

City Council Meeting Minutes – February 26, 2024

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, February 26, 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. Also present were: Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Interim Police Chief Shawn McCleary; Treasurer Lisa LaBrasca Becker; City Controller David Volpe; and Administrative Secretary, Korbi Slocum.

Reasinger announced, “The meeting will be for discussion only because the agenda did not get posted to the website within 24 hours prior to the meeting in compliance with the Sunshine Act. No decisions will be made. The Public Comments section will be for comments, not questions. We will address topics at the end of the meeting, if possible. If it requires research, it will be addressed at the next meeting.”

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

Reasinger explained a change in how meetings will be run going forward. “The first meeting of the month will be to set the agenda. The second meeting of the month is when we’ll be doing most of our voting. That will give everyone time to know what we’re talking about. Gather your questions and information and come back to the second meeting and ask questions. Minutes and invoices will continue to be voted on at each meeting.”

Executive Session (legal and personnel issues)

Council met in Executive Session prior to tonight’s meeting to discuss legal and personnel issues.

Public Comments on Agenda Items Only

Lisa LaBrasca Becker – City Treasurer

“I’d like to talk about the Neighborhood Fund. I would like Council to vote on that. It’s a newly opened account. We discussed it in January. I went over the minutes, and it was never voted on. I did put my signature on to sign for the Neighborhood Fund, but I thought it would be great for the Council to know about it as well. I would like that added to the next meeting. You can all vote on that when we open a new account.”

Kristen Vida – Chestnut Avenue

“Regarding Item #12 – 2022 and 2023 Audits. I know several meetings ago Chris handed over the 2022 audit for you to review. There was one finding that said, ‘You don’t have a full-time accountant on staff to prepare the financial statements.’ When I worked at DuFast Transit for 12 ½ years – I came in after the embezzlement – that was a finding on our audit. My board did not find that acceptable. What they did and I’m recommending you consider is they separated out the work between the auditor and accountant. Our auditor did essentially the accounting work. They came in at the end of every quarter for a day, made adjustments to the journal entries and gave them to my administrative assistant and then they prepared the financial statements to be audited by the auditor. So, that finding was eliminated from any future audits. There is a way to do that without eliminating or replacing anyone’s position. Essentially, you have your auditor who is doing two jobs right now and you can split that responsibility out and maybe have an accountant come in quarterly and reconcile things and make those journal entries for you. It’s just a suggestion to eliminate that finding.”

Approval of Minutes and Registry of Invoices

These will be voted on at the next meeting.

OLD BUSINESS

Donation to Neighborhood Fund – Mike Arblaster, Domtar

Arblaster presented a check to the Neighborhood Fund to be used for the purchase and planting of trees in the community.

DuBois Days

Shawn Lesky gave an update on the planning for DuBois Days 2024. “We have gotten some of the logistics in place. As of this morning we are able to receive funds for the first time. We’ve hired an accountant and a CPA firm, both local. Our bank account is with NextTier Bank so folks can make donations. This week we will attach a GoFundMe account. We’re on the agenda for you folks to consider the stipend you had always given in the past to Community Days. Given that we’re starting at zero, we need a little bit of overhead. We’re already missing some bookings – food and entertainment options – so while the getting is good we need to book some of these folks so we can provide two or possibly three days of entertainment. We’re hoping to bolster activity in the park to make up for lack of a parade this year. Our next in-person meeting is tomorrow. Whenever you have a chance to vote, the stipend would be put to good use.”

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Forest Management Plan Recommendations

Based on the recommendation from the Kanes, at the next meeting Nasuti will have a recommendation about the overstory removal and herbicide sprays.

2024 City Pool

Nasuti's recommendation is to hold the 2023 rates. We'll have a discussion on that at the next meeting. We're also looking into getting more chairs and things for people to use at the pool.

Consideration of Council Bills

There were three Council Bills at the end of 2023 that were not acted upon: Registration of Residential Rental Units, Automobile Repair Facility and Mechanical Amusement Devices. We'll have a discussion as to whether or not you want to proceed with any or all of those or none of those.

Jackson would like to see us somehow proceed further with them. "I think we need to do a little more research with the bills. I'm not happy with the way they're worded."

Reasinger said, "I think the rental bill needs to be shaved down. I don't think it's the City's right to know who rents my house. I don't see how we can inspect them all at the same time, but maybe we can inspect them when they change hands. When you get a new tenant, we'll come in and inspect."

"For the amusement," Gelfand said, "I'd like to re-visit the amount charged for the skill games."

Reasinger announced, "We're going to have a meeting next Monday because we need to pay bills and make some decisions."

2022 and 2023 Audits

Those were approved and sent in to the state agencies. We put out a Request for Proposal for Auditors but have not had any responses to that. I have been in contact with a couple so I should have a recommendation for you at the next meeting, if not the first official meeting in March for the 2023 audit. The 2022 audit has been finalized and will be put up on the website.

Compensation Ordinance

This ordinance will be discussed at Monday's meeting.

RFP for Financial Services

The Solicitor should give us an update at the next meeting.

Sandy Township Section 108 Loan

These were the documents we had to co-sign for the sewer line project on Platt Road with Sandy Township. Tom will have those available for us to approve and execute at the next meeting.

Dedication of Waterlines

At the end of 2023, we had three individuals request to dedicate waterlines in the City of DuBois. One on Chestnut Avenue, one on Oklahoma-Salem Road and the new waterlines to the Pfingstler Fieldhouse. We need to get Tom's advice on how to move forward with those.

NEW BUSINESS

Application for DCED Fire Study

It was approved at the Joint Board. Because this is an actual grant study being done, each municipality has to take it back and get it approved. The application is in your packet, so we need approval to submit that application. It is a free study by DCED.

Approve Amended Consolidation Agreement

It was voted on at the Joint Board last week to update the work of the Solicitor and update Capital Purchases more than \$100,000.00. They must be approved individually. This does not include any items that were approved in the current budget.

Police Chief

Nasuti introduced Sgt. Shawn McCleary who is acting Police Chief while Blaine Clark is out on paid administrative leave. He is on the day shift and will be here five days a week.

Second Reading of Council Bill No. 1981 – Robinson Street Parking

Second Reading of Council Bill No. 1979 – Vacate a Portion of Fairway Street

These will be read and voted on at the next meeting.

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Amend the Industrial Sewer Use Ordinance

We have an ordinance that governs what industries can discharge to our sewer system. As part of our NPDES permit to operate the sewer plant, we're required to re-evaluate that every five years. Jeff Garrigan and HRG have done that evaluation. The EPA has approved their analysis and asked that we, Sandy Township and Falls Creek – because we all share the same sewer system – adopt an Ordinance updating the limits that people can discharge into our system.

Recommendation to Appoint Josh Benton to the Redevelopment Authority

This will be voted on next week.

Letters of Interest for City Committees and Authorities

We have several vacancies on our boards, committees, and authorities. Following up on some of the comments we've had from Council and the public, I thought it would be a good idea to put an advertisement on our website and let them know which boards we have openings on. We will list all of the boards. If it's full, we'll hold your name. If you have an interest in these committees or any future openings, send an email to info@duboispa.gov. These positions are for City residents only with exception of the Library Board.

Public Comments

William Jones – Chestnut Avenue

"The Ordinances regarding rental properties and so forth, my curiosity is when there was a pre-existing ordinance. What happens to them if they were improperly written or are no longer valid? Does the City have to abandon that Ordinance? The one I'm thinking about is about 15 years ago the City passed an Ordinance prohibiting people of more than one family living in a household. Kind of trying to prevent people from having two or three not related persons living in a house. I remember this specifically had been passed. Five years later a house was bought on our street by a realtor who rented it out to drilling contractors. A bus would show up every morning with the drilling crew and those six guys would get off and the six guys that spent the night would get on it and leave. We never had any problem with those fellas, but I always thought that was a blatant misuse of this Ordinance. If you're visiting things like this, what about getting rid of the Ordinances that don't do any good. We've got too many laws, too many bills, too many things, too many people with their fingers in it. Why can't we pare things back, specifically with the rental things. My previous job I came across several houses in the City that are actually commercial ventures and should be considered high hazard based on the occupancy. The things going on in these houses would require special attention in case of an emergency. Perhaps your rental agreement should consider things like that. We don't need to know who's renting your house, but does the City need to know what you're doing with the house if it's not for residence?"

