

City Council Meeting Minutes – April 10, 2023

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, April 10, 2023 @ 6 p.m.; Council convened at their regular City Council Meeting with Mayor Walsh in the Chair. Other Council Members present were: Diane Bernardo, James Aughenbaugh, Shane Dietz, and Shannon Gabriel. Also present were: Toni Cherry; Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Public Works Superintendent, Scott Farrell; Code Enforcement/Zoning Officer, Zac Lawhead; Police Corporal, Randy Young; Police Officer, Molly Lord; Police Officer, Lance Thompson; Police Chief, Blaine Clark; and Administrative Secretary, Bobbie Shaffer.

The meeting was called to order at 6 p.m. and the Pledge of Allegiance was led by Mayor Walsh.

Certificate of Recognition – Aviana Gillaugh

2023 Boxing National Qualifying Tournament Champion
Certificate of Recognition

presented to:

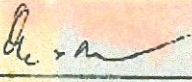
AVIANA GILLAUGH


Aviana is a 15 year old, 9th grader at the DuBois Area High School. She is the 2023 USA Boxing National Qualifying Tournament Champion, talking gold, for the Junior Female Division at 110 lbs. This National Tournament was held in Huntington Place, Detroit Michigan on March 18th through the 25th.

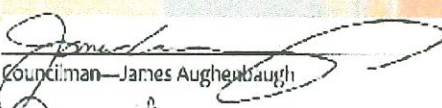
This was the 2023 United States National Qualifying Tournament for the 2024 Olympics being held in Paris, as well as the National Qualifying Tournament for the National Championship being held in December. All 2023 USA Boxing Qualifier National Champions will receive invitations to the 2023 USA Boxing National Championship, and the elite athletes will be invited to compete in the 2024 Olympic Trials.

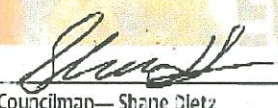
Aviana is the first boxer and female, youth or otherwise, in the area to ever win such a national boxing tournament.

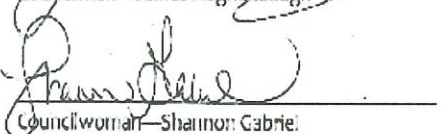
The City Council would like to congratulate Aviana on a job well done and thank you for being an example of what hard work and true dedication can bring.



Mayor & President of Council Edward L. Walsh


Councilwoman & Vice President—Diane Bernardo


Councilman—James Aughenbaugh


Councilman—Shane Dietz


Councilwoman—Shannon Gabriel


Interim City Manager—Chris Nasuti

Mayor Walsh read the certificate in its entirety and presented it Aviana Gillaugh with a round of applause.

Thursday’s Work Session – To be replaced by an Executive Session to take place before every Council Meeting to advise Council of matters on the agenda with no action to be taken.

The motion was made by Gabriel and seconded by Aughenbaugh to keep Thursday’s Work Session on the first and third Thursday of the month with no action to be taken and no public comments. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

City Council Meeting Minutes – April 10, 2023 (Cont'd.)

Approval of Minutes

City Council Meeting Minutes – March 27, 2023

The motion was made by Aughenbaugh and seconded by Bernardo that Council approve the City Council Meeting Minutes of March 27, 2023 as presented. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Work Session Meeting Minutes – April 6, 2023

The motion was made by Dietz and seconded by Gabriel that Council approve the Work Session Meeting Minutes of April 6, 2023 as presented. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Registry of Invoices

The motion was made by Gabriel and seconded by Dietz that Council approve the Purchase Order Listing by Vendor Name dated April 6, 2023 in the amount of \$328,727.21 and the Check Register by Check ID dated April 6, 2023 in the amount of \$40,478.02 as presented by the Finance Officer. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Public Comments:

Linda London – City Resident

I spoke at the March 27th meeting of the City Council and voiced different concerns at that time. One of my statements to you, was that there are two key words to consider, now more than ever as you represent your tax payers, awareness and accountability. No one chose to address this comment or any other comment that was made during the public meeting. We were told you would write down our concerns and respond at a later time. I will acknowledge that I did see some members taking notes while citizen's expressed their comments. Your brief responses were published in the local newspapers weekend edition on April 1st – 2nd, 2023. I may be incorrect in my assumption that you all get together sometime after the public meeting to develop a unified answer to questions that were proposed. This must be the current practice, because the news release to the media with the responses to public comments from the Council Meeting of March 27, 2023, printed with City of DuBois, Pennsylvania letterhead was from DuBois City Council, all of you. I found it interesting or perhaps alarming that the date of that news release was April 20, 2022. This is not simply a typographic error with merely a finger slip of the year's number. The month, day and year were all incorrect. Again, awareness and accountability. These papers and all others that pass through your hands are supposedly being reviewed by your eyes before being released to the media or the public. This may seem like an insignificant issue to you in light of ongoing problems within our City, but little things can add up to bigger issues over time. Perhaps work or documents can have been done properly and then a choice can be made to accept or reject the work as proposed or completed with honesty and accuracy. Each of you have a responsibility as a member of the City Council to not make that a function. Perhaps other papers of any sort could have been looked at with the good feeling that all is well, there are no mistakes. Please take things seriously and do your independent work before collaborating as a unified group. Share your personal thoughts and findings without fear of not being like the rest of the group. You cannot, not nor should you ever, consider making changes of any sort once documentation is presented. When a statement is release from DuBois City Council that is each one of you. Please remember that I requested on March 27, 2023 that there be no repercussions or retaliation for me or any member of my family or anyone that speaks at a public City Council meeting. Your response back to me was that "Those that come forward to ask questions will not be retaliated against in anyway." I would only hope so.

Debbie Mechling - City Resident

The phrase we are all familiar with "Those that do not learn from their past are doomed to repeat it." I would like to take a short trip down memory lane. In 2015, at that time our City Council consisted of Herm Suplizio, City Manager; Gary Gilbert, Mayor; Ed Walsh, Council

City Council Meeting Minutes – April 10, 2023 (Cont'd.)

Debbie Mechling - City Resident

Member; Diane Bernardo, Council Member; Jim Aughenbaugh, Council Member; Randy Schmidt, Council Member; Chris Nasuti, City Engineer; and Toni Cherry, City Solicitor. In 2015, our City Manager's contract was renewed for a 10-year contract by our City Council. I believe the contract was referred to as the million-dollar package. I understand in the contract that was approved by our Council and Solicitor in 2015 there was not a moral turpitude clause. Typically, this ethics moral clause is included contracts of personnel who serve in positions of great trust with little or no oversight. As a result of that clause being remitted, if for whatever reason our City Manager leaves the City Manager's position we are under contract to pay him the entire balance of the 10-year contract. My question is, who drew up the City Manager's contract? Did City Council read the contract before it was signed by the City Manager? Did our City Solicitor read the contract, and what was her advice to Council at that time? In regards to that contract, as I look at our Council Members this evening I see that two of our members of Council, who were serving in 2015 and who were present at the inception of this contract are presently serving on Council. I do not believe this contract was in the best interest of the tax payers. Do you? How was this allowed to happen?

Ron Tryzna – City Resident

Stated he was here reviewing audits from 2015 – 2021 last Wednesday and in the review of the audits two of the audits for 2016 and 2017 were not official audits they were just papers stapled together. When he asked about it, he stated he was told that the Attorney General's office has the official audits. He went on to say that that he believes, with him making a request, that someone should have contacted the auditing firm as he is aware they have exact copies of the audit with findings and have them brought to the City of DuBois. He believes it's important we have a copy in the City of DuBois, because we do not have a bound copy now. (We do have an electronic copy without management letters, which are the pages stapled together that he referred to.) He refers to them as documents stapled together with no determinations and findings with them. Councilwoman Gabriel confirmed it was 2016 and 2017. Tryzna confirmed, the City Secretary corrected with 2015 and 2016.

Second Question: When you voted to extend the contract of the City Manager until the end of 2025 it was two weeks before you rescinded it. You voted for that Contract, did that become a legal binding contract at that point in time? If it did, how can you rescind it? I'm confused, I just don't know, I'm not an attorney that can say how a thing is, but my understanding is when you voted for that, at that point of time, that it became a legal document. A legal contract. I'm not sure how you can rescind something when it now has been amended to the existing contract.

