

Borough of Coraopolis
Allegheny County, Pennsylvania
Regular Council Meeting via teleconference
August 9, 2023
6:30 PM

The Regular Meeting of the Borough of Coraopolis was called to order by Councilman, Rudy Bolea.

Police Chief Denbow led the gathering in the Pledge to the Flag.

Mr. Bolea said at this point I would like to turn the meeting over to Borough Manager, Ray McCutcheon.

A Roll Call of Members was then taken.

Present

Robb Cardimen

Rudy Bolea

Ed Pitassi

George Mihalyi

Allison Marine

Gary Flasco

Michael Dixon, Mayor

Absent

David Pendel

Mr. Rick Start said may I interrupt the normal course of business? But it is relevant to some of the motions that you have on your agenda tonight and I think I should say it before you contemplate taking any action.

Mr. McCutcheon said that is alright.

Mr. Start said if it's alright with you I would like to begin by reading a letter that the Mayor sent to me this morning. I received it this afternoon. He did send it this morning at 11:10 AM. I was unable to read it until much later in the day and I sat down and composed a response.

This is the Mayor's letter to me:

Hi Rick,

I have a question.

I've read the borough code surrounding council selecting a replacement for a council person, that I'm required by law to swear in before they can vote on anything.

Someone needs to communicate with me about that whether they want to or not, because it's been complete radio silence from them for over a month.

Also, how are they able to wait this long between appointments?

When they found out that their appointment failed, who was also never sworn in by me, the way the law reads to me that they have 15 days to complete the appointment or the Court of common pleas has to appoint.

Also, how can Mark resign when he was never sworn in?

Can you please explain all of this to me?

Thanks!

Michael Dixon

Mayor, Coraopolis Borough.

Mr. Start said this is the response that I composed to the Mayor and copied all members of Council and was sent by me at 6:18 this evening;

Mayor Dixon,

I apologize for not responding to you earlier in the day, but I was busy attending to other matters all day.

Please forgive me for not being able to get back to you sooner. I hope that you receive this before the Public Meeting at 6:30 this evening.

In any event, my reply to your first comment is that I am unaware of any provision of the Borough Code that requires the Mayor to administer the Oath of Office to a newly elected or appointed Councilpersons.

If I have overlooked such a provision, I would appreciate it if you would cite that provision that I am unaware of.

I don't believe it is appropriate for me to reply to your comment that there has been radio silence from them for over a month.

I respectfully disagree with your apparent opinion that their appointment failed and they have 15 days to complete the appointment or the Court of Common Pleas has to appoint. The provision of the Borough Code that I believe is dispositive of this matter is in Section 901, which, in pertinent part, provides that in the event of a vacancy occurs in the office of a member of council in any manner whatsoever, the Borough Council has 30 days to appoint a registered elector of the ward in which the vacancy occurs. In the case of the vacancy in office that occurs as a result of the resignation of Chad Kraynyk, on June 14, 2023, Council filled that vacancy by appointing Mr. Mark Scholl at the meeting held on July 12, 2023. Unfortunately, or not, depending upon the opinion of some, Mr. Scholl discovered that his employment could not permit him to accept the appointment and he advised the Borough Manager of that fact on July 19, 2023. It is my opinion that Council took official action to fill the aforesaid vacancy within the statutory period of 30 days. It is also my opinion that the motion on the agenda for the meeting scheduled this evening to accept the resignation of Mr. Scholl is legally appropriate in light of the above-described events. Lastly, it is also my legal opinion that the motion on the agenda for tonight's meeting to fill the vacancy in the 3rd Ward is timely as it will presumably occur within the period of 30 days since that vacancy occurred. In light of the fact that this letter is likely to be received in everyone's mailbox, I will attempt to call Ray McCutcheon to alert them that this letter has been composed and sent 'on the fly' and I will also read it at the meeting.

Sincerely,

Richard F. Start, Esq.

