

APRIL 14, 2026 6:00 P.M.

A meeting of the Punxsutawney Borough Council was convened on Tuesday, APRIL 14, 2026, at 6:00 P.M. in Borough Council Chambers, Civic Center, 301 East Mahoning Street, Punxsutawney, PA, with Council President Jessica Smith presiding.

The following council members were in attendance: Jen Blose, David Burkett, Joe Ferrara, Josh McAfoos, Sharon Murray, Jessica Smith, Eric Story.

Others present included Borough Manager Dr. William Spencer, Police Chief Matt Conrad, Fire Chief Chris Smith, Mayor William Clement, Recording Secretary/Borough Treasurer Andy Markle, Solicitor Nicholas Gianvito, and media representatives Larry McGuire of The Punxsutawney Spirit and Brianne Flemming from the Courier Express.

APPROVAL OF BOROUGH COUNCIL MINUTES—REGULAR MEETING MARCH 24, 2026

Upon motion by Councilwoman Blose and seconded by Councilwoman Murray, Borough Council unanimously approved the Borough Council minutes for the March 24, 2026, regular meeting.

APPROVAL OF THE TREASURER'S REPORT—MARCH 2026

Upon motion by Councilman Story and seconded by Councilman McAfoos, Borough Council unanimously approved the Borough Treasurer report for MARCH 2026.

PETITIONS AND COMMENTS

Upon motion by Councilman Ferrara and seconded by Councilman Story, Borough Council unanimously approved the Groundhog Festival 5K on July 3, 2026 from 4 pm – 8 pm. Police Chief Conrad stated he has spoken with Shaun Donald about the course and that police officers will be there to assist with traffic control.

SPLASH

Lisa Switlick, 224 Jenks Ave, 814-952-0722 representing SPLASH came before council asking the current status of the 2026 pool season? We would like to have the pool opening day be May 30, 2026 if at all possible. Council President Smith stated that they would discuss the pool under Old Business.

ENGINEER REPORT

Zac Sansom from EADs stated that Terra Works has started construction on Dinsmore Ave. and is working on installing the storm sewer system. I did do a site visit today. Terra Works submitted a request for a change order for a one-month time extension due to not being able to begin construction at the beginning of March due to snow and weather conditions. The revised substantial completion date is July 27, 2026 and final completion date is August 26, 2026. Change Order number 1 does not modify the contract amount.

Upon motion by Councilman Ferrara, and seconded by Councilman Burkett, Borough Council unanimously approved the Change Order number 1 for a time extension.

Upon motion by Councilman Story, and seconded by Councilman Ferrara, Borough Council unanimously approved the Terra Works' Pay Application Number 1 in the amount of \$79,312.50.

Zac also updated council on the DCED Multimodal Transportation Fund Grant, RACP Grant, and the 2025 Chapter 94 Report.

LEGAL AND FINANCE COMMITTEE

APPROVAL OF GENERAL & SEWER SYSTEM FUND EXPENDITURES—MARCH 2026

Upon motion by Councilman McAfoos, and seconded by Councilwoman Murray, Borough Council unanimously approved the payment of bills (including payroll) from the General Fund for the month of March 2026 in the amount of \$256,067.85 and the payment of bills from the Sewer System Fund for the month of March 2026 in the amount of \$121,365.91.

APPROVAL OF TRANSFER OF FUNDS TO PAYROLL ACCOUNT – MARCH 2026

GENERAL FUND TO PAYROLL ACCOUNT	\$108,197.69
SEWER SYSTEM FUND TO PAYROLL ACCOUNT	\$48,195.81
<u>(Includes Stipend for Borough Treasurer)</u>	

APPROVAL OF TRANSFER OF FUNDS TO PAYROLL ACCOUNT – MARCH 2026 CONTINUED:

GROUNDHOG LANES FUND TO PAYROLL ACCOUNT	<u>\$5,078.34</u>
SOLAR BOND FUND TO PAYROLL ACCOUNT	<u>\$150.00</u>
(Includes Jan-March 2026)	
ECONOMIC LOAN FUND TO PAYROLL ACCOUNT	<u>\$150.00</u>
(Includes Jan-March 2026)	
TOTAL PAYROLL FOR MARCH 2026	<u>\$161,177.84</u>

Upon motion by Councilman McAfoos and seconded by Councilwoman Blose, Borough Council unanimously approved the transfer of funds to the Payroll Account Fund for March 2026.

