

**REGULAR MEETING
BADEN BOROUGH COUNCIL
JUNE 20, 2018**

No Monday meeting due to lack of quorum

Council President Judi Montell called the Regular Meeting 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: Mr. Besong, Mrs. Furr, Mr. Kotula, Mr. Shelkons, Mrs. Singleton, Mr. Trzcianka and Mrs. Montell

ALSO PRESENT: Mayor Sam Gagliardi, Police Chief David Christner, Solicitor Zane Madden, Engineer Tony Sadaka and CEO Bob Weber

ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

AGENDA (Changes and/or Deletions)

VISITORS

Mr. Schultz from the Trailer Court asked for an update on the landslide behind his trailer. Mr. Sadaka noted that the Geotechnical Engineers did a core sample of the area above the trailer court along Forrest St. and Athalia Ave. At this point the company recommends erecting a wall to prevent further sliding. Mr. Schultz was told that the borough insurance company stated that there is no liability on behalf of the borough because it is an act of God that caused the sliding (rain). It was noted that Mr. Schultz should contact his personal homeowners insurance.

MINUTES

MOTION by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to approve the minutes of May 14th and 16th, 2018

BILLS TO BE PAID

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

RESOLUTIONS - None

ORDINANCES - None

BIDS - None

CORRESPONDENCE

1. June letter from Ambridge Fireworks Committee asking for a monetary donation to help offset the cost. The firework celebration will be held on July 1st.

MOTION by Dave Trzcianka, second by Mrs. Furr carried unanimously to donate \$250 from the Council Flower Fund.

2. June letter from Md7 regarding the National Lease Renewal Program for T-Mobile. They are asking to renew our lease for an additional 5 years.

MOTION by Dawn Singleton, second by Ted Kotula to authorize the attorney to review the lease renewal.

3. June letter from the Baden United Methodist Church requesting permission to close Dippold Avenue from Berry Street to State Street for the annual church picnic on July 15th from 9:00 AM to 6:00 PM. They will notify the neighbors in advance.

MOTION by Bob Besong, second by Dave Trzcianka to authorize the Baden United Methodist Church to close Dippold Avenue for their annual church picnic.

4. Anonymous letter reporting 1053 Franklin Avenue as an unsafe health condition with an in ground pool that has dirty standing water. Grass is over 2 feet tall.
5. June letter from Tax Collector Donna Michaels requesting on behalf of property owner John Surowiec exoneration of penalties and accept his tax payment at discount (difference of \$52.79). Mr. Surowiec has always paid at discount and did not receive a tax bill this year.

MOTION by Dave Trzcianka, second by Bob Besong to exonerate the penalties and accept payment at discount for John Surowiec's property taxes for 2018.

DEPARTMENT REPORTS

Secretary

Wooden Map File

Measurements and pictures emailed to Mr. Trzcianka who has kindly offered to assist in placing the information on Municibid.

Tablet for Public Works

Set-up complete and Public Works is using it.

Junk Dealer Ordinance

A revised and new amended Junk Ordinance has been written and is attached for Council review.

Insurance Issues

Police Car – 2015 Dodge had the bottom oil pan ripped out while hitting the medial strip on route 65 in order to avoid hitting a car that pulled out in front of it.

John Shelkons vs Norfolk Southern Railway Company

Met with John Shelkons, Suzie Furr and PUC/PennDot representative on May 23rd to go over the Pinney Street bridge inspection. No representative from Norfolk Southern was present. Mr. Shelkons will give a more detailed report. The PUC representative did extend caution to Fire Trucks driving over the bridge. It is posted at 18 tons.

Police Negotiations

Sgt. Alvarez asked that an email be sent to the Public Safety Committee to commence negotiations. This was done on June 6th.

Landslides

Forrest and Athalia – Geotechnical Engineers did core boring. Recommendation is to build a wall. The engineer will have more information regarding this matter. As for insurance liability for the trailer court, the insurance company stated that the slide was not caused by the borough (act of God) so therefore it is not a liability issue with the trailer court. They (the trailer owner) should have their own insurance to cover anything resulting from this matter.

Culvert under Milton Street

During last month's meeting the engineer noted that the one side of the tin pipe has collapsed and the embankment did fall into the ravine area. This is something that will need to be addressed at some point.