Mr. Start said I am sorry that this matter has been laid out to you at this late time in the meeting, I don't wish to take over the agenda. If Council has any questions now, I'll be happy to answer them now or later in the meeting if you prefer.

Mr. McCutcheon said it doesn't look like there are any questions, so we'll proceed with the meeting.

Mr. McCutcheon said are there any questions from Borough Council on the Agenda? Mr. McCutcheon said are there any comments from the Public regarding Agenda items? Being none, the meeting continued.

Mr. Cardimen made a motion to approve the Minutes of the July 12, 2023 Regular Council Meeting. Mr. Pitassi seconded the motion.

Motion passed by Unanimous Voice Vote.

Mr. Cardimen made a motion to approve the Invoices for August 2023 in the amount of \$157,108.16. Mr. Mihalyi seconded the motion.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes
George Mihalyi	Yes
Allison Marine	Yes
Gary Flasco	Yes

Motion carried.

Mr. Bolea made a motion to approve the Payroll for the month of July 2023 in the amount of \$138,250.85. Mr. Pitassi seconded the motion.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes
George Mihalyi	Yes
Allison Marine	Yes
Gary Flasco	Yes

Motion carried.

Mr. Rick Start said may I interrupt one more time?

Mr. McCutcheon said yes sir.

I think we may have varied from the agenda and I want to say this before we got to action items. We must give Borough Residents an opportunity to comment on items regarding the agenda, and I'm not sure that we did that.

Mr. McCutcheon said yes, I did.

Mr. McCutcheon said we received a letter from the County asking, if we wanted to opt in on the CDBG grants as we have done previously and this is for a three-year period. Resolution 23-401 is for us to be eligible for the CDBG grants that we go through the COG with.

Mr. Cardimen made a motion to approve Resolution 23-401 to Opt-In to the Community Development Block Grant (CDBG) and HOME Investment Partnership funds from the U.S. Department of Housing and Urban Development (HUD).

Mr. Pitassi seconded the motion.

Motion approved by Unanimous Voice Vote.

Mr. Cardimen made a motion to approve Resolution 23-402 to accept the resignation of Mark Scholl due to a conflict with his firm. Mr. Mihalyi seconded the motion.

Motion approved by Unanimous Voice Vote.

Mr. McCutcheon said we need nominations for 3rd Ward Council seat that has been vacated.

Mr. Bolea said I nominate Mr. Joseph Szabat. Mr. Pitassi seconded the nomination.

Mr. McCutcheon said are there any other nominations? Are there any other nominations? Are there any other nominations?

Mr. Cardimen made a motion to close nominations. Mr. Pitassi seconded the motion.
Motion approved by Unanimous Voice Vote.

Mr. McCutcheon said this will be a yes or no vote for Mr. Joseph Szabet.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes
George Mihalyi	Yes
Allison Marine	Yes
Gary Flasco	Yes

Motion carried.

Mr. Cardimen made a motion to approve Resolution 23-403 appointing Joseph Szabat to 3rd Ward Council Seat. Mr. Mihalyi seconded the motion.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes
George Mihalyi	Yes
Allison Marine	Yes
Gary Flasco	Yes

Motion carried.

Mr. McCutcheon said with the departure of Chad Kraynyk we needed to fill the Council Vice-Presidency, are there any other nominations for Council Vice-President?

Mr. Pitassi said I nominate Allison Marine for Council Vice-President.

Mr. McCutcheon said are there any other nominations? Are there any other nominations? Are there any other nominations?

Mr. Cardimen made a motion to close nominations. Mr. Pitassi seconded the motion.
Motion approved by Unanimous Voice Vote.

Mr. McCutcheon said this will be a Yes Vote for Allison Marine for Vice-President.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes
George Mihalyi	Yes
Allison Marine	Yes
Gary Flasco	Yes

Motion carried.

