

The **Agenda Meeting** of Charleroi Borough Council was held on January 4, 2023 at 6:00 p.m. in the Council Chambers.

Roll Call showed the following Members of Council present: Larry Celaschi, Randy DiPiazza, Nancy Ellis, Jerry Jericho, Frank Paterra, Paul Pivovarnik and Joseph Smith

Also, present were: Mayor Gregg Doerfler Borough Manager Matt Staniszewski, Solicitor Sean Logue and Borough Secretary Roberta Doerfler.

A nomination was made by Randy DiPiazza to have Frank Paterra as President of Council. Jerry Jericho nominated Nancy Ellis as President of Council, to which she declined. After asking three more times if there were any other nominations and there being none, A roll call vote by name was taken. Larry Celaschi, Randy DiPiazza, Nancy Ellis, Paul Pivovarnik and Joseph Smith voted for "Frank Paterra". Jerry Jericho voted for "Nancy Ellis" and Frank Paterra "abstained" from voting.

Frank Paterra is now President.

Frank Paterra thanked everyone and wants everyone to cooperate and work together to better Charleroi.

A monthly report was given by Remington & Vernick Engineers. Jerry Jericho then questioned the engineer about their expenses. The budget line for 2022 was the highest. He wanted to know what the biggest project was and the engineer answered that it was MS4.

MAYOR'S REPORT:

Gregg Doerfler wished everyone a Happy New Year. He also wanted to let everyone know that he contacted the Mayor of Brackenridge to offer condolences for the loss of their Chief of Police. We will be sending one of our cars for the funeral procession.

A Motion was made by Larry Celaschi and seconded by Paul Pivovarnik to accept the letters of interest from Jody Cheplic for the Planning Commission and Civil Service Commission and from Joseph Stimak for the Zoning Board.

Roll Call Vote Was Unanimous

Motion Carried

The **Regular Meeting** of Charleroi Borough Council was held on January 11, 2023 at 6:00 p.m. in the Council Chambers.

Pledge of Allegiance to the Flag

Roll Call showed the following Members of Council present: Larry Celaschi, Randy DiPiazza, Nancy Ellis, Jerry Jericho, Frank Paterra, Paul Pivovarnik and Joseph Smith

Also, present were: Mayor Gregg Doerfler, Solicitor Sean Logue. Borough Manager Matt Staniszewski and Borough Secretary Roberta Doerfler.

Motion by Paul Pivovarnik and seconded by Jerry Jericho to approve the Minutes of the Regular Meeting of December 14 & 27, 2022.

Roll Call vote was unanimous

Motion Carried

Frank then announced that he placed Joseph Smith and Larry Celaschi on the personnel committee and that for the rest of the committees it will be determined later.

PUBLIC DISCUSSION ON AGENDA ITEMS:

Jeremy Hepple of 318 Woodland Ave., stated that "since I wasn't here for the public shaming of Frank Paterra last week" I wanted to let Frank know that I have gathered a few people to help fix up your home. Frank was very thankful for the offer.

Nikki Sheppick of 311 Washington, then stood up to speak. She stated "due to the article in the MVI", I would like to hear from each Council Member and Legal about this situation. Jerry Jericho agreed with the article- nothing personal, but you are not living at 818 Oakland.

Larry Celaschi said to Jerry, that he did the same thing to Patrick Garmin when he applied for a seat on the water authority board and then the witch hunt on the Mayor and now with Frank. He has every right to be sitting here.

Nancy Ellis thanked Frank Paterra for his service and that because of him and others is why we have the freedom of assembly and freedom of speech.

AGENDA:

1. Motion by Paul Pivovarnik and seconded by Larry Celaschi to approve the remaining 2022 Municipal list of expenses and payments, charged under FY2022, in the amount of \$51,040.16

Roll Call Was Unanimous

Motion Carried

2. Motion by Larry Celaschi and seconded by Joseph Smith to approve the 2023 Municipal list of expenses and payments, charged under FY2023, in the amount of \$72,517.35

Roll Call Vote Was Unanimous

Motion Carried

3. Motion by Joseph Smith and seconded by Larry Celaschi to amend the motion to reject the bid in the amount of \$300 submitted by Dave Diffenderfer for the Code Enforcement Explorer

Roll Call Vote showed Larry Celaschi, Randy DiPiazza, Jerry Jericho, Joseph Smith and Frank Paterra voting "yes" and Nancy Ellis and Paul Pivovarnik voting "no" Motion Carried

4. Motion by Larry Celaschi and seconded by Joseph Smith to re-advertise the 2010 Ford Explorer with an amount more than \$1,000. The bid must be in by February 1, 2023 by 3:30 p.m.

Roll Call Vote Was Unanimous

Motion Carried

5. Motion by Larry Celaschi and seconded by Paul Pivovarnik to appoint Marcus Carroll to the Zoning Hearing Board (2nd seat open)

Roll Call Vote Was Unanimous

Motion Carried

6. Motion by Larry Celaschi and seconded by Paul Pivovarnik to amend the motion to appoint Jody Cheplic to the seat on the Vacancy Board

Roll Call Vote Was Unanimous

Motion Carried

7. Motion by Paul Pivovarnik and seconded by Nancy Ellis to table opening the 2023 budget

Roll Call Vote Was Unanimous

Motion Carried

Nancy Ellis requested to read and have letter put into the minutes from Thomas A. Lonich, Esquire; Re: Charleoi Borough and sale, maintenance responsibility of Authority

MEMORANDUM
CONFIDENTIAL ATTORNEY CLIENT WORK PRODUCT
NOT TO BE DISSEMINATED

To: Ms. Nancy Ellis
 From: Thomas A. Lonich, Esquire
 Date: January 3, 2023
 Re: Charleroi Borough and sale, maintenance responsibility of Authority

Ms. Ellis,

This will confirm that you engaged my services to discuss certain issues regarding the Borough and Authority. We met on January 2, 2023 to discuss several issues. I provided you with a copy of the Resolution adopted by the Authority of the Borough of Charleroi which opposes the sale of the water and sewer system.

During our meeting, you telephoned conference participation by Attorney Dennis Paluso, Solicitor for the Authority.

I stated several times that the Borough can only sell an asset it owns. It appears the asset owned by the Borough is that associated with the sewage infrastructure. Certain Borough Council Members and representatives have attempted to confuse the matter by including water service and sewage service in the discussion of a sale.

The Authority is comprised of numerous Municipalities, not just the Borough. Any complete sale of the Authority would necessarily involve all of the Municipalities, particularly given outstanding debt issues.

The Authority offer is not limited to an approximate Two (2,000,000.00) Million Dollar payment. The offer also includes Report Compliance and assumption of loans which approximate 6.8 Million Dollars.

Currently, the Borough is financially incapable of necessary repair to a seriously dilapidated antiquated sewage system. The Borough lacks the money, manpower, knowledge, experience and equipment to repair the sewage system.

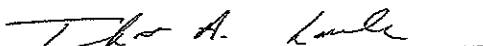
Mr. Paluso stated the Authority is undertaking effort to have the sewage system appraised, to include a valuation and the cost to update the system. It is anticipated that this Appraisal will be provided in the upcoming weeks. I also suggested you check to see if the Borough's Liability Carrier has provided an appraisal of the Borough asset.

You also raised issue of " surcharge" against Council Members. The Borough Code addresses SURCHARGE by the AUDITORS. (Section 1.059.3) Generally, a surcharge can only be imposed if an elected official has exceeded a legal authorization, done something illegal or failed to take action required by law. There is an element of abuse of power, abuse of discretion and good faith if an illegal activity has occurred.

In the matter at hand, if an appraisal has been obtained and reviewed, and the Borough lacks financial, manpower, experience and equipment means to fulfill its responsibility to maintain the sewage system, it would appear hard pressed that a surcharge could be levied.

Also, there will be significant cost in the Borough incurring fees associated with obtaining an appraisal, legal fees and costs, litigation fees, etc.

Should you have any questions or wish to further discuss, do not hesitate to contact me. Thank you.



Thomas A. Lonich, Esquire

8. Motion by Nancy Ellis and seconded by Paul Pivovarnik to adopt Resolution 2023-01: Local Government Academy 2023 Internship Program

Roll Call Vote Was Unanimous

Motion Carried

FIRST READING (no vote required)
ORDINANCE 1045
AN ORDINANCE OF THE BOROUGH OF CHARLEROI, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA,
IMPLEMENTING SECTIONS OF THE STRATEGIC MANAGEMENT PLANNING PROGRAM, PROVIDING CHARLEROI BOROUGH
COUNCIL WITH CERTAIN QUASI-JUDICIAL ROLLS, INCLUDING POWERS SIMILAR TO THE ZONING HEARING BOARD, AND
THE DESIGNATION OF POWERS AS DESCRIBED HEREIN.

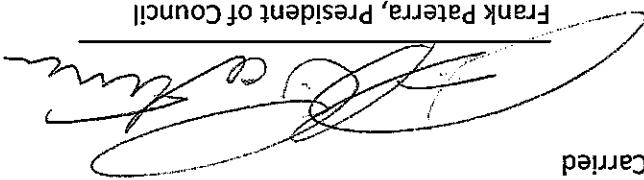
Larry Celaschi advised council that Matt will be giving the presentation to the LSA Board for Charleroi's grant request on
Friday, January 13, 2023 at 11:00 a.m. Any support would be great.

- The next Charleroi Borough Council Agenda meeting is February 1, 2023 at 6PM.

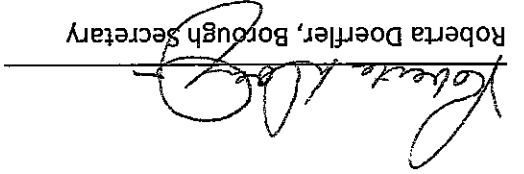
- The next Charleroi Borough Council Business meeting is February 8, 2023 at 6PM.

Motion by Larry Celaschi and seconded by Jerry Jericho to adjourn the meeting.

All in Favor
Motion Carried



Frank Paterra, President of Council



Roberta Doerfler, Borough Secretary