

City Council Meeting Minutes – June 24, 2024

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, June 24, 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, and Jennifer Jackson (by phone). Also present were: City Solicitor, Thomas Breth; Public Works Director/Engineer, Chris Nasuti; Code Enforcement/Zoning Officer, Zac Lawhead; Interim Police Chief Shawn McCleary; City Controller, David Volpe; and Administrative Secretary, Korbi Slocum. Councilman Elliot Gelfand was absent.

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 personnel, pension benefits, potential litigation and collective bargaining agreements.

Public Comments on Agenda Items Only

Bob Swope - DuBois

"I was wondering if you could elaborate on #8 (Resolution No. 2024-0384 – Pension Plan Signatory) and #11 (Special Counsel Proposal – Public Pension Benefits)? Breth responded, "Item 11 has to do with action that was taken by prior Council regarding their participation in DuBois' pension system. I have a conflict as City Solicitor, so City Council has considered bringing in outside counsel to handle that. It would be a determination as to whether Council could change the pension ordinance without changing the compensation ordinance to match and whether they could do it during their term. So, outside counsel is going to take a look at that and handle this matter."

Approval of Minutes

City Council Minutes – June 10, 2024

The motion was made by Aughenbaugh and seconded by Dietz that Council approve the City Council Meeting Minutes of June 10, 2024, as presented. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

During roll call, Reasinger informed the secretary that Gelfand would not be present. The motion was made by Aughenbaugh and seconded by Dietz to excuse Gelfand from the meeting. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Registry of Invoices

The motion was made by Dietz and seconded by Aughenbaugh to pay the Auto Draft Check Register by Check ID dated June 20, 2024, in the amount of \$31,367.93. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

The motion was made by Aughenbaugh and seconded by Dietz to pay the General Fund Purchase Order Listing by Vendor Name dated June 20, 2024, in the amount of \$610,508.47. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

The motion was made by Dietz and seconded by Aughenbaugh to pay the PennVEST Check Register by Check ID dated June 20, 2024, in the amount of \$3,079,180.30. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Reasinger reminded the public that all the bills are posted on the website for anyone to review and ask questions.

OLD BUSINESS

None

NEW BUSINESS

Resolution No. 2024-0383 – Authorize Filing of Home Application for the City of DuBois

The motion was made by Aughenbaugh and seconded by Dietz to authorize filing of the Home Application for the City of DuBois. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

(signed Resolution follows on next page)

City Council Meeting Minutes – June 24, 2024 (continued)



CITY OF DUBOIS, PENNSYLVANIA

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CITY OF DUBOIS

RESOLUTION NO. 2024-0383

HOME PROGRAM APPLICANT

Resolution of the City of DuBois authorizing the filing of an application for funds with the Department of Community and Economic Development (DCEd), Commonwealth of Pennsylvania.

WHEREAS, the HOME Applicant is desirous of obtaining funds from DCEd for affordable housing activities feasible under Title II of the National Affordable Housing Act of 1990 (42 U.S.C. 1701 et. seq) and the implementing regulations at 24 CFR Part 92.

NOW, THEREFORE, BE IT RESOLVED that a housing need exists that has been identified in the local or state Consolidated Plan and the proposed housing activity addresses this need.

BE IT FURTHER RESOLVED, that the HOME Applicant has conducted the required citizen participation process.

BE IT FURTHER RESOLVED, that the HOME Applicant will assure the provision of the other necessary funds to make the activity feasible.

BE IT FURTHER RESOLVED, that the HOME Applicant will reimburse the commonwealth for any expenditures found by DCEd to be ineligible.

BE IT FURTHER RESOLVED, that the appropriate officer of the HOME Applicant is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of this Resolution to DCEd.

Signature, Chief Electoral Official

6-24-24

Date

Resolution No. 2024-0384 – Pension Plan Signatory

The motion was made by Dietz and seconded by Aughenbaugh to approve Resolution No. 2024-0384 – Pension Plan Signatory. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reisinger, yea. Motion passed 4-0.

(signed Resolution follows on next page)

City Council Meeting Minutes – June 24, 2024 (continued)



CITY OF DUBOIS, PENNSYLVANIA

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RESOLUTION NO. 2024-0384

A RESOLUTION OF THE CITY OF DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, AUTHORIZING SIGNATORS ON ALL S & T WEALTH MANAGEMENT ACCOUNTS AS FOLLOWS:

To S & T Wealth Management: Members of the City of Dubois City Council meet and elect said Officers for the following term: June 24, 2024, to December 31, 2025

The following individuals are Signators for the term period listed above:

Shawn Arbaugh - City Manager

[Signature] Signature

DAVID VOLPE - Controller

[Signature] Signature

Lisa LaPrasca-Becker - Treasurer

[Signature] Signature

Thomas Nowak - Deputy Treasurer

[Signature] Signature

Please mail all correspondence, statements, and distribution checks to:

Terrl Bracken
Name (Please Print)
PO Box 108
Street Address
Dubois, PA 15801
City, State, Zip
814-371-2000 ext 20; tbracken@sandytownship.net
Telephone and/or Email

You are authorized to take and mail and written election concerning this account term:
[] Only One of the above
[X] Any Two of the above
[] Any Three of the above
[] All Four of the above

[Signature]
Pat Reisinger - Mayor - City of Dubois

Sunflower Drive Vacation Ordinance – Second Reading

The motion was made by Aughenbaugh and seconded by Dietz to approve the Ordinance to vacate Sunflower Drive. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reisinger, yea. Motion passed 4-0.

Authorization to Hire Engineer – Mike Haynes

The purpose of this item is to recommend hiring Mike Haynes with a starting salary of \$115,000 with a start date of July 15, 2024. Mike is willing to come in a few days to work with Chris before he leaves to understand some of the projects that are in process. Mike would have a 6-month probationary period after hiring. He has extensive Municipal experience from his work with PennDOT, Stahl Scheaffer, Sandy Township, and owning and operating his own consulting firm. Mike has requested a 10-hour per day, 4-day work week. The motion was made by Dietz and seconded by Aughenbaugh to approve the recommendation from City Manager Shawn Arbaugh to hire Mike Haynes as Engineer with the listed conditions. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reisinger, yea. Motion passed 4-0.

City Council Meeting Minutes – June 24, 2024 (continued)

Special Counsel Proposal – Public Pension Benefits

The motion was made by Aughenbaugh and seconded by Dietz to approve the proposal as submitted. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Ward Representation

The purpose of this agenda item is to discuss ward representation for complaints and issues, and for monitoring for code and other violations and concerns. The following are the proposed ward representatives: Jennifer Jackson, 1st Ward; Elliot Gelfand, 2nd Ward; Pat Reasinger, 3rd Ward; Shane Dietz, 4th Ward; and Jim Aughenbaugh, 5th Ward. The contact information will be made available so citizens can contact their representative. The motion was made by Dietz and seconded by Aughenbaugh to approve the ward representation as read. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Resolution No. 2024-0385 – Reimbursement Resolution

The motion was made by Aughenbaugh and seconded by Dietz to approve the resolution as submitted. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.



CITY OF DUBOIS, PENNSYLVANIA

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CITY OF DUBOIS

RESOLUTION NO. 2024-0385

REIMBURSEMENT DECLARATION

OF THE CITY COUNCIL OF THE CITY OF DUBOIS AND RESOLUTION APPOINTING PROFESSIONALS

ADOPTED JUNE 24, 2024

WHEREAS, the City of DuBois (the "City") desires to finance various capital projects including, but not limited to: (i) additions, renovations and improvements to the City Office Building, to accommodate the consolidation of the City of DuBois and Sandy Township, (ii) installation of a new roof and exterior cosmetic work on the Sandy Township building for the purposes of long-term storage and (iii) various and sundry other capital improvements to City facilities (collectively, the "Project"), through the issuance of general obligation bonds (the "Project Bonds");

