

City Council Meeting Minutes - April 26, 2021

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, April 26, 2021 @ 7 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, and Shane Dietz. Also present were: City Manager, John "Herm" Suplizio; City Solicitor, Toni Cherry; City Engineer/Public Works Director, Chris Nasuti; Public Works Superintendent, Scott Farrell; Redevelopment Authority Director/Assistant Public Works Superintendent, Joe Mitchell; Police Chief, Blaine Clark; K-9 Officer, Zayne Rhed; K-9, Ace; and Administrative Secretary, Bobbie Shaffer.

Absent: Councilwoman Shannon Gabriel and City Controller, David Volpe

The meeting was called to order at 7 p.m. and the Pledge of Allegiance was led by Mayor Walsh.

Excuse Councilwoman Shannon Gabriel

The motion was made by Aughenbaugh and seconded by Dietz that Council excuse Councilwoman Gabriel from the evenings proceedings. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

Approval of Minutes

City Council Meeting Minutes - April 12, 2021

The motion was made by Dietz and seconded by Bernardo that Council approve the minutes from the City Council Meeting of April 12, 2021 as presented by the Administrative Secretary. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

Approval of Registry of Invoices

The motion was made by Bernardo and seconded by Dietz that Council accept the Purchase Order Listing by Vendor Name dated April 22, 2021 in the amount of \$280,843.37 and the Autodrafts Check Register by Check ID dated April 22, 2021 in that amount of \$4,508.65 as presented by the Finance Officer. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

Public Comments

Paul "Rick" Fotta - 126 Quarry Avenue

Mr. Fotta is complaining about a camper that has been in his neighbor's yard for 5+ years. He said that the camper is not registered or inspected and is dilapidating. According to Mr. Fotta the neighbor's son is living in the camper with no sewer or running water; there is a hose sticking out of the window between the house and the camper, a tarp over the camper and the whole thing is leaning. Mr. Fotta believes that the eyesore is lowering his property value. He requests our Code Enforcer take a look at the situation. He stated his neighbor just keeps collecting more and more junk. City Manager Suplizio told Mr. Fotta they would be out to look at the situation tomorrow.

Mr. Fotta also has concerns about the many cars that are running the stop sign at the bottom of Robinson ST. Police Chief Clark said the department would look into it.

City Solicitor Cherry asked Mr. Fotta if after we fine this individual and he doesn't pay the fine and doesn't clean up and we end up at the magistrate, would he be willing to testify that the son lives in the camper. Mr. Fotta confirmed he would and Police Chief Clark stated he also can confirm someone is living in the camper.

Public Unveiling of Ace Portrait by Tamie Tokarcik - (K9 Officer Rhed and K9 Ace were in attendance)

Ms. Tokarcik had previously presented the portrait to Police Chief Clark but he felt that it wasn't fair that the entire community couldn't see it. He would like to thank Ms. Tokarcik for the rendering of Ace; he knew we needed a K-9 but he never realized what a good representative he would be for the department.

City Council Meeting Minutes - April 26, 2021 (Cont'd)

Public Unveiling of Ace Portrait by Tamie Tokarcik (Cont'd)

Ms. Tokarcik stated that she appreciates the police department and this picture was her way of thanking them from all they do. Without them, we would not be able to live in this community. She said she went to the department and took pictures of Ace and worked off the pictures to produce her portrait. (Ms. Tokarcik brought her 13 yr. old daughter, Isabella, with her to take pictures.)

City Manager Suplizio told Ms. Tokarcik that it is a beautiful portrait and we appreciate her donation.



Resolution No. 2021-0333 - Resolution to Apply (PennVEST)



CITY OF DUBOIS, PENNSYLVANIA

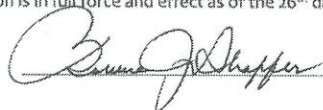
16 W. SCRIBNER AVE. • P.O. BOX 408 • DUBOIS, PENNSYLVANIA 15801
TELEPHONE: (814) 371-2000

RESOLUTION TO APPLY RESOLUTION NO. 2021 - 0333

The undersigned, an authorized representative of the CITY OF DUBOIS (the "City") (Borrower), hereby certifies that at a meeting held on the 26th day of April 2021, after due notice, at which a quorum was present, the City (the "Governing Body") unanimously adopted the following Resolution:

"RESOLVED, that the Governing Body shall be, and the same hereby are authorized to submit a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST), substantially in the form presented at this meeting for the purpose of financing the construction of an access road for the wastewater treatment plant. Appropriate officers of the Governing Body are hereby authorized to execute all certifications and documentation required in connection with the application."

I hereby certify that the above Resolution is in full force and effect as of the 26th day of April 2021.

 Secretary.

City Council Meeting Minutes - April 26, 2021 (Cont'd)

Resolution No. 2021-0333 - Resolution to Apply (PennVEST) (Cont'd.)

The motion was made by Aughenbaugh and seconded by Dietz that Council approve Resolution No. 2021-0333 - Resolution to Apply as read in its entirety by City Solicitor Cherry. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

Letter of Responsibility - (PennVEST)



CITY OF DUBOIS, PENNSYLVANIA
16 W. SCRIBNER AVE. • P.O. BOX 408 • DUBOIS, PENNSYLVANIA 15801
TELEPHONE: (814) 371-2000

April 26, 2021

LETTER OF RESPONSIBILITY

Pennsylvania Infrastructure Investment Authority
333 Market Street, 18th Floor
Harrisburg, Pennsylvania 17101

RE: Application for Financial Assistance ("Application") in the amount of \$3,108,000.00 from the Pennsylvania Infrastructure Investment Authority ("Authority") to the City of DuBois ("Applicant") for the improvement for collection and treatment of a sewage system in DuBois City, Clearfield County, Commonwealth of Pennsylvania ("Project").

Executive Director:

In connection with the above captioned loan application, please be advised that Applicant certifies the following:

A. That the filing of this application and subsequent incurring of debt in the amount of \$3,108,000.00, was duly authorized in a resolution (copy attached) approved by its governing body that the resolution is in the same or similar form and contains all the material elements that need to be provided to the Applicant by the Authority.

B. That the statements and representations made in the foregoing application and all exhibits and documents submitted in connection therewith are true and correct to the best information and belief of the Applicant, and that they are submitted by the Applicant to form the basis of the application.

C. The Project, when completed, will work to improve the overall collection and treatment of sewage in the Commonwealth of Pennsylvania.

D. With respect to the establishment of the Project, construction and/or acquisitions of any portion of the Project has not commenced and will not commence prior to the approval of the application by the Authority.

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City of DuBois
Letter of Responsibility

E. Applicant has not been cited by any governmental agency for causing pollution in the Commonwealth and the project has been designed so as not to cause pollution in violation of existing standards.

F. Applicant does not have any outstanding loans from the Water Facilities Loan board or the Authority that are delinquent.

G. There are no encumbrances, pledges, or liens against the revenues generated or to be generated from the operation of the Project.

H. Applicant will take the necessary actions, pursuant to all applicable laws and regulations, to execute all documents required by the Authority if financial assistance is approved by the Authority and accepted by the Applicant.

I. Applicant will, should the Loan be offered by the Authority and accepted by the Applicant, execute a General Obligation Note.

J. Applicant will execute all documents required by the Authority to consummate the Loan in conformity with the procedures prescribed by law.

K. Municipality in which the Project is located is DuBois City.

L. Applicant has retained a public accountant who has prepared a financial statement of the current and projected financial status of the applicant of which both the form and content is acceptable to the Authority.

M. Applicant can repay the Loan from existing and reasonably anticipated project revenues.

N. Applicant has retained counsel to represent it in connection with the application and to prepare or assist applicant in preparing any and all documents required by the Authority who has been engaged to render an opinion to the Authority regarding the ability of the applicant to enter into the loan agreements and related documents required for the loan from the Authority.

O. Applicant will, in every project undertaken with the use of proceeds from this or other loans from the Authority, comply with the Steel Products Procurement Act, Act of March 3, 1978 (P.L. 6, No. 3) 73 P.S. Section 1881 et. Seq.

P. Applicant shall not discriminate against any employee or against any applicant for employment because of race, religion, color, national origin sex or age. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship.

Q. The Applicant certifies that it is not currently under suspension or debarment by the Commonwealth, any other state, or the Federal Government and shall require the same certification from any contractors providing services in connection with the Project.

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Letter of Responsibility - (PennVEST) (Cont'd.)

City of
Letter of Respon

R. The Authority has the right to require the Applicant to terminate any contract with a contractor that becomes suspended or debarred by the Commonwealth or the Federal Government during the construction period of the project.

S. The Applicant agrees that it shall be responsible for necessary and reasonable costs and expenses incurred by the Office of Inspector General relating to an investigation of the Applicants/Contractor's compliance, which results in the suspension or debarment of the Applicant/Contractor.

T. The Applicant agrees that it shall execute any and all certifications required by the Authority under any Contractor Integrity Provisions and shall require all contractors to execute the same certifications.

U. The Applicant shall provide evidence that it has complied with all conditions of the Water Pollution Control Act, the Water Quality Act of 1987, 40 CFR Part 32, Drug-Free Workplace Requirements and other related federal and state acts, as applicable.

The foregoing certification is based on facts obtained through a diligent investigation of all pertinent matters and information attendant to the project.

ATTEST:

Secretary
(SEAL)

APPLICANT:

President

Date: April 26, 2021

The motion was made by Dietz and seconded by Bernardo that Council authorize the Mayor to sign the Letter of Responsibility for the PennVEST loan. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

First Reading of Council Bill No. 1962 - Vacant Property Registry

An ordinance of the City of DuBois amending Chapter 310 of the Code of Ordinances of the City of Dubois entitled "Property Maintenance" to add the requirement for the registration, maintenance and security of abandoned, vacant or foreclosed upon real property by the lenders, mortgagees and/or owners of the same; establishing a registration fee schedule upon resolution of City Council; providing for enforcement and imposing penalties for violations thereof upon conviction was presented for first reading by City Solicitor Cherry. The motion was made by Aughenbaugh and seconded by Dietz that Council approve the first reading of Council Bill No. 1962 - Vacant Property Registry as presented by the City Solicitor. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

Mayor Walsh asked City Solicitor Cherry when Council is to set fees. Cherry stated anytime, you could set them now or at final reading. City Manager Suplizio felt that our Code Enforcer should be involved in the setting of fees. Council agreed.

City Solicitor Cherry asked Council if they would like a Public Hearing; she went on to say that one is not necessary but it's up to Council. Councilwoman Bernardo stated that we have been taking about this ordinance for almost a year now she didn't feel it was necessary to have a Public Hearing. Mayor Walsh stated as no motion was brought forward we would move on.

Second and Final Reading of Council Bill No. 1961 - Codification

An Ordinance to adopt substantive revisions to the codification of ordinances of the City of DuBois, Pennsylvania was presented for second and final reading by City Solicitor Cherry. The motion was made by Bernardo and seconded by Aughenbaugh that Council approve the second and final reading of Council Bill No. 1961 - Codification and it become Ordinance No. 1862 in the Code of Ordinances for the City of DuBois. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

VFW Sale Agreement

City Solicitor Cherry reviewed the sales agreement stating that it was for the purchase of three parcels of land for the total amount of \$3,300 and the final closing date would be August 2,

City Council Meeting Minutes - April 26, 2021 (Cont'd)

VFW Sale Agreement (Cont'd.)

2021. The parcels are made up of: .28 Acres more or less; .03 Acres more or less; and .007 more or less acres of land. The James J. Patterson Post No. 813 Veterans of Foreign Wars of the United States would like us to forward the agreement to their Attorney, David King, to look over prior to signatures. The motion was made by Dietz and seconded by Aughenbaugh that Council accept the VFW Sales Agreement and direct the City Solicitor to forward a copy to Attorney David King for his review. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

2021 Pavement Markings Recommendation

City Engineer/Public Work Director Nasuti stated that the bids came in higher than anticipated. He believes we should deny the bids and re-scope the project before re-bidding. The motion was made by Aughenbaugh and seconded by Bernardo to accept the recommendation of City Engineer Nasuti and deny the bids, re-scope the project, and re-bid. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

K-9 Officer/Handler - Zayne Rhed

Police Chief Clark had stepped out of the meeting, so Mayor Walsh asked Rhed to report. Rhed stated that everything is good.

City Engineer/Public Works Director - Chris Nasuti

Stated he will be submitting the PennVEST application on May 5th; which will be used to repair sewer and water lines; put in the new bridge for the Sewer Treatment Plant early this fall; and the Plant should be up and operational by 2023.

Councilman Shane Dietz

Said he was glad to see everyone. Addressed Mr. Tokarcik and told her what amazing job she did and how impressed he was with the portrait of Ace.

Councilwoman Diane Bernardo

State that during her conversation with mother and daughter (Tokarcik) they confirmed they would be participating in Octoberfest. They will work with children, teaching them how to draw. Mayor Walsh asked if they did caricatures; he'd like to see one of Council.

Councilman Jim Aughenbaugh

Thanked Tokarcik for the portrait. Discussed how good the downtown looks since the wash-down.

City Manager - John "Herm" Suplizio

- Agreed the downtown does look really good.
- Thanked Tokarcik once again for the rendering of Ace.
- Asked City Solicitor Cherry if there was anything special we should know about Mr. Fotta's complaint. She said Zac would have to investigate first, then fines, if nothing happens were off to the magistrate.

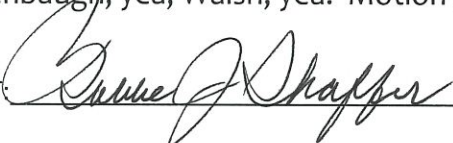
Mayor Edward Walsh

Hat's off to Ms. Tokarcik for the beautiful portrait. Thank you to the Fire Department and the people who cleaned up the City this last Saturday. It looks much better.

Adjourn

There being no further business to transact, the motion was made by Dietz and seconded by Bernardo that Council adjourn. Roll call vote was as follows: Dietz, yea; Bernardo, yea; Aughenbaugh, yea; Walsh, yea. Motion passed 4-0.

ATTEST:



APPROVED:

