

Connellsville City Council MINUTES
5 PM – MAY 21, 2024

This meeting of the Connellsville City Council was held this evening at 5:00 PM. Attending this meeting was Council members Addis, Topper and Tiberio and Mayor Lincoln. Also attending was City Clerk Ohler and Solicitor Witt. Councilman Keedy was absent.

Mayor Lincoln announced there was an Executive Session from 4 PM until 5 PM discussing employee related issues. He added they will most likely have another Executive Session after the meeting this evening.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: Led by Rev. Matt Goldsberry

Rev. Matt Goldsberry stated it has been a joy for the past 20 years being a part of the City. He added he has watched it grow and prosper.

PUBLIC COMMENT:

William Premus discussed sewage issues and billing. He stated he has three questions regarding the sewage bill. His first question was when will the \$15.55 debt service stop.

Mayor Lincoln answered 30 years.

Vernon Ohler stated the rates could go up.

Mr. Premus asked his second question. He asked over 3500 gallons, you have to pay \$5 extra dollar for ever 1,000 gallon over that. He gave examples of bills.

Mayor Lincoln informed Mr. Premus the Municipal Authority meets the 2nd Tuesday of the month at their building at 7 PM.

Mr. Premus continued that he was analyzing his water bill and questioned fees.

Mayor Lincoln informed Mr. Premus he would get the appropriate answers by calling PA Water.

CITY TREASURER'S REPORT: Absent

CITY CONTROLLER'S REPORT: By Christian Korba

CORRESPONDENCE:

John Malone, Somerset Trust, Street closure request

Resolution No. 5-1-2024: “To close North Seventh Street and the adjacent alley between St. John’s Church and Somerset Trust from 5 PM - 10:30 PM on June 18, 2024 for Somerset Trust’s Car Cruise/Concert; pending review and approval of Police Chief and Fire Chief.”

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

Sally Stoots, John Woodruff Race, Street closure request

Resolution No. 5-2-2024: “To temporarily close the following streets on July 10, 2024 for the John Woodruff Run/Walk; Starting at Falcon Stadium on South Arch Street towards W Gibson Avenue and East Gibson Avenue towards Isabella Road to West Green Street to South Arch Street back to the stadium; pending review and approval of Police Chief and Fire Chief.”

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

Susan Joy Lewis, Request to scan City minutes dating back to 1806

Mayor Lincoln questioned if the work is free or if there is a charge.

City Clerk Ohler answered she charges \$20 per hour for 20 hours and \$12 for three flash drives.

Solicitor Witt explained Ms. Lewis is stating that if she were charging for the services, that is the price it would be. He continued that Ms. Lewis is donating her time and services for this project.

Mayor Lincoln stated he is ok with it.

Vernon Ohler stated he will reach out and get more information.

REGULAR AGENDA:

Resolution No. 5-3-2024: “To accept the minutes from the April 16, 2024 City Council Meeting.”

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

Resolution No. 5-4-2024: “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 Addis, Topper and Tiberio and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

MAYOR LINCOLN:

Police Department Report by Chief Hammerle

Chief Hammerle asked residents to be courteous when operating a vehicle throughout the City due to the construction.

Chief Hammerle stated PA American Water Company will be paving South Pittsburgh Street, causing more tie ups.

Mayor Lincoln added the City will be paving the south side and it will be constantly under construction.

CDBG and CV Programs Report

Resolution No. 5-5-2024: "To permit the City Clerk and the Mayor can sign and execute bonds, contracts, grants, leases, licenses, and other agreements as may be required in the ordinary course of business for the City of Connellsville; furthermore, that they may sign and execute any such documents for a submerged License Land Agreement and Obtainment of DEP permits for the proposed boat ramp extension, floating ADA dock, and ADA parking pad and walkway at Yough River Park."

It was noted this will be after the Yough River Rally.

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

Resolution No. 5-6-2024: "To permit the Mayor and City Clerk to sign off on all documents and permits pertaining to the Pennsylvania Fish and Boat Commission's Facility Grant for Yough Park."

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

Resolution No 5-7-2024: "To grant permission to the City Clerk to file the 2024 -2025 Local Shares Account Grant on behalf of the City."

Mayor Lincoln asked if this is for the new draining.

City Clerk Ohler answered it is for the draining on the south side.

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

Resolution No. 5-8-2024: “To authorize, approve and enter into the Auto-Theft Task Force Agreement with the Commonwealth of Pennsylvania for July 1, 2024- June 30, 2025; further authorizing and directing the Mayor, City Clerk and Police Chief and City Solicitor to execute such agreement and to authorize City Officials and employees to take such action as is necessary to effectuate such agreement.”

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

Resolution No. 5-9-2024: “To open bids received for the "Tree Inventory" to be conducted throughout the City as the first phase of the USDA Forestry Grant; money will be reimbursed through the grant.”

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

City Clerk Ohler announced there is only one bid.

Solicitor Witt stated the bid can be opened, rejected, and rebid it out.

City Clerk Ohler opened the bid as follows:

Davey Tree Expert, \$17,512.50

Resolution No. 5-10--2024: “To accept the bid of Davey Tree Expert in the amount of \$17,512.50 to perform the Tree Inventory as part of the USDA Forestry Grant; all work to be paid through the grant.”

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

Reminders for May and June:

May 25th, McPoyle Kickball Tournament at McPoyle Field

May 27th, Memorial Day Service, Veteran’s Plaza, 11 AM

May 31st – June 2nd, Yough River Rally. Visit Facebook: The Yough River Rally for schedule of events

Farmer’s Markets begins June 6th at Yough River Park. You can contact the Chamber at 724-628-5500

June 8th, Pride in the Park, Yough Park, 11 AM, visit: Facebook: Connellsville Diversity & Inclusion Board

June 15th, Juneteenth Celebration, North Arch Street, 11 AM, visit: Facebook: Connellsville Diversity & Inclusion Board

June 17th – July 18th, PE In the Park, East Park, visit: healthpekids@gmail.com or 724-433-9608 – Jason

June 18th, Car Show & Concert with Scott Blasey, Somerset Trust, 904 W Crawford Ave, 6 PM

June 20th, Farmer's Market/Kid Fest, Yough Park, 5 PM – 8 PM, Chamber of Commerce, 724-628-5500

June 22nd, 2nd Annual C.P.O.A. Golf Outing, Pleasant Valley Golf Club, \$110/Golfer, Dinner, Raffles, prizes, 50/50, Lunch, Register 8 AM, Start 9 AM. Cutoff date: June 1st

June 23rd, Friends Day, East Park, Connellsville Recreation Board, Information available soon

June 28th, Life of Sarah B. Cochran, Connellsville, Somerset Historic P&LE Train Station, A catered lunch will be served at noon followed by a lecture at 1:00 PM, \$35/ per person includes dinner, RSVP Karen Hechler 724-628-5344

June 29th – 30th, Braddock's Crossing, Yough River Park, Visit Facebook: Connellsville Area Historical Society for schedule of events

KEEDY WAS ABSENT – READ BY MAYOR LINCOLN

Resolution: “To enter a Lease Agreement with Pitney Bowes for a SendPro C Auto Postage Machine; Monthly payment will be \$181.72 per month for 60 months; agreement to begin approximately June 2024 and end June 2029.”

Mayor Lincoln stated he feels that paying \$2,100 a year for a postage machine is a waste of money. He added he does not feel council should agree to a five-year contract amounting to over \$10,000 for the machine. He stated City Clerk Ohler has been researching bulk rate and how the city can save a significant amount of money without the machine. Mayor Lincoln explained the cost of the machine does not include postage.

Councilwoman Tiberio questioned why the post office will not accept postage from the machines after a certain date.

City Clerk Ohler added the current Pitney Bowes lease is until 2025.

Mayor Lincoln added if Pitney Bowes would allow them to do a six-month contract, then maybe he would say yes, but not a five-year lease.

City Clerk Ohler added the city can get a bulk rate and have envelopes printed up ahead of time. He added the city can always go back to the machine if they ever need to.

Mayor Lincoln reiterated spending that money and agreeing to a five-year lease is foolish.

Councilwoman Tiberio agreed.

Mayor Lincoln suggested they go through this and see how bad it is and see if the employees are put to the test.

City Clerk Ohler noted the only downside is mailing the flats and certified. He added the city can buy a scale.

Councilwoman Tiberio questioned if there are any other companies besides Pitney Bowes.

A vote upon the adoption of the resolution resulted as follows: No affirmatives. Councilmembers Addis, Topper and Tiberio and Mayor Lincoln voted nay. The majority of the votes being nay, the resolution was not adopted.

Resolution No. 5-11-2024: "To purchase a one-year QuickBooks Enterprise Desktop agreement through Kiesel and Associates for the sum of \$2,358.00, with money to be taken from the Capital Improvement Fund."

Mayor Lincoln questioned if they are looking into new program.

City Clerk Ohler stated QuickBooks is working, however this is a new program. He added this is a yearly subscription at this price.

Mayor Lincoln questioned if it is worth it to explore and see if there is something else.

City Clerk Ohler stated they can always look for other options. He noted the downside is getting everyone acclimated to the new system.

Councilman Addis questioned when this takes effect.

City Clerk Ohler answered by the end of the month.

Councilwoman Tiberio stated they can do this and then look around.

Councilman Addis stated there has to be something else.

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

Resolution No. 5-13-2024: “To transfer \$100,000 from the Investment Account to the Capital Improvement Account for payment of the Community Center Masonry project; money will be reimbursed into the Investment Account from Pennsylvania Historic Museum Commission Grants and Fayette County LSA grant.”

