

# MINUTES TO REGULAR MEETING OF MAY 19, 2020

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The Regular Meeting of the Borough of Baldwin Council was called to order by President Marianne Conley at 7:30 p.m. on Tuesday, May 19, 2020

*As a result of the current COVID-19 pandemic, Council was available via remote or in-person. Also, "attendees" from the public were able to access via video conference or telephone conference.*

The invocation was done by Mr. Hurka and the following Council and staff answered to roll call:

Mrs. Patty Boyer  
Mr. Chad Hurka  
Mrs. Denise Maiden- *via remote video*  
Mr. Francis Scott- *via remote video*  
Mr. James Behers  
Mr. John Egger - Vice-President- *via remote video*  
Mrs. Marianne Conley - President  
Mr. David Depretis - Mayor  
Mr. Jason Stanton – Engineer - *via remote video*  
Mrs. Ashley Wagner - Solicitor- *via remote video*  
Mrs. Diana Behers – Treasurer (absent)  
Mr. Robert Firek - Borough Manager  
Chief Tony Cortazzo

## APPROVAL OF MEETING MINUTES

Mrs. Conley asked for the following approval of Council Meeting Minutes:

**M-1** *Mr. Egger made a motion to approve the Agenda Meeting Minutes of April 14, 2020; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or comments on these motions.

Mrs. Maiden asked if the meeting minutes could be made available online within 48 hours to be in compliance with the new Act 14 passed recently in response to the COVID-19 pandemic. Mr. Firek explained this is only a requirement of a special meeting for COVID only related information. Mrs. Wagner acknowledged this was correct and it is standard practice to approve the minutes from the previous meeting at the following meeting before posting online.

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**AUDIENCE AGENDA:** Agenda Items Only: 5 MINUTES PER SPEAKER OR GROUP  
Mrs. Conley asked the audience if they would like to address Council on anything that is on the Agenda. Please come forward and state your name and address for the record.

There were no questions.

## ENGINEER'S REPORT

Mr. Stanton noted that his Monthly Engineers report submitted to Council that summarized their activity for the month. He asked Council for the following motions for consideration:

**M-2** *Mr. Egger made a Motion to Award Contract No. 20-R01, 2020 Roadway and Storm Sewer Improvements (General Funds), Base Bid to A. Liberoni, Inc. in the amount of \$665,159.60; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked

**M-3** *Mr. Egger made a motion to Reject all Bids for Contract No. 20-R02, 2020 Roadway and Storm Sewer Improvements (Liquid Fuels).; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked

Mrs. Conley asked if anyone had any questions for the Engineer. None were asked.

## SOLICITOR'S REPORT

Mrs. Wagner provided her report to Council at the last meeting and had one item to discuss. She was asked to review the Internal Revenue Code (IRC) Form for Option Independent Fire Company regarding securing a loan for a new Fire Truck and explained no negative implications would be on the Borough. The reason the Borough needs to approve is it is to turn the loan into a qualified bond allowing the loan to be tax exempt. Mr. Firek said he will discuss this with the Chief of Option Fire. Chief Jim Barbour was in on the meeting via phone and said the loan was done through a Federal Credit Union who is tax exempt and this would not be an issue for them thus no need for a qualified loan therefore negating the need for the Borough to approve.

Mrs. Conley asked if anyone had any questions for the Solicitor.

Mr. Egger asked Mrs. Wagner if she looked into the Quality of Life Ordinance that Monaca and Peters Township have adopted? She stated she has reviewed these both and is in the

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process of creating a reference guide showing the differences between the ordinances and will present this to Council at the next meeting.

Mr. Egger also asked Mrs. Wagner how a Fire Tax is established in a municipality similar to ours. She explained it's a complicated process and depending on the amount of the tax you apply for and whether a referendum or ordinance are required. She would like to do more research, but if the tax is 3 mils or less it could be done by ordinance and more than 3 mils it must be done by referendum.

Chief Cortazzo told Mrs. Wagner they have begun receiving requests for solicitation permits and want to know the legalities of the process during the current stay at home orders we are under by the State. Mrs. Wagner explained what the requirements and guidelines must be and that telework must continue where possible in the yellow phase. However, going door to door does not allow the 6ft of social distancing. The Chief clarified what the solicitor was stating and said based on her explanation he will not accept applications until PA has reached the green phase.

## MAYOR'S REPORT

The Mayor provided information from the Police Monthly Activity Report for April 2020:

- Report of calls were 472
- Calls given to police from 911 were 547
- Fees collected in April were \$1,715.40

Memorial Day Ceremony at the Borough Building is cancelled. This will be posted on the website.

Mrs. Conley asked if anyone had any questions for the Mayor or the Chief. None were asked.

## ADMINISTRATION

Mr. Firek reviewed his monthly report with Council at the last meeting. He has nothing additional from his report provided to Council and asked for the following motions for Council's consideration:

- M- 4** *Mr. Egger made the Motion to Adopt **Resolution No. 2020-05-10** for the Borough of Baldwin Approving a Capital Lease from Huntington Public Capital Corporation for the Purchase of One (1) Police Vehicle in the Amount of \$42,281.00; second by Mr. Behers. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked.

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**M-5** *Mr. Scott made a Motion to Adopt **Resolution No. 2020-05-11** for the Borough of Baldwin Authorizing the Extension of the Face Payment Date for the 2020 Real Estate Taxes to November 30, 2020; second by Mrs. Maiden. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked.

**M-6** *Mrs. Boyer made a Motion to Authorize an Amendment to the Borough's SHACOG Salt Contract Agreement between Baldwin Borough and Cargill, Inc. for Storage of the Borough's Unpurchased Salt Minimum Requirement until December 31, 2020 at the Delivered Price of \$81.26 per Ton; second by Mr. Egger. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions for Mr. Firek. None were asked.

### FINANCE

Mr. Hurka said the Monthly Revenue and Expenditure reports were reviewed with Council the previous week. He has nothing additional to add to the report and asked Council to consider the following motions:

**M-7** *Mr. Hurka made a motion to accept the Treasurer's Report for April 2020; second by Mr. Scott. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked.

**M-8** *Mr. Hurka made a Motion to Ratify Bills in the Amount of \$513,532.23 and approve bills in the amount of \$258,920.86 for a total of \$772,453.09; second by Mr. Scott. Upon vote, motion passed.*

Mrs. Conley asked if there were any questions or discussion. None were asked.

### PUBLIC WORKS

Mrs. Boyer gave her report at the last meeting of the current activities for Public Works listed on the monthly report provided to Council last week.

Mrs. Conley asked if there were any questions for Mrs. Boyer. None were asked.

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## **PARKS AND RECREATION**

Mrs. Maiden stated there was nothing listed for the Blanket List for May for approval.

Mrs. Conley asked if there were any questions for Mrs. Maiden. None were asked. There were a few questions about the opening of the park pavilion for Mr. Firek and he explained how those permits that were previously approved and have been refunded.

## **ZONING & PLANNING**

Mr. Egger provided the following updates to Council:

Neither Planning Commission nor the Zoning Hearing Board had a meeting.

Mr. Egger explained the Zoning Hearing Board do not have a solicitor presently. They have put out a Request for Proposals (RFP) with three companies responding. Mr. Firek explained he is waiting for Brian Meador of the Zoning Hearing Board, to move forward in this process.

Mr. Egger provided the following Monthly Inspection Report to Council:

Occupancy Permits issued for April: 17  
Occupancy Permit Fees for April: \$1,500.00  
Other Permits issued for April: 16  
Other Fees for April: \$1,244.00  
Total Fees for April: \$2,744.00

Mrs. Conley asked if there were any questions for Mr. Egger. None were asked.

## **PUBLIC SAFETY**

Mr. Behers read the following Activity Reports for BEMS and Volunteer Fire Departments for April 2020 with incidents and average response times:

- BEMS had 202 calls with an average response time of 6.8 minutes
- OPTION Fire had 24 incidents with an average response time of 6.4 minutes
- SBVFC had 14 incidents and an average response time of 8 minutes
- Baldwin #105 had 28 incidents with an average response time of 5.36 minutes

Mrs. Conley asked if anyone has any questions for Mr. Behers.

## **PERSONNEL**

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Mr. Scott did not have anything formal to report with the exception of two additional items:

- Zoning Hearing Board (ZHB) solicitor vacancy-discussed earlier in the meeting
- Boards and Commission vacant positions - these are on hold for now  
Mr. Egger asked about the alternate on the ZHB and Mr. Firek explained they discussed this at the March meeting to unanimously move the alternate to the permanent position and fill the alternate accordingly.

## NEW BUSINESS

Mrs. Maiden stated that there was an incident where someone defaced some political signs in our Borough. The police acted swiftly and would like to commend them on their quick response. She would like to place on the record that these actions would not be tolerated in our Borough.

Mrs. Conley would like to encourage everyone during this yellow phase and eventually the green phase, to keep the small businesses in mind and to support them as they have struggled during this time.

Mrs. Boyer would like to thank all Public Safety for their hard work during the COVID-19 Pandemic.

Mrs. Conley asked if anyone had any additional new business. There were none.

## **AUDIENCE AGENDA – Any issue pertaining to Borough Business: 5 MINUTES PER SPEAKER OR GROUP**

There were no questions.

**M-9** *Mr. Hurka made the motion to adjourn; second by Mr. Egger. Upon vote, motion passed.*

Respectively submitted,

BOROUGH OF BALDWIN

Robert T. Firek  
Borough Manager