

**WARREN CITY COUNCIL  
REGULAR MEETING  
OCTOBER 17, 2022 – 7:00 PM**

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**OPENING OF MEETING**

Council Vice-President John Wortman presided over the October 17, 2022, regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

**ROLL CALL**

Members present and responding to roll call were: Mayor David Wortman (via Zoom), Danielle Flasher, Philip Gilbert, Wendy McCain, Jared Villella, John Wortman, and Junior Council Member Lydia Balas; Maurice Cashman was absent. Members of City Staff present were Nancy Freenock, City Manager; Jessicca Byler, Finance Officer; Michael Holtz, DPW Director; David Krogler, Fire Chief; Teena Leary, Assistant City Clerk; Randall Rossey, Codes and Planning Director; Joseph Sproveri, Chief of Police; Chad Yurisic, City Engineer; and Andrea Stapleford, City Solicitor.

**EXECUTIVE SESSION**

Vice-President Wortman announced that Council met in executive session on October 10 for discussion of personnel matters.

**RECOGNITION OF VISITORS**

Mayor Wortman welcomed all visitors. Present were:

- Skyla Govier (representing Blue Star Mothers): Hometown Heroes Banners
- Tom Govier: Hometown Heroes Banners
- Elizabeth Raible: Observing and Planning Commission Appointment
- Matt Mumford: Warren F.O.P. (Fraternal Order of Police) Member
- Kyle Grey: Warren F.O.P. Member
- Andy Moore: I.A.F.F. (International Association of Firefighters) Member
- Jeremy Rulander: I.A.F.F. Member
- Jason Schott: I.A.F.F. Member
- Jon Ferrie: I.A.F.F. Member
- Tim Carpenter: I.A.F.F. Member
- Rob Vignere: I.A.F.F. Member
- Sam Miller: I.A.F.F. Member
- Adam Lester: I.B.E.W. Member (International Brotherhood of Electrical Workers)
- Taylor Christie: I.B.E.W. Member
- Josh Cotton: Times Observer Reporter

Matthew Mumford spoke on behalf of members of the unions representing the City's Police Officers, Firefighters, DPW, and certain clerical workers. He requested that Council give consideration to allocating a portion of the American Rescue Plan Act (ARPA) funding received by the City to "hazard pay" relating to the COVID-19 Pandemic. Vice-President Wortman stated that Council would take the request under advisement.

**APPROVAL OF THE AGENDA**

Upon motion by Mr. Villella and second by Mr. Gilbert, Council members present voted unanimously to approve the agenda as presented.

**APPROVAL OF MINUTES**

Upon motion by Mr. Villella and second by Mr. Gilbert, the minutes of the September 19, 2022, regular meeting were unanimously approved by members present.

Upon motion by Mr. Vilella and second by Mr. Gilbert, the minutes of the October 3, 2022, special meeting were unanimously approved by members present.

**CORRESPONDENCE**

There was no correspondence to come before Council.

**PROPOSED ORDINANCE: HOMETOWN HEROES BANNERS**

Mr. Holtz stated that the Blue Star Mothers of Kinzua contacted the City with a request to be the sponsoring organization for a Hometown Heroes Banner program within the City. He outlined two options for such a program:

1. Placement of the banners on City light poles (decorative black poles located throughout the downtown area). This option would require that Council adopt an ordinance providing for the placement of banners on the light poles and stipulating the manner in which banners may be placed. A draft ordinance was provided for Council’s review. If approved, this option would require an agreement with the Blue Star Mothers (or other sponsoring organization).
2. Placement of the banners on Penelec’s utility poles. All banner placements would be in accord with Penelec’s requirements; Penelec does require that Civic Organizations receive the municipality’s approval to hang the banners. Documents provided by Penelec were provided for Council’s review.

It was noted that in 2018, a Hometown Heroes banner program was considered. At that time, Council determined that the renaming of the Hickory Street Bridge as the Veterans’ Memorial Bridge was the most appropriate action to honor all veterans who have served the United States. Banners representing the branches of the United States military are annually displayed on the bridge from May until late autumn.

Ms. Govier addressed Council regarding the proposed program.

Following discussion, Mrs. McCain made the motion to hold a work session for discussion of a Hometown Heroes Banner Program. The motion was seconded by Mr. Vilella and carried unanimously among the members present.

**RESOLUTION NO. 3199: DISTRIBUTION OF STATE AID TO PENSION PLANS**

Mrs. Byler stated that, as required by the provisions of Act 205, the City must distribute the Commonwealth’s 2022 Allocation of State Aid to Pension Plans among the City’s three plans within thirty days of receipt. The 2022 allocation is in the amount of \$533,586.54 and was deposited into the City’s account on September 28, 2022.

