

City Council Meeting Minutes – January 22, 2024

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, January 22, 2024, at 6 p.m.; Council convened at their regular City Council Meeting with Mayor Pat Reasinger in the Chair. Other Council Members present were James Aughenbaugh, Shane Dietz, Elliot Gelfand and Jennifer Jackson. Aso present were: Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Interim Solicitor Associate, Josh Brown; Finance Director, DeLean Shepherd; City Controller, David Volpe; Redevelopment Authority Director, Joe Mitchell; Code Enforcement Officer, Zac Lawhead; Public Works Superintendent, Scott Farrell; Police Chief Blaine Clark; Officer Zayne Rhed; and Administrative Secretary, Korbi Slocum.

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

Public Comments on Agenda Items Only

Linda London - 527 Rumbarger Avenue

Regarding Item #16 (Elected Officials Healthcare)

“My questions and concerns are related to #16 on tonight’s agenda. First, has it been determined whether or not providing healthcare to elected officials is legal or not? If it is not legal, what actions are planned for past illegal misusage as well as future implementation? Next, what year did providing elected officials which will include but may not be limited to the Council and Mayor begin? And, by what recommendation and vote did this happen? Next, when this practice was to be implemented, was there a public vote for this benefit to be provided to elected officials and was there a date when coverage would cease, such as when the person’s term ended, or was this benefit to be provided forever to those elected officials? In other words, are any past elected officials currently receiving healthcare benefits? I feel quite certain that most taxpayers in our city are unaware of the healthcare benefits and perhaps other bonuses that elected officials may have received. Healthcare is a ‘big ticket’ item. Many people don’t have healthcare benefits at all and, perhaps if they knew that up until this point, they could have received healthcare in addition to the monetary stipend perhaps there would have been more candidates in the past run for elected offices in DuBois.”

(It was noted that Agenda Item questions will be addressed as each Agenda item is discussed.)

Deb Mechling – Monroe Street

Regarding Item #20 (Executive Session)

“I’m not quite sure what the procedure, how it all goes. Some of my questions are: Who is present during the Executive Sessions? Are minutes of the Executive Sessions recorded? Were minutes of past Executive Sessions recorded? And, are all topics that are discussed during Executive Sessions presented at the Council meetings?”

Kathleen Clement – Chestnut Avenue

Regarding Item #16 (Elected Officials Healthcare)

“If it’s deemed that the health insurance is illegal, shouldn’t have been, will the taxpayers be reimbursed for those fees?”

Approval of Minutes

City Council Reorganizational Minutes – January 2, 2024

The motion was made by Aughenbaugh and seconded by Jackson that Council approve the Reorganizational Minutes of January 2, 2024, as presented. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

City Council Meeting Minutes – January 8, 2024

The motion was made by Jackson and seconded by Gelfand that Council approve the City Council Meeting Minutes of January 8, 2024, as presented. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

Registry of Invoices

The motion was made by Aughenbaugh and seconded by Dietz to pay the Auto Draft Check Register by Check ID dated January 18, 2024, in the amount of \$17,850.75. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

The motion was made by Jackson and seconded by Gelfand to pay the General Fund Purchase Order Listing by Vendor Name dated January 18, 2024, in the amount of \$308,464.69. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

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The motion was made by Jackson and seconded by Gelfand to pay the PennVEST Check Register by Check ID dated January 17, 2024, in the amount of \$3,448,271.81. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

DuBois Little League – 2024 Update

President Scott Frano and board members Amanda Rosman and Angela Stewart represented the DuBois Little League. The three representatives gave an update on DuBois Little League, specifically the T-ball division, which is seeing an increase in participation. The T-ball field needs maintenance. Little League wants to know what the future plans are for the T-ball field before committing monies to rehabilitate the field.

DuBois Little League is also celebrating their 75th anniversary this summer. It's going to be a community event. They invited DuBois to be involved in the celebration. They appreciate anything and everything. DuBois Little League has a very busy summer coming up and we're really excited about it.

Angela Stewart invited and encouraged everyone from the community to support the Challenger League, which is a division of Little League. Games are Tuesday and Thursday evenings during the summer months.

