

REGULAR MEETING BADEN BOROUGH COUNCIL JULY 17TH, 2024

Council President Dave Trzcianka called the Regular Meeting of Council to order at 6:00 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. Bosh, Mrs. Gallagher, Mr. Miller, Mr. Shelkons, Mr. Stuban and Mr. Trzcianka

NOT PRESENT: Mrs. Singleton

ALSO PRESENT: Mayor Judi Montell, Solicitor Jimmy Amato, Engineer Tony Sadaka

This meeting is being electronically recorded by the Borough Manager.

AGENDA (Changes and/or Deletions)

DEBT ORDINANCE (Presented by Attorney John Salopek)

Ordinance 983 Authorizing the incurring of nonelectoral debt by the issuance of general obligation notes in the amount of \$640,000 for waterlines and road improvements.

MOTION by Michael Stuban, second by Joe Bosh, adopt Ordinance 983.

ROLL CALL for the Adoption of Ordinance 983

Mr. Bosh	yes
Mrs. Gallagher	yes
Mr. Miller	yes
Mr. Shelkons	yes
Mr. Stuban	yes
Mrs. Trzcianka	yes

Six (6) yes – Motion carried

VISITORS

Debbie O'Connor from 428 Phillips Street addressed council regarding the bait and trap project that she and two other residents two years ago. During this time period they have caught over 200 feral cats. Each cat was spade/neutered and received rabbi shots at a cost of \$50 to \$100 each. She explained the feeding process used to trap the cats. The residents who are a part of the of bait and trap were told by the CEO that they are not permitted to feed feral cats and there is a fine of \$600 if they feed the cats. Council was not aware of this situation. After discussion Council asked that a list of the homes that are participating in the bait and trap project be given to the borough office and the CEO. Council thanked Ms. O'Connor and the two residents who help her for their efforts in containing the feral cat population in Baden Borough. Mr. Stuban stated that he sent a text to the CEO who responded that he did not send letters or tell anyone that they would be fined.

MINUTES

MOTION by Michael Stuban, second by Joe Bosh, carried unanimously to approve the minutes of June 12th and 19th, 2024

BILLS TO BE PAID

MOTION by Joe Bosh, second by John Shelkons, carried unanimously to pay all bills with two signatures.

RESOLUTIONS - None

ORDINANCES – (Advertised in the Beaver County Times)

Ordinance 982 Establishing a maximum speed limit of 25 miles per hour for motor vehicles on Tevebaugh Road.

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to adopt Ordinance 982.

BIDS – None

CORRESPONDENCE

- Letter from the Baden Memorial Library requesting a donation for their Wine and Cheese” fundraiser that will be held on October 12th.

Michael Stuban recommend giving \$250 from the council flower fund as a donation to the library wine and cheese fundraiser. Council agreed.

- Letter from PennDOT regarding Brake Retarder on Route 65 between Johnson Avenue and the Northern borough boundary on Route 65 (by Concordia).

Discussion took place regarding the need, signage, fines and ordinance.

MOTION by Michael Stuban, second by Joe Bosh, carried unanimously to authorize the solicitor to review and get information for an ordinance for Brake Retarders on Route 65.

COMMITTEE REPORTS

Finance (John Shelkons)

- | | | | |
|------------------------|-----------|----------|-----------|
| • General Fund Balance | \$233,853 | Expenses | \$284,201 |
| • Water Fund Balance | \$270,834 | Expenses | \$55,388 |

MOTION by John Shelkons, second by Michael Stuban, carried unanimously approve the USDA Loan Project Requisition No. 23 in the amount of \$61,093 (\$15,520 for engineering and \$45,573 for JR Contracting).

MOTION by John Shelkons, second by Joe Bosh, carried unanimously to approve \$58,915.96 payable to Stefanik’s Next Generation Contracting as the final payment for the State Street / 4th Street Waterline Replacement.

PUBLIC WORKS (Doug Miller)

Mr. Trzcianka asked for an update on the street lights located at Phillips and State Street. Mrs. Rakovan stated that Duquesne Light is going to work around the signals being on their poles at this time. She also stated that Duquesne Light plans to be done by the end of September and then the borough will have about 2 months remove the brackets and Christmas light wiring.

No update on the bucket truck repair (to pass inspection).

TECHNOLOGY / PUBLIC RELATIONS / LIAISON (Joe Bosh)

Solicitation Ordinance – Joe Bosh tabled the discussion due a question regarding background checks. The manager, Elaine Rakovan didn't know that there were different types of background checks which caused some confusion when asking the regional police about doing them. Discussion followed regarding out of state people soliciting in Pennsylvania so the PA State Police checks would not cover the out of state individuals.

ADMINISTRATION & PERSONNEL (Becky Gallagher)

America 250 - Becky Gallagher attended a meeting for the America 250 asked if Baden approved a resolution for the America 250. She stated that she will get a copy of the resolution for Baden to adopt. Mrs. Gallagher asked for confirmation that the borough set aside \$10,000 for the planning of borough events. She stated that she told the county that Baden wants to work with them and not plan something that would coincide with a county or another community event. The libraries will have some sort of monthly activity. There will be an article placed monthly in the Beaver County Times about our country and its history.