Deb Mechling – Monroe Street

"We heard at the January 8 meeting that Council had to get a subpoena to access the City's financial records. I was curious as to what the status is on that. The second point is, I'm hopeful there is an amendment in the works for fees being charged for the skill games and machines in our town. These businesses are popping up all over our City. The beauty school property was recently sold for \$1.00 and will soon be housing another of these establishments. I would like to see an Ordinance put in place to limit how many of these types of storefronts are in a block. I would welcome a discussion in this direction. Positive growth in our downtown area is something to be hopeful for in the near future. In my opinion, the number of skill games in our downtown appears to be in direct conflict with the efforts of the downtown revitalization group to make our City more welcoming to residents and visitors. I have borrowed a quote from our Downtown DuBois Facebook page: 'Downtown is the heart and soul of any community. If you don't have a healthy downtown, you simply don't have a healthy town.' Thank you."

Nancy Moore – Green Ridge Drive

"On that subject, I read in the paper the Falls Creek Police were called and there was a large amount of money in the skill game. Sykesville is advertising an Ordinance for skill games. As a Planning Commission we're trying to be proactive. We wanted to send those to you for scrutiny. I'd like to revisit the occupancy permit that is in our Ordinance. I see it as broader than is being used here. They are new and should have an occupancy permit. That's my opinion. I think we have a right to do that. If you're going to revisit those, I think you're going in the right direction. As far as knowing everyone who's living in the house, a contact is what we meant. Often that is the person who is living in the house, or it can be the owner of the building. No one is looking to see how many people are living in the house. We could have something that could prevent what the gentleman was saying. That's a different use than what is traditional for single-family homes."

Bobbi Mauthe – Pifer Street

"As a mom, an aunt, a sister and a citizen of this town, I think it was highly irresponsible of the City to not keep us informed of the situation that happened last week of the abduction. We are a smaller town, we

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Bobbi Mauthe – Pifer Street (continued)

have to look out for each other, we have to be there for each other, we have to be our own activists. Online it was a horror show. Was it two men, three men, four men? Were they this kind of ethnicity or were they that? There was no confirmation. It was just mass panic everywhere. Was it on this street? Did it happen? Did it not happen? The actual person had to come out and say, 'This is what happened, when it had happened' for me to be informed. This did not happen before. They came out with a statement saying, 'This is what happened. We are out there on the streets. We are trying to figure out the situation.' We need to be proactive. We need to keep the citizens of this City protected and being told what has happened. You don't have to give the nitty-gritty details that could prejudice a case, but we have to keep the citizens informed. I think that's the most important thing."

Richard Phillips – Tozier Avenue

"On your rental agreement, I have rental properties in DuBois. I don't think I should invade your house and space. You have no right to invade mine no matter who I have living there. Are you going to inspect the house for safety issues? Are you going to tell me what color to paint it next? Keep a fine line. Don't overstep your boundaries. Even here in DuBois and the whole way up the government. You people are overstepping your boundaries for our freedom so keep that in mind. Thank you."

Linda London – Rumbarger Avenue

"I'm just requesting an update to the progress made in reference to a question asked five weeks ago with regards to health insurance that was provided to some current as well as past Council members and Mayor. The Solicitor at that time was directed to look into the legality of those people reimbursing the City for insurance that was provided to them."

Resident of Pifer Street

"I would like to address the Ordinance for when you own a rental property and you rent it out. Is the water bill in the tenant's name or the owner's name?"

Kristen Vida – Chestnut Avenue

"I agree with Deb Mechling regarding the action that Council took at the last meeting regarding the cosmetology building. The City has never been good with planning as a whole. We don't have a comprehensive plan for downtown. I used to serve on Planning Commission and the reality of it is, it's not a strong commission. We are too reactive in this City. The only time we would meet on Planning was when something came to Planning to act upon. We did not spend our time putting together strong Ordinances and strong comprehensive plans. That's what we, as a City, need to do so that when skill games of chance businesses come in we're not reacting. We already have a plan in place. I would like to see the City work with a consultant to come together with the downtown, look at comprehensive plans, work with our Planning Commission and making it a robust commission."

Kris Indre – Green Glen Drive

"It has been brought to my attention and I want to say, I know the board has been wanting to meet with the fire department and go to their different fire department meetings and see how things are done. I think it's wonderful as a whole. But when I find out that only three are invited and two are excluded, I think our transparency is not there and our unity and community is not there. I would hope that everybody on that board, if you're going to do that, you make sure that everybody on the board is included, not just certain ones. Do the right thing."

William Jones – Chestnut Avenue

"On a somber note, the City lost a hero in Dr. John Farr. I really feel that some sort of recognition should be afforded his family in bereavement at the official meeting. I honestly don't know what to say. He was such a humanitarian in working with Habitat for Humanity and all the other things he's done. Dr. John Farr certainly will be missed."

Jackson addressed the fire department meetings. "We were meeting just because we've never been to a fire department meeting. There was no exclusion. There is transparency as much as we can be. I don't have anything to hide. I've just never been to the fire department before." Indre responded, "I'm perfectly fine with that, but I'm just saying sometimes they should all go." Jackson replied, "They're invited to." Gelfand agreed. Reasinger said, "We're going to Friendship tomorrow night. Anybody that wants to come." Indre said, "That's great. These firemen need more credit than they get."

Council Member and Staff Comments

Jim Aughenbaugh

"On the Ordinance question, that's part of the Consolidation to combine Ordinances and to look at every Ordinance and every Code. That's probably the best way to do that. There's been a lot of work done on that already and we'll continue that work as time evolves."

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Acting Police Chief Shawn McCleary

“There’s a bunch of great men and women down at the police department. It’s an honor for me to work with them and assure the community that they will be protecting and serving and out there.”

Treasurer Lisa LaBrasca Becker

“It’s that time of the year everybody – taxes. County and City taxes will be arriving on Friday, March 1. We are here to help you if you have any questions or if you lose your bill. Come and see us and we’ll take care of you. If you have escrow and you do not receive a bill, it’s because it probably went to your bank and the bank will be paying your taxes. But always check to be sure.”

Jennifer Jackson

“I know we’ve been getting a lot of pushback that as we ran on transparency that we’re not being transparent. I, for one, have nothing to hide with what we are doing or how we’re doing it. It’s been a very big learning process. There’s been a lot to go through. It isn’t just the fact of Herm per se. There is a lot more we are finding. Each week there is something new, so if we don’t get back to you or things haven’t been done right away, we’re handling a lot. We’re trying to learn everything. I will find it hard for myself to work with two members of Council that were involved in a lot of this for a lot of years. For me, it’s a hard pill to swallow. To be overly friendly with two councilmen that have approved all of these bonuses for years, it’s hard for me to swallow. Maybe I am not as outgoing with two councilmen as you would like to see but, to be honest, it’s pretty hard for me to work with somebody that has helped create the mess that we’re in right now. It isn’t a simple thing to clean up; it is a lot of work. I read hours’ worth of paperwork every week. If you don’t like how we’re doing it, please let me know a different way to do it. I know the fire department is thinking that we’re doing things wrong. I know because things were done a certain way for a long time that they think that’s the right way. Unfortunately, we’re learning as our Solicitor tells us because it was done that way doesn’t mean it was right. It’s just correcting all of these things. As a City, we have to correct. It’s not fair to us to go through Consolidation and put this on Sandy Township’s lap. We are diligently working with so many issues. And I am trying to work with Jim and Shane. I said ‘hello’ to them tonight and spoke to them a little bit. For me, it’s a big step.” Indre said, “I understand that, but this is something you chose to take it on and, unfortunately, you are all to work together.”

Reasinger reminded the audience this is not a discussion session.

Jackson continued, “This is a big work in progress. If you have something that you would like to see us do, please let me know. I have people come and see me every day at my work. If there’s something you’d like to see us address, we’re trying. We literally have stacks of papers that we are going through. Chris works so hard. Pat does. We’re trying. And so is Jim and Shane.”

Pat Reasinger

“Bear with us. They’ve been here for eight weeks. I’ve been Mayor for eight weeks. I hate to admit this, but there is a lot I don’t know. We will make mistakes. We will admit them, and we will do better.”

Elliot Gelfand

“If you have concerns about anything, if you want something worked on, reach out to me. My email is on the website. I’m on Facebook. I have a Councilman page. Message me on my regular page. I’m happy to get back to you as soon as possible.”

Shane Dietz

Thank you, Sgt. McCleary, for the extra work you are doing right now. And thank you, Mike and Domtar, for your donation. I look forward to seeing everyone next Monday.”

Reasinger said, “Regarding the bonuses. I don’t think they were ever voted on by Council. I think the past Mayor approved them after getting something handed to him. I think that’s how it was done.”

Adjourn

Reasinger reminded everyone there will be a special Council meeting at 6:00 p.m. on Monday, March 4, 2024.

ATTEST:

Yorbi Slocum

APPROVED:

