

**MINUTES**  
**City Council Meeting**  
**City of Butler, Pennsylvania**  
**July 27, 2023**

Mayor Dandoy called the meeting to order at 7:00 PM. Mayor Dandoy and Council members Reese, Shearer, Christy, and Herr were present. The pledge of allegiance to the flag followed an invocation given by Pastor Theo Edwards, First Baptist Church.

**PRESENTATION:**

Duane McKee, from BASA presented the ACT 537 Plan for the PA American Water Acquisition of the BASA System.

\*\*\*\*\*

Motion by CM Christy with a second from CM Shearer to approve the agenda for the regular meeting of July 27, 2023. All voted aye.

Motion by Mayor Dandoy with a second from CM Reese to approve the minutes of the regular meeting of June 29, 2023. All voted aye.

Motion by CM Reese with a second from CM Shearer to acknowledge receipt of the monthly minutes from RACB, including the CDBG/HOME Program activities. All voted aye.

**MONTHLY BOARDS AND AUTHORITIES LIAISON REPORTS**

Liaisons gave brief reports from boards and authorities that met in June.

**MONTHLY & ANNUAL DEPARTMENT REPORTS**  
*(Note: Department Reports Distributed to Council electronically)*

Motion to accept the monthly reports from the Office of the City Clerk, the Police Department, Fire Department, Office of Business & Community Development/Code Enforcement, Department of Public Works and Parking Department for the month of June. Motion by Mayor Dandoy. Second by CM Christy. All voted aye.

**COUNCIL REPORTS/ACTIONS**

**Councilman Reese**

1.Motion for the second reading and adoption of **City Ordinance No. 1816**, an ordinance of the City of Butler, Pennsylvania amending the City's traffic control schedules contained in Chapter 245 of the codified ordinances of the City of Butler by making permanent the experimental regulations previously adopted by city council on a 90-day trial basis. Second by Herr. All voted aye.

**Councilman Shearer**

2.Motion to approve a payment in the amount of \$1,550,195.25 to NexTier Bank for the **2023 Tax Revenue Anticipation Note**. \$1,500,000.00 Principal (LIN 01 472 601) & \$50,195.25 Interest (LIN 01 472 600) – Payoff Date is July 31, 2023 – maturity date is July 31, 2023. Second by CM Reese. All voted aye.

### Councilman Christy

3.Motion to approve the retirement of **Captain Kevin McAfee** after 39 years of service in the Butler Bureau of Fire, effective August 2, 2023. Second by CM Herr. All voted aye.

4.Motion to approve Pennsylvania Heart & Lung Act benefits for **Lieutenant Donald P. Crawford** beginning on July 7, 2023, for a work-related injury he sustained on December 3, 2022. Second by CM Shearer. All voted aye.

### Councilman Herr

5.Motion to enter into an agreement with the **Butler Girls Soccer Boosters** for the rental of the pickleball courts on Saturday July 29<sup>th</sup> and Sunday July 30<sup>th</sup> from 8:00 am until 3:00 pm. Second by CM Christy. All voted aye.

### Mayor Dandoy

6.Motion to approve the promotion of **Patrol Officer Andrew Niederlander** to the rank of Sergeant in the Butler Bureau of Police effective July 16, 2023. Second by CM Christy. All voted aye.

7.Motion to approve Pennsylvania Heart & Lung Act benefits for **Lieutenant David Villotti** beginning on July 1, 2023, for a work-related injury he sustained on June 18, 2023. Second by CM Shearer. All voted aye.

8.Motion to make a donation to **City of Butler Parks, Recreation Grounds and Facilities Authority** in the amount of \$500.00 to offset expenses incurred for the City's annual fireworks. (To be paid from LIN 01 457 249 – Community Celebrations). Second by CM Shearer. All voted aye.

9.Motion to approve **City Resolution No. 2023-07-27**; a resolution of the City of Butler to revise the **2020 CDBGF-CV** by reducing the Fr. Marinaro Parking Lot Reconstruction line item by \$2,045 and the Rotary Park Improvement line item by \$2,935 and reallocate \$4,980 to the Christie Avenue Playground Sidewalk line item; and reduce the Administrative line item by \$20,000 and reallocate \$20,000 to the Butler Memorial Park line item. Second by CM Herr. All voted aye.

10.Motion to approve **City Resolution No. 2023-07-27A**; a resolution of the City of Butler adopting amendments to the Articles of Incorporation of Butler Area Sewer Authority. Second by Shearer. All voted aye.

