

**CONNELLSVILLE CITY COUNCIL MINUTES
5 PM – NOVEMBER 21, 2023**

This meeting of the Connellsville City Council was held this evening at 5:00 PM in City Council Chambers, City Hall.

CITY COUNCIL MEETING ROLL CALL:

Attending this meeting was Council members Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. Also attending was City Clerk Ohler and Solicitor Witt.

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE:

PUBLIC COMMENT:

CITY TREASURER REPORT: Marilyn Weaver

CITY CONTROLLER REPORT: Bill Addis

Mayor Lincoln allowed Greg Cromer to introduced his Aerial Photography pictures of the City that he has for sale.

CORRESPONDENCE:

REGULAR AGENDA:

Resolution No. 11-1-2023: “To accept the minutes from the October 17, 2023 City Council Meeting.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln questioned Solicitor Witt on the update to the Four-Day Rule.

Solicitor Witt answered the Commonwealth Court has updated it. He stated that everything was required to be on the agenda at least 24 hours in advance of any public meeting. He continued that previously, in relation to the Sun Shine Act, included four exceptions. Witt stated that one exception was allowing anything to be addressed at a public meeting as long as it was voted on to amend the agenda and have the majority of council’s approval and then post the amended agenda on the City’s website. He stated the Commonwealth Court reviewed the language of that amendment to the Sun Shine Act and concluded that there not in fact four exceptions, there are really only three. He continued that fourth just modifies the first three. Witt stated it is now more circumscribed as to what we are allowed to add within Twenty-Four Hours if it is not already on the agenda. He explained the City is limited to: agenda items that are needed to address a clear and present danger to human health and safety or property.

Number two anything that just became presented to the City Council within Twenty-Four Hours before the meeting and does not include an expenditure of funds or includes any sort of agreement. He stated the third one would be items that need to be referred to any other city official for additional review or recommendations or evaluation and also does not include an expenditure of funds and any sort of new agreement. Witt stated that makes municipalities jobs much more difficult. He noted it is important that everything is on the agenda Twenty-Four Hours before the meeting.

Mayor Lincoln questioned if the ruling could be challenged.

Solicitor Witt replied that it could be challenged and overturned by the Supreme Court. He clarified that the City is bound by the three exceptions unless it is overturned.

Mayor Lincoln questioned if items could be put on the agenda on Saturdays and Sundays.

Solicitor Witt answered as long as it is on the agenda Twenty-Four Hours before the meeting and publicly posted.

Councilman Karpiak questioned if someone was having a block party and forgot to submit a request to have a road closed and it has to be referred to the Police Chief, could that be added on.

Solicitor Witt answered there is no expenditure or contract and it was just given to council, then it would fall under the exception.

Resolution No. 11-2-2023: "To waive the Four-Day Resolution Rule to allow for items submitted after the Four-Day Rule to be read at the meeting tonight, such Resolutions will be marked with an asterisk."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

MAYOR LINCOLN:

Police Department Report by Police Chief Hammerle

Chief Hammerle stated there was an arson on North Sixth Street and an arrest was made. He noted they are still gathering more information.

Mayor Lincoln questioned how the body cams are coming along.

Chief Hammerle stated there is a company coming in and they will show them how everything is supposed to work. He stated they will instill the car cameras and show us how everything operates. He stated he believes that is all scheduled the first week in January.

Mayor Lincoln questioned the LSA Grant on the agenda.

Chief Hammerle noted it is much needed since the equipment they have it outdated. He stated the portable and car radios need replaced since they were purchased refurbished around 2010. He added they break and need repaired many times and there is a cost with that. Hammerle stated the City would be lucky to get \$100 per old radio.

Mayor Lincoln stated the City received approval from the County for the Trail Council to have working radios to use when there is no cell service to call for help.

Hammerle stated they have to give the radio to 911 and they will program it to what they would be allowed to have on it. He stated he would have no problem with that.

CDBG ad CV Programs Report, October 2023

Resolution No. 11-3-2023: “To adopt the City of Connellsville Residential Anti-Displacement and Relocation Assistance Plan.

Residential Anti-Displacement and Relocation Assistance Plan under Section 104 (d) of the Housing and Community Development Act of 1974, as Amended.

The City of Connellsville will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488 (c) (1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the City of Connellsville will make public and submit to DCED the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling unit as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the localities or the State's approved Comprehensive Housing Affordability Strategy (CHAS)."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Keedy and Tiberio and Mayor Lincoln. Councilman Karpiak voted nay. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-4-2023: "Be it resolved, that the City of Connellsville, Fayette County, hereby request a Statewide Local Share Assessment grant of \$222,478.65 from the Commonwealth Financing Authority to be used for the Connellsville Police Department to upgrade station computers and monitors, additional car cameras, new car laptops, portable and car radios, and applicable administrative fees.

