



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: July 30, 2012

REQUEST SUBMITTED BY: ☒ E-MAIL ☐ U.S. MAIL ☐ FAX ☐ IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Baldwin Borough Police
3344 Churchview Avenue, Pittsburgh, PA 15227

NAME OF REQUESTER: Sara Rose

STREET ADDRESS: 313 Atwood Street

CITY/STATE/COUNTY/ZIP(Required): Pittsburgh, PA, Allegheny 15213

TELEPHONE (Optional): 412-681-7864 EMAIL (optional): srose@aclupa.org

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Please see attached.

DO YOU WANT COPIES? (YES) or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

RIGHT TO KNOW OFFICER: John M. Barrett

DATE RECEIVED BY THE AGENCY: 7-30-12

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE: 8-6-12

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

Records Requested

This request seeks records regarding automatic license plate readers (ALPR). ALPRs are also sometimes referred to as Automatic Vehicle Identification, Car Plate Recognition or License Plate Recognition equipment and/or software; this records request uses ALPR in reference to any of this technology.

Please provide copies of the following records created from January 1, 2006 to the present:

1. All records regarding your policies, practices and procedures for procuring and using ALPR technology, and for storing, accessing and sharing data obtained through ALPR technology;
2. All records regarding the procurement of ALPR technology, including
 - a. sources of funds used to pay for ALPR technology;
 - b. invoices for the purchase of ALPR technology;
 - c. information regarding the borrowing or leasing of ALPR technology;
 - d. information regarding any pilot program involving ALPR;
 - e. local government approval for the use of purchase of ALPR technology;
 - f. interactions with vendors, suppliers and potential suppliers of ALPR technology, including materials and fact sheets supplied by vendors describing their products;
3. All records regarding the use of ALPR technology, including
 - a. what types of data are obtained;
 - b. the number of license plates scanned and/or read in a given time period (day, month, year, etc.);
 - c. the number of ALPR units or systems acquired, borrowed, or leased;
 - d. the number of vehicles equipped with ALPR technology;
 - e. for stationary deployments, the number and physical location of ALPR units;
 - f. the technical capabilities of the ALPR units;
4. All records regarding the storage of data obtained using ALPR technology, including
 - a. what types of data are stored for any period longer than an hour;
 - b. how long data is stored;
 - c. when and how data must be discarded;
 - d. how many individual license plate scan records your agency currently stores;
5. All records regarding access to ALPR data, including
 - a. the legal justification required before an individual accesses ALPR data;
 - b. purposes for which the data may be accessed;
 - c. purposes for which the data may *not* be accessed;
 - d. who may access the data, what procedures they must go through to obtain access, and who must authorize access;
 - e. the existence or non-existence of a system that records who accesses the data and when the data is accessed;

6. All records regarding the sharing of data obtained through ALPR technology, including
 - a. what type of data is shared;
 - b. which databases your agency puts collected ALPR data into;
 - c. third parties, governmental or private, that may access your agency's ALPR data, including what procedures third parties must go through in order to access the data and any restrictions placed on third parties regarding further sharing of your ALPR data;
 - d. any agreements to share ALPR data with outside agencies, corporations or other entities;
7. All records regarding obtaining ALPR data from third parties, including which databases your agency can access;
8. All training materials used to instruct members of your agency in ALPR deployment, data management, or operation of automated records systems that contain ALPR data to which any member of your agency has access, including regional or shared ALPR databases.

Response to Records Requested Inquiry

The identification of stolen vehicles, stolen license plates and any other information such as wanted or missing persons that is contained in the PA Motor Vehicle (NCIC) System is the primary focus of the ALPR Program. ALPR technology uses specialized cameras and computers to quickly capture large numbers of license plates, photographs and compares them to the hot list. The system (ELSAG) can identify a target plate within seconds of contact with it, allowing law enforcement officers to identify vehicles that may be otherwise overlooked. The ELSAG System is designed to allow Officers to patrol at normal speeds while the system reads license plates with which they come in to contact and alerts them if there is a match on the hot list.

1. We have no written policy for procuring and using ALPR. We do not store data. Access is tied to the state J-Net. Three (3) officers are trained and have access to ALPR and one of them is the I T officer for technical assistance only.
2. a) PA Department of Economic Development Grant and Baldwin Borough Police Department Asset Forfeiture Proceeds funded by participation in the Federal Drug Enforcement Task Force.
b) Attached
c) N/A
d) N/A
e) *John will provide - See Attached Meeting Minutes*
f) Product shown through demonstration.
3. a) Photo of license plate to identify the state and plate number.
b) Only used during demonstration and approximately 30 license plates were scanned. No data was stored and has not been used since as of this date – no software has been downloaded into the vehicle.
c) One (1) purchased.
d) One (1) vehicle.
e) N/A
f) Capability to scan 1200 plates per minute and store data 1 to 30 days.
4. a) No data stored.
b) N/A
c) N/A
d) N/A
5. a) When a stolen alert is received, officer uses it to verify before intervention.
b) Prosecution
c) Not for personal information nor for non-investigative purposes.

- d) Only three (3) officers have access after taking and passing a test and authorized by the Commonwealth of Pennsylvania.
- e) There is no system that records who accesses at this time as it has not been used; three (3) officers have access and only one at one time can have access.

- 6. a) N/A
- b) N/A
- c) N/A
- d) N/A

7. The information furnished by the ALPR is not used, delivered, transmitted or otherwise conveyed to any person, firm, partnership, corporation or any other entity, including other law enforcement entities. We download the information from the PA Department of Motor Vehicles.

8. ~~attachments?~~ *N/A*

MINUTES TO REGULAR MEETING OF APRIL 19, 2011

The regular meeting of the Borough of Baldwin Council was called to order by President Michael Stelmasczyk on Tuesday, April 19, 2011 at 7:30 pm. After the Invocation and Pledge of Allegiance to the Flag by Mayor Alexander Bennett, the following answered the roll call: Mr. Edward Moeller, Mr. Larry Brown, Mr. Bob Collet, Mr. David Depretis, Mr. John Ferris, Mr. John Conley and Mr. Michael Stelmasczyk. Also present were Mayor Alexander Bennett, Mr. Bob Firek, Engineer, Messer's Stanley and Michael Lederman and Mr. John Barrett, Borough Manager. Treasurer Diana Behers was absent.

APPROVAL OF MINUTES

M-1 Mr. Depretis made the motion to approve the minutes of the Agenda Meeting of March 8, 2011; second by Mr. Brown. Upon vote, motion passed unanimously.

M-2 Mr. Depretis made the motion to approve the minutes of the Regular Meeting of March 15, 2011; second by Mr. Moeller. Upon vote, motion passed unanimously.

AUDIENCE AGENDA: Agenda item only: 5 MINUTES PER SPEAKER OR GROUP

No one approached the podium.

ENGINEER'S REPORT

Mr. Firek asked if there were any questions on the report submitted to council at the agenda meeting.

M-3 Mr. Firek requested and Mr. Brown made the motion to approve Ordinance No. 835 authorizing the Execution and Delivery of a Bank Loan Guaranty Agreement between the Pleasant Hills Authority and the Borough of Baldwin, in support of the Proportionate Guarantee of a \$1M Bank Loan; second by Mr. Collet.

(Mr. Stelmasczyk asked if this motion could wait until after the scheduled meeting of the Pleasant Hills Authority and the (3) three municipalities involved on April 26, 2011. Mr. Firek noted a time constraint and felt it should be voted on this evening. Council had some additional discussion on the Ordinance).

Upon vote, motion passed unanimously.

M-4 Mr. Firek requested and Mr. Depretis made the motion to award the 2011 Paving Contract to El Grande Industries Inc. for an amount not to exceed \$375,655.00; second by Mr. Collet.