Solicitor's Report

Mr. Richard Start said I know you must feel that I have taken up far too much of your time, but would like to give you some context. I think everyone in town and everyone on this Board is aware that this is an election year and elections often times cause people to posture themselves. I am not accusing anyone of posturing, nor am I admitting to it and I'm not denying it sometimes. However, I don't want this to be viewed in a context where it shouldn't be. All of the opinions that I have expressed tonight I will stand behind legally and that's why I went through the task of reading out every point like I did. Sorry it went on for far too long, but it was with the best of intentions. I will be happy to answer any other questions that you might have.

Police Chief's Report

Chief Denbow gave the Police Department Report for the month of July 2023.

Chief Denbow said please keep your vehicles locked while unattended and keep nothing of value in your cars. It is just an invite to opportunity.

Fire Chief's Report

Chief Spencer gave the Volunteer Fire Department report for July 2023 and said we answered 18 calls, 13 of which were mutual aid in neighboring communities. We had one call of a burning smell at a residence, but were unable to locate anything. There was a broken water pipe in the middle of the night that was flooding a residence so we shut the water off in the house and assisted him. One assist call to the towers, one motor vehicle vs. a pedestrian that luckily were no injuries and one home with smoke in it due to a cooking accident. We had a total of 283.4 hours for the VFD.

Engineer's Report

Mr. Drew Null directed everyone to his monthly report and said the Riverfront Park work is ongoing and coming to a finish. We have an invoice submitted from the CXT Incorporation for the restroom. Last month you approved 90% of the payment and this month they are requesting the release of the retainage in the amount of \$21,488.00. It would be appropriate to make a motion of approval for this.

Mr. Bolea made a motion to approve payment in the amount of \$21,488.00 to CXT Incorporated for the restrooms at Riverfront Park. Mr. Cardimen seconded the motion.

Mr. Mihalyi said there is nothing being held back?

Mr. Null said nothing is being held back from this. The COSTARS contracts operate a little differently, it does come with a one-year warranty and he continued to explain.

Upon Roll Call Vote

Robb Cardimen	Yes
Rudy Bolea	Yes
Ed Pitassi	Yes

George Mihalyi Yes
Allison Marine Yes
Gary Flasco Yes
Motion carried.

Mr. Drew Null said 2023 Road Program; work started this week and is moving forward.

Mr. Drew Null said Main Street Roadway Reconstruction; the contractor provided an opinion of a professional that they engaged to complete the sealing and the contractor opted to complete that sealing at no cost to the Borough. That was completed this past Friday and they submitted a request to release that retainage in the amount of \$27,625.00 and he continued to explain.

Mr. Cardimen made a motion to approve Payment Request No. 7 Final to Avelli Construction Corporation in the amount of \$27,625.00 for the Main Street Roadway Reconstruction. Mr. Mihalyi seconded the motion.

Upon Roll Call Vote

Robb Cardimen Yes
Rudy Bolea Yes
Ed Pitassi Yes
George Mihalyi Yes
Allison Marine Yes
Gary Flasco Yes
Motion carried.

Mr. Drew Null said the Ridge Avenue Tot Lot the contractor at Costars proposal was authorized at the July Meeting. That contractor advised of a 16-week lead time and they are projecting a November delivery so there are suggesting a spring installation and he continued to explain.

Mr. Drew Null said there is no change on the GEDTF Grant, COG did advise we should expect the agreement to be executed next week and we did a field survey to check the property and he continued to explain.

Mr. Drew Null said Grant Applications; the Local Share Account Grant is open and accepting applications from September 1st through November 30th and we will likely resubmit for the Salt Storage Facility.

Mr. Null said the CDBG is back as well and preapplications are due by September 8, 2023. Options for this are accessories for the park and he continued to explain.

Mr. Null said the GEDTF is open again and accepting application from September 1, 2023 to September 22nd, 2023 and we will discuss with the manager what to submit and he continued to explain.

Mr. McCutcheon said we do have a Workshop Meeting before the September 8th, so we can talk about possible demo's we would like to do. They denied a couple on Montour Street this year and a discussion pursued.

Mr. Drew Null said Main Street Roadway Reconstruction; we discussed payment, including retention last month for an area of the project where some surface concerns were noted. Avelli engaged a professional and who states the surface failure is not reflective of failure for the entire road and was caused in part by salt laying on the surface. The recommendation of that report is for the Borough to have that roadway cleaned and sealed and we suggest completing that work. He continued to explain and a discussion pursued.

Mr. Drew Null said Developments; Mr. Paine did get County approval for his site development within the past month and we do have a response with some minor items and directed everyone to Attachment H.

Mr. Drew Null said Street Opening Permits; we've tracked a couple current permits and one is attached and directed everyone to Attachment I.

Mr. Drew Null said Water and Sewer Authority; you typically have the annual report due for the MS4 program in September so we'll want to get the training scheduled next month.

Mayor's Report

Mayor Dixon said I just want to cover a couple of events that happened in town last month; this past Saturday was National Night Out, it went really well, we had great attendance and we had a lot of different groups that attended and I want to give them a shout out. Thanks to: The Coraopolis Police, the Coraopolis VFD, the Ohio Township Police Department, the Neville Island VFD, District Attorney Stephen Zappala, Senator Devlin Robinson, Judge Michele Santicola, Valley Ambulance, Stat Medi-Vac, PA State Police, Cornell High School, and of course the PA Emergency Response Center for organizing the event.

Mayor Dixon said this Saturday, August 12th from 11 to 3PM in the middle of town is going to be Coraopolis's first Latin Festival sponsored by the CCDC. And at Noon until 3, at Bliwas Field is the Back to School Bash sponsored by the Coraopolis Youth Creations.

Committee Reports/Comments from Council

Mr. Flasco said I have nothing to report tonight.

Mr. Mihalyi said I want to thank the Public Works Department and the CWSA for fixing Neely Heights, they picked up stones that washed down from the big rains that we had and put cold patch on top and he continued to explain.

Mr. Mihalyi said I would like to thank Jeff Simonetti and the Shade Tree Committee for the flowers, they look nice.

Mr. Bolea said I have nothing this evening.

Mr. Cardimen said I met this week with Lennon Smith about the continued speeding problem on Vine Street and Main Street. We've come up with a couple of ideas that we'll try to implement before school year starts. The proposal is to post Chevron Curve and Turn Ahead signs to call attention to that dangerous curve on Vine Street and to install some pavement markings and he continued to explain.

Mr. Cardimen said I would like to get Council's permission to purchase some of those Chevron Signs.

Mr. Cardimen made a motion to purchase Chevron Curve and Turn Ahead Signs at a cost not to exceed \$1,500.00. Mr. Mihalyi seconded the motion.

Motion approved by Unanimous Voice Vote.

Ms. Marine said for an update on parking, at the last meeting in July we shared that we scheduled the next public meeting for Thursday, August 3rd and the topic is the output proposal recommendations from the consultant. Since speaking with the consultant, we felt they still needed to populate some additional data and she continued to explain. Ms. Marine said the meeting did not happen on August 3rd and the date is still to be determined. Once the meeting has been scheduled, we will announce the new date over the website, Savvy Citizen, and other platforms.

Mr. Pitassi said Mr. Mihalyi thank you for the complement, we appreciate it.

Mr. Pitassi said the Summer Reading Program at the Library was a success, it was good to see so many show up and take advantage of what the library has to offer.

Comments from the Public

Mr. Ray McCutcheon said you get three minutes to comment, Council does not have to answer and they will not debate any questions.

Alexandra Baker from 719 Vine Street said I want to start by thanking Mr. Cardimen for taking the time to consider the dangerous curb there. I also want to request some increase patrols there for speeders blowing through those stop signs.

