

MONESSEN MUNICIPAL COMPLEX  
ONE WENDELL RAMEY LANE  
MONESSEN, PA 15062

MAY 14, 2014

**OPENING:**

Minutes of the regular meeting of Monessen City Council held Wednesday, May 14, 2014 in Council Chambers of the Monessen Municipal Complex, One Wendell Ramey Lane, Eastgate 8, Monessen, PA. The meeting was called to order by Mayor Louis Mavrakis.

**ROLL CALL:**

The roll was called and the following members were in attendance:

**PRESENT:**

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Mayor Mavrakis

**ABSENT:**

**PRESENT: FIVE**

**ABSENT: ONE**

**PLEDGE OF ALLEGIANCE:**

All present recited the pledge of allegiance to the flag of the United State of America.

**APPROVAL OF MINUTES:**

Mayor Mavrakis, "Could I have a motion to approve the minutes of our April 9, 2014 meeting?"

Councilman Retos, "so moved, Mayor".

Councilwoman Bukowski, "second".

Mayor Mavrakis, "question on the motion?"

**YEAS:**

**NAYS:**

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Mayor Mavrakis, "before I open the floor for comment, Monday night we had a lengthy discussion in reference to a new facility opening up close to the Alpine. This morning Chief Mandarino and I went up and had an appointment. The gentleman is here tonight. Will you please get up, give your name and address and give us a presentation and let us know what you are all about."

My name is Dr. Baluso, I am a family doctor and I work for Centerville Clinic in Charleroi for the past six years and I have a lot of patients from the Monessen area. I see drug abuse every day. I have had many patients who have overdosed and died because of prescription pain medications. I am sure that everyone in this room knows someone who has been affected by drug abuse in some way or another. The fact is that there are 2 million people in the United States that abuse prescription pain medication. More people die every year from prescription pain drug overdose than from heroin. So this is how I got involved in helping people managing their opium dependence. I worked in Pittsburgh for 4 years at a Suboxone program and I realized that I was seeing so many people from the Mon Valley area that were coming to Pittsburgh, an hour drive, that I just thought that there was a big demand for this in the Monessen, Charleroi and Donora area so I branched off and I formed my own company and it is called New Leaf Recovery Service and we are at 1295 Grand Boulevard. I am renting it from Dr. Sepesky, she has her own pain clinic there and I am renting it from her. So, basically, just to educate you guys, Suboxone is very different than Methadone. Methadone has been around for thirty years, kind of an old treatment. Suboxone is a part activator for opiates, which means that it alleviate the withdraw symptoms and craving, but it is also a blocker which means it prevents the medicine from being injected and abused and it prevents other pain killers from having any affect. So there is much less abuse with Suboxone, which is why we use it.

Also, the abuse of the prescription drugs is twenty times more common than heroin. And the success rate with the Suboxone is 60% after just three months. Also, with Methadone people can still get high but with Suboxone you cannot because there is a ceiling affect. So taking more of Suboxone has no affect. If you take more Methadone, eventually you will overdose and you will die. It is also safer in pregnant woman, breastfeeding woman and that is why we use it. Also, if a child happens to accidentally ingest some Suboxone they are much less likely to die from stopping breathing as opposed to Methadone where they would most certainly die. It works and I have hundreds of patients that thank me for saving their lives from this horrible addiction. They are able to work and become productive members of our community with this treatment. You have to remember that addiction is a disease, just like diabetes and with

the proper treatment it can be successfully managed and that is what we are trying to do here.

I also brought, you know, I am the physician and I am the President of the company. I also brought my Vice President of Operations if I can let him say a few words if that would be okay."

Mayor Mavrakis, "that's fine. But, doctor after we are done I imagine that you will field questions that we will have?"

Dr. Baluso, "oh sure, absolutely".

Mayor Mavrakis, "did you bring any literature, like we discussed?"

Dr. Baluso, "I didn't bring any, but I could put together something."

Mayor Mavrakis, "what we would like to do is have some literature possibly available up here in case somebody comes in we can make sure that they can get a copy."

Dr. Baluso, "that's a good idea, absolutely. I could get something together likely split..

Mayor Mavrakis, "right, would you let us have your name and address, please."

My name is Deric Daughtery and I currently assisting Dr. Baluso with managing New Leaf Recovery Services in Monessen for essentially one big reason. I am a Mon Valley native. I was born here and raised here and after moving away to Pittsburgh for 10 years and coming back, I could see a really substantial change here and a lot of the towns in the valley that were once economically booming and inherently very charming towns. I am sure that there are a million reasons why the valley has experienced some of these problems. I do not think that you can readily dismiss the impact of drugs, most specifically opiates, prescription pain medication and heroin has had on the valley. I think they play a really big role here and I think that it is at our own peril that we dismiss this problem. Yet, I think we continue to sweep it under the rug and try to ignore the huge elephant in the room. And I am not real sure why. I have had recent conversations with law enforcement personnel and other officials in the valley that have been really informative. Formerly the attitude was sort of if we hide the problem and sweep it under the rug then we won't garner the reputation that drugs are actually a problem and maybe we can attract other residents and business in the area. However, this has historically been counterproductive.

I think that you could walk down any street in Monessen, Charleroi, Monongahela, Donora and you can sense it, you can feel it. At least I can after coming back here after so many years. I have had a lot of friends pass away, they are sick and everyday I am hearing stories in the news about drug seizures and so forth. And, you know, it really, really grabs me in a really big way of how drugs have influenced my generation in particular. It is a really big problem and I think that if we even take a look at some very

simple statistics we can really drive it home. Drug overdose remains a leading cause of accidental death in Westmoreland County. In 2011 it was more prevalent than the second and third causes combined. In Westmoreland County there were a total of 141 accidental deaths reported in 2011, 64 of those were attributed to overdose. That is 45% of all accidental deaths in 2011. The growth rate of these numbers is what is actually most staggering. In 2013, which is only two years later, there were a total of 151 accidental deaths in Westmoreland County, of which 86 could be attributed to overdoses. That is a rise of up to 57% of all accidental deaths in Westmoreland County in two years. If that is not bad enough, Washington County is actually even worse. In 2011 there were 83 accidental deaths of which 46 were from overdose and in 2013 we could see that there were a total of 72 accidental deaths of which 58 were over doses, that is 81%. Combined, what this means for us in the past year alone, drug overdose has been the leading cause of accidental death in the Mon Valley by a very, very long shot. In fact, 65% to be exact of the combined statistics could be attributed to drug overdose.

Every day I pick up the papers and we all see it, some of it is publicized and some of it isn't. If any of us in here, we call our local police department and they will gladly disclose what their tactics are and what they are doing to solve the problem. And, we do know it is a problem, but what really is the solution? At the very least, I think, it seems to me that we do need somewhat of a double prong approach. We already have police officers in our communities who are arresting dealers, taking some suppliers off the street, making huge busts. I mean, monumental busts that we have never really seen before in this county. And so, we could see that the supply is shortening, but it doesn't stop people from buying those drugs. It only makes the prices higher and methods of obtaining money more dire. Whenever you have a supply that is decreasing, but the demand remains the same, prices increase naturally and that happens in every aspect of the market Coca Cola to cocaine, to heroin to prescription drugs.

I think that we need to take a look at the demand and how to address the demand for these drugs for all the residents in the valley here. I think that it is terrific that we are getting drugs and getting the dealers off the street and I think that is a single prong and I think that is the great first step, but I think that we need to introduce methods of treating this dependency, this awful life altering, community destroying dependency that is impacting our community so severely.

I think by affecting demand for the product by offering very substance specific treatment programs, we are not only helping people lead more meaningful productive lives, but also to drive the criminals and dealers out. And that is our mission here, that is the mission of New Leaf Recovery Services is to be an important part of this community. Again, I was born and raised here and this place holds very dear roots to my heart and when I came back I was definitely impacted by what I saw in terms of drug abuse around the whole valley, not just Charleroi, Donora, Monessen, Monongahela, Belle Vernon, all the towns. It seems rampant. So I am really hoping that the company can be a sustainable and viable and an important part of this community."

Mayor Mavrakis, "before we open up for questions, I think that we should ask our elected officials first if they have a question it may help and others may not have the same questions.

The number one questions that we have been plagued with the last couple of days, is it a methadone clinic?"

Mr. Daugherty, "no, New Leaf doesn't prescribe methadone at all. Suboxone and methadone are not interchangeable. Methadone is rightfully so problematic for communities and has caused, in most instances, just as many problems for communities as it has solutions. Suboxone is an entirely new, well, not entirely new, it has been around for about a decade now, means to treat opiate addiction. The substance is not addictive and it is designed to be tapered. It is not designed to be a replacement. It is designed to actually alleviate the symptoms associated with addiction."

Mayor Mavrakis, "Gerry, do you want to start it here?"

Gerry Saksun, "I have no questions".

Mayor Mavrakis, "John?"

Councilman Nestor, "I have no questions. Thank you both for coming down here and addressing the issues that the citizens have in Monessen. Where the big concern was is if it was a methadone clinic and was it so close to being to a school district and other residential homes. Other than that, I don't see any other issue".

Mayor Mavrakis, "Patty?"

Councilwoman Bukowski, "I have a question, I really didn't have time to research this like I would like to, but both methadone and Suboxone are opiates?"

Mr. Daughterty, "in terms of their actual classifications, Dr. Baluso would be a little more prepared to answer that than I would."

Dr. Baluso, "Suboxone is only a partial opiate. It is a partial blocker and it is a partial opiate, whereas methadone is a full complete opiate".

Councilwoman Bukowski, "well, from some of my reading, it was saying that they are trying to get people on methadone on Suboxone. So, you are so close to our schools, I mean methadone clinics have a reputation and they are supposed to be far enough away from the schools. And we have a school right across the street and we have two churches in back of you and one church a block away and this is my concern. The people that are coming there, why do people not want people that are on methadone not to come into their community? What makes this different?"

Mr. Daugherty, "a very viable concern. The first and most important distinction is that methadone clinics and Suboxone clinics are programs are not interchangeable. They are very different. First and foremost, Suboxone is regulated much more tightly. There is a federal regulation called Data 2000 and this regulation specifies the actual amount of patients that can be seen at any given time by any given doctor. This is not the case with methadone, which is essentially the reason why, after having worked in Allegheny County, for so long and being in this field, I could tell you that I could walk into a methadone clinic and it would be pandemonium and it would be a concern for anybody. I understand definitely the concern, however, the government with regulating Suboxone clinics has limited the amount of patients that can be seen. That is the first thing, the second thing, but again, that is all within the context that they are two very, not only separate drug classifications, but separate methods of treating a patient. And lastly, I think it is important to really consider the really big question of what you would rather want in your communities around your schools, would you prefer to have a drug problem that is rampant and sort of people who are addicted do anything and everything in order to obtain the funding to feed a growing and expansive and more expensive addition or a program that is designed specifically and regulated in such a way that it can actually treat the problem at its source."

Councilwoman Bukowski, "well, you know, I worked with Drug and Alcohol for quite a few years and I knew people who were on methadone, okay, and they were also doing drugs. What makes this any different that these people...would they be okay if something happened?"

Mr. Daugherty, "I don't think there is really a way to predict peoples' behavior. Whether it is in Monessen or it is in Los Angeles. I don't think there is really a way to say that this is a be all, end all, catch all and this is the absolute definitive solution. I think it is a solution. Time will tell if it is the solution. I think that we can develop metrics to really help with this idea impact. But just like anything else, I think it is an attempt to rectify a really important problem. I think that is the prime motivation. I definitely understand the concerns."

Dr. Baluso, "also, methadone clinics they have methadone actually physically in the clinic. We do not store any medication of Suboxone, we write a prescription. That's a big problem with methadone clinics because the drug is there and people go in and get their drug and walk out and that is right near the schools, you know. We don't have any medicine on the site. Suboxone is just a prescription, we don't store any medication."

Councilwoman Bukowski, "how long has this been out? Did you say a few years?"

Mr. Daugherty, "It has been out since 2002".

Councilwoman Bukowski, "so, are there any state laws saying how close you can be to churches and schools, like a methadone clinic?"

Dr. Baluso, "there is no issue with a Suboxone clinic. There is for methadone, but that is from....."

Councilwoman Bukowski, "because I have gotten many calls from people who are very upset with the type of people are seen in their neighborhoods. I don't have any problem with you trying to work with heroin addicts, I think that part is wonderful, but you know, you have to realize that some people are going to be very upset about this being in their community. It seems like you came in real quiet. Nobody knew anything about it."

Dr. Daugherty, "it's a small clinic. It is a very, very small practice."

Dr. Baluso, "well, I put an advertisement in the Messenger. I started in January in Pittsburgh and then I relocated the main offices in this area because I told you that there were a lot of people coming up from the Mon Valley and there was a big need for it. There are no other clinics in this area and the drug abuse problem....."

Councilwoman Bukowski, "are there any drugs on the site where you are physically at. I mean, are there drugs there. None of the offices?"

Dr. Baluso, "no, we do not have any drugs on site, we just write prescriptions."

Councilwoman Bukowski, "well, I am with the other people who ask questions....."

Dr. Baluso, "they label you as a methadone clinic and that is very old thinking and outdated."

Councilwoman Bukowski, "well, I looked it up on the internet and....."

Mayor Mavrakis, "Albert, do you have anything?"

Solicitor Gaudio, "yes, sir, doctor, I am not aware that there are any laws that prohibit the establishment of this Suboxone, which in effect, takes all the power away from Council if you satisfy all other Zoning laws. And, it is my understand that those areas up there have been used for medical purposes before you say that you are writing prescriptions. However, we do have an area where we do have power and really you can answer these questions yes or no without getting into the philosophical things of whether you are having success or not. I want to make it very clear, do you write prescriptions for methadone?"

Dr. Baluso, "no."

Solicitor Gaudio, "and you don't have methadone and you don't administer methadone?"

Dr. Baluso, "no, and I never will."

Solicitor Gaudio, "and the other question, do you intend to administer....."

Dr. Baluso, "no".

Mr. Daugherty, "Methadone is outdated, it is not even.....the efficiency rates for Suboxone are so high and the design is to get people off of it. Methadone, I personally wouldn't be a part of that."

Solicitor Gaudio, "would you promise to let the City know if you were going to start to administer, prescribe, or do anything at all with Methadone?"

Mr. Daugherty, "yes, absolutely, we are here not only to really garner approval, but to support....."

Solicitor Gaudio, "yes or no?"

Dr. Baluso, "yes".

Solicitor Gaudio, "and the reason is, not for any philosophical reasons, it is just the Municipality's Planning Code for the Commonwealth of Pennsylvania says that you can't have one of those clinics within 500 feet of a religious institution, church or school and then we would have to act and we do have power to act if there is methadone."

Dr. Baluso, "no problem, we don't prescribe it and we don't plan to prescribe methadone ever."

Mayor Mavrakis, "Holly, do you have any questions?"

Holly, "no".

Councilman Retos, "how many prescriptions do you write a day?"

Dr. Baluso, "well, we are only open Tuesday, Thursdays and Saturdays. I only work on Saturday and I see maybe 20 patients."

Councilman Retos, "so who does the Tuesdays and Thursday?"

Dr. Baluso, "we have a total of 3 doctors".

Councilman Retos, "and you said there is a number that you are allowed to service by law. What is that overall number? Is it per doctor?"

Dr. Baluso, "yes, a new physician starting out for the first year, once they get certified, they can only see 30 patients per month. And then after one year of being certified you can see up to 100 and that is highly recommended by the DEA."



Councilman Retos, "where are you at?"

Dr. Baluso, "I have been doing this for 4 years. I can see 100. But since we have relocated, a lot of patients have stayed in Pittsburgh. So I am not seeing very many right now".

Councilman Retos, "how often does a patient return for a prescription?"

Dr. Baluso, "once a month".

Councilman Retos, "unlike a methadone clinic which is daily".

Dr. Baluso, "exactly, yes, they have to come in every day to pick up their medicine and then they have the physical medicine and then they are walking around your community. They come in once a month and get their script and you see them a month later. It is much less abused than methadone".

Mayor, "Lucille?"

Councilwoman D'Alfonso, "I do have several questions and a comment or two also. I for one have no problem with helping to treat people that have an issue that are willing to be treated. I am happy that there is something that can be done to help them.

I do have a little bit of a concern because it does seem as though we were caught off guard, we were caught by surprise that anything like this was going on and I think that it probably would have been a good idea if you had come to the city officials in the beginning and let us know that this is what you are doing and this is how this is going to work and give us a little bit of a heads up. So, we had phone calls and didn't know how to answer the question".

