

City Council Meeting Minutes – October 3, 2022

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, October 3, 2022 @ 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 (Phone), 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 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.

Absent: David Volpe, City Controller

Approval of Minutes

Public Hearing Meeting Minutes – 2022 CDBG – September 19, 2022

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

City Council Meeting Minutes – September 19, 2022

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

Work Session Meeting Minutes – September 29, 2022

The motion was made by Gabriel and seconded by Dietz that Council approve the Work Session Meeting Minutes of September 29, 2022, as presented by the City Secretary. There was a question on the motion from Councilwoman Bernardo. She stated: “Under the Mayor comments (*Supervisor Mollica apologized for the meeting last week. He stated that he was misinformed, he was told that the meeting he was invited to was NOT legal.*) Fortunately, I had a chance to listen to the radio broadcast twice. I never heard Mr. Mollica apologize once. He stated that he was misinformed, no on the radio he said he learned more information and the bottom line is this: If the Supervisors and Mr. Mollica had acted as mature responsible leaders and asked for an Executive Session to talk with Council and to talk with the lawyer and to talk about meetings we can have and whether they are legal or not then we would not have had to endure the insult of having a letter reprimanding us and being put in the newspaper. You are being very gracious Eddie in what you said, there was no apology.” Mayor Walsh said he definitely said it; maybe he wasn’t on the air, but he definitely said it. Diane said, he did not say it on the air and being misinformed; how can you be misinformed when you don’t even ask the right questions? Roll call vote was as follows: Bernardo, nay; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 4-1.

Registry of Invoices

In error, this item was not on the agenda; but as it was on the Work Session Agenda for Monday. The motion was made by Gabriel and seconded by Bernardo that Council approve the Purchase Order Listing by Vendor Name dated September 29, 2022 in the amount of \$614,042.57 and the Check Register By Check ID dated September 29, 2022 in the amount of \$30,148.86 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.

Recommendation Aggregates:

2022 Type AS3 Anti-Skid Material – Bucktail Excavators, Inc. - \$26.92 Per Ton

The motion was made by Dietz and seconded by Gabriel that Council accept the recommendation of the City Engineer and award the 2022 Type AS3 Anti-Skid Material contract to Bucktail Excavators, Inc. in the amount of \$26.92 per ton. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

City Council Meeting Minutes – October 3, 2022 (Cont'd.)

2022 Type A Sand Material – Bucktail Excavators, Inc. \$18.46 Per Ton

The motion was made by Gabriel and seconded by Dietz that Council accept the recommendation of the City Engineer and award the 2022 Type A Sand Material contract to Bucktail Excavators, Inc. in the amount of \$18.46 per ton. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

2022 Type A Limestone 2A - \$20.92 Per Ton

The motion was made by Dietz and seconded by Gabriel that Council accept the recommendation of the City Engineer and award the 2022 Type A Limestone 2A contract to Bucktail Excavators, Inc. in the amount of \$20.92 per ton. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

2022 AASHTO #8 – Bucktail Excavators, Inc. - \$26.92 Per Ton

The motion was made by Gabriel and seconded by Dietz that Council accept the recommendation of the City Engineer and award the 2022 ASSHTO #8 contract to Bucktail Excavators, Inc. in the amount of \$26.92 per ton. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Councilwoman Gabriel asked City Engineer/Public Works Director Nasuti if there was any cost savings combining the bid with Sandy Township. Nasuti said it is difficult to say, as the high price of everything.

Resolution No. 2022-0353 – Authorizing the Submission of 2022 CDBG Application



CITY OF DUBOIS, PENNSYLVANIA RESOLUTION NO. 2022 - 0353

THE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBOIS APPROVING AND AUTHORIZING THE SUBMISSION OF THE FY 2022 CDBG APPLICATION

A Resolution of the City Council 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, receives 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 Council of the City of DuBois has the legal authority and responsibility under PA Act 179 to apply for Community Development Block Grant funds; and

WHEREAS, the City of DuBois has 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 is 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 Council of 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 necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant (CDBG) funds for the purposes aforesaid; and

City Council Meeting Minutes – October 3, 2022 (Cont’d.)

Resolution No. 2022-0353 – Authorizing the Submission of 2022 CDBG Application (Cont’d.)

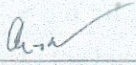
BE IT FURTHER RESOLVED, if CDBG funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, the City Council of the City of DuBois agrees to repay that proportion deemed ineligible from non-federal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

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

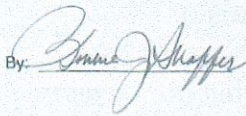
BE IT FURTHER RESOLVED, that the Mayor of the City of DuBois is empowered to place his signature, on behalf of the governing body, on the necessary application forms and affix thereto the official seal of the City of DuBois.

Adopted by the City Council of DuBois at the regular meeting on October 3, 2022.