Water and Sewer Projects Update - HRG

Jeff Garrigan stated he will be at Council meetings on a monthly basis to address any project-related questions. He gave an update on several projects:

- Wastewater Treatment Plant – construction work is about 50% complete; shooting for an end of year 2024 completion date
- Washington Avenue Waterline – looking for it to go out to bid in February, a March bid opening and work to start in April
- Water Treatment Plant Flocculator Replacement – that construction was completed last week. The second flocculator was installed and things were going well, but I got an email from Scott today that something happened to it. The contractor has been notified and will be coming back to fix it.

Donation to Canine Fund

Officer Rhed thanked everyone who has ever donated to the Canine Fund to keep the program up and running. Mike and Hayes Weber from Auto Undertaker Towing & Repair presented a check for the Canine Fund to Officer Rhed and went on to thank the Department for their professionalism and protection of our community.

Dennis Skraba - Musicfest

Skraba headed Musicfest in 2023 and is willing to head it again in 2024 if Council is interested. He is also looking for an indoor venue to use in case of inclement weather. Nasuti confirmed that the MusicFest budget is the amount requested (\$8,000).

Approval for Fire Department to Lend Reserve Engine to Reynoldsville

Chief Federici informed Council the Reynoldsville Fire Chief reached out to ask if DuBois would lend them the reserve fire engine (old Engine from Department 75) while their main engine is out of service being refurbished. The motion was made by Jackson and seconded by Aughenbaugh to approve lending our reserve engine to Reynoldsville. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

Jackson apologized to the Fire Department. "I just want to clarify. If something is on the agenda, it doesn't mean we're making a decision. There's just new procedures and processes starting this year where things may have been done a certain way in the past or things were done in Executive Session and decisions were made. It's not going to be that way any longer. We need to make sure we are dotting our I's and crossing our T's, especially legally. The fact that you're on the agenda doesn't mean we're making a decision. We just need to talk publicly about it. We have a lot to learn. There was no ill intent at all meant with them being on the agenda."

Reasinger added, "If we have something that's of importance, we're going to bring it up, we're going to put it on the website. Everybody can read it and come back at the next meeting and ask all the questions they want. We might not vote on it then; we might wait again. We might be moving a little bit slower, but everybody should have a chance to look at things and ask questions. If you've noticed, there's a lot of stuff on the website now. If anybody has any questions, call me and ask me."

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Reappointment of Jean Cole and Danielle Bojalad to the Library Board

The motion was made by Aughenbaugh and seconded by Gelfand to reappoint Jean Cole to the Library Board. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

The motion was made by Jackson and seconded by Dietz to reappoint Danielle Bojalad to the Library Board. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

Recommendation to appoint Eric McCoy, Robert Iddings and Teddy Klark to the Watershed Committee

The topic was tabled until the openings are advertised to see if any other residents are interested in serving on the committee. Letters of interest should be sent to Chris Nasuti.

Compensation Ordinance

Nasuti noted that a draft of the Compensation Ordinance for 2024 is in Council members' packets and asked for comments prior to preparing the first reading of the ordinance.

RFP for City Solicitor

Nasuti explained that the RFP for the solicitor is ready to be advertised with responses due back no later than April 1, 2024.

Request Authorization to Purchase Equipment

The recommendation was to purchase nine Cub Cadet mowers through Sourcewell Cooperative Purchasing Contract #031121-MTD. The mowers maintain the park, the water plant, the sewer plant, and the walkway.

The motion was made by Aughenbaugh and seconded by Jackson to approve the purchase of the mowers. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

Elected Officials Healthcare

Council received an opinion on Elected Officials Healthcare from Interim Solicitor Breth. Nasuti explained, The healthcare was not instituted by an Ordinance prior to the election of the officials. Therefore, it was his recommendation that we terminate healthcare insurance to elected officials immediately. If we want to proceed with healthcare for elected officials in the future it would be by Ordinance prior to the next primary vote.

To answer London's questions asked earlier in the meeting: The coverage started in 2015. There were no votes on it. Coverage for previous elected officials terminated when they left office.

Attorney Josh Brown explained that their office has not investigated whether the healthcare costs for elected officials would need to be reimbursed.

The motion was made by Jackson and seconded by Gelfand to terminate the healthcare for Elected Officials. Roll call was as follows: Aughenbaugh, abstain; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 4-0.

The motion was made by Jackson and seconded by Gelfand to have the Interim Solicitor look into reimbursement for the healthcare. Roll call was as follows: Aughenbaugh, abstain; Jackson, yea; Gelfand, yea; Dietz, abstain; Reasinger, yea. Motion passed 3-0.

