

**PRE-MEETING  
BADEN BOROUGH COUNCIL  
MARCH 13<sup>TH</sup>, 2019**

Council President Judy Montell called the Pre-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:** Mrs. Furr, Mr. Kotula, Mr. Shelkons, Mrs. Singleton, Mr. Trzcianka and Mrs. Montell (Not Present: Mr. Besong)

**ALSO PRESENT:** Mayor Sam Gagliardi, Police Chief Christner, Foreman Mike Josapak, Fire Chief Baker

**ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES**

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

**VISITORS**

Sister Kari Pohl representing the Sisters of Joseph on behalf of their Earth Day Event on April 13<sup>th</sup> from noon to 3:00. She asked Council if they would be willing to participate in and co-sponsor the event. Council stated that they would discuss it and let her know after next Wednesday's meeting.

Mary Ellen from Punk's wanted council to be aware that the run-off from the upper neighbor's parking lot is running under her parking lot and causing her black top to lift and crack. Mrs. Rakovan noted that the neighbor came to her office to state that they surveyed their property and the parking lot for Punks is on their property. Mrs. Rakovan told the neighbors that this is a property line dispute and does not involve the borough. The owners of the parking lot told Mrs. Rakovan that there was a catch basin and drainage trench that Punks covered up when she paved the parking lot. Mrs. Rakovan stated that she told the neighbors that they need to inform the magistrate of this issue. Mrs. Rakovan also told Mary Ellen that she needs to make sure that the magistrate knows of her recent issues with the black top and that the Code Enforcement Officer is handling the storm water run-off issue.

**DEPARTMENT REPORTS**

**Secretary**

**1. STATE ETHIC FORMS**

If you haven't turned in your State Ethics Commission Statement of Financial Interests to the secretary, please do so by May 1<sup>st</sup>, 2019.

**2. USDA Grant/Loan**

Work in progress.

**3. Software Conversion**

Work in progress. Set up the borough accounting and billing information onto the new Software. Will be doing a transfer (upload) of current data to the new system within the next couple of weeks. Plan to go live with the new system mid-April.

**4. Punk's Ice Cream Water Meter**

Foreman Josapak pulled her meter and sent it out for testing. The meter came back with no errors so the cost for testing the meter will be billed back to Punk's.

**5. Trailer Court**

Building Inspector, Brian Hill did a visual inspection and will be writing up and doing a more detailed inspection within the next couple of weeks.

**6. Doctor Coffey's House**

Mrs. Coffey's house has been sold and the new owner is cleaning it up and will resale.

**7. Fire Department Roof**

Contacted Burns & Scalo last month to look at the Fire Department Roof and they stated that they would be coming to repair the roof leaks and give an evaluation of its condition. They never called. This is the second time that they did not follow through with our request. Recommending that we find another company to repair and evaluate the Fire Department roof.

**8. Borough Building Walkway**

Final coat on the concrete will be done in spring. Should look into getting a roof/canopy over the walkway once the final repair is complete.

**9. Sound System Vote**

During last month's meeting an abstention vote caused a question regarding viewing the abstention as a no vote which would cause a tie vote and then leaving the Mayor to break the tie. After review by the solicitor an abstention of a vote is not viewed as a no vote, it should be considered like the person abstaining is absent, so the motion stood at 3 yes and 2 no.

**10. Council Sound System**

Chucks Audio will be installing the new speakers and microphones on Saturday, March 23<sup>rd</sup>.

**11. Parking Lot Lights in lower lot**

Due to the weather, Weber Electric did not make it out to look at the lighting in the gravel parking lot. He hopes to make it out within the next couple of weeks.

**12. Punk's / Day Care**

The owner of the day care came into the office stating that they have surveyed their property and the Punk parking lot is on their property. They kept asking about the borough (public works) assisting with their drain location and documentation of the permitting for paving of Punk's parking lot. They were told that this is a property line dispute. No documentation can be located regarding the paving of the lot. (It was actually a repave so there most likely is no documentation) They were told to talk with their own attorney and if they feel the need to get further questions answered from the borough to have their attorney write a letter to the borough.