Mayor Lincoln questioned if the roof is done.

City Clerk Ohler answered not yet, however, they are doing a great job.

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

Resolution No. 5-14-2024: “To close the Health Reimburse Account at Somerset Trust and transfer the remaining balance of \$494.65 into the General Fund account.”

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

Resolution: “To make the yearly donation of \$2,500 to Fayette EMS and an additional one-time donation of \$7,500 totaling \$10,000; money to be taken from line item 489.000.”

Councilwoman Tiberio stated before she votes, she wants it to be known that she personally supports the Fayette EMS and thanks them for the times that they have been there for them. She added she is voting no tonight because there is money coming from Medicaid. Tiberio continued there is 20 Million Dollars waiting to go through the House in Pennsylvania that will help. She added it went through the Senate. She stated she sat down and got answers and wanted answers on the EMS side but not a lot on the Tri-Conn side. She noted that part of the puzzle she could not see. Tiberio added she knows that they pivot between the two. She clarified for that reason, she is voting no. She added the City has already donated \$16,250 over the past seven years.

Solicitor Witt stated in order for the resolution to pass, three votes are required.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmember Addis and Mayor Lincoln. Voting nay was Councilwoman Tiberio. Councilman Topper abstained. The resolution did not pass.

COUNCILMAN ADDIS:

Health Officer’s Report

Tom Currey, Health, Code and Zoning Officer reminded residents to keep their grass cut.

Fayette EMS Report

Councilman Addis questioned if Fayette EMS could disclose how many of the 911 calls was drug related.

Fayette EMS responded they do not have that number, but average 8 to 10 drug related calls per day.

Councilman Addis questioned what their reimbursement is for something like that.

Fayette EMS answered the reimbursement is very low due to them being revived, run or fight and rarely has insurance. He explained a typical scene and noted it is tying up a lot of resources for very little reimbursement.

Councilman Addis questioned when it has to do with Narcan, does it come from your own pockets.

Fayette EMS replied they are given that by the State.

Councilman Addis questioned if they provide training for that.

Fayette EMS answered they do as well as CPR and First Aid.

Chief Rick Adobato stated the three hot spots are Connellsville, Uniontown, and Redstone Township.

Councilwoman Tiberio questioned when they get dispatched by 911, do they give you an indication of it is basic or advanced life support.

Fayette EMS answered they do.

New Haven Hose Report

Mayor Lincoln discussed the Spring Clean Up issue. He clarified this was not County Hauling's fault. He continued that council was under the assumption and did not fully read the specs of the bid. He continued they thought they were eliminating the fall clean up and a lot of time and effort was put into this new contract and system. Mayor Lincoln stated Councilwoman Tiberio and the City Clerk put a lot of time and effort into this as well as our Solicitor and former Councilman Karpiak. He reiterated that they put a lot of time and effort to make this the best they could for the residents. He noted by eliminating one of the cleanups, the price would go down because it cost the haulers \$50,000 to \$60,000 when the City has the cleanup. Mayor Lincoln stated it was discussed to eliminate one cleanup day and somehow through it all, the other day was eliminated. He stated everyone was still under the assumption it was still there and that is why they promoted it. He stated they are discussing getting dumpsters and the City Clerk has been getting quotes for possibly mid-summer with limitations. Mayor Lincoln added they will do everything they can to get the word out to the residents of the City. He apologized for the miscommunication of that day. He added residents can put one bulk item out a month.

Councilman Topper added it is \$5 and \$10 for a second bulk item.

Mayor Lincoln stated you can go to City Hall or the Municipal Authority to purchase bulk item stickers or extra garbage bags stickers. He encouraged residents to call around and find the prices of other areas and noted the city's rates are very competitive to other areas. He added the Municipality Authority taking over the billing has been very positive. Mayor Lincoln stated every week Shelley posts the garbage or if it is recycling or bulk item day. He added if you do not do social media, Shelley can email the schedule to you if you call her with your email address.

Mayor Lincoln then announced he must re-read a resolution to donate the yearly money to Fayette EMS.

Solicitor Witt stated because it is already on the agenda, they can entertain an amended motion. He stated they will need a new resolution written.

Mayor Lincoln passed the meeting on to Councilman Topper to allow time for a new resolution to be written.

COUNCILMAN TOPPER:

Resolution No. 5-15-2024: "To permit Jason Bandemer use of East Park for the 2024 season for PE In the Park; pending valid Insurance Certificates provided to and approved by the City Clerk prior to use of park."

Mayor Lincoln thanked the Recreation Board for donating to this which allows the cost to be lowered to \$30 per child.

Councilman Topper stated if anyone or any business wants to sponsor a child, just reach out to the Recreation Board and they will accommodate that.