Redevelopment Authority – Resignation of Pat Reasinger

Reasinger stated, it was determined that he cannot be Mayor and on Redevelopment, so he is resigning from Redevelopment. Letters of interest to fill the vacancy of the authority should be submitted to Interim Manager Chris Nasuti.

Kristen Vida asked, "Who purchased the cosmetology building? Can you say?" Redevelopment Director Mitchell replied, "The sale is not complete so we cannot say." When asked to report on the sale of Tommy D's, Mitchell said, "The individuals who purchased the Tommy D's building did pay us what we had into the building. They plan on renovating it and turning it into either storefronts or office space. They are landowners within DuBois. They have a good reputation. We work closely with our Code Enforcement to make sure the people we're selling these buildings to have the ability and means to fix them and keep them up." Reasinger added, "Redevelopment gives them six months to start and,

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Redevelopment Authority – continued

depending on the project, two years to finish. If they don't, we take the building back. So, we monitor that."

The motion was made by Jackson and seconded by Gelfand to accept the resignation of Pat Reasinger from the Redevelopment Authority. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, abstain. Motion passed 4-0.

Robinson Street Parking

Per the recommendation of Interim Manager Nasuti, the motion was made by Aughenbaugh and seconded by Dietz to modify the Ordinance lifting the parking restriction on Robinson Street between West Long Avenue and Howard Street. Roll call was as follows: Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Dietz, yea; Reasinger, yea. Motion passed 5-0.

Public Comments

Before opening the floor, Reasinger made a statement about terminating Mr. Suplizio. "It's a process." Mr. Brown was asked to explain the process. "As far as terminating, I've talked with Mr. Breth about that. We need to perform some additional research before we can make a firm recommendation on that matter."

Bill Jones – Chestnut Avenue

"We've listened to all these issues we have had over the last year. Something that I feel I've come across, and other people I'm sure have realized it. The optional Third Class City Code is part of the big culprit in this issue. Unrestricted changes and modifications in Ordinances and payoffs and so forth. I don't know who may be on your committee to merge with the Township but perhaps this committee can consider or get into this more that we eliminate the optional Third Class code and go with the Third Class City Code which provides penalties for malfeasance and provides options for giving elected officials benefits. It's spelled out in much greater detail. It's a difference between a 14-page document and a 600-page document, probably written by lawyers. This might help solve some things in the future. It might prevent some things in the future. Sitting here listening to all this stuff for the last couple of years I make that suggestion. I know there's a couple of Township supervisors here. They might have a different outlook on that. I feel the optional Third Class code is a noose just waiting for someone to walk into and feel the future City area should consider not using it but go with the Third Class City Code as amended in 1951, I believe. It's just my opinion."

Nasuti replied, "This was discussed when we first started the Consolidation after the vote. The ballot initiative was specifically for the optional Third Class City Code. So, Consolidation will be for the optional Third Class City Code. The new Council can then decide if they want to do the home rule or change it to Third Class, but the initial formation has to be the optional Third Class City Code."

Deb Mechling – Monroe Street

"I was curious. What would the cost have been per person monthly for the termination of the healthcare for the Council members?" Reasinger replied, "If we would have it the same this year as last year, we saved \$62,000.00. That was for five people." Mechling clarified, "And that was for the year?" Reasinger confirmed. Nasuti said, "It was about \$670.00 monthly for the premium."

Charlie Mechling – Monroe Street

Every time we come to these meetings we talk about the Auto Draft, General Fund and PennVEST. All I know is those words. Can I get some examples of what those are paying so I can understand where that money is going?" Shepherd replied, "Auto Draft is bills for services already used. They are normal monthly payments that we cannot control." Per Nasuti, The General Fund is for all operational and construction costs, with the exception of PennVEST which is the Sewage Treatment Plant. All the bills are now online. You will see the Agenda, Registry of Invoices and Minutes all in one place on the website.

Jackson said, "And to let you know, I go through these and highlight and I either ask DeLean, I talk to Pat and Elliot and Chris. Chris answers any question. I do this so I am informed as to what I'm voting on." Reasinger said he does the same thing. Volpe said, "I ask DeLean, too, if I have any questions on anything."