WHEREAS, the City recognizes the need to authorize its officers and employees to cooperate with certain appointed professionals in connection with the structuring, securing and issuing the Project Bonds;

WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"); issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "Bonds" under Section 150 of the Code, used to reimburse advances made for capital expenditures paid before the issuance of such obligations, may be deemed "spent" for purposes of Sections 143 and 144 to 150 of the Code and, therefore, not subject to further requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require: (a) that the City make a declaration of official intent to reimburse any capital expenditure paid prior to the issuance of the obligations, in this case the Project Bonds, intended to fund the same; (b) that such declaration of official intent be made no later than sixty (60) days after payment of the capital expenditure; and (c) that any reimbursement allocation of the proceeds of the Project Bonds, to reimburse such capital expenditures occur no later than eighteen (18) months after the date of the date such capital expenditure was paid or the date the property acquired with the capital expenditure was placed

City Council Meeting Minutes – June 24, 2024 (continued)

Carlson Technologies, Inc. – Networking Upgrade Proposal

The motion was made by Aughenbaugh and seconded by Dietz to table the matter because it may need to be bid out due to the dollar amount. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

2024 Road Program – Approval to Advertise for Bid

This is an annual project using our liquid fuels from PennDOT. We submitted the list of roads and PennDOT put together the advertisement. The roads would be:

- West Long Avenue from Chestnut Street to Simmons Street
- West Long Avenue from South State Street to Bell Lane
- Grant Street from N. Main Street to W. Long Avenue
- South Church Street from East Weber Avenue to Olive Avenue
- Knarr Street from Olive Avenue to Shaffer Avenue
- Lily Alley from Luther Avenue to Fairview Avenue
- Luther Avenue from South Church Street up 200 feet
- Olive Avenue from South Brady Street to South Church Street

The motion was made by Dietz and seconded by Aughenbaugh to authorize advertising for bids for the 2024 Road Program. Aughenbaugh questioned the condition of a road by Juniata School. Nasuti clarified which street – Garfield or Sheridan? He will have the Street Department look at it for maintenance. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Recommendation to Award Timber Bid to Gutches Lumber Co. - \$965,258.00

Reasinger asked if this is select cut. Ken Kane clarified, "It's a mixture of two blocks. One block is a regeneration cut. The other is a shelter wood cut." We received six bids and were very pleased with the response. It was a very exciting bid. Kane said, "I'm here tonight with contracts ready to deliver. They are very anxious to get started." Aughenbaugh noted the variance in the amounts of the bids. Kane responded, "It shows the timing and the homework that goes into it. Having it prepared ready to turnkey. The City is benefitting from a long time of good forest management. This regeneration cut are trees that have been managed for 100 years to maturity and they are high quality, nice-looking trees and they're eager..." Reasinger added, "Obviously they were very eager to get, because of their bid, to get to work."

The motion was made by Aughenbaugh and seconded by Dietz to award the timber bid to Gutches Lumber Co. in the amount of \$965,258.00. Roll call was as follows: Jackson, yea; Dietz, yea; Aughenbaugh, yea; Reasinger, yea. Motion passed 4-0.

Public Comments

Aviana Gillaugh – 18 N. Church Street

Gillaugh, founder of TURNaBOUT Boxing, read a prepared statement regarding DuBois Days. "On behalf of TURNaBOUT Boxing, Invictus, and the DuBois Days Committee, I would like to thank the sponsors, volunteers, vendors, all those providing entertainment, City personnel and departments, this Council, and all businesses and individuals who helped make DuBois Days a success for this this community! We love and appreciate you all and are grateful for you!" She reports they are in the reconciliation phase with the accounting process and will post a report when it becomes available. "As promised, we will be donating any remaining proceeds to the City of DuBois for a specified purpose and will have more details soon." The committee has received overwhelming positive feedback and a desire to see the event take place next year. "We would like to announce our intention to help ensure that a community event takes place in 2025 and are hopeful that the Fire Department opts to be involved, and also brings back the parade. It was greatly missed this year." While the committee understands the Fire Department's reasons for not hosting Community Days in 2024, they hope to work together in planning for an event in 2025 with target dates of June 13-15. "We hope to have a discussion as to the Fire Department's interest so that we can cement the necessary dates and have ample time to plan an event of this magnitude. We were informed that approval would not be given until after January 1st, but that would narrow the window to plan, fundraise, book entertainment and the like, and create a similar issue as experienced this year. We would hope to cement dates and have approval before the end of August." During her comments, Gillaugh congratulated Goodwill Hose Company on their second place win at Grampian Days on Saturday, June 15th.

