

**REGULAR SESSION  
BADEN BOROUGH COUNCIL  
FEBRUARY 18, 2015**

*NOTE: There was no Monday meeting*

Council President Mrs. Montell called the Regular Session 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**

**ROLL CALL**

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

**ALSO PRESENT:** Engineer Tony Sadaka, Code Enforcement Officer Jim Napolitan, Police Chief Christner, Mayor Sam Gagliardi and Attorney James Amato

**ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES**

**AGENDA (Changes and/or Deletions)**

**VISITORS**

No Visitors

**APPROVAL OF MINUTES**

The previous month's minutes were tabled since there was no Monday meeting and Council had no time review them.

**APPROVAL OF BILLS TO BE PAID**

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

**RESOLUTIONS – (attached to the agenda for public review)**

15-01 - Disposal of 2007 records in accordance with the state guidelines.

**MOTION** by Mr. Stuban, second by Mrs. Michaels, carried unanimously to adopt resolution 15-01.

**ORDINANCES - None**

**BIDS - None**

**CORRESPONDENCE**

1. January letter from the Municipal Retirement Trust with attached Joinder Agreement for the Borough of Baden Police Pension Plan. Revisions to change the normal retirement age to 50. In accordance with the solicitor's recommendation an ordinance is required.

**MOTION** by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to advertise the Joinder Agreement Ordinance with the intent to adopt at next month's meeting.

2. February 4<sup>th</sup> letter from PennDOT Planning and Research stating that between March and June 2015 Tri-State Traffic will be collecting traffic data on municipal owned roads. The roads within Baden are Mahoney Avenue and School Street. These are not speed trap. The data is used for federal funding allocations.

Discussion and comments took place regarding why these two streets were chosen. It was noted that PennDOT picked the roads.

## DEPARTMENT REPORTS

### SECRETARY

Mrs. Rakovan commented that she gave Council a copy of her report as follows:

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1. CDBG Financial letters were mailed out last month. Due date was February 15<sup>th</sup>. ~50% response.
2. Signed up with COSTAR for their annual salt bid.
3. Signed up with COG to be included in the annual spring commodity bid for slag.
4. Convention Reservations were made for Stuban, Trzcianka, Villella and Michaels
5. PILOT bill was mailed to the Prevention Network.
6. Signed Rick and Randy up for the water training class.
7. 1099 Misc. were completed for vendors and mailed.
8. Liquid Fuels Report was filed with the state.
9. State Annual DCED reports completed.
10. Met with Columbia Gas and received contact information for all departments. The only project for this year is replacing the line along Wayne Street down to McDonalds.
11. Bill format was designed and January invoice was mailed to Prevention Network for January Police Service.
12. Attended Police Consolidation Meeting – Gathering 2014 data for analysis.
13. Phone conference with FEMA. Ordinance will need to be done. I am working on it with the engineer and hope to have review copy for FEMA by next month. Must be completed by August.
14. Delinquent water bills have been mailed out. Due date is March 9<sup>th</sup> and shut-off is March 10<sup>th</sup>.
15. Comcast does an annual give back to the community event. They asked if there was something that could be done in the borough that would bring 50+ volunteers together for a 3-4 hour work project. I told them beautification of the memorial park. We will not know if we are chosen until mid-March. The date would be Saturday, April 25<sup>th</sup> rain or shine!
16. Audit has started.

- **330 State Street**

Paperwork for Asbestos removal has been filled out for the DEP. Waiting for start date.

- **James Stephens**

On February 10<sup>th</sup> papers were served to Mr. Stephens through the Cicily Tarapchak whom James Stephens lives with. She was asked to contact Rick Start regarding his Baden property.

- **Educational Service Board (Crossing Guard)**

Sue Ramsey is interested in serving on the board. She has been contacted regarding the opening.