(Mr. Collet noted that the bid was considerably less than the amount budgeted. He asked if maybe some other road projects could be completed with the funds that were left over).

Upon vote, the motion passed unanimously.

(Mr. Stelmasczyk asked for a verbal consent to have Lennon, Smith, and Souleret put together an additional bid for more roads that would need paved. Mr. Depretis asked if it

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would be beneficial to try and pave roads closest to Churchview Avenue so as to get a lower bid because the equipment would already be in the area for the 2011 Road Project.)

M-5 Mr. Firek requested and Mr. Collet made the motion to approve partial payment to Jeemco Inc. in the amount of \$263,481.09 for Contract No. 01 related to the Municipal Building Energy Efficiency Project; second by Mr. Depretis. Upon vote, motion passed unanimously.

M-6 Mr. Firek requested and Mr. Depretis made the motion to approve partial payment to Jeemco, Inc. in the amount of \$10,201.42 for Contract No. 02 related to the Municipal Building Administration Office Rehabilitation Project; second by Mr. Collet. Upon vote, motion passed unanimously.

Mr. Barrett noted the completion of this project and the walkthrough that was done. There are a couple of punch list items which will be addressed. Mr. Collet asked about the window that was removed from the sewer billing counter. Mr. Barrett noted it was removed to allow contractors to spread their plans when addressing the Building Inspector as that office has now moved to the front of the building. Security was never considered an issue. It was done to replicate the old office's availability. Council stated this matter could be added to the Capital Improvement list given them by Mr. Barrett if it so wished.

Mr. Stelmasczyk asked Mr. Firek to look into the damage done by Equitable Gas on Churchview Avenue and Green Glen Drive. Churchview Avenue had just been paved before it was dug up by the Gas Company and he would like the road to be put back into its new condition. Mr. Firek noted that will be done once the weather cooperates.

Mr. Ferris would like all bids to be opened at a public meeting, not in the offices during regular business hours. It was done this way in the past and he would like to return to that procedure. Mr. Stelmasczyk noted that the bid opening meetings are public. Mr. Firek noted that the change was made for expediency. Mr. Stelmasczyk noted this item will be placed on the agenda meeting for discussion.

Mr. Moeller would like the engineer to address the issue of the tractor trailers being stored at the property of the old Chesapeake Inn on Streets Run Road. Mr. Firek checked it out and could not determine who is responsible. Chief Scott noted that the owner of the Inn stated he is responsible for the trailers as he is remodeling the restaurant. Council asked the Building Inspector be sent to determine if any permits need to be applied for before any restoration.

Mr. Moeller would like the area of the Bridge work at Prospect and Streets Run Road be addressed as cars are traveling over the striped area and making the right turn. Cars making the left turn onto Streets Run Road are in danger as these cars are not staying in the lane and stopping but are making the right turn over the striped area. Council would like to get the state involved.

Mr. Stelmasczyk noted the Roadway Maintenance Study done by the Borough Engineer's. He asked if there were any comments on this study. He would like to form a special committee

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of (3) three councilmen: Mr. Collet, Mr. Depretis and Mr. Ferris, to work with Engineering on so called alternatives to this study. All of the roads in the Borough were ranked as to their depreciation. There was additional discussion on this issue, with Mr. Collet stating he would like the committee to be formed with all (7) councilmen as they would have to make the final decision on any and all repairs.

SOLICITOR'S REPORT

Mr. Lederman gave council an overview of the options it would have with regards to a Marcellus Shale Drilling Ordinance. It can pass an ordinance to ban it completely or allow and regulate it through amendments to the borough's zoning. Mr. Lederman and council discussed this further. Mr. Lederman noted that any action taken by council will most probably be challenged in the courts. Mr. Moeller would like to see this as a referendum on the November Ballot to allow the public to voice its opinion. There was additional discussion on drilling in adjacent communities, road deterioration etc. Mr. Stelmasczyk feels that the state has dropped the ball on this issue with not having standardized legislation state wide and the issuance of fees. State Representative Bill Kortz was in the audience and stated in his opinion, the new administration has dropped the ball on this issue.

M-7 Mr. Conley made the motion to instruct the Borough Solicitor to begin to prepare an Ordinance banning the drilling for Marcellus Shale within the Borough of Baldwin; second by Mr. Depretis. Upon roll call vote; Messer's Brown, Depretis, Ferris, Conley and Stelmasczyk voted yes; Messer's Moeller and Collet voted no. The motion passed 5 to 2.

(Mr. Moeller wanted it noted that his no vote was because he wanted a referendum and not because he is for Marcellus Shale Drilling.)

MAYOR'S REPORT

Mayor Bennett gave the Police Report for the month of March, 2011:

- 731 report taken
- 963 calls given to borough by county 911

Chief Scott told the public about the Drug Giveback that is scheduled for April 30, 2011. The DEA requested that the Borough begin this project immediately. Residents can begin to drop off any prescription drugs to the Police Department between the hours of 8:30 am and 4:30 pm, Monday through Friday.

FINANCE

M-8 Mr. Depretis made the motion to accept the Treasurer's Report for the month of March, 2011; second by Mr. Conley. Upon vote, motion passed unanimously.

M-9 Mr. Depretis made the motion to ratify bills in the amount of \$514,194.47; approve bills in the amount of \$823,784.66 for a total of \$1,337,979.13;

MINUTES TO REGULAR MEETING OF APRIL 19, 2011

second by Mr. Conley.

(Mr. Stelmasczyk asked about contractor's reimbursable charges on the Engineer's bills).

Upon vote, motion passed unanimously.

PUBLIC WORKS

Mr. Ferris asked if there were any questions on the report submitted to council. Mr. Ferris will ask Mr. Stephenson about traveling too far to pick up a load of cold patch. There were no other questions.

PARKS AND RECREATION

Mr. Moeller informed council of the change that he would like to make for the fees for "Non-Youth" leagues use of the Municipal Fields. In order to make this change, the motion that was passed last month, setting fees would need to be rescinded.

M-10 *Mr. Moeller made a motion to rescind Motion No. 13 from the last meeting setting fees for the use of the Borough Fields by "Non-Youth" leagues; second by Mr. Collet. Upon vote, motion passed unanimously.*

M-11 *Mr. Moeller made the motion to set new fees for the use of the Borough fields by "Non-Youth" leagues to a per season rate, not to exclude the fees for lighting; second by Mr. Collet. Upon vote, motion passed unanimously.*

M-12 *Mr. Moeller made the motion to approve the request by McAnnulty Elementary School to use Leland Center on Thursday, May 19, 2011 from 5:30 -7:00 pm, with set up at 3pm for a Family Reading Interaction Night Title 1 Program to promote reading and learning in our community. The fee is to be waived. (This is conditional with specifics to be provided to the McAnnulty School Administration by Mr. John Barrett); second by Mr. Collet. Upon vote, motion passed unanimously.*

ZONING AND PLANNING

Mr. Conley informed council that the Planning Commission had met on April 11, 2011.

The Zoning Hearing Board will meet on April 21, 2011.

The Monthly Inspection Report showed monies taken in for the month of March, 2011 were \$29,287.00; for a YTD total of \$46,793.00.

M-13 *Mr. Conley made a motion to approve the Moscatiello Sub-Division Plan and Land Development Plan as approved by the Planning Commission;*

MINUTES TO REGULAR MEETING OF APRIL 19, 2011

second by Mr. Depretis. Upon vote, motion passed unanimously.

PUBLIC SAFETY

Mr. Brown gave the EMS and Fire Companies monthly reports:

- | | | |
|-------------------|------------------|----------------------------|
| • EMS | 492 Calls | response time 6:45 minutes |
| • Baldwin No. 1 | 21 Calls | response time 6:30 minutes |
| • Becks Run | 6 Calls | response time 6:30 minutes |
| • South Baldwin | 13 Calls | response time 8:45 minutes |
| • Option Fire Co. | No report issued | |

PERSONNEL

Mr. Collet noted he would be making (3) three motions this evening.

M-14 *Mr. Collet made the motion to approve Resolution No. 2001-04-03 establishing the rate of pay for the Seasonal Borough Employees and the rates for passes and fees for the 2011 Pool Season; second by Mr. Brown. Upon vote, motion passed unanimously.*

M-15 *Mr. Collet made the motion to hire the Baldwin Borough Seasonal Employees (both Public Works and Swimming Pool) from the list supplied to council by the Administration and Public Works Department; second by Mr. Brown. Upon vote, motion passed 6-0. Mr. Depretis abstained.*

M-16 *Mr. Collet made the motion to instruct the Civil Service Commission to proceed with testing for the Lieutenant's Position in the Police Department; second by Mr. Ferris.*

(Mr. Stelmasczyk asked for audience input since this action was not listed on the agenda. A resident noted that there was already testing done for this position. Mr. Collet noted that was true, but no one passed the oral exam based on the requirements of a score of 80% or higher. Mayor Bennett interjected that the procedure necessary to equate the points given to a percentage was not utilized by the examiners and when it was rectified, it was too late thus making retesting necessary.)

Upon vote, motion passed unanimously.

ADMINISTRATION

Mr. Barrett informed council that Glass Run Road is scheduled to re-open at the end of this month. There is a meeting scheduled with PAWC and the Engineers, and until told differently, the end of April is still the date.

May 2 through May 6 will be the curbside, spring collection of leaves and yard waste. It must be placed in the biodegradable paper bags for collection on your regular trash day.

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There will be a meeting on April 26, 2011 at 7pm with the Pleasant Hills Authority and all communities are invited to participate.

Mr. Barrett gave an overview of the changes to the Service Employees Pension Plan precipitating the need for the motion.

M-17 *Mr. Barrett requested and Mr. Brown made the motion for the first reading of Bill No. 04-11-04 amending the Borough of Baldwin Service Employees Pension Plan pursuant to the latest labor agreement with Local 1058; second by Mr. Moeller. Upon vote, motion passed unanimously.*

Mr. Barrett informed council of the motion to accept a PA DCED Grant in the amount of \$15,000 which will be allocated to the Police Department to support a License Plate Recognition System. This was applied for in 2008, but due to a hold on grant applications, which has now been corrected, the grant was approved. If the project is pursued, there will be additional cost incurred. There was additional discussion of the support technology needed to get this up and running i.e. equipment and manpower.

M-18 *Mr. Ferris made the motion to accept the PA DCED Grant in the amount of \$15,000 for a License Plate Recognition System for the Police Department; second by Mr. Collet.*

After the motion was made by Mr. Ferris, a discussion of cost and effect occurred.

M-19 *Mr. Ferris made the motion to table his previous motion; second by Mr. Depretis. Upon vote, the motion passed unanimously.*

Mr. Stelmasczyk did announce that council had met prior to the meeting in Executive Session to discuss personnel issues.

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

- Mr. Bill Plunkett, of the Baldwin EMS, addressed council and wished to take the opportunity to thank Mr. Bill Kortz for his assistance in obtaining the funding for their new ambulance.
- Representative Bill Kortz informed council and the public of a Town Hall meeting on May 5, 2011 at the McKeesport High School Auditorium. All are invited to attend. They will be discussing the Education Budget proposed by the state.

M-20 *Mr. Collet made a motion to adjourn; second by Mr. Brown. Upon vote, motion passed unanimously.*

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The meeting adjourned at 8:55 p.m.

Respectively submitted,

BOROUGH OF BALDWIN

John M. Barrett
Borough Manager