In appreciation to the City employees, the committee is hosting UNITY, a free event for City employees, on August 2 at the DuBois City Pool. "We currently rented the City pool from 7:00-9:15 pm. but would like to request that this Council consider approving an early closure that night. We need to set up for the event, which will include inflatables, and would like everyone to have ample time to eat, swim and enjoy the sport and bounce inflatables. We would like to request a 5:00 pm pool closing time and a 5:30 pm start time. We are also partnering with Priority Media who will be hosting DuBois Unity Night for the

City Council Meeting Minutes – June 24, 2024 (continued)

Aviana Gillaugh – 18 N. Church Street (continued)

community in City Park the same evening from 5:00-8:00 pm.” Gillaugh made note of the common theme in both events – UNITY.

Leo Brooks – Fire Department Report

“Call-wise, we did have one at the Manor Motel that could have been significant, but the guys got a quick knock on it and put it out pretty quick. Our old engine 75, which was at Goodwill, is now at Reynoldsville. They talked to you several months ago about it going down there. It is down there now. One of their trucks is going out for refurbishment, so it will be down there for several months. We had Firemen’s Week last week. I would like to congratulate Shane and Friendship Hose Company. They won the City competitions championship for this year. Good job to them. There was a great turnout by the community, although the heat may have kept some people back. If you’ve been watching our Facebook page, there’s kind of a mystery thing going on there. Stay tuned for tonight. Several months ago, we were awarded \$2.4 million in a SAFER (Staffing for Adequate Fire and Emergency Response) grant with us and 16 other fire companies in the tri-county region. This grant is for retention and recruitment of members. Actually, Goodwill is in Clearfield tonight. I think the Fire Commissioner for the state is there as well to kick off the campaign. I just got put in charge of it from our department, so I have a lot of paperwork to read. The new guys, once they finish fire school and get a physical from a selected doctor, they can get new fire gear. That’s what our announcement was on our Facebook page.” Brooks thanked Aviana Gillaugh for her kind words. “We’re looking at doing something next year as far as Community Days or DuBois Days. It depends on donations and stuff like that. The parade is our biggest expense out of everything. I know there is interest in bringing something back next year.” Gregg Gillaugh told Brooks, “We’ve got a lot more help with you guys. Whatever it’s called, it’s called.”

Aughenbaugh asked Brooks, “On that \$2.4 million, how will that be distributed?” Brooks replied, “I still have a lot to read through. Lawrence Township Fire Company in Clearfield, Station 5, is the lead on this grant. They did most of the work. There are 16 other fire companies involved and it’s spread out.” Aughenbaugh then asked, “Is this a reoccurring grant that can be applied for or is it a one-time thing?” Brooks believes it is reoccurring. “I know we attempted it several years ago. I don’t think we got too far. It does reoccur but I’m not sure how often.”

Linda London – Rumbarger Avenue

“I just would like to know the status of the removal of the sign at the intersection of, it’s Franklin and Orange Alley and Weber – the railroad crossing.” Nasuti responded, “We did hear back from PennDOT and the railroad. They were going to get us a cost to do that. Manager Arbaugh wrote back that he was not interested in a project that would cost right now, so that project is no longer on the table.”