Included in council's packet are the State Borough Code and corresponding Baden Code regarding the Educational Services Board. There is a lot involved in this matter. Council and the Mayor need to read the information to see what they oversee and can do. Also the individual who serves as crossing guard may need to meet the state clearance requirements for working with children.

- **Zoning Hearing**

Ryan Eichhorn – waiting for paperwork to be returned so that a hearing may be set up regarding the development of four carriage houses on Berry Street across from the torn down Phillips Street School.

Dennis Baker Jr. – waiting for paperwork to be returned. He built his deck too close to the property. He needs to request a variance.

Hopefully paperwork will return quickly and together so that one hearing date may be set up. Next possible date is March 16<sup>th</sup> however the meetings will need to be advertised and letters sent to all residents within 300 feet of the property. This will be approximately 50 letters for each property.

- **Issue that we must address:** Currently we charge \$250 for a Zoning Hearing. This is not enough to cover the necessary costs which include: \$20 for each board member (\$60), advertising (~\$100), stenographer (depending on length of documentation (>\$150), letters, envelopes, postage (~\$50). This is already \$360. Council needs to think about raising the cost for the Zoning Hearing.

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Mrs. Rakovan went over some of the items noting that she and Dan Sell, Widmer Engineer participated in a phone conference call with a FEMA representative regarding the changes and requirements for Flood Plain Management. An Ordinance will need to be adopted. The deadline is in August.

Mrs. Rakovan commented that she spoke to a representative with COMCAST who is interested in having Baden as their COMCAST Day of Caring project. She noted that she presented the beautification of the Memorial Park as the project. We as a borough will need to supply volunteers in addition to the Comcast Volunteer. Grant Funding will be given to Baden based upon the number of volunteers present. She commented that she will let council know if Baden is selected for the project.

Mrs. Rakovan addressed Council in regards to the cost of a Zoning Hearing having a current charge of \$250. This charge is not enough to cover the total cost of the hearing which includes \$20 per board member, advertising, stenographer and letters (postage) to residents. She noted that other municipalities charge over \$600 for a hearing.

Mr. Stuban addressed Council asking if \$500 would be enough for a Zoning Hearing. Mr. Trzcianka agreed.

**MOTION** by Mr. Stuban, second by Mrs. Michaels, carried unanimously to have the solicitor write an Ordinance changing the Zoning Hearing fee to \$500.

## **CEO**

Jim Napolitan stated that he called on several people clean their sidewalks. The cold temperatures are making it difficult to keep the sidewalks clear of ice and salt is not working.

## **POLICE CHIEF**

Chief Christner had nothing to report

## **PUBLIC WORKS**

Mr. Trzcianka commented that the Public Works Department is very busy. Besides keeping streets cleared from snow they had two waterline breaks.

## FIRE DEPARTMENT

Mr. Trzcianka stated that the fire department had 13 calls. Mr. Trzcianka asked Council to send a letter to Director Hill as the Emergency Service Center stating that Council is aware that the fire department will be running first responder calls to assist the ambulance service in town if they get shorthanded..

## COMMITTEE REPORTS

### Administration & Finance (Michael Stuban)

General Fund Balance	\$124,642.74
Water Fund Balance	\$43,431.12

### Buildings, Property & Grounds (Bob Besong)

Mr. Besong asked Council for an update on the old gas station. He was told that the asbestos needs to be removed first then the demolition will follow.

### Community Relations (Ted Kotula)

Mr. Kotula was not present at the meeting.

### Library (Kim Villella)

Mrs. Villella was not present at the meeting.

### Public Safety (Kim Villella)

Mrs. Villella was not present at the meeting.

Mr. Trzcianka commented that the Public Safety Committee is going to try and meet the Tuesday before Monday sessions to go over any items that may need to be addressed in regards to public safety.

### Public Works (Dave Trzcianka)

Mr. Trzcianka noted that the Public Works Department has been working hard to keep the road cleared and they are currently working on a waterline break on upper North Avenue. There a few houses without water and they will not have water until tomorrow.

### Recreation & Communications (Donna Michaels)

Mrs. Michaels stated that the Recreation Board wanted to get younger volunteers involved. They have two juniors (Aden Buck and Jake Marrotti) that will be on the Recreation Board for one year.

**MOTION** by Donna Michaels, second by Dave Trzcianka, carried unanimously to appoint Aden Buck and Jake Marrotti to the Recreation Board for a one year term.

Mrs. Michaels commented that the Easter Egg Hunt will be on March 21<sup>st</sup> with a pancake breakfast to follow. Kids under 13 are free all others will be \$5. A signup sheet will be available in the office next week.

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

Mrs. Michaels had nothing to report.

Mr. Stuban commented that he believes we are getting a lot of complaints about the garbage service and feels that a meeting needs to be set up with their representative to discuss and resolve the complaints.

**Solicitor's Report**

Nothing to Report

**Engineer's Report**

Mr. Sadaka stated that the CDBG applications are due March 6<sup>th</sup>.

Mr. Sadaka addressed the FEMA Updates and the Ordinance. FEMA has a representative that can assist at no charge to write the Ordinance. Council also has the control over how strict they want the Ordinance to be.

**Mayor's Report**

Chief Christner addressed Council in regards to a hearing before Magistrate Hladio for an overweight truck. Baden Police did everything correct from weight to citation. When the Chief went to the hearing the judge threw the charges out with no explanation. When Chief Christner asked the judge for an explanation he was told that this was a unique circumstance and he couldn't talk about it. Chief Christner did find out that the truck driver took a teamster representative down to the hearing. Prior to the hearing Officer Shipley spoke to the driver and his representative to negotiate and give the driver a break. On this occasion the union representative told Officer Shipley that he was confident that he will be found not guilty. The borough lost \$8,500 because of unique circumstances.

Mr. Stuban asked if the solicitor and police could look further into this matter to see what council can legally do in regards to this matter. Discussion followed which included the frustration of other police departments. Mr. Trzcianka stated that a meeting may be requested with the President Judge. Mr. Stuban stated that this needs to be done and the other police departments need to be included in the meeting. Mr. Stuban also noted that the press needs to know what is going on too.

Chief Christner felt that three police departs and Council/Commissioners going before the President Judge will hold more weight than one police department. Chief Christner stated that he will get in touch with the other departments and arrange the meeting.

Mayor Gagliardi commented that he and Mr. Besong attended the School Board meeting that took place last week. There was a major discussion regarding the reorganization of the district. This included tearing down the Junior High School and reorganizing the children within the school district.

Total fines collected for the month was \$392.43

Total calls: 178

Chief Christner gave an overview of a threat at State Street School. Written on the restroom wall was a comment stating that I am going to kill (and the name was erased out). Chief Christner explained how they handled the situation. Parents were upset about how the School District handled the matter in that the parents were never told about it.

**President's Report**

Nothing to report.

**OLD BUSINESS****Open Board Positions**

- Zoning – Alternate – 3 year term
- Library – 5 year term
- Educational Services – 3 year term (Sue Ramsey would like to be reappointed)

**MOTION** by Mr. Stuban, second by Donna Michaels, carried unanimously to appoint Sue Ramsey to the Educational Services Board.

Mr. Trzcianka commented that everyone on Council needs to read the information regarding the Educational Services Board. Discussion took place asking the School District to take over the Educational Services responsibility for crossing guards.

**MOTION** by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to send a letter to the School District asking them to take over the Educational Services (crossing guard) for Baden.

Mrs. Montell commented that there are still openings on the Library Board and Zoning Board. Both positions were tabled.

**ADJOURNMENT**

**MOTION** by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to adjourn the meeting. Meeting adjourned at 7:35 PM.

Respectfully submitted for approval,



Elaine K. Rakovan  
Borough Secretary  
March 16, 2015