

**REGULAR SESSION
BADEN BOROUGH COUNCIL
JUNE 21, 2017**

Council President Robert Besong called the Regular Session 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, Mrs. Montell, Mr. Shelkons, Mr. Stuban, Mr. Trzcianka and Mr. Besong

ALSO PRESENT: Attorney James Amato, Engineer Tony Sadaka

ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

AGENDA (Changes and/or Deletions)

VISITORS

Clarence Singleton from 524 Moore Avenue asked council what the ordinance requirements are for putting up a privacy fence. Mrs. Rakovan stated that the Building Inspector reviews and approves the fence permits through a zoning permit. Depending on the location of the property and if roads or driveways are along the property line the height of the fence may go up to 6 feet. The fence may also be placed on the property line.

APPROVAL OF MINUTES

MOTION by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to approve the minutes of May 15th, 17th and 22nd 2017

APPROVAL OF BILLS TO BE PAID

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

RESOLUTIONS – None

ORDINANCES – None

BIDS – None

CORRESPONDENCE

1. Letter from the Veterans Service Center thanking Council for the 2017 budgeted allocation of \$525.
2. Letter from the Ambridge Fireworks Committee asking for friends, neighbors and businesses to make a donation to support this year's Fireworks.

Mrs. Montell asked that \$200 be donated from the Council/Mayor flower fund which is money taken from the members pay checks and not taxpayer's money. Everyone was in agreement.

3. Letters from Amato, Start & Associates regarding

- Search Warrants for Properties Suspected of Code Violation
- Sale of Municipal Real Estate
- Water Connections – Business Properties
- Mercantile Licenses and Taxes

4. Letter from resident Megan Pugh asking for penalty forgiveness on her 2017 borough taxes due to incorrect addressing on her taxes.

MOTION by Mr. Stuban, second by Mr. Trzcianka, carried unanimously to forgive the penalty on the 2017 taxes of Mrs. Pugh due to error in mailing of the bill. This is approximately \$50.

COMMITTEE REPORTS

Administration & Finance (John Shelkons)

- General Fund Ledger Balance \$64,573 - Expenses \$ 125,585
- Water Fund Balance \$253,152 - Expenses \$121,920

MOTION by Mr. Shelkons, second by Mr. Trzcianka carried unanimously to authorize the secretary to purchase a digital camera for CEO not to exceed \$150.

Buildings, Property & Grounds / Public Safety (Ted Kotula)

Library – Mr. Kotula stated that Joe Durbin completed the stone work at the library. Blaire should be starting within the week to put up the railing.

Roofs – Mr. Kotula stated that we will be getting bids for the roof at the Library, Borough Building and Fire Station.

MOTION by Mr. Kotula, second by Mr. Stuban carried unanimously to authorize the engineer to do roof specs for the library, borough building and Fire Department. An alternate bid for a pitched roof was also requested.

Part Time Police – The police committee will be reviewing the part time police applications. They are looking to hire two to three new part time officers. If the committee decides to hire any officers before next month we will ratify the vote at that time.

Old Police Car – The Municibid price for the old police car was \$7,700.

MOTION by Mr. Kotula, second by Mr. Trzcianka carried unanimously to get pricing for motion censored lights and faucets to be placed in the borough building restrooms.

MOTION by Mr. Kotula, second by Mr. Trzcianka carried unanimously to have the solicitor draft a Knox Box Ordinance.

Community Relations (Michael Stuban)

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to authorize the solicitor to review the procedure for the borough to purchase a piece of property that is up for judicial sale.

MOTION by Mr. Stuban, second by Mrs. Montell carried unanimously to authorize the purchase a short term disability policy for the non-uniform employees per their contract at an annual cost of \$3,100.

MOTION by Mr. Stuban, second by Mrs. Montell carried unanimously to do add-ons to the paving project that is being done in conjunction with the Columbia Gas agreement. The streets to add-on are:

- Lincoln Avenue
- Chestnut Street
- Liberty Street
- Milton Avenue
- Jefferson Street
- Market Street

The approximate cost for these streets will be between \$55,000 to \$60,000.

MOTION by Mr. Stuban, second by Mr. Trzcianka carried unanimously to approve the borough's insurance renewal with PIRMA in the amount of \$64,000. This is lower from last year's price by \$4,000.

Public Works (Dave Trzcianka)

Mr. Trzcianka reported that the new street sweeper will be in this week.

Library / Recreation & Communications (Suzie Furr)

Mrs. Furr stated that the library repairs are being taken care of. Council received a copy of the library 2015 audit. The library does keep track of the number of patrons that use the library so if council wishes to know that information Mrs. Furr stated that they just need to ask.

Community Day was successful but attendance was low. Mrs. Furr stated there were less vendors and it was a very hot day. The 50/50 raffle was won by Marie Buck and Donna Michaels won the grill. The financial statement will be available one all bills have been paid. Mrs. Furr thanked everyone for their help.

Sanitation, Recycling & Municipal Authority (Judi Montell)

Mrs. Montell had nothing to report.

Solicitor's Report

Nothing to report

Engineer's Report

Nothing to report

Mayor's Report

Mayor Gagliardi asked council to review the Mercantile License Ordinance where it states that each applicant is required to have a license at the cost of \$5 unless the retailer is a wholesale business. Mrs. Rakovan explained that a service, such as barber is not required to have a mercantile license.

Mayor Gagliardi addressed the aspect of the ordinance regarding warrants and the Code Enforcement Officers right to enter a property. Mr. Amato stated that situations like this that end up at the magistrate normally do not give the Code Enforcement Office a search warrant. Mr. Amato noted at the end of their letter that other avenues should be explored. Mayor Gagliardi felt that the borough code should be looked at regarding this matter and amended if need.

Mayor Gagliardi asked about the Code Enforcement Officer needing a camera to take pictures. He felt that a warrant is needed to take pictures of private property. Mr. Amato explained that anything that is visual in open view does not require a warrant. Conversation took place regarding walking onto the property. Mr. Stuban noted that he

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can walk onto property but not into buildings. Mr. Amato stated once the home owner closes the door to his home the amendment controls the code and police officer or fire chief may not knock down a door without a warrant for probable cause. Mr. Stuban explained that our code does not supersede the state so as the state changes so does the borough's. Mayor stated that his concern is with page 5-2 and he asked that it be looked into and clarified.

President's Report

Mr. Besong thanked everyone who helped with Community Days.

OLD/NEW BUSINESS

None

ADJOURNMENT

MOTION by Mr. Stuban, second by Mr. Kotula, carried unanimously to adjourn the meeting. Meeting adjourned at 7:06 PM.

Respectfully submitted for approval,



Elaine K. Rakovan
Borough Secretary
July 17, 2017