PUBLIC SAFETY/PUBLIC SERVICE COMMITTEE

APPROVAL OF THE CHIEF OF POLICE REPORT—MARCH 2026

Upon motion by Councilman Story and seconded by Councilman Burkett, Borough Council unanimously approved the report of the Chief of Police for March 2026.

APPROVAL OF THE MAGISTRATE’S REPORT—MARCH 2026

Upon motion by Councilman Burkett and seconded by Councilman Story, Borough Council unanimously approved the report of the Magistrate for March 2026.

APPROVAL OF THE FIRE CHIEF’S REPORT—MARCH 2026

Upon motion by Councilman Burkett and seconded by Councilwoman Murray, Borough Council unanimously approved the report of the Fire Chief for MARCH 2026.

APPROVAL OF JUNIOR MEMBER AT CENTRAL FIRE Department

Upon motion by Councilwoman Murray and seconded by Councilwoman Blose, Borough Council unanimously approved to add Timothy Fetterman as a junior member at Central Fire Department

APPROVAL OF THE CODE ENFORCEMENT OFFICER’S REPORT—MARCH 2026

Upon motion by Councilman McAfoos and seconded by Councilman Burkett, Borough Council unanimously approved the report of the Code Enforcement Officer for MARCH 2026.

APPROVAL OF THE WORKPLACE SAFETY COMMITTEE MEETING—MARCH 2026

No Report

WASTEWATER TREATMENT COMMITTEE:

APPROVAL OF THE PUBLIC WORKS DEPARTMENT REPORT—MARCH 2026

Upon motion by Councilman Story and seconded by Councilman Ferrara, Borough Council unanimously approved the report of the Public Works Department.

APPROVAL OF THE SEWER DEPARTMENT REPORT—FEBRUARY 20226

Upon motion by Councilwoman Murray and seconded by Councilman Ferrara, Borough Council unanimously approved to report of the Sewer Department for MARCH 2026.

APPROVAL OF THE SEWER VACTOR CREW REPORT—FEBRUARY AND MARCH 2026

Upon motion by Councilman Ferrara and seconded by Councilwoman Blose, Borough Council unanimously approved the report of the Sewer Vactor Crew February and March 2026.

POLICE PENSION REPORT—MARCH 2026

There was no report for MARCH 2026.

APPROVAL OF THE LIBRARY REPORT—MARCH 2026

Upon motion by Councilman McAfoos and seconded by Councilwoman Murrery, Borough Council unanimously approved the library report for MARCH 2026.

Council President Smith stated that the library held a meeting on Monday, April 13, 2026 and stated that the library was open on Groundhog Day and had over 250 people come in to look at the Groundhogs. It went very well for being

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LIBRARY REPORT CONTINUED:

open.

SOLICITOR'S REPORT

No Report

MAYOR'S REPORT—MARCH 2026

Mayor Clemment stated that 675 people visited the Freedom 250 truck. I would like to thank the Chamber of Commerce and Joe's Drive-In for the gifts the Freedom 250 workers received.

FIRE CHIEF REPORT—MARCH 2026

No Report

OLD BUSINESS

Borough Council President Smith stated for old business, I want to talk about PA unconsolidated laws, which is the borough code, the PA code that we have to follow under. I know we have a lot of people; you on council; that are unaware of certain things about that code. But there have been people that have been breaking that law. So, I'm going to hand out some things here for you to educate yourselves on. This is basically the relationship between counsel and the borough manager and the employees under the borough manager. According to the Title 8, we have hired a borough manager, so he is our go-between between the borough counsel and the employees. We, as counsel, do not individually be confronting going to the borough employees for information. Everybody should be going to the borough manager. That has not been happening in our borough. It has caused some issues for me. So, this is a reminder to people about what their roles are as employee, borough manager, and counsel. Also, with that this is what can happen if we don't follow the grounds on which we can censor a council member. Censoring a council member is basically the only way we have a punishment. That means council members can come to meetings, they basically get to sit there, not speak. They're only allowed to vote. We have done this in the past to individuals. But going forward, this may happen again if Title 8 is not followed and our employees are continually put into a compromising position.

Another topic for discussion here tonight is going to be Resolution 2020-10. This is our ethics policy. This was put in place before I came on. In here is some very good information for council members. I will read it and pass it on to everybody so we all have their names, date and their signatures on file. According to our ethics policy that we have passed as a borough, we are to We are to strive at all times for council to conduct in keeping with the trust and dignity vested in public service and refrain from making public false statements, derogatory or defamatory comments against fellow council members, borough board and authority members and/or borough employees. We have had some problems with this lately out in the open and behind the scenes so that's why it's being address publicly. We as council members should not be making discouraging remarks about anybody whether it be a group chat, out on the streets, and talking to your fellow council members. Any questions on that?