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

Resolution No. 5-16-2024: "To accept the resignation of Michael Parlak from the Connellsville Recreation Board effective immediately."

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

Resolution No. 5-17-2024: "To accept the resignation of Frank Jacobyanski from the Connellsville Recreation Board effective immediately."

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

Councilman Topper thanked both members for their years on the board and noted they now have openings on the board and will wait until next meeting to replace them. He added they have letters of interest, but will wait another month and hopefully will have two more members names to read.

Resolution No. 5-18-2024: “To permit One Voice/One Community to use Woodruff Park Woodruff basketball courts for their annual basketball league starting June 24, 2024 and run through August 1, 2024; Monday through Thursdays from 3:30 PM until 8:00 PM with access to the concession stand; pending valid Insurance Certificates provided to and approved by the City Clerk prior to use of park.”

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

Resolution No. 5-19-2024: “To approve the quote from Nevah in the amount of \$3,717.00 for the new water line at East Park.”

Councilman Topper stated they want to expand parking at East Park but need to repair the water leak at the park first.

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

Resolution No. 5-20-2024: “To approve Krumanacker Electrical to perform upgrades to Yough Park for more electrical outlets and lighting; money to be taken from the Recreation Board account line-item: REC 450.374.”

Councilwoman Tiberio questioned what the estimate would be.

Councilman Topper replied around \$3,000 or \$4,000 and Braddock’s Fish Club will be pitching in \$1,000.

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

Resolution No. 5-21-2024: “To permit Fayette Living Well Coalition to use the grassy area by the stage at Yough River Park on Wednesday, May 29, 2024 from 6 PM until 7:30 PM for an outdoor Yoga Class; further approving use of electric from the stage.”

Mayor Lincoln stated his only concern is when the Yough River Rally will begin setup at Yough Park.

Fayette EMS stated they set up Friday morning at 7 AM.

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

Resolution No. 5-22-2024: “To permit the Chamber of Commerce to use Yough Park for the 2024 Farmer’s Markets; further authorizing use of the items listed on the utilization form.”

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

Mayor Lincoln thanked Brook Deason and Bonnie Parker for all the efforts and what they have been doing to get real farmer vendors and food.

Councilman Topper reminded residents that the McPoyle Kickball Tournament is this weekend. He noted people can still sign up.

Councilman Topper stated the co-ed 35 and over softball league has started back up on Sundays and are looking for more teams. He noted they either started last Sunday or will start this Sunday.

Mayor Lincoln gave an update on the Twelfth Street project as it is moving along and the splash pad will not be in until July but the majority of the project should be completed in June.

Mayor Lincoln thanked all of the sponsors who paid to sponsor each park.

Councilman Topper stated they are getting cameras for Washington Street Park. He noted a pole is coming and power for cameras and lighting.

Mayor Lincoln added the cameras will be monitored from the Police Station 24/7.

COUNCILWOMAN TIBERIO:

Public Works Report

Councilwoman Tiberio questioned if the sponsorship signs are yearly.

Mayor Lincoln answered they are yearly and the names can be changed.

Resolution No. 5-23-2024: “To accept the bid of Redstone Excavating, LLC in the amount of \$110,833.75 for the 2024 Paving Project; pending review and approval of City Solicitor and City Engineer.”

Mayor Lincoln stated Council agreed on the dissatisfaction of this company's paving two years ago. He continued that the owner of Redstone called the City Clerk and took responsibility and apologized. The owner stated, and the City Clerk instructed him to put it in writing, "If our contract is awarded at the City Council Meeting this evening and Widmer gives a notice of award, complete all documents, then we can start the job the week of May 27th to June 3rd assuming all paperwork is completed and the weather cooperates.... We are sorry about last year and hope to work with you in the future."

Councilman Addis stated he still has his reservations since it was 6 to 8 months late.

City Clerk Ohler stated the Public Works Foreman stated they did good work.

Mayor Lincoln questioned Solicitor Witt if the email holds any merit.

Solicitor Witt answered they are not bound by that email. He continued that they can be asked to sign an addendum to the contract that will hold them to this.

Councilman Addis questioned what would happen if they "did this again, what they did last year?"

Solicitor Witt questioned if there is a "Liquidated Damages Clause" in the contract. He continued the City would pursue a claim against their bond.

Councilman Addis questioned how a breach of contract is a loss.

Solicitor Witt answered they would know how to calculate the damages pertaining to that. He noted that would be the time of monitoring the contract, rebidding the contract, the cost of trying to hold them accountable to the contract.

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

Resolution No. 5-12-2024: "To make the yearly donation of \$2,500.00 to Fayette EMS; money to be taken from line item 489.000. Amended motion upon reconsideration."

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

Resolution No. 5-24-2024: "That this meeting of the City Council does hereby adjourn."

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