

# REGULAR SESSION BADEN BOROUGH COUNCIL JANUARY 17, 2018

*Monday Council Meeting was cancelled due to lack of quorum.*

Council President Judi Montell 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, Mr. Shelkons, Mrs. Singleton, Mr. Trzcianka, and Mrs. Montell (Not Present: Mr. Besong)

**ALSO PRESENT:** Mayor Samuel Gagliardi, Attorney James Amato, Engineer Tony Sadaka, Street Foreman Mike Josapak

## ACKNOWLEDGEMENT OF OTHER RECORDING DEVICES

### AGENDA (Changes and/or Deletions)

**PROCLAMATION** – Recognition of retired fireman, Frank McCartney

Secretary, Mrs. Rakovan read the proclamation. Mayor Gagliardi presented the proclamation to Mr. McCartney.

## VISITORS

None

## APPROVAL OF MINUTES

**MOTION** by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to approve the minutes of December 18<sup>th</sup>, 20<sup>th</sup> 2017 and January 2<sup>nd</sup>, 2018

## APPROVAL OF BILLS TO BE PAID

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to pay all bills with two signatures.

## RESOLUTIONS - None

## ORDINANCES - None

## BIDS – None

## DEPARTMENT REPORTS

## SECRETARY

### Advertisements Done

- 2018 Meeting Dates

### Street Paving co-project with Columbia Gas

Paid the bill in the amount of \$301,648.66 from Youngblood for work done so far. Received a reimbursement check from Columbia Gas for \$117,952 per our agreement.

**.gov Domain**

UP & Running Computers is setting up the .gov domain to link to our website which is .com.

**Check Scanner**

The scanner is up and running. It has already been used and working very well.

**Budget Year-End 2017**

Everyone has a copy of the unaudited 2017 budget.

**Annual Permit Compliance Report for Calendar Year 2017**

The annual water compliance report for 2017 is due by March 9, 2018. It has been given to Mike Josapak for completion of the information that he needs to supply.

**MS4**

The engineer has informed the borough that the MS4 requirement regarding outfall maintenance needs to be addressed by council.

**State Ethic Forms**

Please fill out the attached Ethics Form and return to the secretary before May 1<sup>st</sup>.

**Drop Off Box**

The water bill drop of box was not opening properly. Found a local company to repair it.

**Year-End 2017 Reports**

Working on...

1. Liquid Fuels report
2. Recycling report
3. Water reports
4. DCED Financial reports

**2017 Audit**

Mark Turnley has put us down a March start date for our audit.

**New Bank Accounts**

Per Council motion, two new accounts have been set up at the bank. They are the Roof Fund and Demolition Fund.

**Emergency Management Coordinator**

Since Tim Firich has moved out of town the borough needs to appoint a new Emergency Management Coordinator.

**Painting of the interior of the Borough**

The painting of the upstairs will start shortly.

**Drop-off box**

Mrs. Rakovan addressed council in regards to placing a drop-off box at the end of the walkway so residents may drive up and drop off their water bill payments.

Mr. Kotula noted that he would look into the pricing for the drop-off box.

**PUBLIC WORKS**

Mr. Josapak stated that they had 4 waterline breaks and were called out 12 times for snow removal.

Mr. Kotula commented that there have been complements on Facebook regarding the great job that the road crew is doing on keeping the borough road cleared of snow.

## POLICE DEPARTMENT

Mr. Kotula noted that during last month's meeting the Police Chief addressed the need for part time police with council. Interviews were done yesterday. Mr. Kotula noted that this was a group of very qualified individuals. There were 7 applicants and the committee chose 4 to be hired as part time police officers. Mr. Kotula made a motion to hire 4 part time officers (Eric Dunmyer, Chris Stitt, Thomas Plunkard, Anthony Bofo).

Mr. Trzcianka spoke up stating that every month we hear from the Chief about how many part time officers we need. We need to hire people for the school. Then we hire and half of them leave. He noted that in 2017 we had 17 part time officers and it is like a revolving door. He stated that he didn't know what to do to fix this but commented that maybe we need to go to a civil service test so then the applicants would have money invested in the testing process and may stick around for a while longer. He is tired of interviewing and hiring people only to turn around and find that they have moved on. It is not fair to the Mayor and officers. He can't understand why officers don't want to work here. Last month we were hiring 6 officers and today we are only hiring 4.

Mr. Kotula commented that the part time officers are leaving because they are finding better jobs with more hours and pay. Mr. Trzcianka stated that he understood that, however they (the part time officers) have nothing invested in this. Mr. Kotula asked why would they when their investment is to get a job and experience that they went to school for. Mr. Trzcianka commented about the value of the uniforms that were tossed out a few months ago. Mr. Kotula commented that this is going on in all communities. We are not hiring a bunch of full time officers, but what we can handle and afford without bankrupting our community. Since we can't commit to a fourth full time officer at this time for the 12 hour rotation then this is what we are dealing with. Mr. Trzcianka asked why we went from hiring 6 to 4 part time officers. Mr. Shelkons stated that there was a change because the one officer did not leave who was working at the school. Mr. Trzcianka commented that this is good for this week but next week someone else offers him more hours and he's out of here and on to the next one. Mr. Shelkons asked Mr. Trzcianka if Civil Service would make part time officers stay. Mr. Trzcianka stated that he feels they would because they would have to pay for the application and the test and be devoted to the job or not. Mr. Shelkons stated that we are making part time officers reimburse the borough for uniform and vesting expenses if they leave within one year of being hired. Only one officer has left since we started this policy last year. Mr. Trzcianka just noted that he was voicing his opinion and we go through this every month with part time police.

Mr. Kolakowski asked to speak. He stated that he was one of the officers that was not hired. He does not want to be anywhere where he is not wanted. He stated that he has every certification in the state. Noting his respect for John (Shelkons) and Ted (Kotula), he knew back in November exactly who was going to be hired. He also noted that Michael Stuban and Dave Trzcianka knew back in November who they were going to hire. Mr. Kolakowski stated that the (Police) Chief told him who they were going to hire, there would be no one over the age of 50 hired. Mr. Kolakowski stated that all the people over the age of 50 were excluded or they withdrew their application. Mr. Kotula stated that this was not part of what they talked about. Mr. Kolakowski stated that you guys (council) was given misinformation or misleading information and he (Mr. Kolakowski) already knew along with other members of council and the audience knew who was going to be hired and coincidentally those are the same names that were hired. Mr. Kolakowski stated that he isn't saying that (Mr. Kotula) or John (Shelkons) had anything to do with this but he wanted to confront Mr. Besong because Mr. Besong was one of the one who told him (Mr. Kolakowski) because Mr. Besong was so adamant about being on the police committee. Mr. Kolakowski stated that Mr. Besong and the Police Chief not being here tonight is not coincidental because they knew that Mr. Kolakowski was going to be at meeting and will be calling them out. Mr. Kolakowski stated that it's about integrity. He lives right there (pointing toward the window). He continued to note that he is in this community, he is invested in this community, he does everything. Mr. Kolakowski said that he came out here and asked why can't I work a couple nights a week, risk my life for the community, which I do every day for sixteen bucks an hour. Mr. Kolakowski stated that he was at last month's meeting and the chief came on the Monday meeting and told everyone that we needed six officers. Now the Chief didn't show up for Wednesday's meeting and now all of a sudden we are down to

four. Mr. Kolakowski said that with what is going on and with what Dave (Trzcianka) is saying they (police department) have tremendous turnover. He stated that you got 30 guys, qualified applicants including himself and only one was from Baden. He further went on to say it's about being involved in the community, it's about caring and he referenced Dave's (Trzcianka) comment about having a vested interest in the community. He asked how many people of the four hired live in this community (Baden)? Mr. Kolakowski stated one and the other three don't, so you have to train them on the roads, how to do the computer system and the one that does live in this community is a super nice young man but is deploying oversees so you (Baden) already lost the 4<sup>th</sup> guy at the gate. He asked if he is right or wrong and again noted that Mr. Dunmyer is deploying oversees so he won't be on the schedule for over a year and won't be available. Mr. Kolakowski asked why all the qualified people weren't hired.

Mr. Kotula stated that everyone involved in the interview process in the room were aware of the applicants situation. Mr. Kolakowski stated that only 3 people were hired. Mr. Kolakowski stated that he works here (in Baden) every day and he sees what goes on in this town and he knew in November before he was an applicant because he was asked to apply just to make a point and he made the point. The point was made for him because the four names that you guys (council) were led to and channeled into believing are the four that were told to all of us in November.

Mr. Kotula stated that he completely, 100% disagrees with Mr. Kolakowski's comments. Mr. Kolakowski stated that he (Mr. Kotula) can disagree, but he, Mr. Trzcianka and Mr. Stuban all knew in advance who was going to be hired and it's not a coincident. Mr. Stuban asked to speak up stating that he never knew the names or the interviews until he was told about it this week. Mr. Stuban told Mr. Kolakowski to don't say Mr. Stuban because that is wrong. Mr. Kolakowski stated to Mr. Stuban that he was a part of the board last month and he knew what was going on. President Montell put down the gavel. Mr. Kolakowski stated that he said what he needed to say and that Mr. Trzcianka is right and Mr. Stuban is the guy that people respected because he was neutral and wishes that all of council had the chance to review the applications and be a part of the interview process and see the entire process. Mr. Kolakowski stated that you guys (council) are making decisions and he respects Teddy (Mr. Kotula) a lot and he respects John (Shelkons) but there is more to this picture and this comes from the Police Officers and Police Chief.

Mrs. Montell stated that the motion is on the floor and we have to hire, are we doing it tonight and is there a second to the motion. Mr. Shelkons seconded the motion.

**ROLL CALL** (to hire 4 part time officers (Eric Dunmyer, Chris Stitt, Thomas Plunkard, Anthony Bofa)

Furr	No
Kotula	Yes
Singleton	No
Shelkons	Yes
Trzcianka	No
Montell	Yes

Tie vote of three (3) yes and three (3) no. The mayor was asked to break the tie vote.

Mayor Gagliardi voted no. Motion failed. Mayor Gagliardi stated that in light of what was discussed tonight it would be prudent that we go back and review the applicants and what has transpired tonight and come back next month and make a decision.

Mr. Kotula asked to go on record for one more thing. Of all the applicants whose names were not on the list nobody showed up at his house except for one. No one called my house more than once, maybe 5 or 6 times except for the same one.

Mr. Kolakowski stated that he came to his (Mr. Kotula's) house because nobody could reach him and he wasn't answering his phone. Mr. Kotula stated that everyone else on this board was called as well as the Police Chief and other officers.

Mayor Gagliardi stated that he agreed with Mr. Trzcianka in that we have gone through tons of part timers over the years. He asked about hiring a full time officer and he felt this would be a solution. He also asked that council consider looking into hiring a full time officer as he felt it would be a step in the right direction.

### **Fire Department**

Chief Baker stated that council had a copy of his report. He stated that the department is looking into billing some of the insurance companies to recover some of the fire departments cost. He knows that there is an ordinance in place but it may not be what we need. He asked for authorization to work with the solicitor regarding this matter.

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to authorize the Fire Chief to work with the solicitor regarding billing of insurance companies to recover costs for fire calls.

### **CORRESPONDENCE**

1. December 21<sup>st</sup> letter from Amato, Start & Associates regarding the sale of Municipal Property.

**MOTION** by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to advertise the sale of the old wooden map files with a minimum bid of \$1,500.

2. December 15<sup>th</sup> letter from Widmer Engineers with attached information regarding the National Pollutant Discharge Elimination System for the MS4 and a list of Outfalls that require Extensive Maintenance.
3. Letter from Kimberly Villella, President of the Ambridge Regional Chamber of Commerce with membership information for 2018. The cost for membership is \$100. The secretary was going to get more information on the Ambridge Regional Chamber of Commerce versus the Ambridge Chamber of Commerce.

### **CEO**

Mr. Weber stated that there were a lot of complaints about people not clearing their sidewalks. He wished that something could be put in the paper telling people to have the decency to clear their sidewalks for walkers. Mr. Weber asked on behalf of the building inspector if council would attend the hearing at the Ambridge Magistrate, on January 30<sup>th</sup> at 10:00 AM. Mr. Weber also addressed Harvey parking vehicles all over the borough property again. Mrs. Montell told Mr. Weber to go speak with Harvey about moving them again. Mayor Gagliardi commented that this has been going on for a long time. He recommended having one of the committees meet with Harvey with the possibility of leasing that property to him. Mrs. Montell stated that this was a good suggestion but also noted that discussion has taken place by council regarding selling properties within the borough that we do not utilize. Mr. Shelkons commented that a time frame should be given to Harvey to clean it up. Mr. Trzcianka noted that the state is putting pressure on Harvey to clean up his property and in the spring PennDot will be putting a curb up along Route 65. Mrs. Montell agreed that selling or leasing the property should be looked into.

