion took place to drop out of this program until a curriculum is developed. It was felt that students need to learn more than just how to file papers.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to withdraw from the SWAG program.

Building Properties and Grounds – (Bob Besong)

Bauman Avenue Paper Street - Mr. Besong gave an overview of the paper alley (Ravine Street) and what was discussed at Monday's meeting. He addressed the need for a tree to be cut down on a paper street on Bauman Avenue. He asked who the owner of the alley is and who is liable if someone gets hurt on that property. Mr. Amato stated that the law is simple. If there is a paper street/alley and 21 years go by where the borough has not maintained or paved it then the property reverts to the adjoining land owners up to the middle of the alley. The borough is no longer responsible for the alley. If someone gets hurt on the alley, the borough is not liable. Discussion of past practice took place which include property owners (Dr. Wood) pursuing the legal paperwork to get the paper alley onto their deed.

Mr. Stuban asked Mr. Besong about the walkway bridge needing repaired or seal coated. He asked that Mr. Besong look into it. Mr. Stuban also stated that a light is out near the bridge in the park. Mr. Besong asked about the walkway. Discussion took place regarding the rust stains and crack. Mr. Besong stated that he would get with the secretary to get the contractor information.

Community Relations – (Ted Kotula)

Mr. Kotula commented that during Monday's meeting they were discussing getting signs on 989 and route 65 to direct people to Baden. He stated that PennDot needs to get involved and he will be working it.

Mr. Kotula stated that he is still getting ideas and pricing for the mile marker signs.

Mr. Kotula stated that the office is going to set up a Facebook page for quick communication with the residents.

Loretta Thomson spoke out regarding signs stating that Google Map takes truckers down Harmony Road. She asked if there is any type of signage that is going to be placed on that end of the road warning truckers not to go down Harmony Road. She continued to express her safety concern about truckers going down Harmony Road. Mr. Trzcianka commented that weight limit signs are up. Mrs. Montell stated that we are out of order and the discussion of signs was in regards to walking signs. Mrs. Thomson continued to speak out. Mrs. Montell informed Mrs. Thomson that this conversation is done and the meeting is being moved on.

Library – (Kimberly Villella)

Mrs. Villella was not present. Mrs. Michaels stated that the Wine and Cheese Fete will be on September 27th.

Public Safety (Kim Villella)

- Part Time Police - Mr. Trzcianka commented that his last conversation with the Chief was that one part time officer that was mentioned at Monday's meeting is not going to be hired. Mr. Stuban noted that he believes the intent was for public safety to conduct interviews within the next ten days. He commented that the immediate need to hire the part time officers is not as urgent because Monday night Officer Spencer returned to work. Today's meeting is to be recessed so that interviews may be conducted with ten days. Mayor Gagliardi commented that one of the current part time officers cut his leg and will not be able to work for a while. Discussion took place regarding hiring one office this evening however it was agreed to hold off until interviews are done.

- Tasers

MOTION by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to purchase two used Tasers with batteries from a City of Pittsburgh Police Officer at a cost of \$500.

Public Works (Dave Trzcianka)

- New Dump Truck - Mr. Stuban stated that the new dump truck is in however there are some things that are missing and he commented to not pay the bill until everything is corrected.
- WeatherTech Floor Mats for Trucks – Mr. Trzcianka stated that he will get with Mike to address the floor Mats.
- Bauman Avenue – Mr. Trzcianka stated that he will have the Public Works Department paint the lines on Bauman Avenue.

Mr. Stuban commented that prior to this evenings meeting the Mayor, Legal Counsel and some council members met in an effort to save litigation and promote harmony Mr. Stuban needs to rescind a policy.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to rescind the policy regarding lunch breaks for the police department.

Recreation & Communications (Donna Michaels)

- Applefest – October 11th from 10:00 am to 6:00 PM. They have a website address of www.badenapplefest.com

MOTION by Mrs. Michaels, second by Mr. Kotula, carried unanimously to take \$50 from the Flower Fund for the Applefest.

- Halloween Parade October 25th will start at 10:30am and the WISH Spooky trailer will be present for 90 minutes.
- Halloween – October 30th

Sanitation, Recycling & Municipal Authority - (Donna Michaels)

Nothing to report.

SOLICITOR’S REPORT

Mr. Amato had nothing at this time.

ENGINEER’S REPORT

Mr. Sadaka commented that the paving contractor is working on the punch list. The contractor is having some problems with manholes that need to be raised. The road department and contractor are working together to get this resolved.

MAYOR’S REPORT

Mayor Gagliardi thanked Mr. Trzcianka, Mr. Stuban, Mrs. Montell, Attorney Amato and Attorney Sanovich for getting together to have a spirit of cooperation for the coming months.

Mayor Gagliardi noted that he and Mr. Besong attended State Street School for their constitution day.

Total fines collected: \$611.45

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

Mr. Stuban asked that each department get their budget in to the borough office by October 15th.

Mr. Stuban addressed a complaint that was received regarding the high weed on Phillips Street where the school was torn down. He asked that the Code Enforcement Officer file citations and that he send a letter to the county commissioners regarding their involvement with the contractor.

Mrs. Montell addressed her interruption of Mrs. Thomson during the meeting. She explained that questions are permitted from the audience as long it pertains to what is being discussed. Mrs. Thomson was not addressing the topic at hand and therefore the meeting was out of order.

Mr. Kotula commented that the library ramp wall is going to be repaired by the public works department.

PRESIDENTS REPORT

Nothing to report.

ADJOURNMENT

MOTION by Mr. Stuban, second by Mrs. Michaels carried unanimously to recess the meeting until October 1st at 7:00 PM.

Meeting went into recess at 8:46 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
October 13, 2014