

City Council Meeting Minutes - October 25, 2021

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, October 25, 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, Shane Dietz, and Shannon Gabriel. Also present were: City Manager, John "Herm" Suplizio; City Solicitor, Toni Cherry; City Engineer/Public Works Director, Chris Nasuti; Redevelopment Authority Director/Assistant Public Works Superintendent, Joe Mitchell; Police Chief, Blaine Clark; Corporal, Lanny Prosper; Corporal, Randy Young; and City Secretary, Bobbie Shaffer.

Special Guests: Briah Wolfgang, Heather Reynolds-Yutzey; Tammy Horner; Heather Stewart; and family and friends of Dennis Gray

Absent: Councilman, James Aughenbaugh; 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 Councilman Aughenbaugh

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

Approval of Minutes

City Council Meeting Minutes - October 12, 2021

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

Work Session Meeting Minutes - October 21, 2021

The motion was made by Dietz and seconded by Gabriel that Council approve the Work Session Meeting Minutes of October 21, 2021 as presented by the City Secretary. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Approval of Registry of Invoices

The motion was made by Gabriel and seconded by Dietz that Council approve the Purchase Order Listing by Vendor Name dated October 21, 2021, in the amount of \$494,568.15 and the autodraft Check Register by Check ID dated October 21, 2021, in the amount of \$4,619.17 as presented by the Finance Officer. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Public Comments

Paul Sprague - VFW - Game Feed

Mr. Sprague addressed council about the VFW Wild Game Feast that will be held on March 5, 2022. Proceeds from ticket sales will go toward sending veterans to Erie for Steelhead fishing; disabled veterans to Delp's for pheasant hunting; and youth programs. He believes this year's meal will be Elk; door will open at 4 p.m. with dinner at 5:30 p.m.; tickets are \$20 for adults and \$10 for youth. They hope to have the director from Project Healing Waters as the speaker along with the Director of Pentz Run Youth Services. Mr. Sprague said if anyone has any questions they can contact him at 814-541-9077.

Mr. Sprague also announced that on November 11 there will be breakfast for any Veterans at the American Legion followed by a Veterans Day ceremony at 11 a.m. at the VFW.

Officer and Citizen Recognition

Mayor Walsh stated that he witnessed Uncle Denny (Dennis Gray) having a medical emergency at Corporal Lanny Prosper's wedding. Chief Clark stated he heard it was a great wedding he's sorry he couldn't make it. He believes it was because of everyone's actions that day that Mr. Gray is present with us tonight.

City Council Meeting Minutes - October 25, 2021 (Cont'd.)

Officer and Citizen Recognition

Chief Clark presented the following certificate to: Ryan Holtz, Briah Wolfgang, Heather Reynolds-Yetzey, Tammy Horner, Corporal Randall Young and Officer Lance Thompson

In the course of human history there are those rare events that try the spirit and heart of each of us. These events often distinguish and declare the fabric of our character to those who witness our actions. The medical emergency that occurred on Saturday, September 25, 2021 at the Silver Fox Theater and Event Center was one of those events.

On that day, through your immediate response and courageous actions the life of Denny Gray was saved. Your courage and bravery have left an indelible impression on the family of Corporal Orlando Prosper, the City of DuBois, as well as the City of DuBois Police Department, and will never be forgotten.

As the Chief of Police of the City of DuBois Police Department, it is my honor to recognize your bravery and courage.

With the Warmest Regard, I Remain,

*Blaine D. Clark
Chief of Police
City of DuBois, Pa.*

Clark then went on to thank City Manager Suplizio, Mayor Walsh and all of Council for allowing the police department to do their jobs and expecting the utmost professionalism as they do it.

Mr. Gray thanked everyone who helped him that day.

Corporal Young believes that Denny Haag needs to be recognized for sounding the alarm that Mr. Gray was having a medical emergency.