CITY OF DUBOIS, PA


By: 
Hon. Edward L. Walsh, Mayor
And President of City Council

ATTEST:

By: 

The motion was made by Dietz and seconded by Gabriel that Council authorize Mayor Walsh to sign Resolution No. 2022-0353 – Authorizing submission of 2022 CDBG Application as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Resolution No. 2022-0354 – Statement of Goals in Compliance w/the National Program for Minority and Women in Business Enterprise



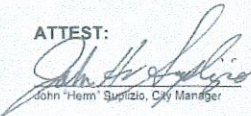
CITY OF DUBOIS, PENNSYLVANIA
RESOLUTION NO. 2022-0354

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF DUBOIS APPROVING A STATEMENT OF
GOALS IN COMPLIANCE WITH THE NATIONAL PROGRAM FOR
MINORITY AND WOMEN BUSINESS ENTERPRISE,
EXECUTIVE ORDER 11625, CITY OF DUBOIS, PA

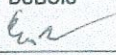
1. The City of DuBois, PA hereby set as its goal for utilization of minority and women businesses, through its contracts for public works, site clearance and demolition, supplies and services, a target of \$12,654 for MBE and \$7,592 for WBE for the City of DuBois' non-administrative cost for the FY 2022 CDBG Program.
2. As part of 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 3rd day of October 2022 at the regularly scheduled meeting of the City Council.

ATTEST:


John 'Herm' Supizio, City Manager

CITY OF DUBOIS


Hon. Edward Walsh, Mayor

10/3/22
Date


Mayor Walsh asked the City Solicitor to read the resolution. The motion was made by Bernardo and seconded by Gabriel that Council approve Resolution No. 2022-0354 – Statement

City Council Meeting Minutes – October 3, 2022 (Cont'd.)

Resolution No. 2022-0354 – Statement of Goals in Compliance w/the National Program for Minority and Women in Business Enterprise (Cont'd.)

of Goals in Compliance w/the National Program for Minority and Women in Business Enterprise as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Resolution No. 2022-0355 – Fair Housing Resolution



FAIR HOUSING RESOLUTION
RESOLUTION NO. 2022- 0355

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@duboispa.gov

Approved at the regularly scheduled meeting of the City of DuBois held on this 3rd day of October 2022.

Signature: 

Edward L. Walsh, Mayor and Council President

(Seal)

Date: 10/03/22

Solicitor Cherry read the first paragraph of the resolution. The motion was made by Gabriel and seconded by Dietz that Council approve Resolution No. 2022-0355 – Fair Housing Resolution as presented. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Tabulation – Training Facility Fence Relocation
October 3, 2022

Training Facility Fence Relocation
Monday, October 3, 2022 @ 11 a.m.


Kessler Backyard Specialties, LLC	\$36,875.71
3960 Wayne RD	
DuBois, PA 15801	

City Council Meeting Minutes – October 3, 2022 (Cont'd.)

Tabulation – Training Facility Fence Relocation (Cont'd.)

Nasuti stated a few companies looked at the project, but we only received one bid. He would recommend awarding the contract to Kessler Backyard Specialties, LLC. Councilman Dietz asked if moving the fence will affect access to the garage. Mitchell stated we started moving things around at the garage last year to make room. He doesn't think it will negatively affect their working conditions. The motion was made by Dietz and seconded by Gabriel that Council award the contract for the Training Facility Fence Relocation to Kessler Backyard Specialties, LLC in the amount of \$36,875.71. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Revised Resolution No. 2022-0352 – PennVEST Rate Resolution



RESOLUTION NO. 2022-0352
City of DuBois, Clearfield County, Pennsylvania

AUTHORIZING THE ADOPTION OF SUFFICIENT SEWER RATES AND PROVIDING FOR THE IMPLEMENTATION THEREOF NO LATER THAN THREE MONTHS BEFORE THE SCHEDULED AMORTIZATION DATE AS DEFINED AT SETTLEMENT ON THE CITY'S \$88,317,000.00 MAXIMUM PRINCIPAL AMOUNT FUNDING ARRANGEMENT WITH THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY (LOAN ME NO. 75388).

WHEREAS, the City of DuBois, Clearfield County (the "City"), created and existing under the laws of the Commonwealth of Pennsylvania, has determined that it is necessary and in the best interests of the City to undertake a capital project to improve the wastewater system facilities (the "System") that are managed by the City, consisting of the rehabilitation of aging infrastructure and the construction of a new Sequencing Batch Reactor wastewater treatment facility.

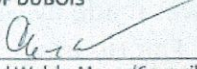
WHEREAS, in order to finance the cost of the Project, the City intends to secure financing from the Pennsylvania Infrastructure Investment Authority in the maximum principal amount of \$88,317,000.00 to be evidenced by a debt obligation (the "Debt Obligation"); and

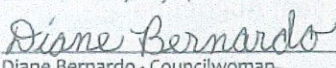
WHEREAS, the City desires to adopt this Resolution to evidence its intent to adopt residential rates for the System that, will produce revenues sufficient to cover all of its operational and maintenance costs and the debt service on the Debt Obligation.