Kathleen Clement – Chestnut Avenue

"I have a question about snow removal in the City. On Long Avenue we lost four parking spaces this whole week because the snow was plowed in the ends of the parking spots. So, no one could park there. Does the snow have to be three feet high, four feet high, five feet high for the City to remove it? You can't get from your car; you can't get close to the curb because there's so much snow. Is there a height

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Kathleen Clement – Chestnut Avenue – (continued)

when the City's going to remove the snow? Parking is at a premium anyhow, but we lost four parking spaces on Long Avenue. The snow is still there." Nasuti explained, "The emergency routes we do as it snows and then we go back as we have availability. We get them as soon as we can, but it is difficult to keep up. If it snows over the weekend, we do the emergency routes. Next, we go through and get all of the alleys. And then we go through and clean up all the piles of snow as best as we can." Clement responded, "It's like downtown we were abandoned. It looks terrible. We want people to come down and to spend money, but you can't get into town." Nasuti said, "We'll get them as soon as we can."

Bill Jones – Chestnut Avenue

"I would appreciate it if you would send out a friendly reminder. Just coming down Scribner tonight a woman was walking her dog on Scribner Avenue right down here because the business in the ten block of East Scribner doesn't have their sidewalk shoveled. I don't know if the gas station business realizes, but that's their sidewalk. It's their parking and their sidewalk right there. And that poor lady was walking on the street, and she didn't have a reflective collar on her dog. I might have nailed her... sorry." Reasinger asked Lawhead how many letters he sent out today?" Lawhead replied, "Forty-seven." Reasinger said, "Zac was out seeing who didn't shovel their walk and sent out reminder letters."

Michael Clement – 17 N. Brady Street

"Mayor, I just want to say 'thank you' for your resignation. I know that you served for 24 years. We do appreciate your service. It feels there was a lot of conflicts of interest, and you were willing to step up and end it, so we appreciate it."

Sam Mollica – Sandy Township Supervisor

Mollica reminded everyone of the Consolidation Reorganizational meeting on Wednesday to get the process going. "We're excited to get this finished in time for next year's election. Also, I apologize that I put the wrong thing on the ballot." [referring to the optional Third Class City Code.]

A member of the audience asked the location of the meeting. Reasinger replied, "It will be right here at 6:00 p.m. Wednesday night. It's a public meeting." Mrs. Clement asked, "Will there be more chairs available?" Nasuti replied, "We'll see if we can get some." Deb Mechling asked, "Is there a possibility of moving the meeting?" Nasuti replied, "I don't think for this meeting. Maybe next time."

Kristen Vida – Chestnut Avenue

"Just a quick question. Do you think it's possible... I know people who are joining in remotely viewing the meetings online. Is there a way they can participate, that they can ask questions remotely? I'm just putting it out there." Dave Rupprecht said, "The Township uses a phone that people can call in on and comment. I'm sure Mark and Sam can tell you about that." Reasinger said, "We'll talk to our IT/computer guy and see what we can do."

To answer Mechling's questions about Executive Sessions, Brown explained, "An Executive Session is a session with an attorney, so it is subject to attorney-client privilege. As far as decisions being made, those decisions should be made out here. The purpose of the Executive Session is to discuss, to get advice, so that would all be protected by attorney-client privilege. That would not only be the case here but in cities across the United States." Mechling asked, "So, are there minutes taken?" Brown replied, "No. And even if there were, they would be protected by attorney-client privilege, but I do not believe there are."

Jackson added, "In our first Executive Session, we were asking some questions and Tom was like, 'That would be perfect for a public meeting'. So, it's running by the book now." Nasuti used Elected Officials Healthcare as an example. "We were given a legal opinion. No decisions were made. We brought it here to have the discussion and the decision made in public." Mrs. Clement asked, "Elected Officials. Does that mean the Treasurer? Is it not just City Council?" Reasinger replied, "... There are seven elected officials..." Nasuti listed the seven, "Five Council, the Controller and the Treasurer." Deb Mechling asked, "And past officials are not receiving healthcare?" Reasinger replied, "No."

Mechling then said, "Along Kristen's thought, I have had some complaints from friends who have stopped me and said they wish we could speak louder." Jackson said, "We talked about that. A microphone." Mechling replied, "Either that or trying to elevate our voices a little bit more."

Executive Session (legal and personnel issues)

Reasinger announced, "We're going to go into Executive Session to discuss legal and personnel issues."

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Adjourn

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

ATTEST: Yonbi Slocum APPROVED: 