**13. Cross Walk by Punks**

The engineering study recommendation is to eliminate the mid-block crosswalk on the 400 block of Virginia Avenue and pedestrians be directed to the marked crosswalk at the intersection of Virginia Avenue and Ohio River Boulevard.

**14. Display Case**

Ordered and waiting on delivery.

**15. 2018 Audit**

The audit is currently being wrapped up by Mark Turnley's office.

**16. No Smoking on Borough Property**

Ordinance is attached for Council review.

**17. GPS Policy (Resolution)**

Attached for Council Review

**18. Scrapping of booths and playground equipment**

The borough received \$200 for the scrap metal.

**19. CDBG Application**

The engineer is finalizing the paperwork for submission this week. The library steps will be completely redesigned with an ADA lift. The application requires each councilman to fill out a conflict of interest form. The balance of the forms is being filled out by council tonight.

**20. Water Hydrant on Route 65 and Rotteck**

A car accident occurred on Sunday March 9<sup>th</sup> that took out the fire hydrant. The entire cost to replace the hydrant (\$4,361.90) and our labor (\$1,200) has been submitted to our insurance company to get reimbursed by the driver's insurance in the amount of \$5,561.90.

**21. Guard Rail on Lincoln Avenue**

A car slid into the guard rail on Lincoln Avenue. The cost of \$120 for repair was submitted to the car owners insurance for reimbursement.

**22. Workers Comp and Heart & Lung**

Chief Christner will be off due to a work related injury starting March 22<sup>nd</sup> with an estimated return date of July 22<sup>nd</sup>. He will receive Workers Comp and Heart & Lung benefits during this time.

**23. Crown Castle**

Crown Castle contacted us about adding another tower to the Harmony Tanks. The interested party wants to take over the current vacant area at the back end of the current tower that used to be occupied by Cricket. Representatives will be coming in to meet with the secretary and Building Inspector next week to get more details into what they want to do and get information regarding rental fees for the addition as well as permits.

**24. Memorial Day Parade**

March letter from the Baden American Legion cordially inviting council to participate in the annual Memorial Day Parade which will be held on Monday, May 27, 2019. Lineup is at 9:15AM and the parade starts at 10:15AM.

**25. Treasurer**

Per the PSAB the borough Treasurer should be the person who is responsible for handling the money including depositing, withdrawing and transferring money. The treasurer for the borough should be bonded for largest amount of money handled at one given time. This person should be the secretary/manager. The annual cost to be bonded for a Treasurers bond for \$500,000 is \$830 per year. \$400,000 is \$683 per year. \$300,000 is \$578 per year.

**26. Water Tank Maintenance Schedule**

In October the engineer supplied council with a copy of the water tank maintenance schedule based upon the Water Tank inspections that were done last summer. It was late in the year to do the 2018 maintenance repairs so they will need to be added to the 2019 repairs.

**27. Street Openings**

Columbia Gas has outstanding street opening paving repairs. It was noted on their invoice for the 2018 openings that they did needed to follow up with proper paving. They requested a list of streets that were paved within the past 5 years so that they may follow the borough guidelines for paving curb to curb on the streets that fall into this category. The engineer will be updating our street paving list so that it may be given to Columbia Gas for reference.

**28. Property Maintenance Code**

Last month a motion was made to advertise the ordinance to adopt the most recent 2015 property maintenance code. Due to advertising guidelines for 10 days review prior to adoption it will be advertised for adoption at next month's meeting.

## Public Works

**Water Tank Inspection** - Mr. Josapak stated that the company that did the water tank inspection told him that our tanks were the cleanest tanks he has ever seen. Mr. Josapak felt that this is something that council and the residents need to know.

**Playground Equipment** - Mr. Josapak informed council that when they took the playground equipment down to scrap, they included the swing set at the Tot-Lot because the legs were all rusted through.

## CEO

Not Present.

## POLICE CHIEF

**Jeep** - Chief Christner addressed council in regards to the Jeep that was part of a drug bust. The DA's officer will sale it and the borough will get half of the money they get for it, however this can take up to two years to get done. Chief Christner stated that they asked the DA if Baden could put it out on Municibid and get it sold quicker and split the money accordingly. The DA agreed to let Baden sale the Jeep on Municibid.

**Radios** – Chief Christner informed council that they held off on buying the new radios because the county is switching over to a digital system in the near future. The county informed Chief Christner that when they do this they will sell the digital radios to the local municipalities at their cost. Mr. Trzcianka stated and Chief Baker agreed that they will not be switching over for another five years. Mr. Trzcianka also stated that the cost for one digital radio is \$6,000. After discussion Mr. Trzcianka stated that the Beaver County COG be asked to check into the county's plan for digital radio system. Chief Christner ask if he should continue with the purchase of the current used radios. He was told to go forward with the purchase.

**ShIPLEY Training** – Chief Christner asked for council approval to send Officer Shipley to First Responder Training. The county is covering the cost for the ammo. He is asking that council cover the \$200 cost for 3 days of housing. Mr. Trzcianka commented that he had no problem with this request.

**Chief Christner** – Chief Christner informed council that he needs to have surgery next Friday on his shoulder and he will be off work until July 22<sup>nd</sup>.

**Part Time Officers** – Chief Christner stated that with him being off work they are in need of more part time officers or hiring another full time officer. They do not have enough part time help so there will be quite a bit of overtime while he is off. Discussion took place regarding how many hours a part time officer may work. Chief Christner stated that if another Full Time officer goes off the police schedule will not be able to be filled.

**Street Lights** – Mr. Trzcianka asked Chief Christner about keeping up with the street lights. Chief Christner explained that Mr. Kotula got phone/fax number and contacts that the police do call in (fax) Duquesne Light when a light needs repaired. It was also explained that the light normally get repaired quicker if the resident calls however it appears that Duquesne Light waits until they have a larger list street lights being out before sending out the repair crew. Chief Christner stated that they get the pole number, draw a map of the pole location and fax them to Duquesne Light.

## FIRE CHIEF

**Insurance for SUV** - Chief Baker informed council that they are moving forward with purchasing an SUV from Harmony Township and he asked that council cover the cost for the insurance, which is less than \$600. Mr. Kotula asked for confirmation of the

vehicle be up to date with the inspections as it did not show on the maintenance logs provided. Chief Baker stated that the vehicle is up to date and it was kept in a garage.

**Computer** – Chief Baker informed council that with the police department getting new computers, Officer Shipley asked Chief Baker if they would like one of their old computers since they are newer than the Fire Department computer. He council if they were ok with this and informed them that Up and Running would swipe the computer clean prior to giving it to the Fire Department.

## **COMMITTEE REPORTS**

### **Finance (John Shelkons – not present)**

General Fund Balance \$12,129  
Water Fund Balance \$250,181

Expenses \$182,474  
Expenses \$91,948

### **Public Safety / Building, Property & Grounds (Ted Kotula)**

**Part Time Police** – Mr. Kotula noted that he will make the motion to advertise for and hire part time police at the next meeting. He also emphasized the need to look into hiring another full time officer.

**Third Street Parking Issue** – Mr. Kotula noted that he fills nothing should be done at the end of Third Street and Mrs. Spence's request to have yellow lines painted on the curb in front of her house. Mr. Trzcianka commented that a fire truck or public works truck is unable to turn around at the end of the street with or without cars being parked along the curb. This is not a safety issue what so ever. Chief Christner stated that the engineer agrees with what Mr. Trzcianka just stated.

**Cross Walk on Virginia Avenue** – Mr. Kotula stated that after the engineering study the recommendation is to direct pedestrians to the nearest crosswalk which currently is at the intersection of Route 65 and Virginia Avenue. He recommends putting another crosswalk up further on Virginia by Riverview Avenue. This needs to be looked into because curb cuts will need to be done and the engineer needs to be involved. Mr. Kotula stated that signs could be up but the crosswalk can't be painted unless the proper curb cut and handicap ramp is put into place.

**PennDOT meeting (Harvey's)** - Mr. Kotula updated council on the meeting that took place with PennDOT regarding Harvey's. The PennDOT right of way extends all the way up into his office addition. Cars are not permitted anywhere on the right way which is currently over 30 vehicles and includes vehicles on our right of way. He recommended that Harvey be told to remove all the cars from the borough property and put barricades up to prevent anyone from parking on our property. Mrs. Montell stated that the attorney is waiting with letters to send to Harvey regarding cleaning up his property. Mrs. Rakovan explained that PennDOT got federal funding for these road improvements and they must meet all the guidelines for the funding which includes setbacks on the roads. Mr. Trzcianka asked if this was in writing from PennDOT because they have a tendency to change the rules as they go giving an example of the sanitary sewer that they damaged but claim that they didn't. Mrs. Montell agreed that our property needs to be completely empty. Mayor Gagliardi stated that PennDOT wants the Chief and several members of PennDOT to meet to discuss and go over what Harvey needs to do and follow, this included Harvey calling PennDOT for emergency road closure permits. Mrs. Montell asked how the borough is involved in this PennDOT matter. Chief Christner explained we are involved because this is a matter of public safety. Mrs. Montell stated that putting up the barricade is a place to start. Discussion took place regarding the placement of the barricade and having the attorney send him a letter regarding cleaning up the property. Discussion also took place regarding if the property needs to be surveyed.

**Electric in the Park** – Mr. Kotula stated that we need to move on from Terry Barnick since the work is not completed. Wire still needs to be pulled all the way to the end of the park. The well needs to be lit. More outlets need to be installed as well as the flag pole needs lighting. Mr. Kotula commented that Mr. Barnick does have lighting fixture that have been paid for by the borough but not installed. He said we need to figure out what needs to be included in a letter and send it certified to Mr. Barnick. Mr. Josapak commented that the outlets have no covers and he did put a lock on the electrical box.

**Franklin Avenue Potholes** – Mr. Kotula asked Mr. Josapak if the potholes on Franklin were repaired. Mr. Josapak stated that the potholes were filled.

**Chairs for Police Department** – The police department chairs are falling apart. They were able to find refurbished chairs online that are originally \$1,100 and they can get them for around \$625 each. They also have a 10 year warrantee. He will make the motion to purchase them next week.

**New Police Car** – The new car is in and getting ready to be outfitted. They are waiting on the financing/leasing paperwork.

**Unmarked Police Car** - The current unmarked car is currently getting the decals put on. The new police car will become the unmarked car.

**Old Police Car** – The old police car will be sold to Ambridge when the new car comes in. Chief Christner commented that the car is due for inspection so they will have this done before turning it over to Ambridge.

**Parks and Playgrounds** – Mr. Kotula stated that he went and looked at the parks with Mike Josapak. The Virginia Heights park/playground is a beautiful park but to keep this we should look into putting in a paved access road and parking area. Ehman Avenue he stated is not being used and we should go forward with putting the property up for sale. The Tot-Lot has no place to park and the property is swampy. He felt it also should be sold. Mrs. Singleton disagreed with selling the Tot-Lot. Mr. Trzcianka commented that we should move forward with purchasing the property next to the water tank on Prospect and eventually if needed put a park at this location. Mr. Kotula stated that the Schiller Street playground is a goldmine and this park should be the one that we invest in improving. Mrs. Montell agreed with Mr. Kotula.

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

Nothing to report.

#### **Municipal (Dave Trzcianka)**

**Chlorine Leak** - Mr. Trzcianka stated that the Municipal Authority had a chlorine leak at the sewage plant which damaged some of the electronics. This was turned over to the insurance company. The cause of the leak was a bad valve from the chlorine company.

**Damage Sewer Line on Route 65** - On March 22<sup>nd</sup> they are having a meeting with Senator Vogel and Representative Matzie concerning the sanitary sewer line damage on Route 65 by Harvey's. We do have proof that we marked our sewer line under the PA One Call.

**No Smoking Ordinance** – Mr. Trzcianka commented that we make the motion next week to advertise this ordinance for adoption. Mr. Kotula stated that we should look at the ordinance regarding maybe making designated smoking areas, noting that the fire department has their function so maybe an area is needed. Mrs. Montell commented that maybe the fire department can recommend a designated area. Mr. Kotula asked about vaping devices. Chief Christner stated that vaping is very difficult to enforce. Mrs. Montell stated that cigarettes, cigars, pipes should not be permitted anywhere on borough property unless the Fire Department wants to designate an area. She felt no one should be smoking immediately outside of any building because people will walk through it. Mayor Gagliardi suggested having no smoking anywhere. Mr. Kotula had no problem with not permitting smoking anywhere on borough property.

**GPS Policy** – Mr. Trzcianka stated that he has two problems with the policy. He didn't like section B that gives council the ability to grant access to any and all information from the GPS device to any person. He also didn't like section D regarding disciplinary action for tampering with the GPS. Mr. Trzcianka commented that there is no current policy within either bargaining unit regarding disciplinary policy and one should be created.

**Change in Poling Location** – Mr. Trzcianka noted that he received a letter in the mail stating that Mount Gallitzin / Baden Academy poling location (District #1) has been changed to the Methodist Church.

**Library (Suzie Furr)**

Nothing to report

**Community Relations & Recreation (Dawn Singleton)**

**Reorganization Meeting** - They elected a new president, Kelly Kolchick. The other officers stayed the same.

**Harvest Festival** – They will be getting new T-shirts with Harvest Festival written on them. Letters were sent out for donations from businesses. So far Heritage Valley made a generous donation. The price for vendors will stay the same. Petting zoo and barn yard zoo, they are having a camel and zebra this year instead.

**Veteran Banners** - Mrs. Singleton apologized for not notifying council and the office before reaching out on Facebook to see if residents would be interested in purchasing a banner in honor of a veteran. The cost would be approximately \$100/\$110 and that put the veteran on one side of the pole banner (includes brackets for hanging) and the purchaser would get two small garden flags. Mrs. Montell felt that the Veteran Banners is a wonderful idea.

**Playground Grant** - Mrs. Singleton stated that the grant would focus on the Schiller Street and Virginia Heights playground. Council has agreed to pay 15% into the grant in the amount of \$7,500. Since the grant is a government agency grant she will need the borough secretary to help apply for the grant. She also noted that this is a drawn down grant so the project would have to be paid upfront and then you get reimbursed from the grant funding. Because of the amount, she asked if council would be willing to pay the upfront costs. A resolution would also need to be done to accompany the grant. Mrs. Singleton asked that the borough hold off from selling the Tot-Lot.

**Vacancy on the Recreation Board** – Bob Weber resigned from the recreation board so there is an opening if anyone is interested.

**Administration & Legislation (Bob Besong)**

Nothing to report

**MAYOR'S REPORT**

Nothing to report

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

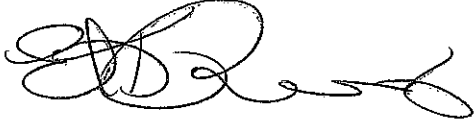
**PRESIDENTS REPORT**

Nothing to report.

**ADJOURNMENT**

**MOTION** by Mrs. Singleton, second by Mrs. Furr, carried unanimously to adjourn the meeting at 7:53 PM.

Respectfully submitted for approval,



Elaine K. Rakovan  
Borough Secretary  
April 10<sup>th</sup>, 2019