Glenda Dixon – Washington Avenue

Concern about the light on Brady and Long, when a person is walking down the street and they want to cross they have like seconds and they are not even into the middle of the road. The light turns green and people are like pushing them across the street. A lot of them live at the 21 E Long apartments some of them are handicapped, some of them are elderly, some of them just do not walk well; I am quite concerned for their safety. I know if I had my mother out she'd never get across in under 10 seconds. I know you have looked at the one up on Main Street, my neighbor got hit up there. I know that was taken care of and we really appreciate that, but could you look into this one. Please.

Nasuti stated we have been looking at the two on Main Street, we'll talk to PennDOT about this one. It is part of the radioed corridor with all the lights on 219, I'll reach out to them and see if they can do something.

Debbie Mechling requested to speak again, Mayor Walsh informed her she had already used her 3 minutes. She stated she was going to say something positive.

City Council Meeting Minutes – April 10, 2023 (Cont'd.)

Recommendations:

Paving

The motion was made by Gabriel and seconded by Aughenbaugh that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to HRI, Inc. in the amount of \$194,899.80. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

2023 Pavement Markings

The motion was made by Aughenbaugh and seconded by Dietz that Council accept the recommendation of Interim Manager/ City Engineer Nasuti and award the contract to Lines for Less in the amount of \$32,092. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Chemicals

Councilwoman Gabriel asked if the chemical stayed the same or raised like they did last year. Nasuti stated that they were about the same.

- 130- 50# Bags Sodium Fluoride (Coarse or Granule)

The motion was made by Deitz and seconded by Aughenbaugh that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Sal Chemical in the amount of \$115.00/bag. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

- 3,500 – 50# Bags Light Soda Ash

The motion was made by Gabriel and seconded by Dietz that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Sal Chemical in the amount of \$19.40/bag. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

- 13 – 2000# Cylinder Liquid Gas Chlorine (Delivered to Water Plant)

The motion was made by Dietz and seconded by Aughenbaugh that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Univar USA in the amount of \$2,380.00/Cylinder. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

- 16 – 2000# Cylinder Liquid Gas Chlorine (Delivered to Sewer Plant)

The motion was made by Gabriel and seconded by Dietz that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Univar USA in the amount of \$2,380.00/Cylinder. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

- 5 – 275 gallon IBC Liquid Permanganate

The motion was made by Aughenbaugh and seconded by Gabriel that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Coyne Chemical in the amount of \$3,904.67/Tote Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

- Approx. 1,000 gals Per Month – Sodium Bisulfite Solution Liquid

The motion was made by Aughenbaugh and seconded by Dietz that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Sal Chemical in the amount of \$3.15/gallon. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

City Council Meeting Minutes – April 10, 2023 (Cont’d.)

Recommendations: (Cont’d.)

Chemicals

- 5 -55 Gallon Drum Heavy Duty Degreaser

The motion was made by Gabriel and seconded by Dietz that Council accept the recommendation of Interim Manager/City Engineer Nasuti and award the contract to Clearfield Wholesale in the amount of \$552.86/Drum. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Timber Sale – Compartment #4

The motion was made by Bernardo and seconded by Gabriel that Council accept the recommendation of Forester, Ken Kane and award the contract to high bidder Brownlee Lumber Company in the amount of \$410,288.00. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

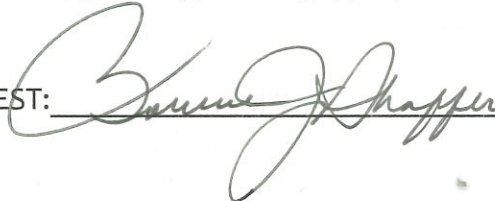
City of DuBois – Musicfest 2023

Denny Skraba stated he is willing to head up Musicfest this year if Council is interested. Councilwoman Gabriel clarified that the first concert would be on Thursday, June 22 and the last would be on Thursday, August 24th. He went on to say we normal have 11 concerts but this year we are only going to have 10 as the last Thursday in August is too close to Labor Day. The motion was made by Gabriel and seconded by Bernardo that Council approve Musicfest 2023 with Mr. Skraba heading it up. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

Adjourn

There being no further business to transact; the motion was made by Aughenbaugh and seconded by Gabriel that Council adjourn. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Walsh, yea. Motion passed 5-0.

ATTEST:



APPROVED:

