

City Council Meeting Minutes – April 8, 2024

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, April 8, 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 (by phone) and Jennifer Jackson. Also present were: Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Interim City Solicitor, Thomas Breth; Code Enforcement Officer, Zac Lawhead; Interim Police Chief Shawn McCleary; Treasurer Lisa LaBrasca Becker; City Controller David Volpe; and Administrative Secretary, Korbi Slocum.

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

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

Bev Kurts – Rainbow Drive

Regarding Item #18, Request for Stop Sign at Rainbow Drive at Hillcrest, Kurts spoke against the need for a stop sign. "That is the corner right by my house. I have lived there 48 years and there has been no wreck, I have never heard anybody screech their brakes, I honestly don't think we need one. We have a perfect view going up Hillcrest and also down Hillcrest. I don't see any reason to waste City money, time, or whatever."

Approval of Minutes

City Council Minutes – March 25, 2024

The motion was made by Jackson and seconded by Aughenbaugh that Council approve the City Council Meeting Minutes of March 25, 2024, as presented. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

Registry of Invoices

The motion was made by Aughenbaugh and seconded by Jackson to pay the Auto Draft Check Register by Check ID dated April 4, 2024, in the amount of \$8,626.05. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

The motion was made by Dietz and seconded by Aughenbaugh to pay the General Fund Purchase Order Listing by Vendor Name dated April 4, 2024, in the amount of \$220,592.16. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

T.E.D.E Foundation – Val Day

Day discussed the need for communication boards in community areas within the City. The Foundation will provide the signs. They are asking Council to approve the signs and the City's help with installing the signs in the community. Communication boards are signs with symbols to communicate with families and older children. For more information about the foundation, go to <https://tedefoundation.org/>.

Nasuti added that the Foundation has been instrumental in working with the City to plan the new park equipment that will be installed in the park tomorrow. They also will be assisting with the restroom facility at Juniata Lake. "They've been doing a lot of good work with us. We think these boards will be helpful."

The motion was made by Jackson and seconded by Dietz to approve the communication boards from the T.E.D.E. Foundation. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

DuBois Public Library Update/Request for Funding

Becky McTavish, who has been with the library 15 years, introduced two of the Library Board of Trustees members, Jean Cole and Jayne Magee. "We are doing great and doing things to support our community. We have 42,000 items within the walls of the library and another 17,000 online. During COVID, we had quite a few drops in services; however, as of the end of 2023 we are back to pre-COVID numbers on almost everything. Funding from DuBois and Sandy (Township) is holding steady. We'd like to thank you for supporting the DuBois Library over the last 104 years and look forward to being here another 100 years.

One of the things we are doing this year, we obtained a Keystone Grant to replace the air conditioning systems at the library. The unit in the program room is dead and the rest of the units are noisy. The Board of Trustees submitted a letter requesting the City's help in paying for the system. The grant is a matching grant, and that amount is \$49,000.00. We originally wrote the grant for \$147,600.00. The lowest bid came in at \$96,000.00-\$97,000.00. The matching portion from the state funds would be

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Library Update – continued

\$49,000.00.” When asked if the library does fundraising, McTavish replied, “We do some fundraising. We have donation boxes in the library. We are planning to do some fundraising for this year to help meet the rest of the budget for staffing, collections and all the other operating costs. Last year we brought in about \$12,000.00. We have 9 employees – 4 full-time and 5 part-time. That is down from years past when we had 12 people. Our janitress is also the person who works the desk, so technically it is 10 positions, but one person holds two.”

Nasuti informed Council this is for information tonight. He and Shawn Arbaugh can take a look at the request and Council can make a decision at the next meeting.

OLD BUSINESS

Redevelopment Authority Cooperation Agreement

The Redevelopment Authority Cooperation Agreement was distributed last month. We will need to execute that this month. Questions, comments or changes can be given to Nasuti or Breth. We will have the agreement approval at the next meeting.

DuBois Days Update – Gregg Gillaugh

“Basically, what we’re here today to ask is for the City to look toward possibly sponsoring the fireworks and sound in the amount of \$15,000.00. We’d also like the City to allow free use of the pool for Friday to Sunday and use of the maintenance building, if for no other reason, as a cool-down area. We know in years past that alcohol was sold there. We also were going to propose that alcohol could with sold with a catering license with part of the proceeds being donated back to the City.” When asked what other events are planned, Gillaugh replied, “We have a laundry list of musicians who are going to play for free or at a heavily discounted cost, Imagine wrestling wants to take part at a discounted rate of \$1,800.00 (down from \$5,500.00), the YMCA is doing a pickleball tournament, Shawneeee Cornhole with the Bear Claw Inn is doing a large cornhole tournament, and we’re (TurnAbout Boxing) going to put on a boxing show. We have about \$20,000.00 in inflatables purchased by Invictus. That will be over toward the YMCA. We have quite a few things on the schedule right now.” Council will address these requests at the April 22, 2024, meeting.

Downtown DuBois, Inc., Contract Update

Breth has reviewed the contract they provided at the last meeting. Nasuti will get it to Shirley and we’ll have that for Council to vote on at the next meeting.

Action Regarding the Employment Status of Chief Clark

Breth was asked to give an update. “There was a complaint received by Council regarding the Chief. That matter was referred to the District Attorney’s office. In addition, the allegations were provided to the Chief. The Chief had an opportunity to respond to the allegations. As part of Council’s investigation, they asked me to look into it. The Chief through his legal counsel Bill Shaw declined to answer questions with respect to the allegations. I also conducted interviews with other individuals. I’ve shared that information with Council and provided Council with as much information as I have available regarding the allegations and status of the matter being referred to the District Attorney’s office. At this point, there is a lot that cannot be disclosed because it is a personnel matter, but that’s what can be disclosed. If there’s questions regarding the specifics, unfortunately Council is not at liberty to share the specifics of that allegation, those allegations.”

The motion was made by Gelfand and seconded by Jackson to terminate the employment of Chief Clark as the Police Chief of the City of DuBois. When asked if there were any questions on the motion, Volpe began to ask a question. Breth informed him the questions are for Council members only. Roll call was as follows: Dietz, nay; Aughenbaugh, nay; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 3-2.

Action Regarding the Employment Status of former City Manager Suplizio

The motion was made by Jackson and seconded by Gelfand to terminate City Manager Suplizio. Before voting, Breth made a statement. “Procedurally, the former City Manager was provided a letter from City Council offering him an opportunity to request a hearing before City Council. I’ve been in communication with Mr. Shaw (Suplizio’s counsel) with respect to that offer which is required under the City Code. We have not received a request for a hearing from the former City Manager. He’s been provided with the opportunity and has not taken advantage of it, so Council can take whatever action they wish with respect to his employment.”

Roll call was as follows: Dietz, nay; Aughenbaugh, nay; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 3-2.

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NEW BUSINESS

Appointment of Municipal Solicitor

Proposals were due April 1st. We received two responses. Copies are in Council's packet. At the 22nd meeting we'll be looking for a recommendation to appoint one of those two as Municipal Solicitor.

Authorization to Hire Summer Seasonal Employees

We have a list of 20 seasonal summer employees that will work in the garage and the sewer and water plants. I'd like to have your recommendation to hire those individuals. It's \$15.00 per hour. The motion was made by Aughenbaugh and seconded by Jackson to approve hiring the 20 seasonal summer employees. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

Recommendation to Award Bids

This is an informational item. For the architect, bids are due April 16; Chemical bids, Pavement Marking bids and bids for the Public Works Garage heating replacement system are all due by April 18. These all will be on the agenda for April 22.

Union Township Municipal Authority Water Agreement

We have an agreement to sell water to Union Township. About a month ago, we were going over the agreement with Union Township. There were a couple of inconsistencies between the way we do things now and the way it was written up. It won't change the rate calculation, but we want to make the language consistent. You have a draft in your packet. Union Township has already agreed with it. I'll have that ready for your approval at the next meeting. Gelfand asked if we are currently selling water to them. Nasuti replied, "Yes, we have been selling them water under this agreement since 1973. It's just to clean up some language."

Planning Commission Recommendation to deny Conditional Use of 11 McClure Street

We had a request to use a garage at 11 McClure Street as a repair and inspection facility in a residential district. The Planning Commission has reviewed that request and is recommending to deny the request for conditional use of a garage in a residential district. It is not a permitted use, that's why they denied it. The motion was made by Aughenbaugh and seconded by Dietz to accept the recommendation of the Planning Commission to deny conditional use of 11 McClure Street. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, nay; Gelfand, yea; Reasinger, yea. Motion passed 4-1.

Downtown DuBois, Inc. – Event/Street Closure for Downtown Street Festival (May 11, 2024)

This is for information. There will be merchant and food vendors and events. Keep this on your calendars.

Request for Stop Sign at Rainbow Drive and Hillcrest Drive

The system is working. We received a request and wanted to put it on the agenda for discussion tonight. We've had other residents stop in and express that with the low volume of traffic they don't believe the stop sign is needed. There is good sight distance up there. I wanted to put it on the agenda for discussion from the public and Council. Jean Cole who lives at 318 Hillcrest Drive agrees the stop sign is not necessary. Nasuti confirmed the request came from a resident in the neighborhood.

Request for Temporary Parking Easement at Dr. Doolittle's

Dr. Rice has a temporary need for parking. He is going through a traffic impact study and some development plans with Sandy Township before he can put in permanent parking. He needs temporary parking which, if you enter from the right, he is already using it. I believe previous administration allowed him to do that. He needs something formally in writing to give him that temporary parking to satisfy the Sandy Township requirements. This is City property and there are no issues with doing this. The motion was made by Aughenbaugh and seconded by Dietz to give written permission for temporary parking easement to Dr. Doolittle's. Roll call was as follows: Dietz, yea; Aughenbaugh, yea; Jackson, yea; Gelfand, yea; Reasinger, yea. Motion passed 5-0.