Dr. Baluso, "certainly for the future that is good advice."

Deric Daugherty, "we are relatively well established in the Pittsburgh area and I did advertise in the Messenger. But, you are right. That is a good point."

Councilwoman D'Alfonso, "and the other concern that I do have and Patty mentioned it and I am going to reiterate, is the fact that even though you are saying that you are giving out only prescriptions and the Suboxone is not as dangerous a drug as the methadone, and I can see that there are a lot of benefits for it, the bottom line is that we are attracting a group of people that are addicted into an area that is just across the street from our Elementary Center."

Deric Daugherty, "I really venture to say that I have been looking through addresses of patients who are coming in and I don't think there is much of an attraction for demand outside of the local geographic area. I would think that the majority of our patients total are either from Monessen or....."

Dr. Baluso, "Dr. Sepesky has the pain clinic there and that is the same clientele of patients that go to the pain clinic that also go to Suboxone and those types of clinics. It's not like they are.....a lot of patients from her pain clinic, she is referring them over from Suboxone treatment because they are kind of on the fence, so it is the same kind of people who have been coming. It's hard and you don't want to label people....."

Councilwoman D'Alfonso, "I realize that it's difficult, but we need to protect our children, also. They are exposed to this kind of thing....."

Deric Daugherty, "yeah, they are exposed to heroin and prescription drugs. I think the biggest question that we really have to ask ourselves is, do we want children and people at schools exposed to addicts and addicted people and rampant drugs on the street or do you want your children exposed to a perfectly safe substance that is used to treat the people who are causing the problems to begin with. I mean, I am not trying to get overly philosophical, but I think it is an either or decision."

Councilwoman D'Alfonso, "you have to understand our point of view too, because we have to answer to the people".

Deric Daugherty, "if you look at the statistics, 50% of high school seniors have taken Vicoden and Oxycoton".

Councilwoman D'Alfonso, "I taught high school students and I understand the problem, however, you know, we are talking about an elementary school."

Deric Daugherty, "I don't think this is an addition of a problem, I think our motivation is to become part of the solution. I mean, we are not trying to introduce a problem whatsoever. Like I said, I haven't done this and I have been doing this work for 14 years now and not at one single time have I ever had the motivation to do anything but to be part of the community and help people. And moving back here, you know, that sentiment presides as well."

Councilwoman D'Alfonso, "some of the concerns that we have are from the people who have businesses in the area and they are saying that there are large crowds that are lining up early in the morning."

"Excuse me, I run the clinics, okay. There might be 10 people and they are inside and there are accommodations....."

Councilwoman D'Alfonso, "so they are not in the parking lot and they are not...."

"A couple of Saturdays the Rotary had their meeting and I would say that the parking lot was more full from the others have been wakes, but I do the scheduling and I run the clinic."

Mayor Mavrakis, "what is your name?"

"My name is Karen Daugherty from Monongahela. I was born and raised in Monongahela and I have been in this area all along. I run the clinics and I will say that the room accommodates probably about 20 people and we have yet to fill it at one given time. These people come, see the doctor and after they have seen the doctor they leave. Now they may go out and sit on the bench and have a cigarette. I was out there on Saturday, yes, I smoke, and there was the husband of one of the patients sitting there talking and really I didn't see anybody else other than people from the funeral."

Councilwoman D'Alfonso, "these are the complaints that I had. I wasn't there."

Deric Daugherty, "I could come here every month and report. I would be more than happy to do that. Again, we want nothing more than to be part of the community a part of the solution. It is a very bad problem".

Councilwoman D'Alfonso, "how long, on an average, does it take for someone to overcome an addiction using Suboxone, or is that a for life thing?"

Deric Daugherty, "I believe a 3-6 month period."

Dr. Baluso, "whereas Methadone people there is no plan to ever wean them off Methadone. They stay on that forever. But, I have weaned off a lot of patients from Suboxone in roughly 3-6 months. Everyone is different."

Wayne Vlasic, "how are your patients or clients referred to you? By other physicians or by the courts?"

Deric Daugherty, "sometimes by physicians, sometimes by courts, sometimes by a therapist and as Dr. Baluso mentioned by a pain clinic or by another doctor who may feel that the drugs that they are prescribing are causing the problems and they may need some help getting off of them."

Wayne, "do you plan on doing or performing any type of community awareness or education?"

Deric Daugherty, "I would love to. I think that is a great idea and it is something that I have thought about. I am not sure if this entity exists, but I think a Mon Valley Partnership or coalition for drug free communities, I know there is something along those lines, but if there is it is certainly something that I would love to be a part of and to talk about the problem of opiate addiction. How it affects families, how to identify it in a family, in a school, in a neighborhood. What are the social and economic impacts of addiction? I think that is an important part to raise awareness about it. I agree."

Mayor Mavrakis, "our Monessen Police are doing a good job with drugs too here. So we are doing some business for you."

Deric Daugherty, "like I said, when you decrease supply that is a great mode, but what happens when demand stays the same, the price rises. That is just like anything, if all of a sudden you cut off the supply of Diet Coke but everybody wanted Diet Coke, people are going to charge \$40-\$50 for Diet Coke. The same goes for heroin or anything else. So we have seen, actually I have conversations with law enforcement officials who have told me that the price of stamped bags have gone up dramatically even within the last couple of months since all the drug seizures. They have gone from an average of \$7 a bag to the average of \$20 a bag. The problem that it creates is that people are willing to be more and more desperate to obtain the funding to get those drugs because the demand is there. We are looking to actually, hopefully decrease the demand at large. So we have to actually decrease the demand while the supply is being decreased to eradicate the problem. I think that you really have to look at it from both ends."

Maria Scuteri -1045 Knox Avenue, Monessen, "I am just curious is whether or not you have any hard numbers as to people you have rehabilitated from opiates or heroin. Really, I am not a stranger to addicts and also to addicts who have done the Suboxone thing. I haven't seen it work. I would like to know if you have, if you have any numbers, real numbers."

Dr. Baluso, "60% success rate for 3 months".

Ms. Scuteri, "at your clinic?"

Dr. Baluso, "no, no..."

Mr. Daugherty, "we just started".

Ms. Scuteri, "you said you were operating out of....."

Dr. Baluso, "of Pittsburgh but we transitioned to Monessen".

Ms. Scuteri, "what was your success rate there?"

Dr. Baluso, "60% the United States average. I don't have the numbers....."

Ms. Scuteri, "I haven't seen it, I haven't seen it".

Mr. Daugherty, "it's a lot more successful than methadone, I will tell you that much".

Ms. Scuteri, "I am not saying that that is a success either. I would like to know what the numbers are, what the percentages of...."

Mr. Daugherty, "it's the going therapy really and...."

Ms. Scuteri, "look, I understand all of that and I think Ms. Dalfonso alluded to that fact where it is wonderful to help people who want to be helped. That is the bottom line, I think. There people need to want to be rehabilitated and often times they are not coming to your clinic and I understand that. But often times I think they want the high more than they want anything else."

Mr. Daugherty, "we have not been opened long enough to gather any numbers. That is a great question. Even in Pittsburgh it wasn't really long enough to gather data."

Mayor Mavrakis, "we will take one more question, Nancy".

Nancy Horvath, "I live here in Monessen and I make it practice to talk to a lot of recovering addicts. We have a group meeting in Monessen and the simple bottom line I don't know of any and they don't know of any people who have been on methadone who have every gotten off."

Mr. Daugherty, "some methadone, but not prescribed...."

Nancy, "no, I understand that. They are afraid to stop using drugs but they have found that the Suboxone has been successful. It avoids the pain and all the extreme measures they go through for withdrawal. The ones that I have talked to seem to believe that this is the way to go as far as trying to get off the drug itself."

Mr. Daugherty, "it certainly seems to be the prevalent mode of medical intervention for opiate addiction, without question."

Mayor Mavrakis, "we are going to wrap this up because we have a lot to do. You can expect a visit from Chief Mandarino and myself as we did this morning and we would welcome you back at any one of our Council meetings. I think you should come back periodically and give us an update on what you are doing up there and field some questions as we did today."

Robert Dojonovic – "I own a business here and I own a few homes here and I own the Pumpkin Patch. I am here, I guess, in case there are any questions about my business with D&B Fireworks."