Daniel Hickton of 1318 Vance Avenue said first I would like to say thank you to Chief Spencer, I was one of those fires this past month and it is pretty scary to have smoke coming out from behind your walls and you don't know where it is. You too Robb, it is good to see you tonight.

Mr. Hickton said seconded of all I would like to bring to attention to the message that this community is putting forward it is just fantastic with that thing we had this weekend; having a helicopter land on the field, hanging out with the cops and just being a part of the community is something special around here. I encourage everyone who is listening to participate in that and maybe we can make it something next year that's really phenomenal. And what really stands out about our community Coraopolis, makes Coraopolis special.

Mr. Hickton said the third thing I have is more of a question; maybe you can talk on it, or maybe you don't want to talk on it tonight. I'm an attorney and I still don't understand the process of what happens when someone resigns right before an election and we have someone else going up. I appreciate you, Richard Start, explaining that to the community a little bit and reading that out because Chad stepped down and then we don't have anybody and there is some kind of feeling I guess from the community that we don't have a vote into who that next person is. I think it's important that we communicate that to the audience and speak up and make sure that everybody understands what's going on and understands the process.

Mr. McCutcheon said I can give you some information Daniel. Chad actually moved out of Coraopolis, so once you move out of your Ward you have to resign. The appointment is a political appointment and has nothing to do with the public. Council gets to appoint whomever they feel is responsible for a person in that Ward and they have to vote. If it happens before 60 days prior to the November election then names will go on the ballot so people will get to vote to fill the two-year seat. If it would have happened November 1st then the appointment would have been for the rest of Chad's term, but since it happened early this is only a temporary seat until January 1st.

Mr. Hickton said I appreciate that.

Mr. Hickton said on these Agenda's and this is part of the reason why I first started coming down here years ago is we have the motions that have specific dollar amounts, but sometimes the other motions get passed in there, so I would like to see moving forward holding you guys to account to make sure those dollar amounts are always in there whether it's after the fact because things come up on the fly, but make sure they're always in those minutes.

Mr. McCutcheon said I know Mr. Null got those two today, just so we get them paid so we don't have to wait 30 days to pay them.

Mr. Hickton said I appreciate it as long as it is online after the fact, guys.

Mike Harris of 800 Main Street said I would like to read a little statement: As per Mr. Scholl's statement the Borough Manager approached him for the vacant 3rd Ward Council position. It seems to me that the Borough Manager is personally soliciting people for Council membership. It is ironic that the Manager's person informed the Borough Manager directly of his inability to take the seat, not the Council President and not the Solicitor. This Council votes to employ the Manager and determines his wages so I would think that he should not be involved in a vacancy selection. I'm here to state that this is an unethical behavior for entire Council to entertain the Manager's recommendation. Our Manager works for the Council, it's not the opposite. Thank you.

Mr. McCutcheon said I will answer you Mr. Harris.

Mr. Harris said it's not a question Ray, you don't need to answer, it is a statement.

Mr. McCutcheon said I'm allowed to recommend people.

Mr. Harris said you can make a statement, I'm not asking a question, it's crooked.

Mr. McCutcheon said you're on facebook bad mouthing me, you better watch yourself.

Mr. Harris said what are you going to do, beat me up?

Mr. McCutcheon said no.

Mr. Harris said okay.

Mr. McCutcheon said you're wrong.

Mr. Harris said I'm not wrong.

Mr. McCutcheon said I have been in town 60 years.

Mr. Harris said I've been here 150 years Ray.

Mr. McCutcheon said Mark Scholl would have been a better Council Person than you will ever be.

Mr. Harris said okay, thanks Ray.

Mr. Harris said he made the statement. You approached him, he was not actively looking.

Mr. McCutcheon said you're exactly right, I asked him if he was interested.

A discussion pursued of both talking over each other.

Mr. Bolea hit the gavel and said that's enough.

Mr. Cardimen made a motion to adjourn. Mr. Mihalyi seconded the motion.

Motion approved by Unanimous Voice Vote.

MEETING ADJOURNED