

# **REGULAR MEETING BADEN BOROUGH COUNCIL MAY 18, 2022**

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, Mr. Jones, Mr. Miller, Mr. Shelkons, Mrs. Singleton, Mr. Stuban and Mr. Trzcianka

## **NOT PRESENT:**

**ALSO PRESENT:** Mayor Judi Montell, Fire Chief & CEO Dennis Baker, and Officer Derek Shipley, Engineer Tony Sadaka

## **AGENDA (Changes and/or Deletions)**

## **VISITORS**

- Mr. Creese from 343 Wayne Street addressed council in regards to a camper and van that is parked in the bowling alley parking lot. It appears that someone is living there. Officer Shipley stated that he would look into this matter.

## **MINUTES**

**MOTION** by Mr. Stuban, second by Mrs. Singleton, carried unanimously to approve the minutes of April 18<sup>th</sup> & 20<sup>th</sup> 2022 .

## **BILLS TO BE PAID**

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

## **BIDS – None**

## **RESOLUTIONS – None**

## **ORDINANCE – None**

## **CORRESPONDENCE**

1. Letter from Beaver Valley Lodge #4 addressing the removal of the tint from the police vehicle windows.

Mr. Stuban commented that removing the tint from the police vehicles was a management right under the police contract. Mrs. Montell stated that she never really paid attention to the tint on the windows and she does understand that this was councils wish a few months ago, however she felt that this directive should have come from her as the mayor. She also felt that there was a breakdown in the chain of command. She was not aware of the police being unhappy with this until the letter was received. She also noted that the police chief was totally unaware of the letter being sent. The officer should have spoken to her as mayor and she felt very disrespected. Mrs. Montell noted that having the tint removed from the marked vehicles is fine, however she doesn't want it removed from the unmarked

vehicle. Further discussion followed regarding, being able to see the police officers, legality of having tinted windows on police vehicles and the importance of removing the tint, cost and management rights.

Mr. Stuban made the motion to send a letter on Friday to the union telling them that we disagree with them and the tint is being removed. The appointment is already scheduled. There was no second on the motion. Mayor Montell stated that until this is settled we should leave the tint on the vehicles. Mr. Miller stated that the letter needs to be addressed because otherwise there is potential for an unfair labor practice. Mr. Trzcianka addressed the need to stand up to for our management rights. The original motion was made under the confirmation from Chief Christner stating that he truly does not like the tint and he has no problem with it being removed. Officer Shipley spoke up that during the December meeting when council was going over the directives it was agreed that all future vehicles would not have tint. There was no mention of removing it from the currently owned vehicles. It has been on for five years; it is something the officers are accustomed to. Officer Shipley noted that it was a change in working conditions. After further discussion Mrs. Rakovan asked how she should respond to the letter.

**MOTION** by Mr. Bosh, second by Mr. Miller to cancel the appointment to have the tint removed from the police cars. Mr. Stuban voted no.

Mr. Shelkons asked if this was an equipment issue or a safety issue. More discussion took place.

**ROLL CALL** to cancel the appointment to remove the tint from the police vehicles

Mr. Bosh	Yes
Mr. Jones	Yes
Mr. Miller	Yes
Mr. Shelkons	Yes
Mrs. Singleton	No
Mr. Stuban	No
Mr. Trzcianka	No

Five (5) yes, Three (3) no, motion carried to cancel the removal of the tint on the police vehicles.

Mrs. Rakovan was asked to send a letter to the FOP contact asking to set up a meeting to discuss this matter.

## **COMMITTEE REPORTS**

### **Finance (John Shelkons)**

- General Fund Account Balance \$317,222 Expenses \$117,487
- Water Fund Account Balance \$237,001 Expenses \$167,650

### **Public Works, Sanitation & Municipal Authority (John Jones)**

#### **Summer Help**

**MOTION** by Mr. Jones, second by Mr. Stuban, carried unanimously to hire Joe Patterson and John Echement as summer help at a rate of \$15/hour.