11. Motion to retain the services of **Jason W. Ross, Relevate Business Advisors LLC** in the amount of \$3,000 for the purpose of assisting the City of Butler with the analysis and selection of an investment advisor. Second by Shearer. All voted aye.

#### • **MAYORAL ANNOUNCEMENTS:**

The mayor issued a proclamation designating National Rail Safety Week from September 18 – 24, 2023.

The City Treasurer presented a Monthly Intake Report for June 2023

The City Controller presented bills for payment as follows: from the general fund - \$2,256,656.61; from the parking fund - \$44,212.96; and from the liquid fuels tax fund - \$18,094.96; for a **grand total of \$2,319,164.53**. Motion by Mayor Dandoy with second from CM Shearer to approve payment of bills as presented. All voted aye.

#### **July Public Announcement - Municipal Separate Storm Sewer System (MS4)**

As part of an ongoing education plan, we would like to remind local residents to collect rainwater from rooftops in mosquito proof rain barrels. The water can then be used later to water lawns and garden areas. Do not brush/sweep dirt, leaves, etc. into any storm drain. The purpose of the storm sewers are to direct stormwater runoff to the local streams. If the system is clogged, then localized flooding may occur during a large rainfall event.

#### **PERSONS TO BE HEARD:**

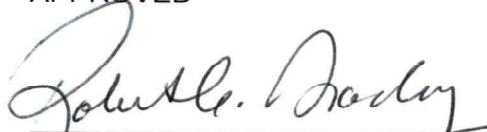
- Ralph Pincek, 211 Lincoln Avenue shared his concerns about Father Marinaro Park.

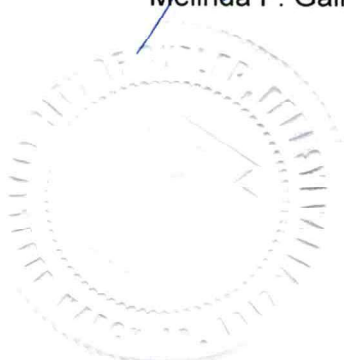
Mayor Dandoy adjourned the meeting at 7:48 PM.

SUBMITTED:

  
\_\_\_\_\_  
Melinda F. Gall, City Clerk

APPROVED

  
\_\_\_\_\_  
Robert A. Dandoy, Mayor



**RESOLUTION 2023-07-27**

**CITY OF BUTLER**

WHEREAS, the City Council of the City of Butler has made application and been approved for Community Development Block Grant (CDBG) Programs, 2019, 2020, 2021, 2022 Entitlements; and 2020 CDBG-CV; and

WHEREAS, the City Council of the City of Butler has designated the Redevelopment Authority of the City of Butler to act as their agent and to carry out the Community Development Block Grant Programs, 2019, 2020, 2021, 2022 Entitlements and 2020 CDBG-CV; and

WHEREAS, the City wishes to revise its 2020 CDBG-CV grant program by reducing three (3) activities and reallocating those funds to another eligible activity in the 2020 CDBG-CV Program and;

WHEREAS, the City wishes to comply with the State regulations governing the use of State Community Development Block Grant-CV funds.

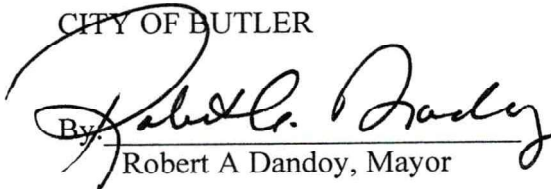
NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Authority of the City of Butler is so directed to revise the 2020 CDBG-CV program as follows:

**2020 CDBG-CV** – Reduce the Fr. Marinaro Parking Lot Reconstruction line item by \$2,045 and the Rotary Park Improvement line item by \$2,935 and reallocate \$4,980 to the Christie Avenue Playground Sidewalk line item; and reduce the Administration line item by \$20,000 and reallocate \$20,000 to the Butler Memorial Park line item.

ATTEST:



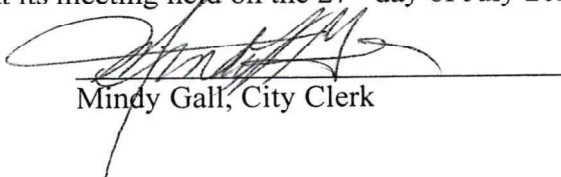
CITY OF BUTLER

By   
Robert A Dandoy, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Resolution and dated by the City Council of the City of Butler at its meeting held on the 27<sup>th</sup> day of July 2023.

(SEAL)

  
Mindy Gall, City Clerk

**CITY OF BUTLER  
BUTLER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2023-07-27A**

A RESOLUTION OF THE CITY OF BUTLER, BUTLER COUNTY, PENNSYLVANIA, ADOPTING AMENDMENTS TO THE ARTICLES OF INCORPORATION OF BUTLER AREA SEWER AUTHORITY.

**WHEREAS**, Butler Area Sewer Authority has submitted to the City Council of the City of Butler a resolution requesting an amendment to the Articles of Incorporation of the Butler Area Sewer Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Butler, and it is hereby resolved by authority of same as follows:

Section 1. The City of Butler hereby adopts the following amendment to the Articles of Incorporation of Butler Area Sewer Authority, which amendment shall consist of the following additional provision in Paragraph 4:

**In anticipation of the transfer and sale of all or substantially all of the Authority's assets, property and projects in exchange for the receipt of a cash payment and in further anticipation of the termination of the Authority, its Board, Executive Director and Solicitor, in addition to any other authority granted by applicable law, shall have the full authority, without limitation to take all necessary action, and to execute any necessary agreements and documents, to wind down the its affairs, to effectuate the transfer of its remaining assets and to terminate its existence.**

Section 2. All resolutions or parts of resolutions not in accord with this Resolution are hereby rescinded insofar as they conflict herewith.

**DULY ADOPTED** by the City Council of the City of Butler on this 27<sup>th</sup> day of \_\_\_\_\_

July, 2023, in lawful session regularly assembled.

**CERTIFICATE**

I, the undersigned, City Clerk of the City Council of the City of Butler, Butler County, Pennsylvania, do hereby certify that the foregoing and attached is a true and correct copy of a Resolution of said city which was duly enacted by the affirmative vote of a majority of all of the members of the City Council of said city at a meeting thereof held on the 27<sup>th</sup> day of JULY, 2023, which meeting was at all times open to the public and of which due notice was given as required by law.

I further certify that the total number of members of the City Council of said City of Butler is five (5), that the vote upon said Resolution was duly recorded upon the minutes of said meeting, and that the members of the City Council voted in the manner following:

<u>City Council</u>	<u>Vote</u>
Daniel G. Herr, Councilman	<u>Aye</u>
Donald L. Shearer, Councilman	<u>Aye</u>
Larry W. Christy, Councilman	<u>Aye</u>
Frederick W. Reese, Councilman	<u>Aye</u>
Robert A. Dandoy, Mayor	<u>Aye</u>

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City Council this 27<sup>th</sup> day of JULY, 2023.

CITY OF BUTLER

(CITY SEAL)

By: [Signature]  
City Clerk

## CITY OF BUTLER MAYOR'S PROCLAMATION

**WHEREAS**, Rail Safety Week is to be held across the U.S. From September 18 to 24, 2023; and

**WHEREAS**, 2,194 rail grade crossing collisions resulted in 803 personal injuries and were responsible for 274 fatalities in the United States during 2022; and

**WHEREAS**, 1,208 pedestrian trespassing casualties have occurred in the United States resulting in 658 pedestrians being killed and another 550 injured while trespassing on railroad property rights of way during 2022; and

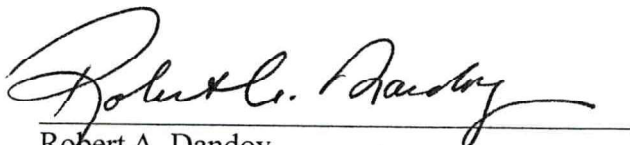
**WHEREAS**, educating and informing the public about rail safety (reminding the public that railroad right of ways are private property, enhancing public awareness of the dangers associated with highway rail grade crossings, enduring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws) will reduce the number of avoidable fatalities and injuries caused by incidents involving trains and citizens; and

**WHEREAS**, the International Association of Chiefs of Police, National Operation Lifesaver, United States Department of Transportation, and all local, state, county, and railroad law enforcement officers, first responders, and railroad corporations commit to partnering together in an effort to educate at a national level all aspects of railroad safety, to enforce applicable laws in support of National Rail Safety Week.

**THEREFORE**, I, Robert A. Dandoy, Mayor of the City of Butler, do hereby attest my full support proclaiming September 18<sup>th</sup> to 24<sup>th</sup>, 2023, as

### “NATIONAL RAIL SAFETY WEEK”

SIGNED and SEALED this 27<sup>th</sup> day of July, Two thousand and twenty-three at the City of Butler, Pennsylvania.



Robert A. Dandoy  
Mayor, City of Butler