The State Aid amount is calculated by multiplying the number of employees in each plan by the unit value set by the Office of the Auditor General. For 2022 the unit value is \$5,180.4519. Each police and fire employee receives 2 units, therefore, the Police Plan received 32 units, the Fire Plan received 44 units and the Employee Plan received 27 units. Accordingly, it was recommended that the allocation be distributed as follows:

Firefighters Pension Plan	227,939.88
Police Pension Plan	165,774.46
Municipal Employee Pension Plan	139,872.20

Mrs. McCain made the motion to approve the resolution affirming the distribution of the General Municipal Pension System State Aid to Pension Plans. The motion was seconded by Miss Flasher and carried unanimously among members present.

**ORDINANCE NO. 1967: IMPLEMENTING REQUIREMENTS OF ACT 57 OF 2022**

Mrs. Byler stated that Act 57 of 2022 became effective October 11, 2022, and amends the Local Tax Collection Law to provide that the Local Tax Collector must waive penalty amounts which arise when the purchase of a property, manufactured home, or mobile home occurred during the prior twelve month period and the property owner did not receive their tax bill in the mail. Therefore, it is required that the City adopt an ordinance which implements the provisions of Act 57 of 2022.

Mr. Villella made the motion to approve the ordinance implementing the requirements of Act 57 of 2022 – Local Tax Collection Law. The motion was seconded by Miss Flasher and carried unanimously among the members present.

**PROPOSED RESOLUTION: MEMBERSHIP IN THE WARREN COUNTY COG**

Mrs. Freenock stated that the Warren County COG (Council of Governments) has existed as an informal organization for many years. Participating municipalities have begun the process to become a formal entity under Act 18 (the Intergovernmental Cooperation Law). The four founding municipalities each enacted ordinances which establish the Warren County Intergovernmental Co-Op; all other municipalities interested in membership may join by providing a resolution of the governing body authorizing the municipality’s membership.

Under the prior organization, the City paid \$1,475.76 in 2022 which was the City’s share of the invoice from Alan Kugler, PA Futures, for his role as advisor to the COG.

Following discussion, Mr. Villella made the motion to request City Staff to ask that Alan Kugler and Dan Glotz address the matter of voting rights in proportion to population for member municipalities in the Warren County Intergovernmental Co-Op. The motion was seconded by Miss Flasher. Upon roll call, the motion, as amended below, carried unanimously.

Mrs. McCain made the motion to amend Mr. Villella’s motion by including specific purposes (of the COG) and the means to be used to measure success. The motion to amend was seconded by Mr. Villella and carried unanimously among members present.

**ADP, INC.: PAYROLL AND HR PROCESSING**

Mrs. Byler stated that in 2021, a full-time position in the Finance Department was eliminated through attrition and, since that time, City Staff has researched options that would equalize workloads.

ADP, Inc., a third-party payroll processing provider, recently provided demonstrations of services that could be provided by ADP and which include bi-weekly payroll processing and associated reports as well as some aspects of Human Resources.

ADP's quote was for an annual investment (cost) of \$12,239.90. Mrs. Byler stated that if the City does not contract with a third-party vendor to provide for these, or similar services, the alternative would be to re-establish the position lost through attrition by the hiring of a new employee at an approximate annual cost of \$50,000 to \$55,000 which includes benefits.

Mrs. McCain made the motion to authorize an agreement with ADP, Inc. for the provision of payroll processing and specified Human Resources functions. The motion was seconded by Mr. Villella and carried with five votes in the affirmative and one nay vote cast by Mr. J. Wortman.

### **USDA GRANT/LOAN APPLICATIONS**

Chief Sproveri stated that the United States Department of Agriculture (USDA) Rural Development Office offers a Community Facilities Grant/Loan Program which will pay up to 55% or a maximum of \$50,000 for approved projects. Under this program, any amount not funded by the grant award will be provided in the form of a loan at the then current rate; the loan may be paid immediately with no penalty.

#### **Police Vehicles:**

Chief Sproveri indicated that the Police Department is prepared to submit an application for the purchase of two 2023 Ford Interceptor Police Vehicles. He also noted that the amount of \$118,608 will be included in the 2023 budget; this amount includes the purchase price, complete outfitting, and standard extended warranty for two vehicles. Due to the greater-than-normal wear and tear that police vehicles are subjected to, the Department maintains a standard vehicle replacement schedule and it is necessary to adhere to this schedule in order to maintain a well-operating fleet.

Mr. Villella made the motion to authorize submission of a grant/loan application to the USDA Rural Development Office for the purchase of two 2023 Ford Interceptor Police Vehicles. The motion was seconded by Miss Flasher and carried unanimously among members present.

#### **Dump/Plow Truck:**

Mr. Holtz stated that the Department of Public Works is prepared to submit an application for the purchase of one 2022 Ford F550 Dump Truck with complete trailering and snow/ice upfitting, including an upgraded payload package, plow, and salt spreader. It was noted that the amount of \$125,000 will be included in the 2023 Municipal Budget; this amount includes the purchase price and complete outfitting for one vehicle. The vehicle DPW is replacing is 15 years old and has passed its life expectancy.

Mr. Villella made the motion to authorize submission of a grant/loan application to the USDA Rural Development Office for the purchase of a 2022 Ford F550 Dump Truck with snow/ice upfitting. The motion was seconded by Miss Flasher and carried unanimously among members present.

### **PLANNING COMMISSION APPOINTMENT**

Mr. Rossey stated that Elizabeth Raible submitted an application to fill a vacant seat on the Planning Commission. He stated that, if appointed, Ms. Raible's term would expire on December 31, 2025; the appointment would bring the Commission to a full roster.

Mrs. McCain made the motion to approve the appointment of Elizabeth Raible to the Planning Commission for the remainder of the term expiring on December 31, 2025. The motion was seconded by Mr. Gilbert and carried unanimously among the members present.

**RESOLUTION NO. 3200: SETTING ZONING HEARING BOARD MEMBERSHIP**

Mr. Rossey stated that the Zoning Hearing Board is to be composed of three full members with one alternate who may serve if one of the full members is unavailable for a hearing. For quite some time, there have been two full members and one alternate. Gregory Fraser submitted an application and indicated that he would be willing to serve as an alternate member of the Board. Therefore, it was recommended that Joe Whipp be moved from his current position as an alternate member to that of a full member and that Gregory Fraser be appointed as an alternate to the Board.

The 2022 Edition of the PA Municipalities Planning Code stipulates that members and alternates of a Zoning Hearing Board are to be appointed to three-year terms by resolution of the governing body; alternates are also to be appointed by way of resolution. It is further stated that the terms of members are to be fixed so that the term of office of one member will expire each year.

It was recommended that the current full members and their term of office be affirmed by resolution and that Joe Whipp be appointed as a full member and Gregory Fraser be appointed as an alternate member.

Mr. Villella made the motion to approve the resolution setting the membership and terms of the Zoning Hearing Board. The motion was seconded by Mr. Gilbert and carried unanimously among the members present.

**PROPOSED RESOLUTION: FALL 2022 DCNR GRANT APPLICATION**

Mrs. Freenock stated that, in March of this year, Council authorized submission of a DCNR Round 28 grant and authorized the commitment of \$170,000 in matching funds to be derived from the second tranche of American Rescue Plan Act (ARPA) funds. The City was not awarded funding under that particular program.

Due to a State Budget Surplus, a Fall 2022 round of DCNR Land Acquisition grants became available. These grants will cover one-half of the appraised value of the property to be acquired plus one-half of certain pre-acquisition costs including legal fees, title insurance, environmental studies, appraisals, and boundary studies.

It was suggested that the City apply for this funding and that it be utilized to purchase the property which lies behind the HIY building (located on Clark Street) and is proposed for development of a walking trail and for the undeveloped portion of the townhomes property at Breeze Point Circle which is proposed for vehicle/boat trailer parking. It was further suggested that the City's match in the amount of \$170,000 be derived from the second tranche of ARPA funds.

Mr. Villella made the motion to approve the resolution as presented. Miss Flasher seconded the motion. Upon roll call vote, there was a tie vote with three votes in the affirmative being cast by Mr. Villella, Mr. Gilbert, and Mayor Wortman and three nay votes cast by Mr. J. Wortman, Miss Flasher, and Mrs. McCain.

**LETTER OF INTENT: YODER/SUSQUEHANNA PROPERTIES**

This item appeared on the agenda; however, in consideration of the above action regarding the DCNR grant application, the matter was moot.

**MARKETING COMMITTEE UPDATE**

Mr. Villella stated that the Committee has scheduled a meeting with the Warren County Commissioners to discuss possible joint marketing opportunities. The Committee continues to consider no-cost means of utilizing the City website.

**DEPARTMENT REPORTS – SEPTEMBER, 2022**

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Codes and Planning Department
- Finance Department

**APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– August 18, 2022	Regular meeting
Planning Commission	– August 17, 2022	Regular Meeting
Redevelopment Authority	– August 30, 3022	Regular Meeting
Street Landscape Committee	– July 26, 2022	Regular Meeting
	– August 23, 2022	Regular Meeting

**ADJOURNMENT**

There being no further business to come before Council and upon motion by Miss Flasher with a second by Mr. Villella, Vice-President Wortman declared the meeting adjourned.