Be it further resolved, that the Applicant does hereby designate William Hammerle, Chief of Police, Connellsville Police Department and Jannifer Bradmon, Administrative Assistant, Connellsville Police Department as the official(s) to execute all documents and agreements between the City of Connellsville and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Vernon E. Ohler, duly qualified Secretary of the City of Connellsville, Fayette County, PA, hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by a majority vote of the City of Connellsville council at a regular meeting held on November 21, 2023 and said Resolution has been recorded in the Minutes of the City of Connellsville and remains in effect as of this date."

Councilwoman Tiberio requested to discuss this and noted the LSA usually goes through the City Clerk. She questioned if Ohler should spearhead this and use the resources of the Police Department.

Mayor Lincoln questioned Solicitor Witt as to who will be the administrator of the grant.

Solicitor Witt stated it becomes what portion of the administrative tasks are being done. He added as far as purchases, that would not have to be done through Vernon and could be done by the Police Department. He continued that on the financial end, that would have to go through Vernon and the normal buying procedure.

Councilman Tiberio questioned who would be the Administrator that would sign for the grant.

Solicitor Witt explained that since the City Clerk has custody and control over all records of the City, then all applications and paperwork has to come to the City Clerk. He continued that as far as who can sign, the City can designate whomever they choose. Witt stated all subsequent documents will have to go through the City Clerk.

Councilman Keedy questioned Chief Hammerle “With this being a reimbursement grant, will the police handle all the payment requests through the state?” He explained that if the City was awarded the funds, you pay upfront and then you get reimbursed from the state by sending them payment vouchers.

Chief Hammerle stated that is what he does now by doing all the requisitions. He stated he will take care of reimbursements to the State.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

REMINDERS: www.connellsville.us for a complete list of Christmas events

November 23rd, Sr. Center, Thanksgiving Dinner, Free, 11 AM – 1 PM

November 25th, Small Business Saturday, Beginning 12 PM

November 28th, Albright Church, 1626 S Pittsburgh Street, Blue Plate Special, 11 AM – 1 PM, Free

December 2nd, Christmas Parade, 5 PM, Green Street to 7th Street, Chamber of Commerce, 724-628-5500

December 2nd, Stuff a First Responder Vehicle, East Side Fire Hall, Noon until 2 PM

December 2nd & 16th, Breakfast with Santa, 9 AM – 11 AM, Canteen, RSVP only, 724-603-2093, \$15 adults and \$10 for under age 10

December 2nd, Slovak Food Sale, 9 AM – 11 AM, St. John’s Social Hall, 724-628-7259 to order

December 3rd, Holiday Tour of the Gunderson Home, Fundraiser for the Crime Victims’ Center, \$35, Reserve your ticket at “CRIME VICTIMS’ CENTER OF FAYETTE COUNTY” on Facebook

December 7th, Toy Drive by the Chamber, Aaron’s Building, 5 PM – 8 PM

December 9th, St. Rita’s Cookie Sale, 9 AM until sold-out, St. Rita’s Social Hall

Santa Around Town by New Haven Hose Company:

December 15th, 8 PM-9 PM, North End

December 16th, 7 PM-9 PM, East Side

December 17th, 7 PM-9 PM South Side

December 18th, 7 PM-9 PM West Side

December 16th, Laying of the Wreaths by CAHS Patriots, Bus leaves 9 AM at Sr. High School

December 16th and 17th, 7:30 PM, Faith Bible Church’s Living Christmas Tree, Free to the public

December 16th and 17th, 10 AM – 5 PM, New Haven Hose Fire Hall, Holiday Craft & Vendor Show & food

Mayor Lincoln added December 2nd at Wesley Health Center there will be free flu shots and booster shot

Remember First Fridays and Shop Local to support your community

COUNCILMAN KEEDY:

Resolution No. 11-5-2023: “To enter into a contract with Culligan Water from January 1, 2024 through December 31, 2024; for the Police and Public Works Departments and Administrative Offices; money to be taken from line item 409-250.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-6-2023: “To contract out the City of Connellsville's payroll to Scarry and Associates, LLC at a cost of \$320.00 per month beginning January 1, 2024 and ending December 31, 2024; monies to be taken out of line item 402.330.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-7-2023: “To introduce Bill No. 8 of 2023: An ordinance of the City of Connellsville, County of Fayette and the Commonwealth of Pennsylvania, fixing the salaries payable by the City of Connellsville for the various positions enumerated herein for the fiscal year 2024, and repealing all ordinances or parts of ordinances inconsistent herewith.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Councilman Keedy noted he changed the Bill Numbers around.

Resolution No. 11-8-2023: “To introduce Bill No. 9 of 2023: An ordinance of the City of Connellsville, County of Fayette and the Commonwealth of Pennsylvania, showing the estimated receipts, expenditures and liabilities of every kind of all the funds for fiscal year 2024 with the balance of unexpended appropriations as the basis for fixing the levy and tax rate for said fiscal year appropriating the various amounts shown as proposed expenditures herein for the expenses of the City for said fiscal year from the revenue available for said fiscal year for the departments, bureaus and specific purposes set forth herein, and the repealing of all ordinances or parts of ordinances inconsistent herewith.”

Councilman Keedy stated this ordinance states we have a balanced budget. He thanked all the departments and department heads for coming out and working with us so the City does not have to raise taxes.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-9-2023: “To introduce Bill No. 10 of 2023: An ordinance of the City of Connellsville, County of Fayette and the Commonwealth of Pennsylvania, fixing the Real Estate Tax Rate and Residence Tax Rate for all City purposes for the fiscal year 2024, and repealing all ordinances or parts of ordinances inconsistent herewith.”

Councilman Keedy stated this formalizes that taxes will not go up next year.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-10-2023: “To authorize the City Clerk to contact financial institutions regarding a Tax Anticipation Note for 2024, if needed.”

Councilman Keedy explained we have not had to do this in years. He noted it is good to pass this resolution incase something were to come up.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

COUNCILMAN KARPIAK:

Health Officer’s Report

Health, Code and Zoning Officer asked residents to remember no indoor burning of kerosene heaters or anything flammable.

New Haven Hose Report by Bill Addis, Lieutenant

Resolution No. 11-11-2023: “To forward the Board of Health’s Order to abate the public nuisance known as 238 East Crawford Avenue, Parcel ID 05-09-0088 by demolishing the structure and to forward this order to the Connellsville Redevelopment Authority to execute said order.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Councilman Karpiak stated there are other structures that are being looked at and applying adequate pressure to get them demolished also.

Mayor Lincoln stated Shelley has taken some time and effort to add a page to the City's website. He noted it is solely for the City's garbage collection and all the information you need is on there. He thanked Shelley for taking the time to do that. He added if your garbage is missed, call County Hauling since they are the garbage collector. Mayor Lincoln stated if you do not get the results that should happen, then call City Hall. He explained the Municipal Authority does not take garbage complaints; you need to call County Hauling directly.

Visit www.Connellsville.us to view the Garbage Page for all information about garbage pickup and billing

COUNCILMAN TOPPER:

Resolution No. 11-12-2023: "To extend the current contract with James Cox to March 31, 2024, for the use of the concession stand at Yough Park."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 11-13-2023: "To grant permission to the Diversity and Inclusion Board to use Veteran's Plaza and the East Side Fire Hall from 8 AM until 10 PM on June 15, 2024 for their Juneteenth Celebration; Event to begin 11 AM until 7 PM; further authorizing items listed on the Utilization Form be approved."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln thanked Craig Appliance. He stated the new refrigerator shut down which was under warranty so they brought the City a new one for the fire hall.

COUNCILWOMAN TIBERIO:

Public Works Report read by Councilwoman Tiberio

Mayor Lincoln added the Public Works guys picked up the Christmas Tree which was donated by Troy and Suzie Flesik which they purchased from the Potting Shed.

Councilwoman Tiberio stated the water company will be working from Davidson Avenue to Austin Avenue on Chestnut Street. She added that will possibly begin next week and Woodlawn to Cedar Avenue in two weeks.

City Clerk Ohler noted the Woodlawn to Cedar Avenue will be along South Pittsburgh Street.

Mayor Lincoln stated in 2024 they are to replace the main all the way to 119.

Councilwoman Tiberio questioned when they are going to replace Murphy Avenue by the hospital.

City Clerk Ohler stated the money got moved from that project to the West Crawford project that we are trying to coordinate with the Redevelopment Authority.

Councilwoman Tiberio stated they did fix some areas at the hospital. She noted some people were not using the crosswalks and tripped into the potholes.

Mayor Lincoln stated it is sad that Joe Abramowitz is not here at the meeting tonight. He thanked Roxanne Abramowitz for carrying the meeting on. He added December 9th there will be a celebration of Life for Joe at the Senior Center.

Resolution No. 11-14-2023: "That this meeting of the City Council does hereby adjourn."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Karpiak, Topper, Keedy and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.