Corporal Prosper explained how fortunate we all are to work for our Council ...they understand. People sometimes forget how well trained people are as they go about their daily lives shopping or attending a concert. These people did not hesitate to jump in that day; their training kicked and because of it Uncle Denny is still with us. Prosper grew up across the road from Uncle Denny...he's more like a father to him.

Eagle Scout Presentation - Mitchell Klark

Mitchell was ill this evening he will make his presentation at the next Work Session.

Resolution No. 2021-0343 - Wastewater Treatment Plant, North Interceptor, Coke Hill Collection System



CITY OF DUBOIS, PENNSYLVANIA

16 W SCRIBNER AVE. • P.O. BOX 406 • DUBOIS, PENNSYLVANIA 15801
TELEPHONE: (814) 371-2000

RESOLUTION TO APPLY RESOLUTION NO. 2021 - 0343

The undersigned, an authorized representative of the CITY OF DUBOIS (the "City") (Borrower), hereby certifies that at a meeting held on the 25th day of October 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 (PENNYVEST), substantially in the form presented at this meeting for the purpose of financing the construction of a new Wastewater Treatment Plant, access road for the proposed Wastewater Treatment Plant, and improvements to the City's collection system. 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 25th day of October 2021.

Chadwick J. Shaffer
Secretary

City Council Meeting Minutes - October 25, 2021 (Cont'd.)

Resolution No. 2021-0343 - Wastewater Treatment Plant, North Interceptor, Coke Hill Collection System (Cont'd.)

City Engineer Nasuti stated that we need this resolution to submit with our application on November 5th; we should hear from PennVest on January 19, 2022 about our loan request. The motion was made by Dietz and seconded by Gabriel that Council approve Resolution No. 2021-0343 as presented. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Resolution No. 2021-0344 - Fair Housing Resolution



FAIR HOUSING RESOLUTION
RESOLUTION NO. 2021-0344

LET IT BE KNOWN TO ALL PERSONS of the City of DuBois that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, sex, national origin, religion, familial status (families with children), or handicap (disability) is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act) and the Pennsylvania Human Relations Act adds the additional protected classes of age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals. It is the policy of the City of DuBois to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, sex, national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness, or physical handicap of the user or because the user is a handler or trainer of support or guide animals. Therefore, the City of DuBois does hereby pass the following resolution.

BE IT RESOLVED, that within available resources the City of DuBois will assist all persons who feel they have been discriminated against because of race, color, sex, national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals to seek equity under federal and state laws by filing a complaint with the local Fair Housing Officer, Pennsylvania Human Relations Commission and the U.S. Department of Housing and Urban Development, whichever is chosen by the person filing the complaint.

BE IT FURTHER RESOLVED that the City of DuBois shall make publicly known this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Act, the Pennsylvania Human Relations Act, and any local laws or ordinances.

FURTHER ACTION will at a minimum include, but not to be limited to:

- (1) Publicizing the name and contact information of the local Fair Housing Officer, which will include the process to file a complaint if a person feels they have been discriminated against in housing in any manner and other applicable fair housing information through local media and community contracts; and
- (2) Conduct at least one fair housing activity annually to better inform the public of their rights under the Fair Housing Law and Pennsylvania Human Relations Act; and
- (3) Use the fair housing logo on all materials dealing with housing programs such as but not limited to:
 - a. Public advertisements for vacancy or discussing the program
 - b. Applications for assistance
 - c. Contracts
 - d. Municipal letters dealing with the federal programs

If you're a person with a disability and require a reasonable accommodation to be able to access any notification and/or if you're Limited English Proficient and require a document translation of any notification, please contact:

John "Herm" Suplizio, City Manager/Fair Housing Officer
PO Box 408, 16 W. Scribner Avenue, DuBois, PA 15801
(814)371-2000 (ext. 109) herm.suplizio@cityofdubois.gov

Approved at the regularly scheduled meeting of the City of DuBois held October 21, 2021

Signature:

Edward L. Walsh, Mayor and Council President
(Seal)

Date

Redevelopment Authority Director Mitchell stated that this is an annual CDBG requirement. The motion was made by Gabriel and seconded by Dietz that Council approved Resolution No. 2021-0344 - Fair Housing Resolution as presented. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Resolution No. 2021-0345 Statement of W/WBE Goals



CITY OF DUBOIS, PENNSYLVANIA
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CITY OF DUBOIS
STATEMENT OF GOALS
NATIONAL PROGRAM FOR MINORITY AND WOMEN BUSINESS ENTERPRISE
EXECUTIVE ORDER 2021-0345

- 1. The City of DuBois hereby sets as its goal for utilization of minority and women businesses, through its contracts for public works, site clearance and demolition, supplies and services, a target of \$13,034 for MBE and \$7,829 for WBE of its project budget or 5% for MBE, and 3% for WBE for the City of DuBois' administrative costs for the FY 2021 CDBG Program.
- 2. As part of the preparation of the contract documents, the City of DuBois will analyze the specific construction, site clearance and demolition projects and will determine for each specific CDBG contract, a goal and percentage amount which represents in the judgement of the City, to be the maximum feasible involvement of minority and women businesses. Thus, individual projects may vary from the stated percentage goal. It is expected during the course of the year, however, that the total volume awarded to minority or women businesses will approximate the goals stated above.

Adopted this 21st day of October 2021.

ATTEST:

DUBOIS CITY COUNCIL

Bobbie Shaffer, City Secretary

Edward L. Walsh
Mayor & Council President

Date

City Council Meeting Minutes - October 25, 2021 (Cont'd.)

Resolution No. 2021-0345 Statement of W/WBE Goals (Cont'd.)

The motion was made by Gabriel and seconded by Bernardo that Council approve Resolution No. 2021-0345 - Statement of W/WBE Goals as presented. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Resolution No. 2021-0346 - Resolution for Application of 2021 CDBG

RESOLUTION
of the City Council of the City of DuBois authorizing the submittal of the FY 2021 CDBG Application

RESOLUTION NO. 346

A Resolution of the City of DuBois, Commonwealth of Pennsylvania, authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for funding through the Community Development Block Grant (CDBG) Program, as authorized under the Housing and Community Development Act [42 USC 5301 and 24 CFR Part 570], and further certifying compliance with the requirements of said program.

WHEREAS, it is necessary and in the public interest that the City of DuBois, Pennsylvania, receive funds from the Commonwealth through the Department of Community and Economic Development in accordance with the Community Development Block Grant Program; and

WHEREAS, the City of DuBois has the legal authority and responsibility under Act 179 to apply for Community Development Block Grant funds; and

WHEREAS, the City of DuBois have undertaken a considerable citizen participation process including written invitations to municipalities, informational meetings, hearings and legal notices all of which culminated in the prioritization of projects and development of a Community Development Plan; and

WHEREAS, the City of DuBois are familiar with the requirements of the program as provided for in the Housing and Community Development Act (HCDA) and the Community Development Block Grant regulations; and

WHEREAS, the City of DuBois wishes to apply for said funds.

NOW, THEREFORE, BE IT RESOLVED by the City of DuBois that its Mayor is authorized to have prepared the necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant funds for the purposes aforesaid; and

BE IT FURTHER RESOLVED, if CDBG funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, the City of DuBois agrees to repay the proportion deemed ineligible from non-federal sources.

BE IT FURTHER RESOLVED that the Community Development Plan was developed in coordination with low and moderate income individuals, interested organizations, non-profits and other interested parties through the citizen participation process and municipal information gathering is hereby adopted; and

BE IT FURTHER RESOLVED that the Mayor of the City of DuBois is empowered to place his/her signature, on behalf of the governing body, on necessary application forms and affix thereto the official seal of the City of DuBois.

Adopted by the City of DuBois at the regular meeting on October 21, 2021.

Signature
October 21, 2021
Date
Seal

The motion was made by Dietz and seconded by Gabriel that Council approve Resolution No. 2021-0346 as presented. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

City Solicitor - Toni Cherry

Discussed the PLCB Liquor License transfer between Allegheny Ovens, Inc. (Italian Oven - Sandy Township) and Invictus Defense, LLC (City of DuBois). Solicitor Cherry would like to request a public hearing prior to our resolution being passed. We need to advertise the Public Hearing once a week for two weeks not more than 30 days prior to and not less than seven days before the hearing. Solicitor Cherry is requesting a November 22nd Public Hearing and feels this is an issue with some urgency. Solicitor Cherry presented the City Secretary with a check in the amount of \$2,500 from Attorney Dave King for any fees incurred in the transfer process.

Request to add item to the agenda:

Request for Public Hearing on November 22, 2021 @ 6:45 p.m. concerning Liquor License Transfer

As this was an item that arose within 24-hours prior to the meeting the motion was made by Bernardo and seconded by Gabriel that Council add Request for Public Hearing on November 22, 2021, @6:45 p.m. concerning Liquor License Transfer to the evenings agenda. Roll call vote was as follows: Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Request for Public Hearing on November 22, 2021 @ 6:45 p.m. concerning Liquor License Transfer between Italian Oven (Sandy Twp.) and Invictus (City of DuBois)

The motion was made by Dietz and seconded by Gabriel that Council approve the Public Hearing for November 22, 2021 @ 6:45 p.m. concerning the Liquor License Transfer between Italian Oven (Sandy Township) and Invictus (City of DuBois). Roll call vote was as follows:

City Council Meeting Minutes - October 25, 2021 (Cont'd.)

Request for Public Hearing on November 22, 2021 @ 6:45 p.m. concerning Liquor License Transfer between Italian Oven (Sandy Twp.) and Invictus (City of DuBois) - Cont'd.

Bernardo, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-0.

Police Chief - Blaine Clark

Thank you for putting the Recognition ceremony together.

City Engineer/Public Works Director - Chris Nasuti

Updated Council on Maple Avenue

- Phase One - Waterline is still ongoing.
- Drainage on Park Avenue will be done tomorrow.
- Hospital Access Road - Paving Sunflower this week
- City Paving - Milling Stockdale tomorrow.

Councilwoman Diane Bernardo

- Thank you City Staff, excellent minutes from October 21, 2021; congrats to City Manager on Comprehensive Plan.
- Event Closure Form
Everything is so verbal just ensuring the City and the festivals are safe for the public and we stay out of legalities.

City Solicitor - Toni Cherry

Brought the Agreement of Sale between the VFW and the City of DuBois for the Mayor to sign and the Manager attest; VFW has already signed. This agreement was approved by Council at a previous meeting.

City Manager - John "Herm" Suplizio

Nice turnout tonight...nice to see so many people here.

Mayor - Edward L. Walsh

Mayor Walsh stated that he has been hammered by people asking what his position is on consolidation. He went on to say that his position, and this is strictly his position is 100% for consolidation but he is not happy with how it has been presented. He went on to say that if it doesn't pass this time, he plans on forming a committee for a Home Rule Charter City.

Councilwoman Diane Bernardo

Stated that she agrees with the Mayor; she feels a big step was missed.... forming a Committee. She feels that because the process was stopped the residents took a reactionary step.

Councilwoman Shannon Gabriel

Stated that she is in line with Mayor Walsh and Councilwoman Bernardo. She doesn't feel that this is what is best for our City. Not sure it is fair to the residents or employees.

Councilman Shane Dietz

He agrees, he's for consolidation but not this way. He thinks it would be great to form a committee and work toward Home Rule Charter.

Mayor Edward L. Walsh

Reiterated that he is 100% for consolidation, just not this way.

Adjourn

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

ATTEST:



APPROVED:

