

**BOROUGH OF AMBRIDGE**  
**MINUTES**  
**Council Meeting: February 12, 2019**  
**Ambridge Borough Building**



- **Executive Session – Personnel, Real Estate and Legal Matters**
- **The February 12, 2019 meeting of Ambridge Borough Council was called to order at 6:30PM within Council Chambers of the Ambridge Borough Building, 600 11<sup>th</sup> Street.**

- **Roll Call:**  
Present:

Mr. Cafarelli  
Mrs. Caldarelli  
Mr. Dunn  
Mr. Flannery  
Mr. McCoy  
Mrs. Miller  
Mr. Mikulich  
Mayor Drewnowski

Also Present: Borough Manager Kauer, Solicitor Start, Chief Gottschalk, Chief Romutis and Engineer Suehr

Absent: None.

- **Invocation** – the invocation was conducted by Mr. Barbara Costa, Trinity School for Ministry.
- **Pledge of Allegiance**
- **Presentations**  
Solicitor Richard Start, Esq. read an open letter to Ambridge Citizens and Employees regarding the claims made by the Ambridge Police Wage and Policy Unit. Letter attached to minutes to be part of the record.
- **Citizen’s Participation On/Off Agenda Items (5 minutes per speaker)**
  1. **Ms. Jodi Gill, 909 11<sup>th</sup> Street**, stated that in August she spoke before Council asking them to consider retaining outside legal counsel due to a conflict of interest she believes exists between Solicitor Start and Chief Mann. She stated that in August 2017 the Ambridge Police Officers completed racial diversity training. She questioned the costs of that training including legal costs. She also questioned what company performed this training; will there be additional training for the officers and if that training will be put out for public bid. Mr. Mikulich asked Ms. Gill to please contact the Borough Office to get this information.
  2. **Mrs. Lorianne Burgess, 570 Merchant Street**, stated that Council’s attitude towards the Ambridge Police Officers is pathetic and that our officers deserve respect. She thanked the women officers for coming forward. She demanded Chief Mann be fired for his actions.
  3. **Ms. Karen Molinaro, 512 Phillips Street, Baden Borough**, informed Council that her daughter was arrested and a victim of the opioid epidemic. She stated that when her daughter was arrested, Chief Mann was disrespectful toward her, telling her that her daughter will be going to Muncy, a state prison. She stated that he told her “you have another daughter, bring your other daughter down to sit on my lap and we can talk about this daughter.”

4. **Mr. Richard Grabowski, 1800 Duss Avenue**, expressed concerns about the Shell Falcon Gas Pipeline proposed to be constructed under the tributaries of the Ambridge Reservoir. He stated that the community has eight days to give its feedback to DEP. He encouraged the community to include school children so that their voices are heard about the future and this project. Mr. Mikulich stated that the DEP has had a number of public meetings leading up to now. He stated that Council has been working with the Water Authority (AWA) to help prevent this construction project that has a direct impact on 40,000 people and their water source. Mr. Mikulich stated that AWA now has plans in place to supply an emergency backup water source and to prevent contamination of the reservoir if something would happen to the new gas pipeline. He also added that the Council sent DEP a letter asking for the pipeline to be constructed elsewhere.
5. **Mr. Dan Campbell, 270 Boyleston Street**, questioned Council why the new park on Henning Street is being built there, it should be built on New Economy Drive. Mrs. Miller stated that she has worked for four years to get that lot on Henning Street donated to the Borough. Mr. Campbell expressed safety concerns of the new playground. He also complained about speeders on Boyleston Street.
6. **Mrs. Joelene Maslanik, 609 Merchant Street**, stated that the Solicitor's Open Letter to the community is an insult. She stated that the public demands Chief Mann be terminated and that Solicitor Start is in "cahoots" with Chief Mann.
7. **Mr. Steve Athonis (spelling? / did not sign in), 537 Merchant Street**, stated he used to live within Crestvue Village and stated that he has concerns about crime in the village. He stated that "Randy" told him that we are not allowed to call for the police. Mr. Mikulich stated that no "Randy" works for the Borough and that no Borough employee or official would prevent you from calling for the police.
8. **Mrs. Tina Tessaro, 801 12<sup>th</sup> Street**, stated that she is a member of the Crime Watch Group and expressed a desire that the recently expired contract with the Housing Authority be renewed to provide the extra police patrols. She is concerned about crime spreading throughout the community if these extra patrols are not reinstated. Mr. Mikulich stated that the Housing Authority properties are owned by the County, they have a Sheriff's Department that could patrol their properties.
9. **Ms. Jolene Randolph, 1026 Melrose Avenue**, stated that she is new to the community, moved here to be close to her daughter who lives on Beaver Road. She encouraged the Borough leadership to listen more. She found the manner citizens were treated tonight distressing and feels that the Council does not listen to the citizens' concerns. She stated that diversity is about valuing all.

- **Approval of Previous Meeting Minutes**

**January 8, 2019, Council Meeting**

Mrs. Caldarelli made the motion to accept the minutes, seconded by Mr. McCoy; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- **Borough Bills and Expenses**

Motion to Pay the Bills the following bills was made by Mr. Flannery, seconded by Mr. Dunn; a roll call vote was taken:

1.	General Fund	Unpaid: \$97,747.62	Paid: \$51,026.95
2.	2016 Capital Project Bond Fund	Unpaid: \$30,538.31	
3.	Grants / Special Project Fund	Unpaid: \$2,167.75	
4.	Recreation Fund	Unpaid: \$0.00	Paid: \$0.00
5.	Escrow Fund	Unpaid: \$0.00	
6.	Police Pension Fund	Unpaid: \$0.00	
7.	Service Employees Pension Fund	Unpaid: \$955.97	
8.	Firemen's Pension Fund	Unpaid: \$2,853.98	
9.	Drug Investigation Fund	Unpaid: \$6,907.22	

Mr.  
Mrs  
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Mr.  
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Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- Consent Agenda:**

*Those matters included under the consent agenda are self-explanatory and are not expected to require further review or discussion. Items will be enacted by one motion. If discussion is desired by any member of Council, that item must be removed from the consent agenda and considered separately.*

Motion to approve Items 1 through 10 listed on the Consent Agenda was made by Mr. McCoy, seconded by Mrs. Caldarelli, motion carried unanimously.

- Borough Financial Report - acknowledge receipt of the Borough Treasurer's Report.

### Treasurer's Report February 12, 2019

Marilyn Sheleheda - Treasurer

<b>General Fund Analysis</b>
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\$453,890.63	General Fund Bank Account Balance as of:	-(February 12, 2019) -3:00 pm
\$137,413.64	All Outstanding Checks as of:	-(February 12, 2019) -3:00 pm
<b>\$316,476.99</b>	<b>Available Balance as of:</b>	<b>-(February 12, 2019) -3:00 pm</b>

<b>General Fund Summary:</b>	<i>Totals are as follows:</i>	
	Deposits:	<b>\$581,207.72</b>
	Debits:	<b>\$495,935.43</b>
	-which include the follow	
	89 <u>Checks &amp; Debits</u>	\$257,684.62
3 <u>Payroll (s)</u>	\$238,250.81	

Other Fund Balances as of (February 12, 2019) 3:00 pm	
\$27,657.99	Ambridge Borough Drug Investigation Fund
\$1,086,521.67	Ambridge Capital Project Fund 2016-PLGIT Account
\$7,755.18	Ambridge Fire Apparatus Replacement Fund
\$10,379.97	Escrow Disbursement Account
\$25,850.11	Grants/Special Funds
\$3,180.77	Liquid Fuels Fund
\$34,392.52	Recreation Fund
\$43,261.78	Sinking Fund
<b>\$1,238,999.99</b>	<b>Total Other Funds Balances (Restricted Use)</b>

- Authorize the Ambridge Volunteer Fire Department to conduct a Cash Bash fundraiser within the Fire Station on April 13, 2019 from 6PM to 10PM.