PUBLIC SAFETY (Dawn Singleton)

Not present

BUILDING / GROUNDS / EQUIPMENT (Michael Stuban)

Jefferson Street Lot Consolidation

MOTION by Michael Stuban, second by Joe Bosh, carried unanimously to sign the already reviewed and approved (by the Baden Planning Board and Beaver County Planning Commission) lot consolidation / subdivision of parcels located on Jefferson Street. (Parcels: 13-003-0607 and 13-003-0608)

Easement

MOTION by Michael Stuban, second by Doug Miller, carried unanimously to approve and sign the Kingerski Easement for the storm sewer going through the property located at 1001 Third Avenue.

Beaver Valley Regional Police Department - Mr. Stuban informed council and the residents that the Beaver Valley Regional Police Commission approved a \$91,000 incentive to the police chief, Adam Johnston who will be retiring in December. The vote was 6 yea and 2 nay. The two nay votes were from Baden (Judi Montell and Michael Stuban). The chief presented the commission with the figures noting that he will retire if he is given the \$91,000 and showed figures that in the long run it will save the regional money. There were assumptions made with the salary for a new chief which they plan to promote from within and no consideration was made for the pension costs. A motion to have a pension study was made after the initial motion to give him his requested incentive. Mr. Stuban believes that this will cost the regional more money, which means the municipalities will have to pay more, which is tax payers dollars. Mr. Stuban stated that the estimate before the cost study is an extra \$20,000 per year in pension costs. Mr. Trzcianka was against this and stated that this is just setting precedent for future officers (chiefs) who want to retire. Normally employees don't say, here is my offer and I will retire. It is the other way around. Mr. Bosh asked why the commission was swayed by the chief's request. Mr. Stuban explained that this has been going on for over three months. During this time the discussions had swayed voted in both directions with the exception of Baden representative always voting no. Mrs. Montell stated that without any figures they voted. She stated that Mrs. Rakovan tried to explain it to them and they didn't want to listen. They made a motion and it passed. Mrs.

Montell also stated that what was presented in the figures was that the new chief get overtime which is not what the current chief contract states. Mr. Trzcianka and Mr. Bosh expressed their discernment with the action of the regional police commission. Mr. Stuban stated that the finances were looking good after getting the grant money and now it appears like they are saying oh good we can give the grant money to the chief. Further discussion took place. Mr. Stuban noted that the regional budget for the new year must be approved by each of the municipalities and if one municipality votes no, then the regional will need to adjust their budget accordingly. Mr. Stuban stated that as of now we (the regional police department) are locked into the \$91,000 and the extra pension costs. Mr. Bosh and Mr. Trzcianka commented that the commission acted irresponsibly. Discussion took place regarding making a public statement and Mr. Amato (attorney) noted the possible repercussions that could evolve from the commissions motion. Mr. Trzcianka asked that a motion be made for him to send a letter to the regional police commission regarding our questions, concerns and disapproval of their action. Mr. Trzcianka stated that this is our tax dollars being effected by their action and this was supposed to save us money and he is not seeing it. Mr. Miller (a retired police officer) explained how the pension is calculated.

MOTION by Joe Bosh, second by John Shelkon, (Michael Stuban abstained due to serving on the BVRPD Commission and Baden Borough Council), to send a letter to the BVRPD commission regarding the boroughs concern with making a motion to give the police chief his requested \$91,000 incentive to retire.

ROLL CALL To send a letter to the BVRPD as noted in the previous motion.

Mr. Bosh	yes
Mrs. Gallagher	yes
Mr. Miller	yes
Mr. Shelkons	yes
Mr. Stuban	Abstained
Mrs. Trzcianka	yes

Five (5) yes – Motion carried

SOLICITOR’S REPORT

Nothing to Report

ENGINEER’S REPORT

1. Paving Project

‘Notice to Proceed’ has been issued to the contractor effective July 11. A pre-construction meeting was conducted on Monday July 15.

2. USDA - Water System Improvements

The project is being closed out.

3. State Street Waterline Replacement (North to Virginia)

Stefanik’s Next Generation Contracting has completed all punch list items. Approval of final payment by Borough Council is recommended (documents submitted to Borough Manager). Paving work on State Street has been moved from this project to the main paving project.

4. DEP Water System Notice of Violation (NOV) – Harmony Water Tank Upgrades

This effort is being coordinated by the Public Works department.

5. PennVEST - Waterline Replacements

WEI is working on construction plans based on the list of water lines provided by the borough. A final decision is needed from the borough regarding the fire hydrants to be replaced. The anticipated schedule going forward has the following milestone dates:

Plans and Specifications Submittal to DEP 9/27/2024
Pennvest Application Cut-off Date 10/30/2024
Pennvest Board Meeting Date (Approval of Project) 1/22/2025
Anticipated Construction Start Date 5/15/2025

6. DEP Water Service Line Inventory

Waterline inventory is due to be submitted to DEP by October 2024.

MAYOR'S REPORT

Mayor Montell reported that the BVRPD is receiving grant funding for the K-9 officer.

PRESIDENTS REPORT

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

None

ADJOURNMENT

MOTION by Joe Bosh, second by Becky Gallagher, carried unanimously to adjourn the meeting at 7:05 PM

Respectfully Submitted for Approval,

Elaine K. Rakovan
Borough Manager
August 14, 2024