Also, since this has been brought up also in the recent past this is the contract for the borough manager it was agreed upon on January 5th by a full council that sits here unanimously. In here it states we shall hire and when necessary for the service shall suspend or discharge any employee under his supervision. This is the contract that we all agreed upon and we hire him on. Also, in here it states the employee agrees to devote the time and energy reasonably necessary to faithfully perform the duties of borough manager as set forth herein, and will not have a set schedule in or out of the office. It is recognized that the employee may devote a great deal of time outside of normal hours to the business of the Borough of Punxsutawney. Although the normal work week schedule consists of 40-hour week, the Manager shall develop a schedule as he shall deem appropriate. Voted on by the entire council that sits here right now unanimously according to the minutes which I have also underlined in here. Do we have any comments or statements yet? Okay.

Also, we have some false information that was given out to the newspaper about the solar farm and the property that was bought for the solar farm. Council members were unaware of what they were looking at and they thought it was something else so they made false accusations, false comments here in a meeting, and they also took the reporter of the spirit up to show him the false information. Any comments or questions on this?
Councilman Ferrara asked what was false?

Council President Smith stated those lines that you were looking at the flags, that's not the survey

OLD BUSINESS CONTINUED:

line.

Councilman Ferrara stated they're not? It's not the survey line? Well, then I would like to meet with the surveyor.

Council President Smith stated no they are not.

Councilman Burkett stated yeah.

Councilman Ferrara stated everything's black, painted.

Borough Manager Dr. Spencer stated that Allstate were for the utility pools. Young Associates didn't property survey. So, what's between the lines that you see between that dirt road going up there, that's for the utility pools. There's nothing in between the two property lines. There's our northern state and the southern one. He didn't state anything in between those.

Councilman Ferrara stated well, I'd welcome anybody who will walk the line because the property corner is identified, the other corner is identified, it's flagged and pinned.

Borough Manager Dr. Spencer asked you say the other corner? Are you talking down by the railbed?

Councilman Ferrara interrupted and stated the southern corner and the northern.

Borough Manager Dr. Spencer asked down by the railroad bed?

Councilman Ferrara stated he southern corner, no. It would be the western property line and the southern corner. Let's take a walk. And also, furthermore it was stated that you brought this up to me it was over but you brought this up you stated publicly that that property was needed for the stormwater management plan and it's not. Here's the stormwater management plan right here.

Councilman President Smith stated the stormwater management plan has been revised because the plan that was initially in place was not going to work.

Councilman Ferrara stated that's one that's permitted.

Borough Manager Dr. Spencer stated that plan has been changed so that date is the 28th. The stormwater management plan was produced on the 28th. So, we've already had meetings with the county and EIS to change the stormwater management plan to have it run down over this property now that we are.

Council President Smith stated otherwise it would have run onto other people's property.

Councilman Ferrara stated well that was the permit that was issued by the conservation district.

Council President Smith stated again if you would talk to the borough manager and get an understanding of what is going on instead of jumping the gun and claiming things that you are not 100% sure on; things would go a lot smoother. I have not mentioned any names I have not called anybody out; I am simply reminding everybody that's sitting here what is going on what they're supposed to be doing and what they're not supposed to be doing. This is my formal warning in public before I start procedures for censoring.

Councilman Ferrara stated go ahead and you'll be talking to my attorney if you do that.

Council President Smith stated I talk to him. I have text messages. I have people willing to give statements, I do my homework and I find facts out.

Councilman Ferrara stated Fine text messages are a form of communication constituents so you're infringing upon First Amendment rights now.

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OLD BUSINESS CONTINUED:

Council President Smith stated No I was not.

Councilman Ferrara stated I think you are if we can't talk to our constituents.

Council President Smith asked When did I say that?

Councilman Ferrara stated You just did.

Council President Smith stated I said you won't be able to be disruptive and make false accusations and be discouraging to our employees during a public meeting. I didn't say you couldn't go out and talk to people.

Councilman Ferrara stated I think that's what you're implying.

Council President Smith stated I think maybe you should educate yourself a little more.

Councilman Ferrara stated Well, I think you should too. Especially on property surveys and property lines.