- Authorize Representative Robert Matzie to use Walter Panek Park on Saturday, May 18th from 10 AM to 1PM for a free paper shredding event.

4. Authorize conducting Household Hazardous & Electronic Waste Recycling events, in partnership with Environmental Coordination Services and Recycling on Saturday, April 13, 2019 and Saturday, July 27, 2019 at the Borough Building.
5. Authorize conducting a Tire Collection and Recycling Event in partnership with the Independence Conservancy on Saturday, October 5, 2019 at the Borough Building.
6. Authorize Ambridge Alliance Church to use PJ Caul Park for outdoor church services within the park the fourth Sunday of each month April through August, between the hours of 11AM and 12:45PM.
7. Accept the resignation of part-time Patrolman Jeremiah Curtis effective February 12, 2019.
8. Authorize the disposition and public auction via www.Municibid.com of surplus police cruisers, units 301 and 304.
9. Authorize applying for a Community Development Block Grant to reconstruct and add electrical services at the two Melrose Avenue municipal parking lots.
10. Authorize the Committee to Clean and Beautify Ambridge to use the Fire Station for their annual Pierogi and Chili Cookoff on April 7, 2019.

• **New Business - Items for Discussion:**

- A. Motion to adopt Resolution No. 1-2019, a Resolution of the Borough of Ambridge, County of Beaver and Commonwealth of Pennsylvania, decommissioning the K-9 Dog named and known as Hector, and vesting title to Hector in Officer John Chickos. Motion was made by Mr. Cafarelli, seconded by Mr. McCoy; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- B. Motion to authorize the purchase of a 2019 Ford Interceptor Police Unit, at state Costars contract pricing, with supplemental emergency up-fitting equipment and in-car camera at a total price of \$39,838; payable via a four year purchase / lease agreement with the first two years of payments payable from the Drug Forfeiture Fund per the written authorization of District Attorney David Lozier, dated October 18, 2018. Motion was made by Mr. Flannery, seconded by Mr. Cafarelli; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- C. Motion to authorize the purchase of a 2013 Ford Explorer Interceptor from the Borough of Baden at a price of \$8,500 to be used by the Fire Department for Code Enforcement and Inspection duties. Motion was made by Mrs. Miller, seconded by Mr. McCoy; Mr. Cafarelli questioned the vehicle's mileage. The Manager informed Council that the SUV has approximately 50,000 miles on it. The Fire Chief explained that the vehicle will be used for inspections and will reduce wear and tear on the pickup truck. A roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- D. Motion to grant a Certificate of Appropriateness to construct a fence at 68 15<sup>th</sup> Street per the recommendation of the Historical Architectural Review Board. Motion was made by Mr. Flannery, seconded by Mr. McCoy; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- E. Motion to grant a Certificate of Appropriateness to grant a Certificate of Occupancy for a daycare facility and minor exterior improvements at 1231 Merchant Street per the recommendation of the Historical Architectural Review Board. Motion was made by Mr. Flannery, seconded by Mr. Dunn; Mr. Flannery stated that he attended the HARB meeting where these two applications were discussed. He stated that both applicants attended and are supportive of the program; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- F. Motion to ratify the participation in the 2019/2020 Costars state-wide annual Rock Salt contract. Motion was made by Mr. Flannery, seconded by Mr. McCoy; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- G. Motion to authorize payment in the amount of \$59,007.23 to Baiano Construction for Invoice No. 5 of the Merchant St. Streetscape Project. Motion was made by Mr. McCoy, seconded by Mrs. Caldarelli; the Borough Manager explained that the streetscape project is broken into two contracts, the General Construction and Electrical contracts. Of the \$1,500,000 grant that the County is managing for the project, the electrical work is paid solely by the grant and all of the general construction grant funds have been expended so all general construction invoices will be now paid by the Borough as part of its match for the project. A roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- H. Motion to authorize the acceptance of Change Order No. 3 for the Merchant St. Streetscape Project in the amount of \$7,200 for additional work in the Phase 3 area including additional storm sewer and demolition work. Motion was made by Mr. Flannery, seconded by Mrs. Miller; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- I. Motion to authorize Kress Brothers Builders to secure and improve the south wall within the Merchant Street Streetscape Park area at a cost not to exceed \$20,500. Motion was made by Mr. Flannery, seconded by Mr. McCoy. Manager Kauer explained that the wall of the former building to the south of the park lot is owned by the Borough and is not part of the Anderson Candy Building. He stated that areas on it are falling and contain loose bricks. To continue building the park, the wall needs stabilized and made safe so that streetscape construction can continue and so that the future park is safe. He stated that bids have been received, this is the lowest bid received and this contractor performed the same work to the Vocelli Pizza Building in the 400 block of Merchant Street. He stated that if Council desires to paint and parge the wall that would be a separate contract. A roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- J. Motion to authorize the replacement of the Borough Building roof-top HVAC system and award contract to Tudi Mechanical at state Costars pricing of \$39,950, with the Ambridge Water Authority and Ambridge Municipal Authority each contributing \$7,860 to the project. Motion was made by Mr. McCoy, seconded by Mrs. Caldarelli; Manager Kauer explained that the HVAC system is over 25 years old, original to the Building and routinely needs repair. It was discussed upgrading the system as part of the 2019 budget paid with the 2018 surplus. A roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- K. Motion to authorize the disbursement for Payment Application No. 3 and Final to Sports and Recreation Associates, LLC, in the amount of \$19,638.50 for the Ambridge Park System Improvements Project. Motion was made by Mrs. Miller, seconded by Mr. Flannery; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- L. Motion to authorize the execution of a lease and maintenance agreement with Toshiba Business Solutions in the amount of \$257.03 per month for 63 months for the purchase of a new copy machine. Motion was made by Mr. McCoy, seconded by Mrs. Caldarelli; the Manager explained the current machine is over