Councilwoman Bukowski, "I have some questions for you".

Mr. Dojonovic, "I have some answers for you. So you go right ahead".

Councilwoman Bukowski, "I hope you do".

Mr. Dojonovic, "I do".

Councilwoman Bukowski, "you know, I don't know if you have a permit from the City....."

Mr. Dojonovic, "permit for what?"

Councilwoman Bukowski, "to sell the fireworks. You need a local government permit \$500 starting fee."

Mr. Dojonovic, "can you read that ordinance to me? Because I have a confusion".

Councilwoman Bukowski, "the ordinance that we have says that you can't sell fireworks in the City of Monessen".

Mr. Dojonovic, "it says here that the City has no authority to issue and shall not issue any license for the sale of consumer fireworks".

Councilwoman Bukowski, "exactly".

Mr. Dojonovic, "you can't issue it, but the State can. It is a State license."

Councilwoman Bukowski, "no, it also says that the permit.....what it is saying is that you are not allowed to sell these fireworks to Monessen, that is what I am saying".

Mr. Dojonovic, "by a State license and I have one".

Councilwoman Bukowski, "I agree with you. B and C class fireworks are permitted. Governor Rendell changed the law, I know that."

Mr. Dojonovic, "excuse me, I have a State license that I paid \$5,000 for and I have been inspected by the State. So you are telling me that the State can't do that? I am asking?"

Councilwoman Bukowski, "it also mentions....."

Mr. Dojonovic, "I asked you a question, are you telling me that the State is not allowed to issue me a permit?"

Councilwoman Bukowski, "the State has issued you a permit and you had to pay \$5,000 to the Attorney General for your permit. I know, I researched this. D.J. I researched this....."

Mr. Dojonovic, "so did I!"

Councilwoman Bukowski, "but what I am saying to you is that is also says that you need a local permit for \$500...."

Mr. Dojonovic, "Ma'am, you know what, I am not selling any yet. I am not even opened for business yet. I don't understand what you are asking me to do right now."

Councilwoman Bukowski, "I am asking you....."

Mr. Dojonovic, "do you want a \$500 bond, a check? I don't understand you are confusing me."

Councilwoman Bukowski, "I don't know what is confusing about a local permit being issued and the least it could be is \$500."

Mr. Dojonovic, "I didn't ask for one yet, ma'am, because I am not ready".

Councilwoman Bukowski, "my question to you was, "do you have a permit?"

Mr. Dojonovic, "no".

Councilwoman Bukowski, "and you went into all this other stuff, I just asked you, okay?"

Mr. Dojonovic, "I don't understand that, that is why I don't understand. It is something that I wouldn't have yet".

Councilwoman Bukowski, "you know, some of what you said to us when you came in that you were going to sell these permits to the people for Class C fireworks for \$20.00, but they would not be allowed to shoot off the fireworks except at your Celebrate America Festival in July".

Mr. Dojonovic, "that is exactly right, yes".

Councilwoman Bukowski, "how are we going to control that? I mean there is....."

Mr. Dojonovic, "the same way they control it now. I can go to any place in Pennsylvania and give them a permit from Monessen, which I have done three years in a row, and bought fireworks and brought them back to shoot. Now if someone else can go there....let me finish, please.....I can go there now and get a permit off the internet, it is a blank State form, I can write on there Elvis Presley, walk into any fireworks place in the State of Pennsylvania and they take it, they sell it to me because they are not required by law to check it. That is done every day. I am not telling you that. So how can they stop it? What do you want me to do is the question?"

Councilwoman Bukowski, "D.J, you are answering a different question that I am asking you".

Mr. Dojonovic, "well how can you ask, I can't guarantee you that. That is kind of.....the police do that".

Councilwoman Bukowski, "but at least that is what you said to us, I am not saying, I asked you how are we going to control this? You are coming back at me with the same thing that I say".

Mr. Dojonovic, "well, because I am confused.

Councilwoman Bukowski, "well then you are confused, I know because I researched this whole thing".

Mr. Dojonovic, "well, so have I! So....tell me something that you have researched that I can't seem to grasp. I am sorry this is turning into a little pissing match here to put it bluntly and I don't understand why".

Councilwoman Bukowski, "I only have questions on what you plan to do....."

Mr. Dojonovic, "okay, let me say it again and see what I am doing wrong because I am not as smart as you are".

Councilwoman Bukowski, "I know that".

Mr. Dojonovic, "here is what I have. We are going to issue a permit, I don't issue it, the City does. They pay \$20.00 and the permit allows them to legally transport it home and transport it back to shoot them and they shoot them down there at the assigned place. What happens if they shoot them before then, the police will arrest them".

Councilwoman Bukowski, "now, there is where the conflict arises. We, as the City of Monessen, say you can buy the fireworks, but as soon as you shoot them off, the police are going to be at your place....."

Mr. Dojonovic, "no, I didn't say that".

Councilwoman Bukowski, "I didn't say that you said it! I said I said it!".

Mr. Dojonovic, "well then you are saying it. I'm not".

Councilwoman Bukowski, "okay? I said that there is a conflict if we....you issue a permit and say you have to come to Celebrate America to shoot these off and the State of Pennsylvania says these are legal, okay. So you buy them and then, you know, the police are at your door when you are shooting them off because you are not allowed to shoot them off in the City of Monessen. All I am saying is that we have to change something to make it legal".

Mr. Dojonovic, "well, then that is your.....I didn't say that, I don't know anything. I am not on Council".



Councilwoman Bukowski, "you also said that you have the exclusive right, that you have a permit and the exclusive right to sell in Monessen. Guess what, is Joe Blow wants to come and sell in Monessen....."

Mr. Dojonovic, "excuse me, I am going to answer you. If you look on my website where you think you got that information...."

Councilwoman Bukowski, "well, that is where I got it".

Mr. Dojonovic, "well I can read it because I am the author of the website and I designed it. D&B Fireworks has been granted exclusive permission, there is no right, it is permission. Just like you are granted a permission to drive a driver's license. You can take it away, but it is not a right. I have no right. I have exclusive permission, permission, I'll look up that word for you, to issue permits to PA residents 18 years of age and older. Then it goes on to explain it all. That is what it says. There is no right, I have never used that word".

Councilwoman Bukowski, "you changed it, you changed it".

Mr. Dojonovic, "no I didn't ma'am. It's been here, I'll have to call you a liar then".

Councilwoman Bukowski, "I know what I read".

Mr. Dojonovic, "well, here it is right here".

Councilwoman Bukowski, "well, yea, I could change it in five minutes".

Mr. Dojonovic, "are you trying to tell me that I changed this, ma'am?"

Mayor Mavrakis, "what we are doing here is we are getting out of hand here".

Mr. Dojonovic, "no really, I don't like to be called that. I did not change it, ma'am. I could prove it on the computer".

Mayor Mavrakis, "we are not going to resolve anything now D.J."

Mr. Dojonovic, "I think I am done, thank you".

Councilwoman Bukowski, "wait, I didn't get the answers that I am looking for."

Mr. Dojonovic, "I said that I am done, I don't like being called a liar".

Councilwoman D'Alfonso, "if I may just say, I think that we have established the fact that we have a City ordinance that perhaps needs to be revised because our ordinance doesn't permit, even though the State does, the City does not permit the use of fireworks....."

Mayor Mavrakakis, "we will try to resolve this, Al".

Solicitor Gaudio, "you know, Council has to tell me what they want to do. If they have ideas that they want to put into an ordinance, or resolution we can do that. But I need to hear what these rules and regulations are that you want to use."

Mayor Mavrakakis, "Council will get together later on and we will try to resolve this. There is no sense of us getting into an argument here. We have a lot more business to conduct."

Councilwoman Bukowski, "well, I understand that, Lou, but it always we will talk about in private...."

Mayor Mavrakakis, "we'll talk about it now! Get it over with".

Councilwoman Bukowski, "I asked him questions and he is not answering my questions".

Mr. Dojonovic, "you called me a liar, ma'am!"

Councilwoman Bukowski, "I did not call you a liar! I said that anybody can change a website".

Mr. Dojonovic, "I am not going to sit here or stand here or whatever and go back and forth. I can prove that I never changed my website. Can you prove that I did? No, but I would be willing to do it in court, Civil Court or wherever you want because there is a computer that tells what you do and it gives the marks it tells you everything. In case you don't know that, you are so smart, that is what it does. You accused me of changing something that I didn't, ma'am."

Councilwoman Bukowski, "I said anybody could change....."

Mr. Dojonovic, "you accused me of doing something illegal and lying!"

Councilwoman Bukowski, okay, you are going to do that so you are not answering my questions about a permit.

Mr. Dojonovic, "you just....do you understand what you just did? You picked up a letter to belittle me. Are you listening or you don't care. Do you even care?"

Councilwoman Bukowski, "D.J. you are not answering my questions. You don't have to scream. Do you think that screaming is going to change my mind?"

Mr. Dojonovic, "do you think that you are going to listen?"

Councilwoman Bukowski, "I don't have a problem with you selling fireworks in the City of Monessen and I said that. I asked you about a permit. You don't have a permit and you have to have a local permit. Let's face it, okay. I am not saying anything that is out of line, that is what it states. We have to change and ordinance or do something because if somebody comes down there and pays \$20.00 for a permit and buys these Class C fireworks and shoots them off, out police are going to be there arresting them. That is what I am trying to tell you."

Councilwoman D'Alfonso, "I think our permit needs to state whether it can be fired and.....

Councilman Retos, "we don't even have to change the ordinance".

Mayor Mavrakis, "do you have some more, D.J.?"

Councilwoman D'Alfonso, "and we can make the permit stating specific what we ....

Solicitor Gaudio, "well, that is what we will get into, but I wonder what they want to do.

Mr. Dojonovic, "I think that there is a little confusion what the bond. The City's \$500 bond is for shooting off a display or selling, whatever you want to say, okay. Does each person pay \$500?"

Councilwoman D'Alfonso, "no".

Mr. Dojonovic, "okay, so every year, like I was trying to say earlier, I pay the \$500 check. I gave it to Rosalie to set up a bond, she kept that. I carry \$2 million worth of insurance for the City and for the property owners, because I shoot down there. Now, after 3 months or so, when no one files a claim and there is nothing going on, Rosalie would give me back the check, easier bookkeeping. And that is the \$500 bond. The \$20.00 is a permit charge, that is the maximum set by the State".

Councilman Retos, "okay, now our....what the City should do is now issue a permit only allows the citizens to shoot the fireworks off at that designated location on that day, correct? So the permit would say good for July 19 and that is it, okay. I don't have a problem with that".

Councilwoman Bukowski, "and what I am saying here, Josh, is how are we going to control that? There is no way in the world. I get somebody from Belle Vernon to come in and buy for \$20.00, okay and they would give me the fireworks. There is no way to control this. I am not worried about him selling them, I am worrying about controlling, because our thing states that the police will go up and arrest them. I mean, if I come in and pay \$20.00 for a permit, I should be able to shoot that up anywhere."

Councilman Retos, "not if your permit states a specific place and time, then you are in violation of your permit".

Councilwoman D'Alfonso, "that will protect us, I think. But Al needs to work on that..."

Solicitor Gaudio, "I need to hear what members of Council would want. We can make either whether it is an ordinance, a resolution, or whatever. But I got to hear it."

Mayor Mavrakis, "you done, Patty?"

Councilwoman Bukowski, "I'm done".

Mayor Mavrakis, "anybody else?"

Bishop Robert Wilson, "I own 2 properties here, 503 Ninth Street and 1303 Summit Avenue. I am here to the Honorable Mayor and distinguished City Council if you would act positively on the second item. I am part of the Madison/Smith family and I have the distinction of hosting the Smith/Madison Family Reunion. Our roots are from Monessen, we have given our blood and we have given our service here to the City of Monessen and the valley and I am asking that the distinguished City Council members would vote favorably that we use the Civic Center and the City Park Amphitheater.

I see that something else is not on, that might be an oversight on the part of the City. My uncle, Norman Madison, has property which my cousin lives in on 10<sup>th</sup> Street, they put in a letter to the City if, and of course at cost to us, if that alley could be renamed Madison Alley after my grandfather Robert Madison. Now, we would pay for the sign if the Council would go for it. My grandfather lived to be 105 as well as, like I said, the Madison's and Smith's have done a lot of good in Monessen and in the valley. I would hope that you would act favorably on the second item that you see my name."

Councilwoman Bukowski, "excuse me, how many people usually attend your reunion, isn't it a couple hundred?"

Bishop Wilson, "well, we boast of 300 strong, but there are times when I would say roughly about 150, on the conservative side. But there are a lot of us and well, our roots are here in Monessen. I have heard my family talk, long before I came on the scene about the flood down there on Schoonmaker and the good times and of course you know, my aunt, Catherine Madison had a diner down here...."

Mayor Mavrakis, "12<sup>th</sup> Street, right across the street from my house".

Bishop Wilson, "alright, the Honorable Mayor knows all about that. And of course, you know my cousin gave his blood from this City in the war. I have uncles that have since passed away helped build a lot of the plan of homes in the City Park area. So we have done a lot of good things here in Monessen and we just wanted to come back to our roots and host a family reunion."

Solicitor Gaudio, "just one thing, just to clear up some semantics here. I am looking at your letter here to utilize certain City facilities and you have the City Pier?"

Bishop Wilson, "I see that might be a little conflict. Well, the river launch there."

Solicitor Gaudio, "well are you talking about the ramp that goes down into the river?"

Bishop Wilson, "well, not that...."

Solicitor Gaudio, "you mean the level area?"

Bishop Wilson, "yes".

Maria Scuteri, "1045 Knox Avenue, I am assuming that these questions are to deal with Mr. Nestor under your Department of Public Safety, Item #9, Pouring Chemicals Down Drains. I am not sure exactly what that is dealing with, but we do have an issue on 12<sup>th</sup> Street. There seems to be a service garage running out of a person's home and God only knows what he is washing down the street every day."

Councilman Nestor, "we have been getting tons of phone calls...."

Maria, "have you, wonderful. The smells and the...."

Councilman Nestor, "we have been getting calls that people think it is Carbon Monoxide...."

Maria, "it is awful".

Councilman Nestor, "a little bit later Chris is going to address Council and we are going to get to that. Later on, if you don't mind after the meeting I would probably want to get more information from you too."

Maria, "and #6, I am not sure. Is this dealing with Occupancy Permits?"

Councilman Nestor, "no, these are with Landlord Fees. If you own a house in Monessen..."

Maria, "that you are renting out?" That is another issue that I spoke with you briefly about last month, so we can talk afterwards?"

Councilman Nestor, "yes".

Mayor Mavrakis, "moving on, Unfinished Business".

**UNFINISHED BUSINESS:**

**Councilman Retos - Department of Accounts & Finance**

No Report

**Councilwoman D'Alfonso – Department of Streets & Public Improvements**

No Report

**Councilwoman Bukowski – Department of Parks & Public Properties**

No Report

**Councilman Nestor – Department of Public Safety**

No Report

**Solicitor Albert Gaudio**

No Report

**Mayor Mavrakis – Department of Public Affairs**

No Report

**NEW BUSINESS:**

**Councilman Retos – Department of Accounts & Finance**

**2014 Tan Note**

Councilman Retos announced that the City of Monessen paid off the 2014 Tax Anticipation Note Loan on May 6. By paying it off 11/2 months early the City saved approximately \$1,400 in interest. As well, with the hard work by Treasurer's Department and Holly and Accounts & Finances we have also secured the funding to pay all of our debt obligations for 2014 as well. So that is for the Bond Payment and our final truck payment. Now all we have to do is make payroll. Thank you guys very much for paying your taxes early.

## **Councilwoman Lucille D'Alfonso – Department of Streets & Public Improvements**

### **Street Department Report**

Councilwoman D'Alfonso gave the following Street Department Report for the month ending April 2014:

Cold patched 19 streets; jetted 900 feet of sewer line; swept various streets; responded to 25 PA One Calls; repaired or replace various parking meters and handicap signs; cut & trimmed the various islands around town and alleys. Cut back trees and weeds on Third Street Steps; emptied city trash cans; did repairs on certain vehicles and equipment.

## **Councilwoman Patricia Bukowski – Department of Parks & Public Properties**

### **Parks Department Report**

Councilwoman Bukowski gave the following Parks Department Report: removed trash from Police Station 2 -3 times a week; swept and mopped floors, cleaned restrooms and jail cells as needed; removed trash from Civic Center 1 time a week, swept and mopped floors in hallway, cleaned restrooms, swept and mopped gym floor as needed; picked up the rest of the leaves at City Park with Cyclone rake; started on ballfields by dragging infields at Shawnee, City Park Field, Columbus Field and Park Manor Field; cleaned up tree branches inside City Park from the high winds; removed trash from the following parks: 9<sup>th</sup> Street, Shawnee Park; Walking Track, Boat Launch, Soccer Field, Columbus Field and City Park Field; cut grass at City Park Field 2 times; cut grass at Columbus Park 2 times; cut grass at Shawnee Park Field 1 field; cut grass at Park Manor Field 1 time; cut grass at Soccer Field 1 time; cut grass at lot at the dead end of Ridge; cut Boat Launch 1 time; cut River Walk 1 time; cut Service Lane 1 time.

### **Madison/Smith Reunion**

Councilwoman Bukowski made a motion to approve the request of Bishop Roderick Wilson to use the Civic Center on July 18 and City Park on July 19 and 20 for a family reunion.

Mayor, "second on the motion?"

Councilwoman D'Alfonso, "second".

Mayor, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski

**Councilman Retos**  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Community Week of Pride

Councilwoman Bukowski made a motion to approve the request of Lois Thomas for a "Community Week of Pride" the week of June 15, 2014. Councilwoman D'Alfonso made a second to the motion.

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Raise Your Voice Campaign

Councilwoman Bukowski made a motion to approve the request from Raise Your Voice Campaign for various events at the City Park Walking Track, the Herman Mihalich Boat Launch and the City Park Amphitheater with dates to be determined upon completion of the Amphitheater.

Councilman Retos, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE



Salvation Army

Councilwoman Bukowski made a motion to approve the request from the Salvation Army to occasionally use City Park for recreation time for their summer day camp to be held June 24-August 8. In the event of inclement weather, the use of the Civic Center Gym.

Councilman Nestor, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Celebrate America Festival

Councilwoman Bukowski made a motion to approve the request of the American Medical Community Foundation to reschedule the Celebrate America Festival event from Saturday, July 12, 2014 to the following Saturday, July 19, 2014 to be held at the Herman Mihalich Boat Launch.

Councilman Retos, "second, Mayor".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS:

NONE

### Amphitheater Fee Charge

Councilwoman Bukowski made a motion to approve a set fee of \$200 for use of the Amphitheater, \$100 being a deposit and returned if the space is left in good condition and \$100 to the City as the rental fee. We will be making a Resolution that will be presented at our June meeting applying to the Amphitheater.

Councilman Retos, "second to the motion".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

### City Park Amphitheater

Councilwoman Bukowski made a motion to approve Change Order 1, in the amount of \$26,575.00, payable to Maccabee Industrial, Inc. for the City Park Amphitheater Project.

Councilwoman D'Alfonso, "second".

Mayor Mavrakis, "question on the motion?"

Councilman Retos, "I would like to make a comment, Mayor. Just so everybody is aware, that is not a Change Order that the City has to pay out of pocket. That is included in the initial bid in the contract for the Amphitheater. It was built in."

Mayor Mavrakis, "the only objection, and we had a discussion is that the communication had come down Monday at 4:00 and put on my desk from Haglund and we didn't have a chance to review it so there was some discussion on that so that was the only objections that we had. We thought that the timing was very bad. Didn't give us a chance to look at things and we didn't have a chance to go up and look at things at the Ampitheater that was the only question that was asked."

Councilwoman Bukowski, "this Change Order was State ordered because we were putting in dressing rooms and they were not handicapped accessible. So everything has to be handicapped accessible. So this is what the Change Order is for."

YEAS:

NAYS:

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilwoman Bukowski made a motion to approve Payment Request Number 3, in the amount of \$48,058.20, payable to Maccabee Industrial, Inc. for the City Park Amphitheater Project to be paid from CDBG Funds.

Councilman Retos, "second, Mayor".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

#### Civic Center Board Report

Councilwoman Bukowski reported, "the Civic Center Board is going to hold a free breakfast and lunch program from 9:00-12:00 starting June 16. Justice Rawlins was hired to run this program and he will also have activities for the children until 2:00 that day. We are also going to have a basketball program from 3:30-5:30 there. We are looking for something for in between for the kids and there will be crafts and games and different things to keep the kids busy and try to keep them off the streets.

#### Councilman John Nestor – Department of Public Safety

Councilman Nestor, "Honorable Mayor, Council and wonderful citizens of Monessen, the following is my report for the Public Safety Department.

### Code Office Report

We collected \$1,367.70 in Building Permits; \$153.00 in Demolition Permits; \$100 in Soliciting Permits; \$1,000 in Street Opening Permits; \$260 in Sign Permits; \$82.19 in Magistrate Code Enforcement; \$250 in Eat & Drink Licenses; \$150 in Health Inspections; \$1,150 in Occupancy Permits; \$950 Plumbing Licenses; \$4,520 in Mercantile Machines. For April 2014 we had \$9,982.89 collected within the City of Monessen and the Year to Date \$45,328.80.

### Fire Report

For the Fire Department we had a total of 27 calls. The Monessen fire fighters spent 458 man hours in the month of April.

### Mon Valley EMS

For the Mon Valley Emergency Medical Service there was 115 emergency calls; 4 fire standbys making the total incidents a total of 119.

### Resolution 5 of 2014

Councilman Nestor, "I would like to table Resolution 5 of 2014 Emergency Operation Plan of the City of Monessen."

Councilman Retos, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

### Onieda Street

Councilman Nestor, "I would like an amendment to making Onieda Street one way, the section between Donner and Schoonmaker Avenue only after the written approval from PennDot."

Councilwoman D'Alfonso, "I'll second that".

Mayor Mavrakis, "question on the motion?"

Councilwoman D'Alfonso, "which direction is that going to go?"

Councilman Nestor, "if you are on Schoonmaker, now, it is not the whole hill of Onieda, you can go down it, but you can't go up it. The building itself, the infrastructure of how it is laid out there is a huge blind spot. We had multiple mirrors there and they have been broken. It is just a lot easier if we fix the problem now instead of spending more money just the change the infrastructure itself with mirrors and running the whole gambit."

Solicitor Gaudio, "specify from Schoonmaker to Donner".

Councilman Nestor, "emergency vehicles would still be able to go up there. Emergency vehicles do have the right to go up the opposite way."

Mayor Mavrakis, "you have it all cleared through PennDot and everything?"

Councilman Nestor, "yes, but Council is requesting written....."

Solicitor Gaudio, "make this motion subject to the approval of PennDot".

YEAS:

NAYS:

Councilwoman Bukowksi  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

#### Bill 3 of 2014

Councilman Nestor, "first reading of Bill 3 of 2014 – An Ordinance Amending Ordinance 6 of 2012, to Modify the Fees for Rental Unit Licenses Within the City of Monessen.

The changes are the following: Section 3. Schedule of Fees – City Code Section 313-19 shall be amended to provide the following: at the time of application for a license or licenses renewal required by the article, the Code Enforcement Officer shall collect the following license fees for each rental unit; 1. \$25.00 if the owner resides in the City of Monessen or surrounding areas, including Belle Vernon, North Belle Vernon, Charleroi, North Charleroi, Carroll Township, Donora, Lynwood and Rostraver Township or maintain its principal place of business within the City of Monessen; 2. \$100 if the owner resides outside the City of Monessen or the surrounding areas Belle Vernon, North Belle Vernon, Charleroi, North Charleroi, Carroll Township, Donora, Lynwood and

Rostraver Township and has designated a property manager who resides in the City of Monessen; 3. \$250 if the owner resides outside the City of Monessen or the surrounding areas mentioned and has not assigned a property manager who resides within the City of Monessen.

Solicitor Gaudio, "authorize the Secretary to advertise the Ordinance".

Councilman Nestor, "I would like to bring Chris Rhome up to speak about controlled burning in Monessen. And I would also like to thank him for donating his salary back to Monessen."

Fire Chief Rhome, "first and foremost please accept my apologies for my attire here this evening, I am supposed to be coaching a baseball game as we speak. Normally I wouldn't present myself in this manner.

