

REGULAR MEETING BADEN BOROUGH COUNCIL NOVEMBER 20TH, 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, Mrs. Singleton, Mr. Stuban and Mr. Trzcianka

NOT PRESENT:

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)

VISITORS

Jack Spencer from 322 Camilla Street asked if there was an asbestos test before they did the control burn on Harmony Road/Bauman Avenue. Mr. Trzcianka state that the testing was done and no asbestos was found.

MINUTES

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to approve the minutes of October 9th and 16th, 2024

BILLS TO BE PAID

MOTION by Dawn Singleton, second by Michael Stuban, carried unanimously to pay all bills with two signatures.

RESOLUTIONS - *(Attached to the agenda for Public Review)*

- **24-04 Liquor License Transfer – Motion** to amend Resolution 24-04 (11/13/2024) to include appropriate administrative and advertising expenses to be paid at the applicant's expense.

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to adopt Resolution 24-04.

- **24-05 Soliciting Permit Fee – Motion** to adopt and set the soliciting permit fee to \$25

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to adopt Resolution 24-05.

Discussion on the background checks regarding soliciting permits denial took place. Doug Miller provided some language that gave the following reasons for denial.

If the person has been convicted within 7 years preceding the date of application of any theft or theft related crime, fraud or fraud related crime or any similar offense showing dishonesty of character; has been convicted of any felony; has been previously convicted of violating this chapter; is registered as a sex offender in Pennsylvania or any other state.

MOTION by Joe Bosh, second by Becky Gallagher, carried unanimously to adopt the above noted language as a policy for denial of a soliciting permit based upon the background check under the soliciting ordinance.

Discussion took place upon who will make the decision and if questionable the borough manager may ask the police for assistance. Joe Bosh stated that the information will be a part of the soliciting permit packet.

The new soliciting process begin in January.

ORDINANCES – NONE

BIDS – NONE

CORRESPONDENCE

1. Letter from Sainovich Law, Inc. regarding an Intermunicipal Transfer of a Liquor License

COMMITTEE REPORTS

Finance (John Shelkons)

General Fund Balance: \$180,470	Expenses: \$986,084
Water Fund Balance: \$307,342	Expenses: \$138,931

Liquid Fuel - Estimated Liquid Fuels Allocation for 2025 is \$120,886.27. This is down \$2,500 from last year

General Fund Budget

MOTION by Joe Bosh, second by Becky Gallagher, carried unanimously to approve and advertise the 2025 general fund budget for 10 day review

Millage Rate

MOTION by John Shelkons, second by Dawn Singleton, carried unanimously to set 2025 millage rate to 6 mills and advertise with intent to adopt the 2025 tax millage ordinance

USDA Loan

MOTION by John Shelkons, second by Michael Stuban, carried unanimously to approve requisition number 25 in the amount of \$7,400 for ADA curb and ramp.

PUBLIC WORKS (Doug Miller)

Lead Line – Elaine Rakovan stated that so far we have 400 confirmed copper, 4 confirmed galvanized and 0 lead lines so far.

Joe Bosh will be given some information to post to the website.

TECHNOLOGY / PUBLIC RELATIONS / LIAISON (Joe Bosh)

Nothing further to discuss.

ADMINISTRATION & PERSONNEL (Becky Gallagher)

- **Stray Cats** - Becky Gallagher went over the verbiage for the amending the Nuisance Ordinance to include feral cats. Any person found to be feeding any stray or feral cat shall assume owner of the cat and then be responsible for all immunization and spade/neuter of the animal and comply with all federal, state and local statutes regarding the care of the animal.

MOTION by Becky Gallagher, second by Dawn Singleton, carried unanimously to amend the Nuisance Ordinance to include feral cats and advertise for adoption.

- **America 250** – Things are moving along. There will be parade on June 27th 2026. Baden is not interested in hosting the parade. The parade will be over 2 hours long and the cost for the parage will fall upon the hosting municipality. Becky noted that the governor has set aside \$1M in grant funding to assist with events. The grants start out at \$5,000 and go up from there. Educate, Preserve, Innovate, Celebrate (EPIC) is what the grant will cover.

PUBLIC SAFETY (Dawn Singleton)

Nothing to report.

BUILDING / GROUNDS / EQUIPMENT (Michael Stuban)

Article of Incorporation Baden Municipal Authority

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to advertise with the intent to adopt the article of incorporation for the Baden Municipal Authority.

Bill Board Ordinance

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to advertise with the intent to adopt the Bill Board Ordinance.

Parking Ordinance Amendment

MOTION by Michael Stuban, second by Becky Gallagher, carried unanimously to advertise with the intent to adopt the Parking Ordinance Amendment.

SOLICITOR'S REPORT

Nothing to report.

ENGINEER'S REPORT

1. Paving Project - Change Order 1 and Application for Payment 2 (Final) from the contractor were provided to the Borough for further processing on October 21.
2. DEP Water System Notice of Violation (NOV) – Harmony Water Storage Tank Upgrades. The disinfectant residual management system can't receive an operations permit from DEP until an operator with the appropriate class and subclass is lined up to cover operations.
3. PennVEST - Waterline Replacements - The funding application was submitted to PennVEST on October 30 and is under review. The PennVEST Board meeting is not until January 22, 2025. A meeting was conducted with representatives of PennVEST and DEP on Monday to discuss our plans for how to deal with lead customer service

lines that might be found in the project area during construction. Further direction from DEP is anticipated in the next few days.

Michael Stuban informed council of a meeting he and Elaine Rakovan attended regarding the DEP requiring the borough to pay for replacement of lead lines if they are found while doing the PennVest Project. We were opposed to the request and PennVest were in support of the borough. The DEP representative was going to look further into this matter.

Michael Stuban asked that a letter be sent to the new administration stating that if they need to eliminate unfunded mandates. If the government is going to require something to be done by the local governments, then the federal government should take on the financial responsibility.

MOTION by Michael Stuban, second by Dawn Singleton, carried unanimously to send a letter to the new administration regarding federal and state mandates.

MAYOR'S REPORT

PRESIDENTS REPORT

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

ADJOURNMENT

MOTION by Dawn Singleton, second by Michael Stuban, carried unanimously to adjourn the meeting at 6:30 PM.

Respectfully Submitted for Approval,

Elaine K. Rakovan
Borough Manager