

**REGULAR SESSION
BADEN BOROUGH COUNCIL
OCTOBER 21, 2015**

Council President Mrs. Montell called the Regular Session 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

ROLL CALL

PRESENT: Mr. Besong, Mr. Kotula, Mrs. Michaels, Mr. Stuban, Mr. Trzcianka and Mrs. Montell (Not Present: Mrs. Villella)

ALSO PRESENT: Chief Christner, CEO Mike Demcak, Engineer Tony Sadaka and Attorney James Amato

ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

AGENDA (Changes and/or Deletions)

VISITORS

- Shirley Spence, 1041 Third Street addressed Council in regards to never receiving a phone call back from the Code Enforcement Officer after leaving 5 messages. Mr. Demcak stated that a formal complaint form should be submitted through the borough office.
- Carol Stewart owner of the tanning salon on State Street addressed council in regards to her clients not having access to her business during the Applefest. She stated that the Mayor promised that there would be no problem giving access for clients to access the businesses in the area of the Applefest and car cruise. Ms. Stewart stated that she received phone calls from her clients stating that they were turned away by the police. The parking in front of the building is private property. She was only given one day notice of the inconvenience that this was going to cause for the businesses. Ms. Stewart felt that both she and the Cut Company should have been involved and better informed of the process and Applefest event. She asked that this be changed next year. Mr. Kotula agreed with Ms. Stewart and he apologized on behalf of council for the problem that this caused. Mr. Kotula promised that there would be better communication and involvement by the businesses next year. Chief Christner explained the situation, sympathized with the business owners and apologized for any confusion that may have occurred. He felt that better communication and earlier notification is definitely needed. Ms. Stewart also commented that there are oil stains from the car cruise vehicles on the parking lot that were not there before.
- Debbie Klessner and Denise DeMailo owners of the Cut Company agreed with everything Ms. Stewart presented to Council. They also addressed the car cruise vehicles gunning their engines and causing fumes that flowed into their business. It was a beautiful day and they had to keep doors shut and run the air conditioner. Also, someone told the people that they could use the restroom in their business. This was not very nice. Debbie stated that she had a confrontation with one of the women and men in charge of the event. They were told by the individuals that they should have closed down and there was no need to have a business open for one day. The Cut Company has been in Baden for over 30 years. Their clients weren't even allowed to enter the back parking lot.

APPROVAL OF MINUTES

The minutes of August 17th and 19th and September 16th, 2015

MOTION by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to accept the minutes.

APPROVAL OF BILLS TO BE PAID

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

RESOLUTIONS - None

ORDINANCES - None

BIDS – Storm Sewers (Anderson Candy and Alley from Berry St. to Bryan Ave.)

1. Glenn Johnston	\$135,153.00
2. Fryer Excavating	\$ 99,879.25
3. R & B Contracting	\$ 96,335.00
4. W.G. Tomko	\$ 95,126.00
5. W.A. Petrakis Contracting	\$ 93,335.00
6. Martino Inc.	\$ 74,897.00

MOTION by Mr. Trzcianka, second by Mr. Besong to award the bid to the lowest responsible bidder, Martino Inc.

CORRESPONDENCE

1. October 13th courtesy copy of a letter from Senator Vogel to the Beaver County Transit Authority supporting the local municipal efforts to extend bus service to the Walmart store in Economy Borough.
2. October 19th letter from Representative Matzie's office regarding the PennDOT Transportation Fund Grants. He asked that we inform him if we plan to proceed with the grant so that he may support our request.

COMMITTEE REPORTS

Administration & Finance (Michael Stuban)

Financial Balance	
General Fund Balance	\$187,952.23
Water Fund Balance	\$ 69,882.66

Mr. Stuban stated that a proposed 2016 water and general fund budget was handed out. The water budget is balanced however the general fund budget is short by one mill of taxes.

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to advertise the water and general fund budget for review.

Mr. Stuban noted that a one mill tax increase is needed. Some members of council felt that the increase should be higher. One mill would take the tax rate to 26.5 mills.

MOTION by Mr. Stuban, second by Mr. Trzcianka to raise taxes by one mill to 26.5 mills. Mr. Besong voted no.

ROLL CALL To raise taxes by one mill to 26.5 mills

Mr. Besong	No
Mr. Kotula	Yes
Mrs. Michaels	Yes
Mr. Stuban	Yes
Mr. Trzcianka	Yes
Mrs. Montell	No

Four (4) yes Two (2) no motion carried.

Mr. Stuban discussed the Speakman property on Jefferson Street. The magistrate fined the owner \$500. It is believed that they will appeal the fine and the attorney is requesting that the borough put in for community development as part of their demolition program. Council was told that there is time for Council to think about this matter.

Mr. Stuban addressed the PennDot Multimodal Funding Grant.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to authorize the engineer to prepare the grant application for Tevebaugh Road and Schiller Street Extension.

Mr. Stuban explained how West View Water contacted the borough regarding road access to Tevebaugh Road for their water intake project. The concern is damage to the road, heavy equipment and weight limits.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to authorize the engineer and solicitor to work with West View Water regarding Tevebaugh Road

Buildings, Property & Grounds (Bob Besong)

Mr. Besong asked Council what they wanted to do with 330 State Street. Mr. Stuban commented that no one on Council has agreed to what should be done with the property.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to send a letter to the county stating that the borough is asking the 2015 taxes be exonerated. A letter will also need to be sent the school district asking that they exonerate the property too.

Discussion took place regarding the placement of no trespassing signs and cleaning up of the back part of 330 State Street.

Mr. Kotula felt that the citizens of the borough should be included in a meeting to gather ideas to see what opportunities are available for the property.

Public Safety & Community Relations (Ted Kotula)

Mr. Kotula commented that the Eagle Scout has been working in the park cleaning and beautifying the park.

Mr. Kotula thanked everyone who was involved in the Applefest. All of the hard work was appreciated.

Mr. Kotula mentioned that since Monday's meeting a contact was made at Duquesne Light to address the street light issues. Chief Christner has listed approximately 18 lights out. The light poles are marked with red tape which will represent that the light has been turned into Duquesne Light for repair. Part of the problem that Duquesne Light stated was more detail was needed to help locate the light poles.

Library

Nothing to report.

Public Works (Dave Trzcianka)

Mr. Trzcianka commented that the engineer did look at Maple Street and the water runoff issue. The engineer feels that the repair for Maple Street may be added to the storm sewer repair project.

Mrs. Michaels asked about the electric in the borough park being vandalized and in need of repair. Conversation took place as to who put the electricity in and there was no confirmed answer. Mrs. Michaels commented that she would take care of it.

Recreation & Communications (Donna Michaels)

Mrs. Michaels thanked the Police and Fire Department as well as the Parks and Recreation Board for all their help with the Applefest. Mrs. Michaels apologized to the Cut Company and Tanning Salon for the parking issue and she promised that this would be addressed and corrected next year. She stated over 4,000 people attended the Applefest and it was beautiful day. They are already working on next year's event.

Mrs. Michaels reported that due to the weather this year's Halloween parade was not attended well but the children who attended did love having it. It will continue next year.

Sanitation, Recycling & Municipal Authority (Donna Michaels)

Mrs. Michaels reported that the 3rd quarter household collections totaled 1,541 pounds of waste picked up.

Solicitor's Report

Mr. Stuban asked if council reviewed the copies of the ordinances that were submitted by the solicitor. Mr. Trzcianka questioned the overgrown vegetation portion of the ordinance and it not including that it can't be off the property line. He asked that there be some guidelines.

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to advertise with the intent to adopt the three ordinances (941, 942 and 943) that were presented to council for next month adoption. (With the understanding that changes may be made prior to adoption)

Mr. Trzcianka addressed an article in last month's Borough Magazine stating that charging tenants a free is illegal and it is under appeal at this time.