seven years old and no longer covered by a maintenance agreement. This purchase was discussed during the budget process and multiple quotes were received with Toshiba being the most affordable. Of this monthly payment it is split, approximately half being the equipment lease, the remaining being maintenance and supplies. A roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- M. Motion to authorize and establish the 2019 Street Sweeping Schedule to operate starting April 1, 2019 and concluding October 4, 2019, running every other week. (*Discussion: consider additional parking restrictions October 21<sup>st</sup> through December 6<sup>th</sup> for Leaf Pickup requested by the Public Works Department.*) Motion was made by Mrs. Caldarelli, seconded by Mr. Cafarelli; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- N. Motion to authorize the Solicitor to prepare an Ordinance that would amend the Borough's zoning regulations to provide regulations that would govern the construction and placement of small cell facilities within the Borough. Motion was made by Mr. Flannery, seconded by Mr. McCoy; Manager Kauer explained that with the expansion of 5G cellular phone service, phone providers are constructing these repeater type devices within the right of ways on utility poles, they are different from the traditional cell phone tower. He stated that three are under construction in town as we speak, two in front of the high school and one at 21<sup>st</sup> Street and Beaver Road. The goal is to regulate the placement of the small cell devices through zoning which is permitted by the state legislature. Mr. Flannery stated that the Beaver County Council of Governments is also discussing ways municipalities can address this issue and that he will keep Council informed as well; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

### • Committee Reports

1. **Code Enforcement Committee:** Mrs. Caldarelli reported that all code activities and programs are ongoing. She also reported that this past month 42 ordinance violation notices were sent out.
2. **Public Safety:** Mr. Flannery reported that the committee will be meeting later this month with District Attorney David Lozier to discuss new police programs and initiatives he'd like to include Ambridge in. He'll have a report for the next meeting.
3. **Public Works:** Mr. Cafarelli reported the following:
  - Christmas Tree Recycling was completed through February 1st.
  - Crew has been busy with winter maintenance activities of the roads and public sidewalks.
  - DPW has been cutting out the old Meter Posts from the commercial districts. They are about 60% complete.
  - Crew built additional traffic horses -- now have a supply of 32 barricades.
  - Streetscape Project -- crew is refurbishing parking meters for the public lots and also painting the backs of signs that will be hung in the downtown

- Equipment Maintenance:
    - o Red F-550 Dump Truck – 4x4 repair, transmission cable and brakes replaced. The snow plow lift cylinder was also repaired.
    - o F-350 Stake Bed Truck was inspected
    - o Bucket Truck – boom electrical repairs were completed.
    - o F-650 (5-ton) Dump Truck is out right now for brake repairs.
  - Sign maintenance is on-going, replacing missing signs and repairing damaged locations.
  - Ongoing maintenance has been dedicated to filling pot-holes and repairs to multiple alleys.
  - Foreman responded, marked and reported multiple PA-One Call requests.
4. **Parks:** Mr. Mikulich told Mrs. Miller that she and her family are in everyone’s thoughts as you cope with your ill father-in-law.

Mrs. Miller stated that the Recreation Committee will be meeting this week to start planning the design of the new playground at Henning Street. She apologized to the citizen audience if she came off harsh; she stated that she is very passionate about this project to bring a playground to the Historic District. She stated that she has been recently verbally accosted at local shops and the grocery store while out with her daughter. She stated that her father, who was also a member of council, when she was a child, was never treated this way, and stated that it isn’t right or fair.

Mr. McCoy stated that members of Council are paid \$88 per month; it doesn’t even cover the costs of a cell phone. He stated that the citizens should be proud of the actions of Council, as members of Council love this town and its people.

Mrs. Caldarelli stated that it is wonderful to see the large amount of citizens here tonight when things are bad, but questioned where was everyone recently when Council was paving streets, moving forward with the streetscape and pulling off 14 years without a tax increase.

Mr. Mikulich stated that Council is here to serve and protect the citizens and employees. He stated that our police officers and all borough employees work hard and deserve our respect. Mr. Mikulich added that Council and the Mayor cannot speak about litigation; it is out of our hands. He stated that he is very frustrated and affirmed Council is not protecting anyone who may have broken the law. He added that once the investigations are over, we will be able to discuss the reports, but now we cannot speak on these matters.

5. **Engineer’s Report:** Engineer Suehr reported that the park project is complete; redoing the line striping and grass seeding will be completed in the spring. Regarding Merchant Street repaving, he stated that after the streetscape project is complete, the plans and specification to facilitate the paving is ready to be put out to bid. He added that the contract for paving has a 45 day turnaround so that work is done by August.

The Engineer stated that the Borough’s Pollution Reduction Plan to reduce sedimentation to French Point Creek is moving forward, he met with the Public Works crew, supplied mapping where the new catch basin nets are to go and explained what is expected with the crew.

He commented that he has reviewed the proposed Palichat Subdivision Plan for a property on North Walnut Street. The plan will be reviewed by the Borough’s Planning Commission on February 21<sup>st</sup>. Lastly, he added that he has been working with the Manager to develop a project scope and estimate to seek grant funding to reconstruct the two Melrose Avenue parking lots.

Mr. Mikulich reported that the new street lights on Merchant Street that have been installed as part of the first half of the Streetscape Project are now lit.

- **Official Reports**

1. **Motion to accept the Official Reports;** motion was made by Mr. McCoy, seconded by Mr. Flannery; a roll call vote was taken:

Council	VOTE	Council	Vote
Mr. Cafarelli	Yes	Mr. McCoy	Yes
Mrs. Caldarelli	Yes	Mrs. Miller	Yes
Mr. Dunn	Yes	Mr. Mikulich	Yes
Mr. Flannery	Yes	Mayor Drewnowski	

Motion carried.

- **Other Unfinished Business**

Mayor Drewnowski talking to the audience stated that he spoke with Council to reinstate the Housing Authority patrols. He stated that he is afraid of crime there in the coming summer months. Mr. Mikulich stated to the Mayor that his comments are out of line, they were matters discussed in Executive Session.

The Mayor stated that Chief Romutis has a map, mapping crime in Ambridge. He stated that the officers are doing an excellent job, working as a group. The Mayor stated that he recently wrote an article for the Borough's newsletter highlighting that crime in Ambridge is down 30% compared to this time last year. He commended the officers and community for this achievement. The Mayor stated that Crime Watch meetings are now held on the second Monday of each month at 7PM. He also stated that this past month there were three drug raids within the Borough. Lastly, he stated that the Police Department is moving forward and that he believes in due-process.

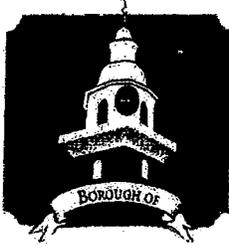
- **Adjournment –**

Motion to adjourn was made by Mr. Flannery, seconded by Mr. McCoy; motion carried unanimously – meeting was adjourned at 7:55PM.

Respectfully submitted:



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Joseph Kauer  
Borough Manager / Secretary



**BOROUGH OF AMBRIDGE**  
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February 12, 2019

**AN OPEN LETTER TO THE RESIDENTS & EMPLOYEES  
OF THE BOROUGH OF AMBRIDGE**

All concerned residents and employees,

I am writing this letter in my capacity as the Solicitor of the Borough of Ambridge and with the knowledge and consent of at least a majority of Borough Council. If any Council Person disagrees with the content of this letter, he or she may state their disagreement.

The past year has been what can only be described as tumultuous times within the Borough and in particular, conflicts between Borough officials and some members of the Ambridge Police Department. The purpose of the within letter is intended to respond to the publicized "Vote of No Confidence" that was recently reported in the print and news media. This letter is also intended to rebut the claims that the Borough has lacked transparency that was delivered in a flyer to many homes in Ambridge last week. It is not my intention to create more conflict, rather, it is my intention to publicly recite correct and accurate facts regarding these matters so that Ambridge Borough Citizens can assess the actions of Borough Council based on actual facts, not innuendo and false information.

The Borough Council has reviewed the February 4<sup>th</sup> correspondence from the Ambridge Police Bargaining Unit and statement relative to the Police Bargaining Unit membership's concerns. They too share in those frustrations and concerns; however the statements that were made to the media by the Bargaining Unit without ever addressing them first with Borough Council, contained statements that were not factual, inaccurate and false, potentially misleading the Ambridge citizens.

- 1. Claim: "The first issue that is concerning the entire Bargaining Unit is the lack of response to the sexual harassment complaints made against James Mann. In March of 2018 complaints were made against James Mann. The Borough asked for the complaints to be submitted in writing. The complaints were again submitted this time in writing. No action was taken against Mann. At least one victim was forced to work the same time as Mann... There have not been any statements to the members of the department assuring the members that sexual harassment would not be tolerated or any assurance to the victims that the Borough was attempting to rectify the situation."***

**Response:** First let me be clear that at no time was any employee forced to work with Chief James Mann as the following time line will show.

- April 4, 2018 - A member of the Police Bargaining Unit was issued Notice of Disciplinary Action
- April 5, 2018 - The Borough Manager verbally received the first complaint of sexual harassment.

- April 6, 2018 - Measures were immediately taken to remove Mann from the workplace, Chief Mann did not work from April 6<sup>th</sup> to April 10<sup>th</sup>
- April 10, 2018, the Borough Council unanimously passed three Motions, to-wit:
  1. A motion that this council impose the disciplinary action of a 30 day unpaid suspension upon the Ambridge Borough Police Officer discussed in Executive Session - *This 30 day suspension was imposed as a result of irregularities in the Patrol Log of the Police Officer who was assigned to the County Housing Authority.*
  2. A motion that this Council place James Mann on paid administrative leave pending further investigation and possible future action by this Council - *The administrative leave imposed on James Mann was in response to the above-described sexual harassment complaints and indication from investigating authorities that criminal charges would be filed against James Mann imminently.*
  3. A motion that this council appoint CSI Corporate Security and Investigations, Inc., to conduct an independent investigation of the Ambridge Borough Police Department - *The action taken to appoint CSI to conduct an independent investigation of the Ambridge Borough Police Department was directed towards both the above described underlying claims against James Mann and discovering if other Patrol Logs regarding Housing Authority Details contained irregularities.*

The Minutes of that April 10, 2018 meeting recite that I publicly directed that Borough Council and the Mayor not make any comments on the personnel matters that must remain confidential. Following the April 10, 2018 action by Borough Council, numerous requests were made to the Office of the District Attorney to promptly file whatever criminal charges it was contemplating against James Mann so that his suspension could be converted from paid to unpaid and the CSI investigation could continue.

Criminal Charges were eventually filed against James Mann on August 23, 2018 and Borough Council immediately convened a Special Meeting on August 30, 2018 at which time, his suspension was changed to without pay or benefits pending final disposition of these Criminal Charges. Those Charges are still awaiting final disposition. The Police Department needed direction and with the entire Police Department under investigation the decision to go outside of the Department was made. Based on the excellent service record of Chief Romutis and his prior service as Chief of Police, Borough Council appointed Mark Romutis as Interim Chief of Police.

Both of the employees who filed sexual harassment complaints with the Borough, also filed EEOC complaints. These Complaints were immediately forwarded to outside legal counsel per the Boroughs insurance policy requirements. The outside legal counsel has advised me that those claims have not moved forward in the office of the EEOC or through private counsel for the Claimants. Due to the fact that these complaints are in litigation, Borough Council Members cannot comment on or answer any questions regarding these allegations.

2. ***Claim:*** ***“CSI completed the investigation in July of 2018. The Investigators took statements from employees of multiple agencies as well as Borough employees. The bargaining unit has been told that CSI authored a report and submitted it to the Borough. It has been reported to the Unit, off-the-record, that the report is some eighty pages in length and recommends Mann’s termination.”***

**Response:** The independent investigation that is being conducted by CSI was not completed in July 2018, and has been placed on hold at the request of the Beaver County District Attorney’s Office. Interviews of eleven individuals (only eight (8) of the 22 member Police Department have been interviewed to date) were conducted in May and June, 2018. The only document that was received by the Borough’s legal Counsel was a partial report which is a summary of those eleven interviews and is far less than 80 pages. This remains an incomplete report. There have been no recommendations given or implied by CSI. I personally spoke with

the CSI Investigator on February 7, 2019, about these alleged "off the record" statements attributed to him and he assured me that:

1. He did not indicate that this partial report was a final report;
2. That he never stated, as has been reported, that the report was 80 pages long;
3. That this partial report made no recommendation that Mann be terminated.

Once CSI investigators are allowed to continue their investigation as was authorized on April 10, 2018, the remaining investigation of the Police Department will be completed and then a report will be delivered to the Council for its next steps in a plan of action. This matter is of personnel and an on-going investigation, in accordance with all existing laws, confidentiality and nondisclosure will be strictly followed. The cost of the investigation to date is \$9,343.45.

3. ***Claim: "The third issue in the letter was the lack of communication between Council and the Police. Officer John Chickos, a Bargaining Unit Representative, was told by Councilmember Bob Dunn and Tina Miller that they were advised by the Borough Solicitor not to communicate with Officers."***

**Response:** The lack of communication is being misconstrued and misinterpreted by the Borough Police Officers. The claim that the members of Council were advised by me to not communicate with the Officers is correct in nature regarding all matters of the personnel, criminal and civil litigation matters. Just as our officers cannot divulge information and discuss their ongoing investigations, that holds true to the members of Borough Council and appointed staff. The claim that *"The Bargaining Unit has been unable to communicate with members of Council about the state of affairs in the Police Department, including basic operational matters..."* is incorrect. In the early part of the fourth quarter last year, through the newly hired interim Chief of Police, a survey seeking input from all officers and officials was solicited to seek the input from all those invested in what their concerns were, how crime was perceived, what equipment and policy needs are, where they would like the focus on the Police Department be, etc. From that survey, only 50% of the officers participated in this process that was intended to work collectively with the Borough governance on improving police operations. 100% of the elected officials responded and participated in this survey. In addition, in December, the Council Public Safety Committee delivered a letter, that highlights many ongoing affairs and updates noteworthy to the Police Department's employees. Furthermore on January 10<sup>th</sup>, four days before the Unit's statement was released and published in media outlets, the Ambridge Council Public Safety Committee, Mayor, Chief Romutis and Borough Manager had a meeting with Representative John Chickos and discussed various police operational matters including retirement of the K9, community oriented policing efforts, and reestablishment of the Housing Authority Patrol Details.

4. ***Claim: "The Fourth issue in the letter was the elimination of the Beaver County Housing Patrol. It was discussed by the Mayor during a Crime Watch meeting that Council voted in executive session to eliminate Housing patrol. When asked about the Housing elimination it was stated they were saving on the pension costs. The cost is less than \$2,500 for the year for 1,000 patrol hours."***

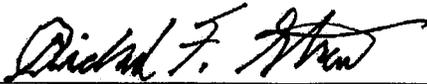
**Response:** Borough Council did not take any vote on this matter either in Executive or Open Session of Council. In fact, in order to mitigate the risk of contractual violations with the Housing Authority, the Borough Council did not take action one way or the other to renew the Contract, simply allowing it to expire. The safety of those living in the County Housing properties is entrusted just as those of the other thousands of citizens who live elsewhere within the community to the officers assigned to patrol duty each day. The Ambridge Police Department at a minimum is staffed with three officers on duty per shift, and during some shifts having five officers on duty including the Chief and special assignments. As the Unit is aware there are multiple criminal and civil charges pending. There will be no communication relative to those matters between any Borough representatives, elected or appointed, until those matters are resolved. The Borough Council has employed an interim Chief of Police. The Chief is entrusted in bringing stability to the operations of the Police Department. The Borough

encourages the Bargaining Unit Membership to reach out to Chief Romutis, share your concerns via the survey, so that an appropriate course of action can be accomplished in a fair, unbiased and conventional manner that is in the best interest in protecting the health, safety and welfare of the Ambridge citizens.

Many rumors have been passed around the community that unfairly damage the character and reputation of the Borough Council and Manager. These public servants have performed their duties without being given the opportunity to explain their actions and intentions due to laws that forbid public comment without jeopardizing the borough. It is sincerely hoped that this letter to the community will set the record straight.

Every Ambridge Citizen, Police Officer, employee, and official is a valued part the community. There are procedures, processes, and rights of all that need to be protected and embraced. Due-process takes time and we too are frustrated. All claims, matters and complaints are being investigated, addressed and responded to. We thank you for your cooperation and ask for your patience.

Respectfully yours,



Richard F. Start, Solicitor

CC: Borough Council  
David Drewnowski, Mayor  
Mark Romutis, Interim Chief of Police  
Joseph Kauer, Borough Manager  
All Ambridge Police Officers