Borough Manager Dr. Spencer stated so, here's what we use you know to determine the property line The first one you see that's from Young and Associates. I called him up and got this survey line. What you'll see is three locations circled. That's what we've been dumping. Those three locations. So, this line though that's the first that's from Young Associates. The second thing that I used was a relief map from our county line and for starters these things are not to the tee. I didn't go on I don't snap a chalk line used for general purposes. You can see on the relief map the dark red above where it says Punxsutawney and then the big part down here. This is the normal dump; this is the one on top. The real concern was the one on top. So, I'm not sure where all you guys went. The bottom dump is close as you can see by this one. Again, these are not perfect but they're generally pretty close. The other one which is a more commercial application shows an aerial photo. You can see the upper line; up in here is the dump area that we were the most concerned about. This up here. So, whenever I talk about dumping concrete it's up over the line. That's why I was confused. This is the area; not down here not in the lower. Like this is close but the upper one is where the real issue was. There's another aerial a little bit closer. I even had the mayor up there and we walked around; Bill saw it and on the back page I'm holding the thing you can see me. I'm standing on the line the blue dot and the building is walking back. So, we did try to triangulate this property line in accordance with the dump in accordance with the stormwater management plan. We know it runs downhill that way, it's better. The solar farm is going on; if you look at the very first page; the solar farm is going in this upper lot not the lower one. So, it's going up in here. So, now we can scooch it over this way because the water now will all run off this way on the farm property and there won't be any real concerns about runoff easements or the need for runoff easements. So, that was the rationale behind it If there was a better way to do it, I'm not sure but this is the best we could do to triangulate the property where the mine was and all those things.

Councilman Story asked Councilman Ferrara Did you just get these?

Councilman Ferrara stated I don't have them I just got them.

Councilman Story stated my question is going to be this; As he's explained every one of them you never took a look at those.

Councilman Ferrara stated I was listening to him.

Councilman Story stated I was also looking at these so I knew what he was talking about.

Councilman Ferrara stated I'll look at them but I was listening to him.

Councilman Story asked Tell me what he said about the third one in here.

Councilman Ferrara asked the third one? The one at the northern end. He said they identified some kind of dump area on the northern end of the property. That's what I heard him say.

OLD BUSINESS CONTINUED:

Councilman Story stated about the third photograph. Never mind Joe, I understand .

Council President Smith stated Alright, coming forward with that same topic. We had a discussion last meeting about why we bought it, who said what and we had borough council members stating that an employee told them that it was purchased to help a friend out. Any questions? Comments? We are not going to sit here and listen to it anymore. We're not going to get the text in the group chat with you making comments about the absentee borough manager. You approved it just like we did.

Councilman Ferrara stated I was not here.

Council President Smith stated you were on the phone and we have an email stating that you were going to get on my phone.

Councilman Ferrara stated and I didn't vote; I listened; I didn't vote.

Councilman Story asked you didn't say yay or nay?

Councilman Ferrara stated no I could barely hear. I could barely hear what is going on.

Council President Smith stated we're not doing it anymore. If you have questions, if you need help with something you are to go to the borough manager. And that is not us at the council, that is PA law.

Councilman Ferrara stated that's fine, if he's here, I'll go to him.

Council President Smith stated I have no issue getting on one of him. Do you know how to work your phone? Yes or no?

Councilman Ferrara stated I don't have to answer that.

Council President Smith stated alright please as a reminder the chat is a forum. What you put in there will break the Sunshine Act if you're not careful. If somebody puts a reminder out there, you're going to come back with comments that would be breaking the Sunshine Act.

Councilman Burkett stated breaking the Sunshine Act?

Council President Smith asked do you know what the Sunshine Act is?

Councilman Burkett answered yes.

Council President Smith asked What does it state?

Councilman Burkett answered it talks about what you can discuss as a quorum, right?

Council President Smith stated the group chat is a quorum.

Councilman Burkett asked What about what you said that he was in violation of the Sunshine Act. He said he was allowed to talk to his constituents. That's all he said. You gave a reminder. You just said that he was allowed to talk to his constituents. There's nothing to discuss policy-wise there. Nothing's even suggesting a policy discussion or a position.

Council President Smith stated You're walking a line. You're walking a very close line I'm just reminding you. If you can't educate yourself, I will educate you for you. Now Do we have any questions or comments?

NEW BUSINESS

Opening of George C. Brown Pool

All the information has been passed down that we have received and it's open for discussion on what council wants to

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NEW BUSINESS CONTINUED:

do. Anybody have any questions or comments? Just so everybody is aware of what we have in our packets, we have some common models for running a municipal pool. These are different examples that are used for boroughs our size, bigger, and smaller who have pools. There's also a possible structure for us and SPLASH. There are profit and loss in the last five years I believe. And there's also a letter from the insurance company; PennPrime; this is in regards to Splash not being covered under our insurance. And there's also a time frame from EADS. So, that is what is in our packets that everybody is looking at.

Councilman McAfoos asked as I read the letter from PennPrime, if we approve it is SPLASH covered if something happens?

Council President Smith stated currently no, we don't have any sort of agreement with them. There's no connection that would allow them to be covered under that.

Councilman McAfoos asked if we have ever had an agreement with them?

Council President Smith stated no, not that I'm aware of. It was offered a couple of years ago but they didn't get an agreement.

Councilman Story asked so they would have to get insurance on their own?

Council President Smith stated yes.

After some discussions with council and SPLASH it was decided that if an agreement could be made for an insurance policy to be obtained by SPLASH that the pool could open for the 2026 season since the renovation timeline will not start until the spring of 2027.

Lisa Switlick of SPLASH stated they had a board meeting scheduled for Wednesday, April 15, 2026 and would meet with Borough Manager Dr. Spencer on Thursday, April 16, 2026 with the agreement of managing and of the insurance policy for the pool.

Upon motion by Councilman Story and seconded by Councilwoman Blose, Borough Council unanimously approved to open the pool as long as there is a signed agreement between Splash and the Borough that's approved by the insurance company.

OLD BUSINESS

COP CARS

Councilman McAfoos asked about the replacement of the cop cars since the parking meters were taken out. How are we going to purchase new ones?

Police Chief Conrad stated that IUP is looking into leasing lot 2 after they are done building the new building and business owners along N. Findley Street asked about leasing parking in lot 1. They are to get a collective group and then come to council and see how many spaces they wanted to lease. That would offset some of the lost revenue.

Councilman McAfoos stated that he will bring it up again in October to see what has been done.

EMPLOYEE EVALUATIONS

It was discussed that the evaluation forms from Councilman Story and the policy manual would be in everyone's packet for the next meeting.

NEW BUSINESS CONTINUED

PA AMERICAN WATER COMPANY PRESENTATION

Rob Meston from PA American Water Company came before borough council to give a presentation on investing in the sewer treatment plant.

Upon motion by Councilman Story and seconded by Councilman McAfoos, Borough Council unanimously approved the beginning of the due diligence started on PA American Water to invest in the sewer treatment plant.

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NEW BUSINESS CONTINUED:

Councilman Story asked if the code enforcement officer could somehow keep track of phone calls that she gets for complaints so there is a record incase if there is a legal issue that arises with the one who is making the complaints and the one who is being harassed.

Council President Smith stated that the borough manager could come up with a plan for the code enforcement officer to keep some type of call log.

BOROUGH MANAGER REPORT

PSAB

Upon motion by Councilman McAfoos and seconded by Councilwoman Blose, Borough Council unanimously approved the Jessica Smith and Eric Story as voting delegates for PSAB Annual Conference.

Line of Credit

Upon motion by Councilman Ferrara and seconded by Councilman Story, Borough Council unanimously approved that we exercise the line of credit from InFirst Bank and contingent upon only when it's absolutely necessary. When all the grant funds have been disbursed and then we use the line of credit to pay off the balance of the other contractor.

Accounting Software

Upon motion by Councilman Ferrara, Borough Council unanimously agreed by council to table the purchase of Edmunds accounting software until more information from Andy can be discussed on the modules that will need to be purchased.

IUP Redevelopment

There is a drawing of the redevelopment for the IUP corner in your packet just for your information.

CDBG

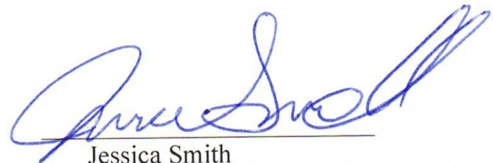
The first public hearing for the 2026 CDBG fund will be on April 20, 2026 at 5 pm to discuss projects for funding to be used on.

ADJOURNMENT

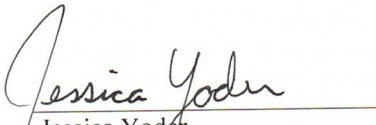
There being no further business to come before Borough Council, the meeting was adjourned at 8:20 p.m. upon motion by Councilman Story, seconded by Councilwoman Blose.



Dr. William Spencer
Borough Manager



Jessica Smith
Council President



Jessica Yoder
Recording Secretary