- **Concrete Cutter and Ductile Saw** - tabled

### **Technology, Social Media, Library & Community Relations (Joe Bosh)**

Mr. Bosh noted that the budget and newsletter have been posted to the website.

**Administration & Legislation (Doug Miller)**

**Stormwater Management Ordinance**

**Motion by** Mr. Miller, second by Mr. Stuban, carried unanimously to authorize the solicitor to review and the manager to advertise the Stormwater Management Ordinance for adoption.

**2018 Property Maintenance Code**

**Motion by** Mr. Miller, second by Mr. Stuban, carried unanimously to have the solicitor review and borough advertise the 2018 Property Maintenance Code for adoption.

**Subdivision and Land Development Ordinance**

**Motion by** Mr. Miller, second by Mr. Stuban, carried unanimously to have the solicitor review and manager advertise the Subdivision and Land Development Ordinance.

**General Government, Building Property/Grounds, Parks & Rec (Dawn Singleton)**

**Air Conditioner and Exhaust Fan**

**Motion by** Mrs. Singleton, second by Mr. Stuban, carried unanimously to replace the air conditioner on the roof at a cost of \$11,480.

**Light fixture replacement/repair in borough building**

**Motion by** Mrs. Singleton, second by Mr. Jones, carried unanimously to repair the lights in the borough building with LED lights.

**Memorial Day Parade Canceled**

Mrs. Singleton stated that the parade is canceled but there will be a service at the memorial starting at 11:00.

**Public Safety (Michael Stuban)**

**Fire Department Radio Grant Match**

**Motion by** Mr. Stuban, second by Mrs. Singleton, carried unanimously pay the \$1,000 match for the fire department radio grant from the county.

**SOLICITOR'S REPORT**

Nothing to Report

**ENGINEER'S REPORT**

1. **USDA - Water System Improvements** - WEI is working to complete the final plans and specifications for the project.
2. **State Street Waterline Replacement (North to Virginia)** - WEI will prepare plans and specifications for the project so that we can bid concurrently with the USDA project.
3. **Fire Department Roof** - Contractor waiting on material delivery.
4. **Zoning Map Update** - A draft zoning map has been prepared for review by the Borough.

5. **Storm Inlet Replacements - ARPA Grant** - We are waiting for the inlets to be cleaned before we send out the survey crew so that more complete data can be gathered about the inlets.
6. **Ordinance Update for Stormwater Management and Subdivision and Land Development** - WEI has provided draft ordinances for Stormwater Management and Subdivision and Land Development to the Borough Manager for review by the Borough.
7. **EPA Lead/Copper Rule Updates** - EPA is now requiring water system owners to make an inventory of all service lines with identification of all service line materials by October 16, 2024. The inventory will need to be made available to the public at a future date. Lines that are of un-known material must be assumed to be lead until proven otherwise. The Borough will have to develop a lead service line replacement plan. Lead and copper sampling requirements are also being updated. The Borough will be required to make a list of all schools and child care facilities and sample them all. Notification requirements will expand.
8. **Baden Library** - Contractor to perform concrete repair.

### **Paving of waterline streets**

**MOTION** by Mr. Stuban, second by Mrs. Singleton, carried unanimously to pave Collins, North, Franklin and part of Fourth at a cost of \$377,000.

### **MAYOR'S REPORT**

Mayor Montell commented that she got a phone call from a resident on Fourth Street who stated that a neighbor falsely wrote on Facebook that her home was burglarized.

Mrs. Montell asked that if anyone has questions or issues regarding the police department to please call her.

### **PRESIDENTS REPORT**

Nothing to report

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

Mr. Shelkons stated a DeMailo's name has been added to the Memorial at the library.

### **ADJOURNMENT**

**MOTION** by Mr. Stuban, second by Mrs. Singleton, carried unanimously to adjourn the meeting at 6:31PM.

Respectfully submitted for approval,

Borough Manager, Elaine K. Rakovan  
June 15, 2022