Jefferson Street House

Letter sent to Ambridge Area High School asking for approval of purchasing the property at a 90% discount, as well as exonerate all past and current taxes. Contacted Sipes regarding demolition of the property. His quotes were \$8,200 to tear it down and haul it away. Matt Cook gave a quote of \$6,700. Motion to tear down the building should wait until we officially own the property.

GPS for vehicles

Previously council was given a price from Elite GPS. Received a quote from M&P Solutions. The prices between the two companies are almost identical. M&P would offer a discount on quantity and they are local to town.

Library Expenses for previous years

In addition to the \$18,000 per year budgeted for the library, attached is a brief summary of additional expenses that the borough pays for the past 8 years which totals over \$95,000. This figure does include approximately \$31,000 for the new roof. Average expenses paid above the budgeted \$18,000 is approximately \$8,000 (\$26,000 per year).

Lease Renewal for T-Mobile

The lease agreement for T-Mobile will be up in a few years; however T-Mobile is already starting the renewal process. Attached are the new terms for council review and approval. Please note that there is negotiation room for these leases.

Borough Roof

There was no asbestos found and the bid openings will be on July 9th.

2017 Water Consumer Confidence Report

The engineer assisted with the report. It has been sent to the printer for mailing.

No Smoking on Borough Property

During elections the officer got multiple complaints about smoking being permitted outside of the borough building. If council wishes to designate "No Smoking" in a certain area or on borough property there are two ways of doing so. (1) Make it a policy (resolution) or (2) If you want fines for smoking on borough property then an ordinance would need to be written.

Council discussed options (designated areas, prohibited completely....) and tabled this matter until next month.

Penn Energy

Penn Energy will be drilling up off of Kellinger Driver in Economy Borough. Since Baden Borough has property in this location we should be getting information regarding royalties and signing bonus for the lease.

Harvey's

Someone turned Harvey into the DEP for inspection of is property. He stopped by the office to show the DEP inspection report that showed there were no findings or violations.

Public Works

Nothing to report.

CEO

Mr. Weber reported that this is the worst month for overgrown grass. He addressed vacant properties with pools located on Franklin Avenue and Kellinger Driver. Mr. Weber is diligently working on contacting the property owners/insurance company to cut the grass, drain the pools and clean up the properties.

Discussion took place regarding having the borough cut the grass. Mrs. Montell stated that we can't because of liability. Mrs. Rakovan noted that the CEO needs to supply three solid documentations of proof (certified letters...) that attempts have been made to contact the property owner. Once this is done then the borough may cut the grass and have the solicitor place a lean on the property for the cost of cutting the grass. Mrs. Montell stated that there about 17 properties that fall under this problem. If we cut grass for one, we will have to do it for everyone. Mr. Kotula stated that the certified letters need to be sent out and the process must be followed. Chief Christner stated that he has gone to some of the houses with the CEO and it seems that when they see a uniform the resident acts more promptly. Mr. Kotula asked to see if community service may be used for cutting these properties. Chief Christner stated that for some reason the justice system does not hand out community service like they used to. Chief Christner stated that he would look into it.

Police Department

Chief Christner requested from council to hire another full time officer. They will be losing another three part time officers. Our wages are down and it is very difficult to find good part time officers. If we are going to cover Baden Academy and the Prevention Network then we will be in trouble with not being able to cover the shifts. Council discussed the cost associated with hiring another full time officer that may result in the need to raise taxes. Chief Christner stated that hiring a full time officer would cut back the cost of part time officers. It was noted that the negotiation committee will be meeting with the police after council meeting.

Mr. Singleton addressed the police regarding drivers not stopping at the stop sign at Berry Street and Moore Avenue. Chief Christner stated that he has part time officers patrol when they have time. He also noted that the tickets end up being given to residents and then they complain.

Fire Department

Chief Baker was not present but a written report was submitted to council.

COMMITTEE REPORTS

Finance (John Shelkons)

General Fund Ledger Balance	\$268,921	Expenses \$121,937
Water Fund Ledger Balance	\$194,994	Expenses \$168,228

2017 Audit – Mr. Shelkons asked that council review the audit for next month's meeting.

Norfolk Southern - Mr. Shelkons stated that during the meeting with the PUC and PennDot (A representative from the railroad was not present) the PUC stated that since the railroad representative did not show up they would have the secretary at the PUC send out a letter listing the things that should have and need to be done. The current weight limit on the bridge is 18 tons however it is not confirmed that this is safe. The PUC stated that they will not accept the bridge in it's currently condition. The bridge should be inspected every two years. Mrs. Rakovan commented that she notified the Fire Chief of the current weight limit and asked that he notify the 911 Center and surrounding fire departments.

MOTION by Mr. Shelkons, second by Mrs. Furr, carried unanimously to exonerate past and current taxes on the Jefferson Street property.

Mrs. Rakovan stated that her report didn't include the second quote for tearing down the house on Jefferson which came in at \$6,700. She stated that she is waiting for a written quote and confirmation of insurance.

Mayor Gagliardi asked that the CPA who did the audit to come before council and review the budget. Mr. Shelkons stated that it wouldn't be a problem. The sit down with the auditor was not done yet, but the Mayor is welcome to attend if he wishes. Mrs. Rakovan stated that she will contact the auditor.

Public Safety (Ted Kotula)

Mr. Kotula stated that they will be meeting with the police after council meeting regarding negotiations.

Building, Property & Grounds (Ted Kotula)

Mr. Kotula stated that the electric in the part looks like it is almost finished. Roof bid openings will be on July 10th and the asbestos test came back negative.

Library ramp is complete. Mr. Kotula asked that a sign be put up regarding no bikes or skate boards permitted. Mrs. Rakovan commented that it was recommended that the edge of the steps be painted yellow for safety purposes. Comment was also made about the American Legion possibly assisting in repairing the steps in front of the memorial.

Public Works (Dave Trzcianka)

Mr. Trzcianka commented that we rented a boom mower to cut back the banks and road sides. We have the mower for the week and he asked that council authorize overtime so that they can finish cutting over the weekend.

MOTION by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to authorize one public works employee to work overtime on Saturday and Sunday, if necessary to finish up cutting with the boom mower.

MOTION by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to purchase a leak detector at the cost of \$16,400.

Mr. Trzcianka wants to meet with the local company that can put the GPS into the vehicles. He is also working on getting information on time clocks.

MOTION by Mr. Trzcianka, second by Mrs. Furr carried unanimously to go into executive session after the meeting. Mr. Trzcianka asked that the Street Foreman Mike Josapak stay for the executive session as well as the secretary, Elaine Rakovan.

Municipal (Dave Trzcianka)

Nothing to report

Library (Suzie Furr)

MOTION by Mrs. Furr, second by Mr. Trzcianka, carried unanimously to give the library their budgeted funds of \$18,000.

Community Relations & Recreation (Dawn Singleton)

Mrs. Singleton stated that the community yard sale was a success.

Mrs. Singleton addressed the Tot Lot behind Moore being used by children. She asked that this parcel be removed from the original list borough properties to be sold.

MOTION by Mrs. Singleton, second by Mr. Trzcianka, carried unanimously to remove the Tot Lot from the list of parcels to be sold.

Administration & Legislation (Bob Besong)

MOTION by Mr. Besong, second by Mr. Kotula, carried unanimously to advertise the Junk Ordinance with the intent to adopt at next months meeting.

SOLICITOR'S REPORT

Nothing to report

ENGINEER'S REPORT

Mr. Sadaka stated that the expansion of the intersection at the bottom North Avenue to make right turns easier without driving onto the sidewalk will be \$6,400. The cost inlets and pipes will be around \$42,000.

Mrs. Montell asked about contacting Matzie's office for funding to assist with the landslide.

MAYOR'S REPORT

Mayor Gagliardi hoped that the bargaining unit and council come to a fair solution for the police contract. He asked council to think about the needs of Borough.

Mayor Gagliardi reported that there were 371 calls last month and \$490.71 collected in fines.

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

PRESIDENTS REPORT

Mrs. Montell asked again about moving the work session meeting to the previous Wednesday instead of Monday. It was determined to address this during reorganization in January.

EXECUTIVE SESSION

MOTION by Mr. Shelkons, second by Mrs. Singleton, carried unanimously to go into executive session at 7:50 PM

MOTION by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to go back into session at 8:37 PM.

ADJOURNMENT

MOTION by Mr. Trzcianka, second by Mr. Kotula, carried unanimously adjourn the meeting at 8:38 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
July 16, 2018