

**WARREN CITY COUNCIL
REGULAR MEETING
AUGUST 17, 2020 – 7:00 PM**

OPENING OF MEETING

Mayor Cashman presided over the August 17, 2020 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Cashman announced that Council met in executive session immediately prior to this meeting for discussion of legal matters pertaining to the franchise agreement with Atlantic Broadband, legal matters pertaining to an appeal to a decision of the Zoning Hearing Board, and personnel matters.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Gregory Fraser (via Zoom), Paul Giannini (via Zoom), Philip Gilbert, Douglas Hearn, John Wortman, and Christian Zavinski. Members of City Staff present were Nancy Freenock, City Manager; David Hildebrand, Planner/Development Administrator; Michael Holtz, DPW Director; Teena Leary, Assistant City Clerk; Joseph Sproveri, Chief of Police; Rodney Wren, Fire Chief; Chad Yurisc, City Engineer; and Andrea Stapleford, City Solicitor.

CHIEF OF POLICE OATH OF OFFICE

The Honorable Raymond F. Zydonik, Magisterial District Judge, 37th District of the Commonwealth of Pennsylvania administered the Oath of Office to incoming Chief of Police Joseph Sproveri. Judge Zydonik noted that this was a particular honor as Chief Sproveri was a City Patrol Officer during the Judge's tenure as Chief of Police. Following administration of the Oath, Chief Sproveri's wife pinned his badge.

APPROVAL OF MINUTES

Upon motion by Mr. Fraser and second by Mr. Zavinski, the minutes of the July 20, 2020 Regular Meeting were unanimously approved.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Jane Dunshie: via Zoom
- Wendy McCain: via Zoom
- Zoom user identified as "This One"
- Josh Cotton: Times Observer Reporter

Present to witness Joseph Sproveri take the Oath of Office as Chief of Police:

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| ● Alex Sproveri | ● Emily Eckert |
| ● Nick Sproveri | ● Kate Sproveri |
| ● Lucah Sproveri | ● Myla Sproveri |
| ● Peggy Sproveri | ● Emma Sproveri |
| ● Jacob Sproveri | ● Joe Bees |
| ● Bill Mickle | ● Will Mickle |

Jane Dunshie offered her congratulations to Chief Sproveri. Mrs. Dunshie also thanked Mayor Cashman for issuing a proclamation which encourages residents to practice COVID-19 pandemic mitigation measures including the wearing of masks, social distancing, and frequent hand washing. Mrs. Dunshie requested that there be a public meeting regarding plans for a proposed hotel and other development to be located along the Allegheny Riverfront.

CORRESPONDENCE

Mrs. Freenock presented a letter of thanks from Karen Kolos, Executive Director of Paws Along the River, regarding the use of Betts Park for the organization's annual fundraising softball tournament.

RESOLUTION NO. 3124: GRANT PROCUREMENT POLICY

Mr. Hildebrand stated that Pennsylvania Department of Community and Economic Development (DCED) requirements call for the City to adopt a Procurement Policy establishing guidelines for purchasing and contract activities undertaken in relation to Commonwealth and Federal grants. Mr. Hildebrand noted that the only change from the prior resolution/policy is the addition of language regarding "micro" and "small" purchases.

Mr. Wortman expressed concern regarding language pertaining to procurements utilizing Small, Minority, and Women's Business Enterprises (MBE/WBE) and whether the language may be contrary to the 14th Amendment to the United States Constitution. Mr. Hildebrand stated that Housing and Urban Development (HUD) grant requirements pertaining to MBE/WBE have been in place since 1994.

Mr. Fraser made the motion to adopt the resolution establishing guidelines for purchasing and contract activities undertaken in relation to Commonwealth and Federal grants. The motion was seconded by Mr. Giannini and carried with five votes in the affirmative and two nay votes cast by Mr. Wortman and Mr. Gilbert.

APPOINTMENTS: EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY

Mr. Wortman made the motion to appoint Rodney Wren, Fire Chief, as the City's Emergency Management Coordinator and Joseph Sproveri, Chief of Police, as the Deputy Emergency Management Coordinator. The motion was seconded by Mr. Gilbert and carried unanimously.

RESOLUTION NO. 3125: AUTHORIZING 5-YEAR PENNDOT WINTER MAINTENANCE SERVICES AGREEMENT

Mr. Holtz stated that the Department of Public Works performs winter maintenance services for all state roads within the City limits (23.53 snow lane miles) and is reimbursed for those services as specified in an agreement that is renewed and updated every five (5) years.

The agreement covering winter seasons 2020-2021 through 2024-2025 provides for annual increases in compensation to the City ranging from \$47,921.30 in the first year to \$53,671.86 in the fifth year, for a projected total of \$253,982.90 over the five-year term of the agreement.

Mr. Wortman noted his concern regarding the City's obligations in accord with "Exhibit C – Enhanced Minimum Wage Provisions" of the agreement. Mr. Holtz stated that the provisions in question are not applicable to the City of Warren.

Mr. Zavinski made the motion to approve the 5-Year Winter Maintenance Services Agreement with PennDOT. The motion was seconded by Mr. Gilbert and carried with six votes in the affirmative and one nay vote cast by Mr. Wortman.

AGREEMENT: PLEASANT TOWNSHIP INTERMUNICIPAL COOPERATION AGREEMENT REGARDING FIRE AND EMERGENCY MEDICAL SERVICES RESPONSE

Chief Wren noted the shortage of volunteer firefighters that is being faced by departments across the state. He indicated that the Pleasant Volunteer Fire Department (PVFD) maintains a roster that, for the most part, is able to respond to emergencies in Pleasant Township during evening and weekend hours; however, such is not the case during day shift hours on Monday, Wednesday, and Friday.

It was proposed that the City and Pleasant Township enter into a short-term pilot agreement under which two (2) City Firefighter/EMT's (FF/EMT's) would be stationed at the PVFD during the hours of 7:45 AM to 3:45 PM, Monday, Wednesday, and Friday. City personnel on station at PVFD would utilize PVFD equipment and supplies to respond to calls originating in Pleasant Township. During the term of the agreement, the parties will assemble data to be reviewed in determining whether to enter into an extended term agreement. The City is frequently dispatched to respond to calls originating in the Township. Participation in the intermunicipal agreement would provide a means of remuneration to the City.

Mr. Wortman expressed concern regarding the City's inability to terminate the short-term agreement prior to its expiration should it be deemed to be impractical to continue. He also expressed concern regarding the stationing of City personnel outside of the City's jurisdiction and the potential for the City to not be able to respond to calls from City residents. Mrs. Freenock indicated that the City's FF/EMT's are presently dispatched in the order that calls are received at the 911 Center; therefore, if Pleasant VFD is not able to respond, the City would be dispatched with or without an agreement in place. The agreement will provide a means of remuneration to the City when responding to calls in Pleasant Township.

Mr. Fraser requested that language pertaining to Heart and Lung and Workers' Compensation benefits be added for clarity.

Mr. Fraser made the motion to approve the Intermunicipal Cooperation Agreement regarding Fire and Emergency Medical Services Response with Pleasant Township with the recommended language added to 10(B) and 10(C). The motion was seconded by Mr. Giannini and carried with six votes in the affirmative and one nay vote cast by Mr. Wortman.

CITY v PELLEGRINO SETTLEMENT DISCUSSION

Mayor Cashman turned the gavel over to Mr. Wortman, Council Vice-President. Mr. Cashman then made the motion to authorize the City Solicitor to proceed with settlement discussions regarding the matter of the City v Pellegrino. The motion was seconded by Mr. Zavinski and carried with five votes in the affirmative and two nay votes cast by Mr. Wortman and Mr. Gilbert. Mr. Wortman then returned the gavel to Mayor Cashman.

DEPARTMENT REPORTS – JULY, 2020

The following reports were presented for Council's review:

- Police Department
- Department of Public Works
- Fire Department
- Building Codes Department

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Parks and Recreation Commission	– June 2, 2020	Regular Meeting
Redevelopment Authority	– July 1, 2020	Regular Meeting
Street Landscape Committee	– June 30, 2020	Regular Meeting

ADJOURNMENT

There being no further business to come before Council, Mayor Cashman declared the meeting adjourned.

Mrs. Freenock noted that Council will hold a Work Session at 6:00 PM on Monday, August 24, 2020 for review of the Clark Street Parking Garage Study and ambulance fees.