

**REGULAR MEETING
BADEN BOROUGH COUNCIL
MAY 21, 2014**

Council President Judi Montell called the Regular Meeting 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

PRESENT: Mr. Besong, Mr. Kotula, Mrs. Michaels, Mr. Stuban, Mr. Trzcianka, and Mrs. Villella, Mrs. Montell

ALSO PRESENT: Solicitor James Amato, Engineer Tony Sadaka, CEO Jim Napolitan, Chief Christner

Acknowledgement of Recordings

VISITORS

John Shelkons from 785 Athalia Street addressed Council in regards to the Pinney Street access to the river. He had presented this information at last month's meeting and he asked if anyone reviewed is documents. Mr. Stuban commented that he did review the paperwork and it includes water transportation in the document. Mr. Shelkon noted that he takes water transportation as a canoe. Mr. Stuban noted that it was a pump house before and it is a pump house now. Mr. Shelkons asked that it go on record that the rest of the property will not be sold or impede access to the river. Mr. Stuban commented that this council could state that however they cannot speak on behalf of future councils. Mr. Shelkons understood this. Mr. Stuban noted and council agreed to place in the minutes that this Council has no plans to develop, sell or transfer the river front property and they this council retains that the public has rights access the property. Mr. Trzcianka stated that he contacted the fish commission regarding the dock. When the fish commission is caught up on things, they will stop by but they cannot guarantee any funding. Discussion took place regarding the access issue. Mr. Trzcianka stated that he called the railroad and they have not called him back. Mr. Shelkons stated that he spoke to the railroad and they state that Pinney Street Bridge is not an access for residents, but business use only. Discussion took place regarding parking along the tracks, walking across the bridge and access to the river. The Pinney Street Bridge is owned by Norfolk. Further conversation took place regarding past access and other property that the Borough owns.

Mr. Shelkons addressed a brush fire on Athalia Street and the fire truck could not get access up Forest Avenue because new homeowners were parked on the right side. Discussion took place regarding this matter. Mr. Josapak commented that he and the secretary looked at the ordinance and it states that on Forest Street there is no parking on either side but this is not what is being done. Mr. Stuban asked that Public Safety look into matter and decide what the resolve is needed. Mr. Trzcianka commented that from a Fire Department standpoint the uphill side being no parking would be preferred.

Mark Kolakowsky 375 Center Street thanked Mr. Josapak for cleaning up the property by the fire department.

MINUTES

MOTION by Mr. Trzcianka, second by Mrs. Michaels, carried unanimously to approve the minutes of April 14th and 16th, 2014 as corrected (deleted go into executive session under adjournment).

BILLS TO BE PAID

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

RESOLUTIONS (copy attached to agenda for public review)

- 14-02 – Setting meeting guidelines and rules of conduct.

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to adopt resolution 14-02.

Mayor Gagliardi asked about the use of electronic recording devices by the audience noting that it is not addressed in the resolution. Mr. Stuban commented that this is the guidelines for council.

ORDINANCES (Advertised in the Beaver County Times for Review)

- 933 – Creating a Board of Directors for the Baden Memorial Library and prescribing provisions for its governance.

MOTION by Kim Villella, second by Donna Michaels, carried unanimously to adopt Ordinance 933.

BIDS

- None

CORRESPONDENCE

1. April 29, 2014 letter from the Baden American Legion inviting council to the annual Memorial Day Parade on Monday May 26th. Start time is 10:15AM.
2. April 30, 2014 letter from Ambridge Water Authority stating that they no longer need the Anne Street Interconnect for water service.

Mr. Trzcianka commented that we should go into agreement with Ambridge Water Authority for an emergency interconnect at the Ann Street location.

3. April 30, 2014 letter from Duquesne Light announcing their LED Municipal Cobrahead Street Lighting Conversion Pilot Program.
4. May 1st letter from the Beaver County Commissioners announcing the ribbon cutting of the Veteran's Memorial Bridge on Memorial Day at 1:00 PM.

COMMITTEE REPORTS

Administration & Finance - (Michael Stuban)

- Finance Report – Water Fund Balance \$188,862.29
General Fund Balance \$196,093.78
Fire Truck Fund \$82,516.74
Liquid Fuels \$225,518.47
- DeFoggi – Bankruptcy and Utility Bill

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to have the solicitor take the necessary legal action against Mr. DeFoggi.

- 330 State Street

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to have the solicitor do the paperwork to precede with the purchase the property for \$23,000 as approved by the courts and have the title transferred after it is checked for right of ways.

- Blight property – Mr. Stuban commented that the Building Inspector under the direction of Council has been going after blighted property. Recently a property on Riverview was taken to the magistrate and they found guilty and fined \$5,000. We are now looking at other properties and checking to see what legal action we take regarding blighted property. This includes a new state law that permits municipalities to go after the owner's personal property.

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to have the solicitor review the legal actions and procedures that may be taken for blighted property.

Mr. Trzcianka commented that the Cardwell boys on Virginia Avenue have been mowing the lawn at the Riverview property. He asked that a thank you note be sent to them for helping out. Mr. Stuban added that the Riverview property is up for sheriff sale this June.

- Utility Billing Ordinance

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to have the solicitor write an ordinance for utility billing as reviewed during Monday's meeting.

- Loan for street paving

MOTION by Mr. Stuban, second by Mrs. Vilella carried unanimously to pay \$232,151.56 toward the street paving project.

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to change the street paving project for Murphy and Mahoney from tar and chip to paving at an additional cost of \$15,000.

Mr. Stuban addressed Council in regards to our two PLGIT accounts. ESB has higher interest rates and options for investments.

MOTION by Mr. Stuban, second by Mrs. Michaels carried unanimously to transfer the Fire Truck and Liquid Fuels account to ESB. (Fire Truck Fund \$82,516.74 and Liquid Fuels \$225,518.47)

Mr. Besong asked if the accounts are coming from Citizens Bank. Mr. Stuban stated no, however he is looking at making a motion over the next few months to transfer the Citizen accounts to ESB because we can get better interest and service as a government. Mr. Besong commented that Citizens has been very cooperative over the years.

Building, Property & Grounds (Bob Besong/Ted Kotula)

MOTION by Mr. Kotula, second by Mrs. Michaels carried unanimously to ratify the phone vote to repair the generators located at Borough Building and State Street pump house for State Street Pump House for \$8,765.

Mr. Kotula noted that the camera and keyless entry system is being installed and will be up and running soon. The community room keyless entry is being moved to the Police Department entry door. Council chamber could not be made keyless because the entire door would need replaced. This would be too costly. The camera system is being updated to HD, which is a cost savings of around \$2,000.

MOTION by Mr. Kotula, second by Mrs. Michaels carried unanimously to purchase rugs/runners for the building – not to exceed \$700.

Mr. Besong started to read a letter regarding something that he was involved in after a council meeting. Mrs. Montell stopped Mr. Besong and asked that he read the letter at the end of the meeting under New Business.

Community Relations – (Ted Kotula)

Mr. Kotula addressed community and business involvement to continue to make Baden a safe community and a place where you want to live and raise your children. He broke his plan up into six categories (1. Baden owned property possibilities 2. Community help 3. Community information 4. Events 5. Safety 6. Future projects)

Mr. Kotula spoke about creating an identity for Baden. What does Baden want to represent for example family values? A landmark like a fountain, garden, statue... to represent whom Baden wants to be.

Mr. Kotula mentioned river dock property and future development if permissible. This item can be listed as a future project.

Mr. Kotula spoke about creating a community garden that can supply foods to those in need. He recited statistics that 1 in 5 families struggle to put food on the table. This is in Beaver County alone. It is his hope to impact our and surrounding communities.

Library – (Kimberly Villella)

Mrs. Villella gave an update on the librarian who is expecting her first child. She will be going on maternity leave in September. The library is going to hire an assistant director to help and possibly replace the librarian in the event she puts in her resignation to be a stay at home mom.

Mrs. Villella asked Mr. Josapak if Public Works could put the book drop in. The issue regarding live electrical wires being in the way was discussed. Mr. Josapak will look into this matter.

Public Safety – (Kimberly Villella)

Mrs. Villella announced and thanked the Baden Legion Women's Auxiliary for donating \$500 to the police department for the purchase of an AED. The total cost for three AED's is approximately \$5,000.

Chief Christner stated that the police policy manual is complete. He thanked the secretary and noted that he is going to review and proof the manual one more time. Once he is done looking it over he will have electronic or paper copies available for the council.

Chief Christner announced that at the county police memorial, Sgt. Alvarez was given an award for his hard work for domestic violence.

Mr. Kotula noted that he forgot to bring one more item up. He addressed the need to update the office computers.

MOTION by Mr. Kotula, second by Mr. Stuban carried unanimously to purchase four computers at the cost of \$5,611.40.

Public Works – (Dave Trzcianka)

MOTION by Mr. Trzcianka, second by Mrs. Michaels carried unanimously to hire Austin Hartman, Myles Mike, Jaret Cannard and Will Shively as summer help at \$8 per hour.

MOTION by Mr. Trzcianka, second by Mrs. Michaels carried unanimously to have public works correct drainage issues caused by the street paving project.

MOTION by Mr. Trzcianka, second by Mrs. Michaels carried unanimously to have public works fix road and drainage along the waterline right of ways

Mr. Trzcianka stated that the 1996 dump truck could be sold. He asked council for authorization to put the truck on the Municibid website service. Discussion took place regarding minimum price.

MOTION by Mr. Trzcianka, second by Mrs. Michaels carried unanimously to use Municibid and have a minimum bid of \$8,000.

Mr. Besong addressed putting a plastic coating on future truck beds. It was commented that the new trucks have aluminum or stainless steel beds.

