

A meeting of Bradford City Council was called to order by Councilman Lopus at 5:00 P.M. The audience participated in the Pledge of Allegiance.

**ROLL CALL:** Was taken.

**COUNCIL:** Mayor Riel-By Phone, Councilman Proper, Councilor Pecht, Councilor Lopus

**ABSENT:** Councilman Pecora

**DEPARTMENT HEADS:** All Excused

**ABSENT:**

**MINUTES:**

No minutes

Councilman Lopus announced that an Executive Session can and may be held anytime between now and the next City Council meeting. An Executive Session was held

**DEPARTMENTAL REPORTS:** None

**CORRESPONDENCE:** None

**VISITORS:**

None

**OLD BUSINESS:**

**NEW BUSINESS:**

**37346 AWARD 2023 RESURFACING PROJECT BID TO IA CONSTRUCTION CORPORATION: LIQUID FUELS**

**RESOLVED**, By the City Council of the City of Bradford, that the proper officers award the bid to IA Construction Corporation.

**WHEREAS** bids for the 2023 Resurfacing Project were duly advertised and opened at a public meeting on August 8<sup>th</sup>, 2023; and,

**WHEREAS** the following bids were received:

Glenn O. Hawbaker, Inc.	\$391,210.50
IA Construction Corporation	\$372,745.26

**BE IT RESOLVED** that the proper officers of the City of Bradford hereby award the contract for the 2023 Resurfacing Project and are authorized to enter into a contract with IA Construction Corporation for an amount not to exceed \$372,745.26.

**BE IT FURTHER RESOLVED** that the contract for this project is funded through the Liquid Fuels (35) Account (439.452).

Motion by Councilors Lopus and Proper  
5 Yea 0 Nay 0 Absent

**37347 ACCEPT QUOTE AND APPROVE PAYMENT TO 6-V EXCAVATION TO DEMOLISH 92 SUMMER STREET: OECD**

**RESOLVED**, By the City Council of the City of Bradford, the proper officers accept the quote and approve payment to 6-V Excavation.

WHEREAS, the City of Bradford's Board of Health has determined 92 Summer Street to be beyond economical repair and ordered it to be demolished; and,

WHEREAS the OECD solicited quotations from qualified contractors to demolish and clear the structure and transport the construction debris to the McKean County Landfill.

WHEREAS the lowest of the five quotations received was from 6-V Excavation at a cost of \$5,880.00 for the demolition work.

THEREFORE, BE IT RESOLVED that the proper officers of the City of Bradford hereby accept the quote from 6-V Excavation in the amount of \$5,880.00 and authorize the OECD to proceed with the demolition of 92 Summer Street.

BE IT FURTHER RESOLVED that the cost of demolition will be reimbursed by McKean County ARPA funds.

Motion by Councilors Lopus and Proper  
5 Yea 0 Nay 0 Absent

**37348 APPOINT MAYOR TOM RIEL AS VOTING DELEGATE AND CITY ADMINISTRATOR CHRIS LUCCO AS ALTERNATE VOTING DELEGATE AT THE 2023 RESOLUTIONS COMMITTEE MEETING AND ANNUAL BUSINESS MEETING: A/F**

**RESOLVED**, By the City Council of the City of Bradford, that the proper officers hereby appoint Mayor Tom Riel as Voting Delegate and City Administrator, Chris Lucco as Alternate Voting Delegate for the City of Bradford at the 20236 Municipal Leadership Summit Resolutions Committee Meeting and Annual Business Meeting. The Municipal Leadership Summit will be held October 5-8, 2023.

Motion by Councilors Pecht and Proper  
5 Yea 0 Nay 0 Absent

**37349 AUTHORIZING THE ACQUISITION OF 374 SQUARE FEET MORE OR LESS OF PROPERTY IN FEE THAT REPRESENTS A PORTION OF THE PROPERTY WITH PIN NUMBER 01-003-106 SITUATED IN THE CITY OF BRADFORD, MCKEAN COUNTY, PENNSYLVANIA BY PURCHASE OR CONDEMNATION FOR THE AREA TRANSPORTATION AUTHORITY PUBLIC TRANSIT FACILITY PROJECT: A/F**

WHEREAS, to better support and maintain mass transit in the City of Bradford and McKean County and for the benefit of the citizens of Northwestern Pennsylvania, Area Transportation Authority of Northwestern (ATA) Pennsylvania to utilize 374 square feet portion of PIN Number 01-003-106, for a public transportation transit center in Bradford, Pennsylvania, a taking;

WHEREAS, pursuant to the Third-Class City Code acquisition of land, water, and water rights, the City of Bradford has eminent domain powers to acquire said property by condemnation for transportation facilities serving its residents;

WHEREAS the property that the City intends to acquire is in the form of fee title for use by ATA, members of the public, and business invitees as the case may be; and

WHEREAS, the Pennsylvania Eminent Domain Code, together with the Third-Class City Code as amended, enables the City to appropriate and condemn properties pursuant to the procedures outlined in the Code. See, 26 Pa. Stat. Ann. § 1-101, 11 PA C.S. 12801 et seq.; and

WHEREAS the City is willing to pledge its taxing authority in lieu of the bond required under the Code by way of a Pennsylvania Department of Transportation Grant and through its funding partners the Department of Transportation and City of Bradford based upon the ATA's inability to directly tax property owners within its service area; and

WHEREAS, the City of Bradford City Council has determined that it is in the best interest of ATA to acquire the Property currently at its fair market value.

NOW, THEREFORE;

**No. 37349 Cont.**

BE IT RESOLVED, be it resolved by the City of the same, that the acquisition of fee title of 374 square feet, more or less, by purchase or condemnation according to the law is authorized for the construction of the Public Transit Facility of the Parcel with PIN Number 01-003-106, McKean County, a taking, for purposes as access as more fully set forth in the above recitals in the location depicted on Exhibit "A";

BE IT FURTHER RESOLVED that the property is necessary for the Public Transit Facility with PIN Number 01-003-106, McKean County shall be acquired by the City by purchase or condemnation under the provisions of the acts of assembly in fee simple or such lessor estate as the City in conjunction with ATA shall determine necessary, therefore.

BE IT FURTHER RESOLVED, the City Administrator and counsel for the City Council are hereby empowered to represent City Council as part of any eminent domain proceeding or Board of View if the same becomes necessary. In the event of such litigation, the City Manager may authorize the use of any experts as may be fair and reasonable based on the nature of the proceedings.

BE IT FURTHER RESOLVED that such Fee simple property shall be in addition to the funding and construction initiatives set forth on MOU between the City of Bradford and ATA.

BE IT FURTHER RESOLVED, the provisions of this Resolution are severable. If any provision, sentence, clause, phrase, section, or part thereof shall for any reason be found unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections, or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of ATA that this Resolution shall stand notwithstanding the invalidity of any part included herein.

BE IT FURTHER RESOLVED, The City shall pledge its taxing authority, through funding partner contributions and Pennsylvania Department of Transportation funding pledges, in lieu of a bond as part of the initial condemnation proceedings.

BE IT FURTHER RESOLVED, that if any part of this Resolution is considered unconstitutional or illegal, the remaining provisions shall remain in full force and effect.

Motion by Councilors Pecht and Proper  
4 Yea 0 Nay 1 Absent

**37350 AWARD CONTRACT TO BOB CUMMINS CONSTRUCTION FOR DEMOLITION AND SITE CLEARANCE LOCATED AT 11 E. CORYDON STREET : DPW**

**RESOLVED**, By the City Council of the City of Bradford, that proper officers hereby award Demolition and Site Clearance Contract #2023-3 to Bob Cummins Construction.

**WHEREAS** bids for the demo project to make way for the construction of the ATA Multimodal facility were duly advertised and opened at a public meeting on May 9<sup>th</sup>, 2023; and,

**WHEREAS** the following bids were received:

6V Excavation	\$345,460.00
McKann Trucking	\$435,000.00
Bob Cummins Construction	\$333,000.00

Motion by Councilors Lopus and Proper  
5 Yea 0 Nay 0 Absent

There being no further business, a motion for adjournment was made by Councilors Proper and Pecht. The meeting was adjourned at 5:12 P.M. 5 Yea 0 Nay 0 Absent

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City Administrator

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Mayor