Engineer's Report

Mr. Sadaka commented that he feels there is a fix for the Maple Street storm water runoff and the cost is estimated to be around \$7,000. It may be placed as an add-on to the Martino contract. Mr. Trzcianka and Mrs. Michaels agreed that it should be done.

Mayor's Report

Mayor was not present.

Chief Christner stated that there were 180 calls for service last month. Total fines collected for last month was \$1,250.

Chief Christner explained how the street lights are call (faxed) in.

Chief Christner stated that he received a check for \$2,000 from Norfolk Southern as a contribution to the police department for service.

Chief Christner gave an overview of the training session that the policemen attended for how to handle a school "gun fire" situation. All of the departments within the school district went to the old ridge road school and actually had hands on training with simulation rounds of ammo. This experience prompted him to sit down with the Chief of Economy Borough, Mike O'Brien. They discussed putting together an emergency

service unit for our school district. The intent is to have our own local "SWAT" team. He would like to solicit the school district for funding to support this endeavor. Mr. Trzcianka asked if there was a cost estimate at this time. Chief did not have this information. The training that they just attended was free with the exception of the cost for part time officers to cover for the full timers who attended the training. Discussion followed regarding the need for this type of service unit and how it would be run. Chief Christner explained that the unit is trained as a team. He stated that nothing has been brought up to the school district at this time.

Mr. Trzcianka asked if the old police car was put up for bid. Chief Christner stated that he wasn't sure, but would look into it.

President's Report

Mrs. Montell reported that Kimberley Villella has resigned for Council.

Mr. Stuban noted that Mrs. Villella was a hard working councilwoman who brought a lot of good to our community and library.

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to accept the resignation of Mrs. Villella with regrets.

MOTION by Mr. Stuban, second by Mrs. Michaels, carried unanimously to accept a resolution to appoint John Shelkons to fill the vacant position on Council for the remainder of the term.

OLD BUSINESS

Mr. Kotula commented that the emergency special needs cards that were sent out by the 911 Center need to be returned if assistance is needed for evacuation in the event of an emergency.

Mr. Besong mentioned that 50 chairs were purchased for the community room.

MOTION by Mr. Besong, second by Mrs. Michaels, carried unanimously to purchase the balance of the chairs for the community room and donate the old chairs to the fire department.

Mr. Stuban addressed the upcoming storm sewer repair project and stated that as of this time all of the easements have not been received because there is a dispute going on in regards to the size and placement of the drains. In order to prevent the project from continuing Mr. Stuban asked that the engineer be authorized to make changes to the specs, if necessary.

MOTION by Mr. Stuban, second by Mrs. Michaels, to authorize the engineer to make changes to the drainage problem on the alley between Berry Street and Bryan Avenue and eliminate replacing the storm sewer where the existing issue is and installing it in a different location on the alley. Mr. Trzcianka and Mr. Besong opposed.

Mr. Trzcianka expressed his thoughts of regarding taking the property by eminent domain so that the drain issue may be repaired correctly.

ROLL CALL To authorize the engineer to make changes to the drainage problem on the alley between Berry Street and Bryan Avenue

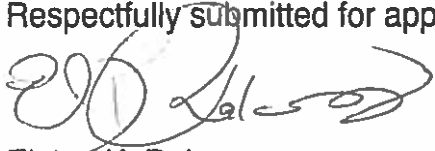
Mr. Besong	Yes
Mr. Kotula	No
Mrs. Michaels	Yes
Mr. Stuban	Yes
Mr. Trzcianka	No
Mrs. Montell	Yes

Four (4) yes Two (2) no motion carried.

ADJOURNMENT

MOTION by Mr. Trzcianka, second by Mr. Stuban, carried unanimously to adjourn the meeting. Meeting adjourned at 7:58 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
November 16, 2015