Mr. Trzcianka commented that he did talk to the game commission and when they have time they will look at the river dock access. He noted that if there is grant funding it would be a 50/50 match.

Mr. Trzcianka addressed the comments and concerns that are being made about public work employees using personal vehicles to pull borough equipment. He noted that the only other vehicles with hitches are two police cars and one fire truck. So unless we make a motion to use a police car or fire truck to pull the equipment he has no problem if an employee wants to use their personal vehicle until the new truck comes in. Mrs. Villella asked about the liability of using a personal vehicle. Discussion followed. Mr. Stuban noted that we are not making the employees use their own vehicle he is doing it by choice. Mr. Kotula asked if some documentation to cover the borough's concerns. Further comments were made regarding this being temporary. Mr. Josapak commented that he could spend the day hauling trailers back and forth to various locations. Mr. Stuban commented that we should check with the insurance company. If the insurance company has no issue with it, then neither should we.

Recreation & Communications - (Donna Michaels)

MOTION by Mrs. Michaels, second by Mr. Trzcianka carried unanimously to appoint Suzie Furr to the recreation board.

The Recreation Board meeting will be tomorrow (Thursday) night due to the Memorial Day holiday.

Mrs. Michaels noted that the Community Yard Sale would be on June 28th. Community Day will be August 23rd and Applefest will be October 11th.

Sanitation, Recycling & Municipal Authority - (Donna Michaels)

Mrs. Michaels noted that once the plant is completed she would be taking a tour of the plant.

Mr. Besong commented that the garbage company is tossing garbage lids all over the street. Mrs. Michaels stated she would take care of it.

SOLICITOR'S REPORT

Mr. Amato had nothing at this time.

Mr. Stuban asked the solicitor to expedite the ordinance for the loan.

ENGINEER'S REPORT

Mr. Sadaka had nothing to report.

MAYOR'S REPORT

Mayor Gagliardi reported that there were 156 calls and \$529.40 collected in fines last month.

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

Mr. Besong read a letter regarding an incident that took place on April 14, 2014 after the Baden Borough Council meeting as noted below.

I, Robert Besong, of 808 Bauman Avenue, Baden Pa 15005, attest to the following incident that took place on April 14, 2014, after the Baden Borough Council meeting. I serve as a Baden Borough Councilman and attended the April 14, 2014, council meeting.

.At the conclusion of the Baden Borough Council meeting, I was talking to Baden Borough Resident, Mr. Robert Weber, who was present in the audience during the council meeting. Mayor Samuel Gagliardi walked up to me and tucked on my arm and said " Bob can I see you." At this time Mr. Weber said loud and clear " your puppet wants to see you." Mayor Gagliardi responded with " what did you say?" Mr. Weber repeated to Mayor Gagliardi " The Dago wants to talk to you" Again, Mr Gagliardi said, "What did you say?" Mr Weber than said to Mr. Gagliardi " I apologise, I should have said " the dirty dago wants to talk to you."

At this point I intervened and restrained Mayor Gagliardi while Mr. Weber left the council chamber.

Robert Besong 4-22-2014
Mr. Rober Besong Date

State of Pennsylvania
County of Beaver
on 22nd day of April, 2014



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Alexander J. Gloor, Notary Public
Baden Boro, Beaver County
My Commission Expires Aug. 16, 2014
Member, Pennsylvania Association of Notaries

Mr. Besong noted that he resents Mr. Weber's comments. Mr. Weber commented that Mr. Besong needs to get his story straight. Mr. Besong stated that Mr. Weber was appointed to the Parks and Recreation Board prior to this incident and feels that if Mr. Weber is going to call people names while children are around then he should not be on any board. Mr. Besong asked that Mr. Weber be removed from the Recreation Board.

Mr. Stuban commented to Council President Mrs. Montell that this incident occurred after meeting. Comments may have been made that shouldn't have been and there are always two sides to every story. Both sides need to be heard. Secondly Mr. Stuban noted that everyone knows that there are personality conflicts that run deep. Everyone on both sides have made comments and knows all the accusations that took place during the elections for Mayor. If any action is going to take place, everything on both sides needs to be looked into before council takes any action.

Mrs. Villella asked if there is anything in the Recreation Board Bylaws regarding a matter like this. Mrs. Michaels stated that she would look into it.

Mr. Trzcianka commented that this should be called disorderly conduct and if the Mayor or Mr. Weber wants to file a complaint to go see the Police Chief and handle it. It was confirmed that this incident took place after meeting.

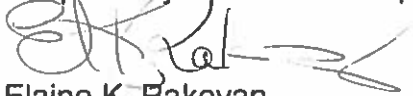
PRESIDENTS REPORT

ADJOURNMENT

MOTION by Mr. Trzcianka, second by Mr. Stuban carried unanimously to adjourn the meeting.

Meeting adjourned at 8:06 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
June 16, 2014