However, in regards to the controlled burnings of repository structures within the City, just to let everyone know what I have accomplished thus far and potentially answering questions that anyone may have. I have communicated with the DEP and several State Certified Instructors and in my communications with them there are several guidelines that have to be adhered to, not only by the City, but myself through the Fire Department as well. The first and foremost thing would have to be done on the City's part would be lifting the burn ban for the Fire Department only, and I stress only for the Fire Department. If you folks would happen to lift the burn ban altogether you would literally run the legs off of your firefighters and the wheels off the fire trucks. I know that from experience, believe me.

Also, there is a lot of documentation that is required by the DEP and that is nothing that I am crying about, I am certainly willing to do the paperwork, however, there is a lot of it. There is also testing that is required by the DEP prior to issuing a permit. Speaking with one of the State Certified Fire Instructors whereas State Fire Instructors have to be present during these training exercises and that is how they have to be worded, as training exercises. He told me he put a rush order into the company that does the testing and because of his rush order on such short notice he had to pay them \$74.00 to obtain that sample testing. On average they may cost \$45-50. Also, the State Fire Academy asked for a 45 day notice prior to actually putting a match to anything so they can set up what they have to.

Neighbors of the proposed burn buildings should be given proper notice, whether that be by the Fire Department or the Code Enforcement. That certainly could be worked out down the road. However, those in the surrounding area or neighborhood have to be given due and ample notice. In some cases, neighbors' homes may be sealed off with the windows and doorways with plastic to lessen the fact of any smoke emanating into their residences causing an unpleasant odor, dust or anything like that. I feel quite confident that between the fire departments they would be more than willing to do so in that manner.

Also, there must be proof given that there is absolutely no insurance on the structure. Reason being that if we have a home in repository and we put a match to it and an owner from 15 years ago comes back and says my house burned down, give me \$50,000 to Nationwide, we must have proof that there is no insurance on the proposed building.

Also, in speaking with the State Certified Fire Instructors I have learned that in other municipalities and in other cases, if you do have a neighbor who may object to it, if it is proposed to them that perhaps a gift card to TGI Fridays or a set of movie tickets or something to that effect be given to them so that they are not home when the proposed burning goes on so that they are not bothered by it."

Mayor Mavrakis, "or to Castle Blood?"

Fire Chief Rhome, "something like that, Mayor. I can honestly give no definite yes or no and the best I can tell you folks and anybody else who asks is that the ground work is laid. Buzzy and I have spent the better part of the morning riding around with the list of the homes in repository and we looked over several of them and I was inside several of them and those that we would really like to see go for training purposes are marked with an orange X. So if anybody is riding around town it is not a new gang sign, it is just the fire department marking the homes that we would like to consider having burned for training purposes.

Also, one of the other aspects of it is a lot of these homes have been mined out, if you will, in laymen's terms as far as people taking the copper or aluminum or whatever semiprecious metals they could get their hands on, but they only go as far as they can reach. So if there are aluminums, coppers and things that I feel prior to burning for training purposes, those may be salvaged and taken to the scrape yard. And, if we have to pay X amount of dollars for the testing that the DEP requires and if we have to buy Mr. and Mrs. Smith a set of movie tickets, those finances that you could possibly bring in through the recycling could certainly cover the out of pocket expenses.

In cases where remediation would have to be done, none the less remediation of asbestos and other hazardous materials is still far cheaper than what you are paying per home for complete demolition. And also with Mr. Imbrescia's willingness to cooperate in the usage of his heavy equipment, students and instructors down there, as the Mayor said in the article in the paper the other day, if Buzzy could go in there and cap off what needs to be capped off, if we can burn it in a controlled fashion, we are providing hands on instruction for our City's firefighters as well as other firefighters throughout the Mon Valley, we are saving the taxpayers and the City as far as demolition costs are concerned and when it is all over and done with Mr. Imbrescia's student backfill with the machinery that they have, they are getting some education factors out of it. I feel quite confident that it is a win win for all involved."

And in regards to Number 8 on the Agenda as far as me not accepting a salary, I just want to say that I am no better or different than any of the other City's firefighters and I

have done this for 28 years without a penny in my pocket and I am going to continue to do so. I am just darn proud to be a firefighter in this City."

#### Pouring Chemical Down Drains

Fire Chief Rhome reported, "we have had numerous complaints and had our firefighters out on call for odors of gas. I think we narrowed it down this evening in conversation with Mr. Scuteri and Miss Scuteri back here. There is someone who is pouring gas in a storm sewer on 12<sup>th</sup> Street. However, it is emanating the whole way up to Maple Avenue and 1019 Maple Avenue is where we continually get called for these odors of gas. It puts our equipment and personnel and we have to hit fire hydrants in order to flush out the sewer system, which I feel the sewer system on Maple is going to come right back down to your folks home in the 12<sup>th</sup> Street area there. Once it hits there it flushes it out and goes away.

I feel quite confident now, that is where that is coming from and hope that Code Enforcement can address that with the home owner. Any questions or concerns that anyone may have?"

Councilman Nestor, "I guess further down the road once that we get all the paperwork finalized we will go ahead and make a motion on the properties that we do."

Fire Chief Rhome, "I just want to advise everybody that it is a darn good idea and as I mentioned, I think it is a win win situation for everyone, however, it is not something that can happen overnight as much as all of us would like to see it happen overnight. It is just a timely procedure and it is going to take everyone's cooperation and a little bit of time."

#### Gerald Saksun – City Treasurer

City Treasurer Saksun, "Mayor Lou Mavrakakis and members of City Council, Ladies and Gentlemen the following is a report of the Garbage Collection Fees and City Real Estate Taxes collected for the month of April 2014: Garbage Fees budgeted for 2014 - \$470,000.00; Garbage Fees collected as of March 31 \$436,774; Garbage Fees collected during April -\$6,970; Total Garbage Fees collected as of April 30- \$443,774.00; Delinquent Garbage Fees collected as of March 31 - \$19,137.84; Delinquent Garbage Fees collected during April was \$4,696.48. Delinquent Garbage Fees collected as of April 30 is \$23,834.32.

General Fund Real Estate Taxes budgeted is \$1,265,619.00; Debt Service Fund budgeted \$490,000.00, City Parks Fund budgeted \$216,250.00, Library Fund budgeted \$50,000.



City Real Estate Taxes collected as of March 31 is \$393,136.56, City Real Estate Taxes collected during April \$1,199,681.37; 2% discount on the early payment \$23,967.47; City Taxes collected as of April 30 - \$1,568,850.46

Delinquent City Taxes collected as of March 31 - \$4,955.70; No Delinquent City Taxes collected during April; Total Delinquent City Taxes collected as of April 30 - \$4,955.70.

Distribution of the Income is as follows: General Fund received \$1,084,237.25; Debt Service Fund - \$344,683.55; City Parks Fund received - \$89,912.55; Library Fund received \$50,017.11.

Mayor, that concludes my report."

Mayor Mavrakis, "Can I have a motion to accept the Treasurer's Report?"

Councilwoman D'Alfonso, "I move to accept the Treasurer's Report as read."

Councilman Nestor, "second."

Mayor Mavrakis, "Any questions? Clerk call the roll."

YEAS:

NAYS:

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis  
(Councilwoman Bukowski stepped out)

YEAS: FOUR

NAYS: NONE

### **Wayne Vlasic – City Controller**

#### **Controller's Report**

City Controller Vlasic, "Mayor and Members of Council, the following is the General Fund First Federal Checking Account Bank Reconciliation as of April 30, 2014: Beginning Bank Balance - \$140,057.90; Deposits - \$1,087,604.12 for a Total of \$1,227,662.02. Checks Cashed \$233,119.40; PLGIT Transfers \$450,017.11 for a total of \$683,136.51; leaving a Bank Balance of \$544,525.51. Deposits in Transit \$98,905.57; Outstanding Checks \$115,123.97 leaving a final amount reconciled to the Balance Sheet of \$528,307.11.

#### **CDBG Report**

Controller Vlasic, "City of Monessen CDBG Bank Account: Beginning Balance \$18,956.54; Deposits \$22,806.94; Total \$41,763.48; Checks Cashed \$23,407.16; Bank Balance of \$18,356.32; Outstanding Checks \$7,208.26 for a Month End Balance of \$11,048.06."

Councilwoman D'Alfonso, "I'll move to accept the report as read".

Councilwoman Bukowski, "second".

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

**Albert Gaudio – Solicitor**

Solicitor Gaudio, "no report, Mayor".

**Mayor Mavrakis – Department of Public Affairs**

**Police Department Report**

Mayor Mavrakis, "the Police Department Report for the month of April: Parking Meters - \$1,654.61; Total Fines and Forfeits - \$1,221.00; Parking Permits - \$2,825.00; Total Miscellaneous Collection - \$580.00; Total Receipts for District Justice Office - \$3,955.70; Total Receipts Collected - \$10,236.31. Police Logged and Telephone Complaints 418; Arrests for April-121; Year Total -427; Total Mileage Per Day - 292.26 miles.

**Westmoreland County Housing Consortium HOME Investment Partnerships Program**

Mayor Mavrakis made a motion to opt out of the Westmoreland County Housing Consortium HOME Investment Partnerships Program FY 2015, 2016 and 2017.

Councilman Retos, "second, Mayor".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Westmoreland County Community Development Block Grant Program

Mayor Mavrakis made a motion to opt out of the Westmoreland County Community Development Block Grant Program for FY 2015, 2016 and 2017.

Councilman Nestor, "second that motion, Mayor".

Mayor Mavrakis, "questions on the motion?"

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Salvation Army Request

Mayor Mavrakis made a motion to approve the request of the Salvation Army to use the Monessen Municipal Complex on May 15 from 5:00 p.m. to 7:00 p.m. to conduct a two hour phone thank-a-thon for donors for Operation Fresh Express.

Councilman Retos, "second, Mayor".

Mayor Mavrakis, "questions on the motion?"

YEAS:

NAYS:

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Resolution 4 of 2014

Mayor Mavrakis made a motion to adopt Resolution 4 of 2014 showing the City's support for the Mon Valley/Fayette Expressway, PA Route 51 North Project.

Councilwoman Bukowski, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Westmoreland Community Action

Mayor Mavrakis made a motion to approve payment to Westmoreland Community Action, in the amount of \$10.00 for property maintenance regarding 604 Reed Avenue (RDA) Reed Avenue Project.

Councilwoman D'Alfonso, "second".

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

**Councilman Jonmichael Retos – Department of Accounts & Finance**

Councilman Retos made a motion to approve payment of General Fund Expenditures for the month of May in the amount of \$346,886.37.

Councilwoman D'Alfonso, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Grant Fund Expenditures for the month of May in the amount of \$2,255.35.

Councilwoman D'Alfonso, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Health Center Expenditures for the month of May in the amount of \$8,573.68.

Councilman Nestor, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Parks Fund Expenditures for the month of May in the amount of \$3,677.08

Councilwoman D'Alfonso, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Debt Service Expenditures for the month of May in the amount of \$113,213.54.

Councilwoman D'Alfonso, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Line Usage Expenditures for the month of May in the amount of \$34,237.76.

Councilman Nestor, "second".

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Nestor

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve Library Fund Expenditures in the amount of \$50,000.00.

Councilman Nestor, "second".

Mayor Mavrakis, "question on the motion?"

Councilman Retos, "yes, Mayor, that is our yearly obligation to the City Library. We pay that every year by law by Third Class City Code."

YEAS:

NAYS:

Councilwoman Bukowski  
Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

Councilman Retos made a motion to approve PLIGIT General Fund Expenditures for the month of May in the amount of \$503, 272.22.

Councilwoman Bukowski, "second"

Mayor Mavrakis, "question on the motion?"

YEAS:

NAYS:

Councilman Retos  
Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

## **PUBLIC COMMENT:**

Maria Scuteri – 1045 Knox Avenue “my question is, what are the plans for Ninth Street? When is it going to reopen? It is looking a lot like a parking lot and a demolition field and that upper street is not safe two ways. I gave it this winter because it took place at the end of the summer and the weather got bad and I realized that it couldn’t be done, but I am really.....”

Mayor Mavrikis, “Maria, we had a long discussion on that at Work Session. Josh, do you want to address it?”

Councilman Retos, “first of all, we are going to shoot to have that repaired in ‘15 for funding purposes, we still have roughly \$174,000 give or take.....”

Maria, “2015?”

Councilman Retos, “yes, we are planning some CDBG money and some street money for that to repair that. In the meantime, we are going to buy barricades and line it off, and/or make it one way, whatever is cheapest....”

Maria, “lower Ninth Street?”

Councilman Retos, “no, upper Ninth”.

Maria, “so we are going to have to do another winter of that?”

Councilman Retos, “unfortunately, we don’t have the funding for it”.

Maria, “okay, thank you”.

Amy Bukowski – 1438 Rostraver Street, “I need clarification because when this hit the paper....the fact is I am not up here to argue about the Suboxone Clinic, but I do have a question as a member of the School Board. I know that when this hits the paper tomorrow I am going to get a lot of questions. There is no Code in the City, correct? I did read that there are some counties and cities that have codes that it can’t be 1,000 feet of a school, churches or homes”.

Councilman Retos, “that was for Methadone”.

Amy, “no, that is what I read for Suboxone Clinics. Not methadone, I knew they were two separate things. But I wanted to be sure that we don’t have that Code here because I am going to get questions about it I am sure. I wasn’t sure because it was getting like an argument and I didn’t want to make sure that I missed that if you said there was a Code or not.



My personal opinion on that is I hope that it is a positive thing for Monessen and it becomes a positive thing for many families that have been destroyed by heroin use. But my other thought is that it doesn't become another outlet to bring drugs into the City because I may go get my prescription and go sell that and go buy my heroin. That is a big concern because now we are just adding more to our drug activity in Monessen.

I don't want to argue about it, but I just wanted to put that out there because as a citizen that is how I felt.

Councilwoman Bukowski, "Amy, did you say you read that the Suboxone there are limits?"

Amy, "there is a county that I read about in Tennessee, I should have put in Pennsylvania, but Tennessee came up first and Suboxone clinics were not allowed anywhere within 1,000 feet of a school, a church, or homes. I just wanted to clarify here if the codes here are anywhere like that or not because when that hits the paper we are going to get asked tomorrow."

Councilwoman D'Alfonso, "it is just more or less to try to prevent....that is exactly what I was thinking".

Amy, "I just want to have the right information when people ask me, because that is part of what being on the School Board is. And I have gotten questions about it being so close to the schools and it would be a concern for anyone. Not negative or arguing."

Councilwoman D'Alfonso, "I agree".

Mayor Mavrakis, "any other questions? Nancy, step up."

Nancy Horvath, 1417 Arlington Street - "Adding to what was already said, this is what I came up here for, but you better weed out your neighborhood if you want to get away from the drugs because we have them everywhere, next door, around the corner, parking lots. I think it is a needed sphere and that is my opinion. Anything that would help even one child to save their lives I think is worth the risk. There are too many dying off. There are too many kids that are staggering around this town and this whole valley.

I just wanted to ask if Council had any plans to replace the 11 or 12 meters that are on Schoonmaker. There are more empty spaces than there are meters. This is just for my curiosity do you plan on doing anything with them.

And the other item, I will try to say it nicely, we have dog walkers in town who allow their animals to defecate all over anybody's sidewalk. I don't know, but I would think that there is an ordinance regarding that and how do you go about enforcing it because you have to catch them in the act. But would it be possible to make a point to make notice or put it in the newspaper to warn people that they will be punished if they allow

their animals to do this. There are piles all over town and it is awful. People have stepped in it, kicked it and it is not a good thing."

Mayor Mavrakis, "there he is right there, Nancy. The reporter."

Wayne Vlasic, "just more of an announcement. Our Memorial Day Program is co-sponsored by the American Legion Post 28 and the VFW Post 1190 will be held on Sunday, May 25 at 12:00 P.M. and that will be at the War Memorial at City Park. In case of inclement weather we will move it into the high school auditorium. The co-chairs of the program are myself and Jim Pallini. This year we are honoring Phyllis Nancy Faraci a Monessen High School graduate who was an employee of the State Department who was killed in Beirut Lebanon in 1983. I would appreciate if everyone would come out and show their support to the Faraci family and be there along with Mayor and Council."

**ADJOURNMENT:**

Mayor Mavrakis, "can I have a motion to adjourn?"

Councilman Retos, "so moved, Mayor".

YEAS:

NAYS:

Councilwoman D'Alfonso  
Councilman Nestor  
Councilwoman Bukowski  
Councilman Retos  
Mayor Mavrakis

YEAS: FIVE

NAYS: NONE

  
\_\_\_\_\_  
Louis Mavrakis, Mayor

  
\_\_\_\_\_  
Holly Minno, City Clerk