### **COMMITTEE REPORTS**

#### **Administration & Finance (John Shelkons)**

- General Fund Ledger Balance \$3,293
  - Water Fund Ledger Balance \$14,404
- Billing Expenses \$527,452  
Billing Expenses \$17,260

**MOTION** by Mr. Shelkons, second by Mr. Trzcianka carried unanimously to appoint Alex Gloor from WesBanco as the Borough's Treasurer for 2018.

**Public Safety (Ted Kotula)**

Mr. Kotula had nothing to report at this time.

**Building Property & Grounds (Ted Kotula)**

Mr. Kotula had nothing to report.

Mrs. Montell noted that we are waiting on the weather for the railing repair at the library.

**Public Works & Sanitation (Dave Trzcianka)**

Mr. Trzcianka stated that information that was supplied to council regarding backflow preventers not being needed. He said the engineer can elaborate on this but basically it is not necessary to have every resident put a backflow preventer on their waterline because the borough will be putting one in at our intakes from Ambridge Water Authority. The cost to the residents would be between \$500 and \$1,000 if backflow preventers were required at each home.

Mr. Trzcianka addressed the CDBG projects. Last month we authorized repaving West State Street from Anderson's Candy down to the borough line, Tevebaugh Road and tearing down the house on Jefferson Street. Mr. Sadaka noted that the tear down is not permitted under CDBG. It would fall under other funding. Mr. Trzcianka stated that if we can't do the tear down then lets add North Avenue because it is in deplorable condition.

**MOTION** by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to apply for CDBG funding for paving West State Street from Anderson's Candy down to the borough line, Tevebaugh Road and North Avenue.

Mrs. Montell asked if there was an update regarding garbage service. Mr. Trzcianka commented that the secretary had a meeting with Waste Management earlier that day informing them that we are disgruntled with their service and noting that if things don't get better and if they are the low bidder during our next contract they may not get it. Mrs. Rakovan explained that Waste Management agreed that there was a communication issue. Mrs. Rakovan explained that she called the Ambridge office early Saturday morning to ask when the trash was going to be picked up. She was told most likely Sunday. Mrs. Rakovan stated that she would tell the residents Sunday or Tuesday at the latest because Monday was holiday. The gentleman that she spoke to told her that would be correct. This did not happen; trash was picked up on Thursday. Mrs. Rakovan called the manager and asked for an explanation for the delay. Baden is one of the few municipalities that Waste Management does not direct bill so the manager, not knowing this thought that all the residents of Baden received a phone call regarding the delay in garbage service. The manager told Mrs. Rakovan that all of Beaver County and Allegheny County who was serviced by Waste Management was affected. Mrs. Rakovan told them that with the size of Waste Management you would think that they would go to the media and ask that this information be shared. In the end Waste Management asked that they meet with council and the secretary again in March to follow up on our garbage service.

Mr. Trzcianka reported that Public Works has been out on multiple water breaks and we are still losing water and we are continuing to look and listen for another break. He stated that council has discussed a few time about purchasing a correlator that helps to pinpoint where a break may be. An estimated cost for a correlator is \$31,535. Mr. Trzcianka stated that there is \$113,000 in the equipment fund and he feels this is something council should look at purchasing. Right now all 4 guys are pulling their hair out looking to a break. He additionally noted that back in 2012 the cost for the same piece of equipment was \$23,000.

Mr. Trzcianka addressed the resident on Fourth Street that has been calling council members regarding the road in front of his house. He asked Mr. Josapak to dig out some of the muck in the hole and fill it with gravel until it can be properly repaired in the spring.

Mr. Trzcianka asked the engineer to elaborate on what needs to be done with the outfalls for the MS4. Mr. Sadaka explained that each outfall needs to be visually inspected. Many of these outfalls are going through the railroad property. The railroad is requiring extensive insurance and training prior to stepping onto their property. The cost for that alone is over \$5,000. He stated that this can be discussed in more detail later and we need to get further confirmation from the railroad.

**Library (Suzie Furr)**

Mrs. Furr informed Council that Justin Hostutler resigned from the library board. They are still looking for a new librarian. Mr. Shelkons stated that they would like to put Rachel Kleemok on the board.