Dina Kirkwood – Blue Jay Drive

“Can you explain the pension response to that earlier?” Breth replied, “I don’t know the timing but, a number of years ago, City Council approved revisions to the City’s pension. Those revisions, in part, made elected officials eligible to participate in the City’s pension. The City’s compensation ordinance for those elected officials was not amended, so there’s a legal issue. It’s my understanding that certain elected officials were given years of service credit retroactive back including your former City Manager who was Mayor for a time period. All of which raises legal issues with respect to the legality since the Pennsylvania Constitution clearly says that elected officials can’t change their compensation in emoluments is the terminology in the Constitution which means your benefits. So, I have a conflict as City Solicitor. I discussed the issue with the entire City Council. City Council has all been in agreement. They say, ‘We’re happy to have somebody from outside to take a look at it, and if it wasn’t done correctly, they’re going to correct it.’ That’s the direction from City Council. Scott Wyland’s put a proposal together. The board has approved Scott Wyland and his firm to be the outside legal counsel to take a look at it.” Kirkwood followed up, “With that being said, would they lose that money then and that would go back to where it should be?” Breth said, “I’m going to let Scott speak to that.”

Katelyn McClure – Locust Street

“I would like to petition to form a civilian oversight committee for both municipal affairs and for law enforcement to enhance transparency and accountability through independent review and investigation. I can go through the benefits if you’d like me to, to help persuade you. It would help to eliminate fraud and misuse; promote fiscal accountability and adherence to PA state ethics laws; reduce public corruption, favoritism, waste and inefficiency; ensures responsible and ethical resource management; protects civil rights; supports effective policing; enhances transparency in public reporting; lowers liability and cost to taxpayers; and builds trust in the community.”

City Council Meeting Minutes – June 24, 2024 (continued)

Council Member Comments

Councilman Jim Aughenbaugh

Sorry I wasn't in town for Firemen's Week. I truly enjoy that every year, but this year I just couldn't fit it in my schedule. It went off pretty good, and congratulations again to the City champs and everyone that participated. It's always a good time and a lot of people look forward to that every year, and also look forward to, I know people that come in from out of town every year just for Community Days in the past and doing something together. I think it's a good happening to pursue, so thank everyone for that as well. Hopefully we get something going on for next year. Mr. Nasuti, your last public meeting. Before Chris leaves us, I want to give a thank you for, just going back and looking at all the projects that were completed over your tenure and you're involved in was outstanding. You did a great job for us, and I really appreciate everything you brought to the City and, you know, hopefully our replacement can continue that high level of quality service that you provide to us. Thank you."

Councilman Shane Dietz

I know it was talked about last week, but I wanted to congratulate the DCC girls' softball team for their state title. It's a pretty big feat. Congratulate all the firefighters that took part in the competitions last week. It's a lot of fun to get everyone together and give you practice on the equipment and gives you some camaraderie with everybody. Congratulations to Friendship on their victory. Mr. Nasuti, congratulations on your retirement. Looking back, some of those projects recently over the past couple years such as the pool upgrades that have benefitted the community; the flood control, I think without that flood control this year we would have seen some water over the banks – I can't say for sure – but it definitely kept the water from coming over the banks; and then just some of the park upgrades. I've met a lot of people that have just praised what we have locally. People passing through that can't believe what we have at the park and driving through town. Thank you for those projects that you were a big part of.

Mayor Pat Reasinger

I'm going to miss you (Nasuti). You helped me out a lot, sir. A lot. Thanks. I want to say thank you to the state for the grant and whoever did all the hard work to get the grant. I know recruitment is not just a fire department issue, but it's nationwide – volunteering is down. That's nice. I hope that works. We could use some more good firemen. DuBois Days, fantastic! I was over there every day. I went home Sunday, and I took a nap for about four hours because I did nothing but walk all day. The kids seemed to have a lot of fun. There was a lot of stuff for kids. Fireworks were great. Everything seemed to be real smooth. I've heard nothing but great things, so thank you very much everybody that helped out with that.

Adjourn

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

ATTEST:

Konbi Slocum

APPROVED:

