

**CONSOLIDATION COMMITTEE MEETING
16 W. SCRIBNER AVE.
DUBOIS, PA 15801**

WEDNESDAY, AUGUST 24, 2022 @ 12:00 P.M.

MINUTES

MEETING CALL TO ORDER

Dick Whitaker called the meeting to order at 12:00 p.m.

ROLL CALL

Committee Members:

Shawn Arbaugh

Dan Kohlhepp

Kris Kruzalak - *Absent*

Joe Mitchell

Chris Nasuti

Kevin A. Salandra

Herm Suplizio

Ed Walsh

Dick Whitaker

Staff Present:

Kristen Dunn, Recording Secretary

Bobbie Shaffer, DuBois City Secretary

Chris Gabriel, Solicitor – by phone

Adam Shienvold, PEL – by phone

LeeAnne Rogers, PEL – by phone

Others Present: See sign-in sheet

PLEDGE OF ALLEGIANCE TO THE FLAG

Dick Whitaker led the audience in the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

None

APPROVAL OF THE MINUTES OF THE JUNE 22, 2022, MEETING

Motion by Joe Mitchell, second by Dan Kohlhepp to approve the Minutes of the June 22, 2022, meeting. A roll call vote was taken.

Dan Kohlhepp – yes

Joe Mitchell – yes

Herm Suplizio – yes

Shawn Arbaugh - yes

Chris Nasuti – yes

Ed Walsh – yes

Kevin Salandra - yes

Dick Whitaker - yes

Motion carried.

NEW BUSINESS

1. Sub-Committee Updates

Police – None

Public Works (by Chis Nasuti) – No updates or new items at this time

Fire (by Herm Suplizio) – We are continuing to meet a few times a month working on different tasks.

Administration (by Shawn Arbaugh) – We have continued to meet about every two weeks. We were assigned a task from the 10-member Joint Board to review all the subcommittee recommendations to this point. An additional item that we are working on is employees. There is some fear from the employees about losing their jobs at consolidation. Additionally we see a necessity to help our employees learn skill-sets and training needed for their future positions. The Admin subcommittee is working on a listing of employees and what we project their jobs to be. We would like some language in the Consolidation Agreement that would help protect them. This is preliminary – we are working on that process now.

Ed Walsh – We all have been getting concerns from the employees. I would like to make a Motion that, *while there are no guarantees*, we would like to send up to the 10-member Committee that this committee would like to see that every opportunity is given to every employee to keep their job, train them and give them skill-sets. Shawn Arbaugh second the Motion.

Discussion on the pending Motion:

Dan Kohlhepp asked what the actual Motion was.

Ed Walsh – I want to make Motion that we send our opinion to the 10-member Board that we are concerned for our employees and put to rest the rumors, and that we are going to everything in our power, anything that we can do, to make sure everyone has a position, if they want a position, in the new City. It is effecting morale.

Shawn Arbaugh – it is definitely effecting morale and performance and we need to keep employees focusing on their jobs and training and new skill-sets for what they will be doing in the new municipality.

Dick Whitaker – you're going to be identifying different positions so there is opportunity for people to better their position.

Shawn Arbaugh – An example is the Public Works. We want to see everyone have a Class A CDL. There's no reason we can't start on that now. Or if they're part of sewer / wastewater we can get them licensed and what you need to do for that position. It will be a long process.

Chris Gabriel – From a legal perspective, I want to say the committee can send it's opinion to the 10-person committee and the 10-person committee can do the same thing, but neither of those

committees have the legal authority to guarantee their jobs and you should avoid making people think we are doing that. A City is not allowed to give guarantee employment and in Pennsylvania public entities are not allowed to guarantee employment. We can express our opinion but it needs to be clear that's what it is.

Ed Walsh clarified his Motion is to be "everything in our power" to see everyone keep their job. Again, there is no guarantees and we know that.

Shawn Arbaugh asked if we could have the Organizational Chart with names listed and some stipulations along with that which provide some comfort going into the Consolidation Agreement such as, if you voluntarily separate, your name would be amended on that organizational chart to be removed, or if the 10-member joint board approved a new hire, or new position, to also amend that chart to include that new position with some caveats in there such as if there's a significant economic downturn, that could be amended. We'll focus on attrition rather than employees losing their job.

Chris Gabriel – In a way, you can do anything, but as Solicitor I would not recommend it. When you consolidate, a committee or a Board might find some efficiencies somewhere and they don't think they need as many positions, they have a right to do that.

Joe Mitchell – would it be more appropriate to make the statement that the Admin Committee intends on creating positions for all existing employees in continuation of the new City?

Chris Gabriel – you can definitely say what you think the positions should be. You can express what you think the ideal number of people in those positions are, but beyond that I would not recommend that you do that. People are going to interpret it that they are guaranteed to have their job.

Chris Nasuti – I am not sure where this fear is coming from – the recommendation from the Public Works' committee was a recommended organizational chart that included positions, no names, and included two additional spots. Did not recommend anyone being terminated. We recommend expansion, not contraction.

Kevin Salandra – I've heard it from the office staff standpoint.

Shawn Arbaugh – again it would give us the opportunity to start training people.

Herm Suplizio – I recommend we vote on the motion. The point being taken is there are no guarantees, but we are going to do whatever we can to keep people's jobs.

Ed Walsh said he doesn't want to create problems in the future and listening to the solicitor maybe he should rescind the motion.

Dan Kohlhepp – I agree that the Motion should be rescinded. We are all sincere about not wanting people to lose their jobs but we can't make promises.

Dick Whitaker – It's not the intention to get rid of people's jobs.

Shawn Arbaugh – We do have morale issues, we have a performance issue that's going to

exacerbate and we could lose employees. The job market is not great for hiring new people. I think we need to do everything in our power to try to protect the employees that we have and if we want to hit the ground running in the new municipality we need to train folks now so they can meet those expectations.

Dick Whitaker – When I was with the Admin Committee and I saw all these different positions. If you're offering opportunities to increase your skill-sets, that (1) extra pay will come with that and (2) opportunities for promotions, I'd have no problem encouraging people that we're going to do everything we can to protect you.

Chris Gabriel – I agree that training should begin and that employees take advantage of those opportunities. That is the best guarantee of someone's spot – if they participated in the transition and better themselves. Leaders in different departments should participate in getting employees to better themselves. It is just legally problematic to appear to guarantee positions.

A roll call vote was taken on the original motion.

Dan Kohlhepp – yes

Shawn Arbaugh - yes

Joe Mitchell – yes

Chris Nasuti – yes

Kevin Salandra - yes

Herm Suplizio – yes

Ed Walsh – yes

Dick Whitaker - yes

Motion carried.

Finance (by Joe Mitchell) – We have not been tasked with anything additional at this point. We are in a stand-by position.

Kevin Salandra – The last recommendation to come from our committee I don't think it was done as far as getting all the funds and fund balances that you had sent to all of the consultants unless they've updated you on that?

Joe Mitchell – the only thing I've been updated on was a basic, simple budget projecting the future. I think at this point in time they have enough information from what we provided and what they've been provided to produce a report, and to be blunt, if they're not going to use what we've provided them to this point, I am not wasting more time getting additional information if they are not going to use it.

Codes / Zoning (by Dan Kohlhepp) – Nothing to report – waiting on direction.

Parks and Recreation – None

2. Consultant Update

Adam Shienvold – Since the last time we met with this Committee we have provided the draft consolidated budget as well as the updated draft STMP Report. In the interim while this committee was on hiatus, we received direction from the 10-person joint board to allow us to move forward with the Implementation Timeline and Joint Agreement. We are working on addressing

clarification and updates from the 10-person board to get those matters together. In the meantime, to my knowledge we haven't received any communication from the subcommittees so there's been nothing requested from us. We are moving forward with the next milestone events which is the implementation timeline and Consolidation Agreement.

Dick Whitaker asked if that is the November report that you are talking about.

Adam Shienvold – I'm not sure what you're referring to as the November report. Our remaining milestones are the implementation timeline and Joint Agreement which is to be completed in September and in connection with the Joint Agreement, we will be working with both municipalities on reaching final terms for the finalized execution version of the Agreement which has to be completed within the Statutory timeframe of one year after certification of the November, 2021 election results. Beyond that, that is the end of our engagement and there will be as outlined in the draft STMP report a number of initiatives to be undertaken following execution of the Joint Agreement. Many of those will be subject to future funding and future engagement of various consultants or service providers.

3. Report on items sent to the 10-person Joint Board for Review

Dick Whitaker - The 10-person Joint Board has met several times since we've met. All the items that we have sent up to the 10-person Joint Board for review has been sent on to the consultants. They are working on that with their timelines and any reports they are making. There were eleven items sent from the consultants to Herm and Shawn and all 11 of those items have been approved by the 10-person Board.

4. New Transition Committee Appointed by 10-Person Joint Board ***Roles of that Committee**

Dick Whitaker - The approval by 9-1 vote at the last 10-person Joint Board meeting was the approval of the new Transition Committee consisting of Toni Cherry, Joe Mitchell, Barry Abbott, Sam Mollica and Dick Whitaker. We will be working with the consultants getting direction. Our goal is to make the transition go as smoothly as possible. We envision meeting with all the subcommittees from time to time. We welcome input from not only committees, but the community. I want to state out front that the Transition Committee has no power, no authority other than to make recommendations to the 10-person joint Board. The 10-person Joint Board will making all decisions because they are elected officials.

5. Future of the 9-member Consolidation Committee

A motion was made by Shawn Arbaugh to have meetings of this committee once a month on the 4th Wednesday of each month. Second by Ed Walsh. A roll call vote was taken.

Dan Kohlhepp – yes
Joe Mitchell – yes
Herm Suplizio – yes

Shawn Arbaugh - yes
Chris Nasuti – yes
Ed Walsh – yes

Kevin Salandra - yes
Dick Whitaker – yes

OPEN MEETING TO THE FLOOR

Herm Suplizio – At the last meeting the 10-person Board voted on the 12 points that were passed up.

Adam – our target of delivery for the joint agreement is September. It will be a draft that is delivered to the municipalities. At that point, that is the final agreement that has to be negotiated and resolved between the two municipalities and entered into no later than one year after the certification of the November 2021 election. Our goal is to deliver the draft agreement in September giving more than a month for each municipality to work out what remains to be resolved with our help and assistance.

Chris Gabriel – I assume that will be delivered to the 10-person Board and that committee will take it to the municipalities correct? Correct me if I'm wrong, the municipalities didn't hire the consultants.

Adam – we are engaged by the Joint Board thru the municipalities. We don't represent DuBois or Sandy separately.

Chris Gabriel – so to confirm, your items will go to the Committee and the Committee will deal with those respective municipalities.

Adam – We are going to deliver a draft joint agreement. The joint agreement is delivered to both municipalities through the Joint Board. Each municipality separately has to approve the Joint Agreement.

Herm – can we shoot to have that presented at the September 19 joint board meeting?

Adam – we will try.

Shawn – the date in the agreement is September 30.

Adam -- again the engagement is to deliver the draft joint agreement by September 30. Statute requires the joint agreement be entered into by one year after the date of certification of the 2021 election results.

Chris -- if the date in the RFP is September 30, and Herm and Shawn gave your 11 points back very quickly, is there any reason you won't hit the September 30 date.

Adam – we are going to be responding the 10-person board for clarification on the items that were given to us.

Ed Walsh – do you think you could hit the 19th or is that impossible.

Adam – it is not impossible, but we still need further clarification from the 10-person board. Our goal is to get it done earlier if we can.

Shawn Arbaugh – one clarification – Each individual municipality has to sign this Agreement

correct.

Adam -- ultimately it is an agreement between the two municipalities -- the Board of Supervisors and the City Council each, separately, have to vote on and approve the Joint Agreement. If the municipalities cannot reach an agreement, there are procedures under the Statute for resolving that.

CLOSE MEETING TO THE FLOOR

ADJOURN

Ed Walsh made the motion to Adjourn. Herm Suplizio second.

Dan Kohlhepp -- yes
Joe Mitchell -- yes
Herm Suplizio -- yes

Shawn Arbaugh, - yes
Chris Nasuti -- yes
Ed Walsh -- yes

Kevin Salandra - yes
Dick Whitaker -- yes

Motion carried.

Dick Whitaker adjourned the meeting at 12:33 p.m.

Respectfully submitted:

Kristen Dunn
Consolidation Committee Recording Secretary