**MOTION** by Mrs. Furr second by Mr. Shelkons, carried unanimously to accept the resignation of Justin Hostutler.

**MOTION** by Mr. Shelkons second by Mrs. Furr, carried unanimously to appoint Rachel Kleemok to the library board.

**Community Relations & Recreation (Dawn Singleton)**

Mrs. Singleton had nothing to report at this time.

**Administration & Legislation (Bob Besong)**

Not Present.

**Solicitor's Report**

Nothing to report

**Engineer's Report**

**Paving Project** – Contractor, Youngblood Paving will have to finish paving in the spring of 2018.

**Library Roof** - All work is complete.

**Generator – Prospect Street Booster Station** - Still waiting for Duquesne Light to disconnect the un-needed power service on the building. The inspection report is being re-sent to them as it appears that it was lost in the Duquesne Light system. Once this is done, the contractor will come back and complete demolition for the project and we can close the project out.

**MS4 Stormwater Management** - A large portion of the Borough's outfalls have been inspected using the process outlined in the Illicit Discharge Detection & Elimination Program (IDD&E) documentation. They have identified outfalls that are buried or otherwise inaccessible for inspection and sent the list to the Borough. They can proceed if the Borough is able to uncover and/or assist us in locating these outfalls. They have also identified 19 outfalls that are located below SR 65 and are only accessible by entering Norfolk Southern's property or right of way. These outfalls have not been inspected or surveyed for inclusion on our MS4 storm sewer system map.

**CDBG FY 2018 Grant Application** - The CDBG grant application is due March 29, 2018. The Borough may select up to three projects for submission.

**DCED Small Water and Sewer Grant Application** - Working with Borough Staff to prepare application which is due February 28, 2018.

**Mayor's Report**

Mayor Gagliardi thanked the Baden Volunteer Fire Department doing an outstanding job over the years.

**President's Report**

Nothing to report

**OLD/NEW BUSINESS**

- Board Openings

**Municipal Authority – Five year term**

**MOTION** by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to reappoint Chris Vilella to the Municipal Authority Board.

**Zoning Hear Board – 1 three-year term, 1 two-year term and 1 one-year term**

**MOTION** by Mr. Trzcianka, second by Mr. Shelkons, carried unanimously to move Karl Shaginaw to the two year term on the Zoning Hearing Board.

**MOTION** by Mr. Trzcianka, second by Mr. Shelkons, carried unanimously to reappoint John A. Dodaro to the three-year term on Zoning Hearing Board.

No appointee for 1 year term. Need to advertise.

**Civil Service Commission – Six year term**

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to reappoint Justin Woytovich to the Civil Service Commission.

**Planning Board – Five year term**

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to reappoint Dave Kolar to the Planning Board. Mr. Kotula abstained from the vote as the appointee is a relative.

**Vacancy Board – Two year term**

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to reappoint Dave Kolar to the Vacancy Board. Mr. Kotula abstained from the vote as the appointee is a relative.

**Education Service Agency - Three year term**

No appointee at this time. Need to advertise.

**Baden Parks and Recreation - 2 Five-year terms**

**MOTION** by Mr. Kotula, second by Mrs. Singleton, carried unanimously to reappoint Lesabeth Trzcianka to the Parks and Recreation Board. Mr. Trzcianka abstained from the vote as the appointee is his wife.

**MOTION** by Mr. Trzcianka, second by Mr. Kotula, carried unanimously to appoint Butch Singleton to the Parks and Recreation Board. Mrs. Singleton abstained from the vote as the appointee is her husband.

**Beaver County COG Representatives – need one delegate and one alternate**

Council will wait until next month to appoint these positions



**PSAB Voting Delegates** – need one delegate and one alternate

**MOTION** by Mr. Trzcianka, second by Mrs. Singleton, carried unanimously to appoint Ted Kotula as the alternate voting delegate for the PSAB.

**MOTION** by Mrs. Furr, second by Mr. Kotula, carried unanimously to appoint Dave Trzcianka voting delegate for the PSAB.

**ADJOURNMENT**

**MOTION** by Mr. Trzcianka, second by Mrs. Furr, carried unanimously to adjourn the meeting. Meeting adjourned at 7:27 PM.

Respectfully submitted for approval,



Elaine K. Rakovan  
Borough Secretary  
February 19, 2018