Public Comments

Val Day – T.E.D.E. Foundation

"I have samples of the goals and other information with me if anyone is interested in seeing it after the meeting."

Gregg Gillaugh – DuBois Days

"One thing I forgot to mention. For any funds raised for DuBois Days, any excess funds after we reconcile at the end will be donated back to the City of DuBois for a public works project for whatever you choose, something that would benefit the community. This is a community event, it's community funds and should be utilized as such. We have professionals handling the accounting. There will be a report made available to the public following the event."

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Debbie Mechling – Monroe Street

“Without there being any back-and-forth from the audience, would it be possible to hear a brief statement from each Council member of an explanation of their vote for Item #11 regarding Mr. Suplizio’s termination? After consulting with Breth, Reasinger stated, “We can do that under #21 – Council Member comments. If someone wants to comment on it, they will.”

Bob Swope – DuBois

“I know it’s been brought up about bonuses, not this week, but, we just want the public to know that any guy wearing an orange or yellow shirt over there (the City garage) did not receive a penny of that. We get hounded every day, and we want to make sure the public and Facebook land are well aware that we didn’t get anything from any of this. We would appreciate it if the public wouldn’t accuse us of that. Thank you.”

Council Member and Staff Comments

Treasurer Lisa LaBrasca Becker

“The library is great. Thank you for all you do. (Speaking to Val Day), Good luck with your signs. It’s great to hear that. Come see us in the tax office. It’s still tax season and we’re still collecting. It’s getting busy in there with the merger. Things are going really well. It feels very positive, and I just want to thank everyone for working hard. It’s coming together.”

Controller David Volpe

“I want to thank you for running such a nice library. I remember when my kids were little we took them over there all the time, and I actually have parents who do not have computer access and they go over to the library to access their email.”

Councilman Jim Aughenbaugh

“On the library, thank you very much. On the T.E.D.E. Foundation, thank you for your letter. I got your email and just to learn more about it myself, thank you, I think it’s very important.”

Councilwoman Jennifer Jackson

“Thanks to the library. My three grandkids utilize the library in the summer. The T.E.D.E. Foundation, she’s been in my flower shop. I’ve had the nice opportunity to speak with Val before.”

Mayor Pat Reasinger

“I watched the eclipse with my grandkids today and got the glasses at the library. We had a great time. I’m going to answer your (Mechling’s) question about Herm. The reason I voted, I had several reasons. First of all, the land deal. He was told to buy 27 acres; he bought seven. Council did nothing to him and it went through. That can’t be done. What he did to the pension is atrocious, and it was very self-serving. He was the greatest benefactor of that. The next thing is the bonuses. Absolutely uncalled for. That’s why I voted to fire him.” Mechling thanked Reasinger for responding.

Councilman Elliot Gelfand

“Thank you for accommodating me being on the phone tonight. I was observing the eclipse as well. The library, thank you all very much for what you all do to serve the community. We provide a vital service now more than ever so thank you very much for all the information you provided tonight. As far as Debbie’s question, I just think it’s time to move the City forward. We’re not going back. The wheels of justice are still turning on that case. We’re moving into consolidation. We’ve appointed Shawn Arbaugh starting the next meeting as Manager of the City and I don’t see any reason to keep former City Manager on as an employee any longer. For all the reasons Pat said and for other reasons which I’ll keep to myself right now. It’s time to let the City move forward.”

Reasinger took a moment to thank Chris for being our Interim Manager. “He was City Engineer and really stepped into a job that I know is very hard. He’s helped me through getting me familiar with what’s going on. Anything I need, I get them. Chris, thank you personally. You did a heck of a good job and I’m still going to use you as a contact.” Reasinger introduced Shawn Arbaugh. “He’s going to be up here starting next meeting sitting where Chris is. You’ll be talking to me quite a bit.”

Councilman Shane Dietz

“Val, thank you for the work you are doing through the T.E.D.E. Foundation. That’s awesome, much needed. I also want to thank our Police Department. I work at a special education school and the other week we had a non-student day. Some of the officers came in and provided a much-needed emergency operation training for our teachers and staff. It went really well. Thank you very much.”

Interim City Manager Chris Nasuti

“Thank you, Becky. Thank you, Val. Thank you, Gregg. Thank you, Shirley.” Speaking to Charlie Mechling, “It’s been a while, but you had asked about 219 signs on the boulevard. I did reach out to

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Nasuti Comments – continued

PennDOT, so I am talking with them. That didn't go on deaf ears; we're still working on that. I apologize for not getting back to you that quickly. I did want to address Mr. Swope and the bonuses. Not just the bonuses but the whole thing. I have a lot of great, great co-workers that I think are feeling a lot of heat, as he was saying, for the bonuses. I hope everybody can appreciate the majority of everybody is doing the best job possible. Great co-workers in the building, downstairs in the Police Department, out at Public Works and at the water plant and sewer plant so, please take it easy on my co-workers. They are great people doing a good job. I'll leave that for my parting statement before Shawn takes over."

Adjourn

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

ATTEST: Korbi Slocum APPROVED: 