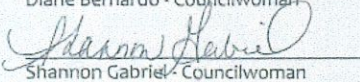
NOW, THEREFORE, BE IT RESOLVED, that the rate is \$19.00 per thousand gallons each month, implemented by the City, to be effective July 1, 2025, to produce revenues from the operation of the System sufficient to cover all operational and maintenance costs and the debt service on the Debt Obligation.

DULY ADOPTED, this 29th day of September, 2022 by the City of DuBois, Clearfield County, in lawful session duly assembled.

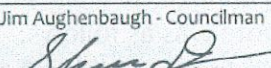
CITY OF DUBOIS

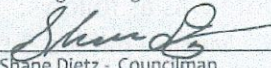

Edward Walsh, Mayor/Council President


Diane Bernardo - Councilwoman

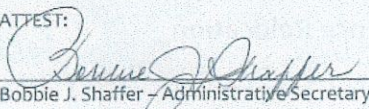

Shannon Gabriel - Councilwoman

(SEAL)


Jim Aughenbaugh - Councilman


Shane Dietz - Councilman

ATTEST:


Bobbie J. Shaffer - Administrative Secretary

Date: 10/3/22

Nasuti stated that PennVEST required the resolution to be very specific with the exact rate and exact date, which is not realistic we won't know that until the project is finished. But, they did say we can change the amount at a later date. The motion was made by Dietz and seconded by Gabriel that Council approve the revised Resolution No. 2022-0352 – PennVEST Rate Resolution as presented. Councilwoman Bernardo had a question on the vote: She asked Nasuti if he can guarantee that that person he talked to will be there if we need to change the rate in the future or do we have anything in writing? Nasuti stated he can't guarantee the person will be there, the same as he can't guarantee the rate will be \$19. If

City Council Meeting Minutes – October 3, 2022 (Cont'd.)

Revised Resolution No. 2022-0352 – PennVEST Rate Resolution (Cont'd.)

we get to July 2025 and our costs increase and \$20 will cover costs, we will set an ordinance with the amount at \$20. Solicitor Cherry stated what the lawyers for PennVEST are most concerned about is whether or not that is going to be a sufficient amount to payoff that debt. If we want to reduce it because somehow we come into a windfall, their position is it's not going to go below that because that's the rate that has been calculated to ensure that their debt is paid. Their goal is to make sure we can meet our obligation to pay back this loan. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Chris Nasuti – City Engineer/Public Works Director

Met with Hawbaker's today, everything is on track. Putting a base coat on Maple Avenue by the end of October. Working on Hospital Avenue, Munro and Arminta the week of the 17th. Then back to pave Maple and Chestnut Avenue. Everything should be concluded the first week in November. Bernardo asked about the house on the corner, whether or not they were done with the big trucks. Nasuti said he believes they are.

Joe Mitchell - Redevelopment Authority Director/Assistant Public Works Superintendent

Started Shaffer Avenue with the addition of two Sandy Employees. Going really well. Working with school on the bus routes. The guys from Sandy and our crew really like working together. Mayor Walsh said he could tell when he stopped by.

Diane Bernardo – Councilwoman

Birthday Shout outs: Chris Nasuti – September 30th; Nick Hoffman – October 22nd; Shannon Gabriel – October 28th.

Shane Dietz – Councilman

He's been looking around the City at all the different projects and it seems like everything is going well. Good job keeping the traffic moving; for as much work that is going on there doesn't seem to be any backups.

Shannon Gabriel – Councilwoman

Told of a harrowing experience on Maple Avenue when an individual decided not to obey the Detour or Road Closed signs and was headed directly for her. She said she could tell he was not stopping. She has read comments of people not obeying the signs and bragging about it. Going forward the police department will be doing their due diligence so no one gets killed. She realizes the project has been a huge inconvenience, but people need to continue to obey the signs.

John "Herm" Suplizio – City Manager

Flushing begins October 16 @ 7 p.m.

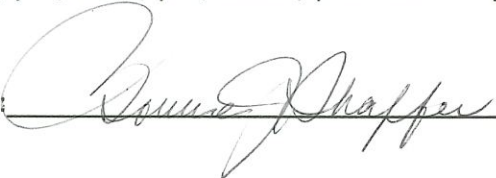
Councilwoman Gabriel wanted to remind everyone that Trick or Treat in the City of DuBois is 6 – 8 p.m. on Monday, October 31st. Also, the Sunny 106 parade will be the same evening beginning at 5 p.m. She and Councilwoman Bernardo will be judges.

An Executive Session was called for a Personnel Issue.

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; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

ATTEST:



APPROVED:

