

City Council Meeting Minutes – January 9, 2023

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, January 9, 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: 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 and City Secretary, Bobbie Shaffer.

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

Approval of Minutes

2nd Public Hearing Meeting Minutes (Concerning CB 1969 & 1970) – December 19, 2022

The motion was made by Bernardo and seconded by Gabriel that Council approve the Second Public Hearing Minutes of December 19, 2022, concerning Council Bill No. 1969 -2023 Budget and 1970 – 2023 Tax Levy as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

City Council Meeting Minutes – December 19, 2022

The motion was made by Gabriel and seconded by Dietz that Council approve the City Council Meeting Minutes of December 19, 2022, as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Work Session Meeting Minutes – December 28, 2022

The motion was made by Aughenbaugh and seconded by Gabriel that Council approve the Work Session Meeting Minutes of December 28, 2022, as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Work Session Meeting Minutes – January 5, 2023

The motion was made by Dietz and seconded by Aughenbaugh that Council approve the Work Session Meeting Minutes of January 5, 2023, as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, 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 January 5, 2023 in the amount of \$584,183 and the Check Register by Check ID dated January 5, 2023 in the amount of \$28,580.77 as presented by the Finance Officer. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Public Comments

Sam Mollica - Sandy Supervisor

Stated that Pat Mowrey had a few questions about the park renovations. Mr. Mowrey wants to know if the new ball field will impact the tennis court. Suplizio stated that it would not. Mollica went on to say the Mr. Mowrey said that tennis balls are still escaping. Suplizio said he was aware of that. Mollica stated that Mr. Mowrey said he has land to donate to the City if they would like to build a Pickleball court. Suplizio stated that this Council never turns down a donation of land. Mayor Walsh said that our tennis courts already are lined for Pickleball. Suplizio suggested that Mr. Mowrey check with the school district to see if their fields are lined for Pickleball.

City Council Meeting Minutes – January 9, 2023 (Cont'd.)

Request Items be added to the Agenda:

- Fire Chief's Report for years 2021 and 2022 - As Fire Chief Tony Roy's term was up the end of 2022, it was felt he should present his report closing out his term making a cleaner transition.
The motion was made by Aughenbaugh and seconded by Bernardo that Council allow the Fire Chief's Report for years 2021 and 2022 to be added to the evenings agenda. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.
- Recommendation - PennDOT Green Light Go Grant Award – Due to time restrains this item needed to come before Council; the City is working in conjunction with Sandy Township on this project.
The motion was made by Bernardo and seconded by Gabriel that Council allow the recommendation for the PennDOT Green Light Go Grant Award be added to the evenings agenda. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Fire Chief Report for 2021

Chief Tony Roy presented Council with a report and proceeded to go over the numbers. He stated that the Fire Department was dispatched to 14 Structure Fires, one Working Fire and they did not receive Mutual Aid in 2021. The motion was made by Gabriel and seconded by Aughenbaugh that Council accept the Fire Chief Report for 2021 as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Fire Chief Report for 2022

Chief Tony Roy presented Council with a report and proceeded to go over the numbers. He stated that the Fire Department was dispatched to 16 Structure Fires, two Working Fires and received Mutual Aid 20 times in 2022. The motion was made by Dietz and seconded by Bernardo that Council accept the Fire Chief Report for 2022 as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

When Chief Roy finished with his reports, he stated it had been an honor to serve the City of DuBois and he wasn't sure what he was going to do with all his time now; he then introduced the new Fire Chief for 2023, Mike Federici. Chief Roy was very complimentary of the new chief and deputy chief. Chief Federici introduced his fellow chiefs; Deputy Chief, Jim Bolam and Assistant Chief, Chad Roy. (cousin of Tony Roy) Federici looks forward to serving the Community and with his fellow Chiefs he hopes he does as good of a job as former Fire Chief Tony Roy.

Recommendation – Penn DOT Green Light Go Grant Award

Nausti stated this grant was submitted in conjunction with Sandy Township and they received several Statements of Interest. The panel consisted of Joe Mitchell, Chris Nasuti and Mike Haynes. The money will be used for two projects: North Brady Street (US 219) and Park Avenue for the City of DuBois and Maple Avenue and Shaffer Road for Sandy Township. He went to say that the Sandy Township Supervisors have already approved the award and now it is the City's turn. Nasuti stated that the panel recommends awarding Trans Associates from State College for engineer on the PennDOT Green Light – Go grant for traffic signal improvements. The motion was made by Aughenbaugh and seconded by Gabriel that Council accept the recommendation of the panel and award the Penn DOT Green Light Go Grant Award to Trans Associates. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

City Council Meeting Minutes – January 9, 2023 (Cont'd.)

Authorization to send out Request for Loan Proposals for a General Obligation Note, Series of 2023 in the amount of \$3,000,000 for Park Renovations.

The motion was made by Dietz and seconded by Aughenbaugh that Council authorize sending Request for Loan proposals for a General Obligation Note, Series of 2023 in the amount of \$3,000,000 for Park Renovations. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Resolution No. 2023-0361 – Appointing Professional & Reimbursement Declaration of the City Council of the City of DuBois.



RESOLUTION APPOINTING PROFESSIONALS AND REIMBURSEMENT DECLARATION A OF THE CITY COUNCIL OF THE CITY OF DUBOIS (CLEARFIELD COUNTY, PENNSYLVANIA)

Resolution No. 2023 - 0361

ADOPTED JANUARY 9, 2023

WHEREAS, the City of DuBois (the "City") desires to finance various capital improvements to DuBois Memorial Park, including, but not limited to: (i) installation of a softball field, (ii) installation of a whiffle ball field, (iii) purchase and installation of playground equipment, (iv) swimming pool improvements and (v) parking lot expansion (collectively, the "Project"), through the issuance of a general obligation note (the "Project Note");

WHEREAS, the City recognizes the need to authorize its officers and employees to cooperate with certain appointed professionals in connection with the structuring, securing and issuing the Project Note;

WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "Bonds" under Section 150 of the Code ("Obligations")-used to reimburse advances made for capital expenditures paid before the issuance of such Obligations-may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and, therefore, not subject to further requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require: (a) that the City make a declaration of official intent to reimburse any capital expenditure paid prior to the issuance of the Obligations intended to fund the same; (b) that such declaration of official intent be made no later than sixty (60) days after payment of the capital expenditure; and (c) that any reimbursement allocation of the proceeds of such Obligations to reimburse such capital expenditures occur no later than eighteen (18) months after the later of the date such capital expenditure was paid or the date the property acquired with the capital expenditure was placed in service, (provided, however, that any such reimbursement allocation must be made no later than three years after such capital expenditure was paid); and

WHEREAS, the City has already expended, or may soon expend, general operating and/or capital reserve funds for costs of a portion of the Project.

NOW, THEREFORE, be it resolved by the City Council of the City of DuBois as follows:

Section 1. Appointment. The City does hereby authorize its officers and agents to work with Dinsmore & Shohl LLP, as Note Counsel, in conjunction with the structuring, securing and issuing of the Project Note, with the understanding that final approval of a financing requires formal approval of City Council.

Section 2. Immediate Actions Required. The City does hereby authorize Dinsmore & Shohl LLP to (i) assist the City in the preparation of an request for proposals to purchase the Project Note to be issued by the City to banks and financial institutions selected by the City, (ii) prepare an ordinance authorizing the issuance of the Project Note and (iii) prepare the legal notices required pursuant to the Local Government Unit Debt Act. Further, the City does hereby authorize the City Manager to promptly circulate the request for proposals to purchase the Project Note to be issued by the City to banks and financial institutions selected by the City.

Section 3. Declaration of Official Intent. The City hereby declares, pursuant to the Reimbursement Regulations, its official intent to reimburse itself with the proceeds of tax-exempt Obligations in the reasonably estimated amount not to exceed \$1,000,000 for the purpose of Capital Expenditures for the Project which may occur prior to the issuance of the tax-exempt Obligations.

Section 4. Purpose and Effect of Resolution. The City Council hereby states and affirms that one purpose served in the adoption of this Resolution is to achieve full compliance with the Reimbursement Regulations, thereby preserving to itself the fullest array of financing options and opportunities; nothing stated or declared in this Resolution shall obligate or bind the City to undertake and complete the Project, in whole or in part.

AND SO IT IS DULY RESOLVED AND ADOPTED by the City Council of the City of DuBois, Clearfield County, Pennsylvania, in lawful session assembled on January 9, 2023.

ATTEST:

CITY OF DUBOIS

The signature of the City Secretary is written in blue ink over a horizontal line.

City Secretary

By:

The signature of the Mayor is written in blue ink over a horizontal line.

Mayor & President of City Council

City Council Meeting Minutes – January 9, 2023 (Cont'd.)

Resolution No. 2023-0361 – Appointing Professional & Reimbursement Declaration of the City Council of the City of DuBois.

The motion was made by Gabriel and seconded by Aughenbaugh that Council approve Resolution No. 2023-0361 Appointing Professional & Reimbursement Declaration of the City Council of the City of DuBois as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Recommendation – 2023 Pool Building Improvements

The motion was made by Gabriel and seconded by Dietz that Council approve the recommendation of the City Engineer and award the contract to Hallstrom Construction in the amount of \$182,000. Councilman Aughenbaugh had a question on the vote: What do the renovations include? Nasuti stated a new roof, paint and doors for the bath house, new roof and paint for the chemical building, retaining wall, replace steps and enclose the heater. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

City Engineer/Public Works Director, Chris Nasuti

Stated that the Trans Associates will have a design by the end of the year and construction will start next year. Councilman Aughenbaugh asked how often we can apply for the Green Light Go Grant; Nasuti stated annually.

Councilman Jim Aughenbaugh

Thank you Chief Roy for your six years of service, that's a long time. Good luck.

Councilwoman Shannon Gabriel

Congratulated Police Chief Clark on National Law Enforcement Day. Thanked Fire Chief Roy for keeping our firefighters safe the last few years.

Councilwoman Diane Bernardo

- Thank you to everyone that serves in our fire department.
- Prior to the meeting, she put small bottles of wine at all of Council's seats; she said she's been doing research for the historic signs at the top of the boulevard. In 1913 DuBois was a boro facing their last election before becoming a City. This year we will be holding our last election prior to the consolidation being completed. She picked up her bottle and said to Council "I raise my glass to you, much success in your election."

City Solicitor, Toni Cherry

Gave thanks and gratitude to everyone who makes this Community safe and great. The Fire Department is a very important part of this Community.

City Manager, John "Herm" Suplizio

- Appreciates the time and effort the Fire Chief's put into the Department.
- Nice crowd tonight – good to see everyone.
- Noted the change in meetings to the second and fourth Mondays of the month. Stated that last year we changed our schedule to accommodate Sandy Township for the Joint Board Meetings and this year they are going to accommodate us. Currently we don't have a date for the next Joint Board Meeting.

Mayor – Edward L. Walsh

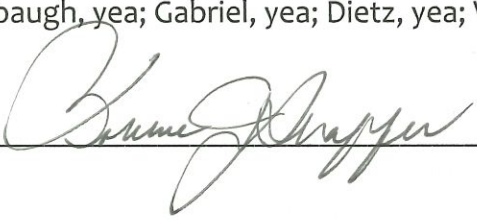
Stated he is not going to thank former Fire Chief Tony Roy for his years of service, he is going to thank Tony's wife and daughters. Welcome new Fire Chief Federici.

City Manager Suplizio asked for a short Executive Session for Legal purposes on a possible lawsuit. City Solicitor Cherry stated that no action would take place.

City Council Meeting Minutes – January 9, 2023 (Cont'd.)**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: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

ATTEST:



APPROVED:

