

Work Session Meeting Minutes - September 7, 2023

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Thursday, September 7, 2023 @ 4 p.m.; Council convened at their regular Work Session with Mayor Walsh in the Chair. Other Council Members present were Shane Dietz and Pat Reasinger. Also present were: Acting City Manager/City Engineer/Public Work Director, Chris Nasuti; Redevelopment Authority Director/Assistant Public Works Superintendent, Joe Mitchell; Code Enforcement/Zoning Officer, Zac Lawhead; and Finance Officer, DeLean Shepherd.

Absent: Councilman Jim Aughenbaugh and Councilwoman Diane Bernardo

September 11th Agenda Items

Interim City Manager Nasuti read down through the items.

#9. Planning Commission Recommendations

Mr. Nasuti stated that we have three recommendations from the Planning Commission: Skill Games, Rental Properties, and Junk Yards. Planning is recommending Council direct the City Solicitor to prepare ordinances and have readings for those probably the following meeting.

#10. Comcast Agreement

Mr. Nasuti stated that he wanted to clarify that we do not have an exclusive contract with Comcast. The contract is for the use of the City's rights-of-way. Any cable company wanting to operate in the City of DuBois will be required to carry out a similar agreement. Also, the Franchise Fee is 5% of the gross revenues for use of the city's rights of way. We do not get a breakdown of the number of customers in the quarterly invoice. The invoice tabulates the total revenue only. The most currently quarterly Franchise Fee is \$29,520.29. The Franchise Fees are received into the General Fund. There are no "earmarked" projects associated with the Franchise Fee.

#11. Dedication of waterline on Chestnut Avenue from 14th Street to Oklahoma Cemetery Road

Rusty Gates Apartments has constructed an 8-inch waterline in the right-of-way for Chestnut Avenue. They have requested that the City of DuBois accept the dedication of this waterline. I am recommending that we accept the waterline.

Mr. Trzyna asked for the time on the Public Hearing; Mayor Walsh told them 5:45 p.m. on Monday. Nasuti stated that would be the second Public Hearing we had the first in July. Mayor Walsh said I know you have been away for a long time, if there are any projects you want to see please see Joe beforehand. Trzyna said he has so many projects, you don't have enough money for the projects. Mayor Walsh said you should get together with Joe and mention what you want.

Public Comments

Deb Mechling – Munroe ST

I just wondered, with the article that is in the Courier today; the Courier asked the city for the information on the proposed City Manager applications, and they were referred to Toni. Nasuti stated that she submitted a Right to Know Request and as we typically do we run that by legal for their opinion before we respond to it. So, her response was legal not Right to Know because you're Right to Know right. Nasuti said I am Right to Know, I wanted to make sure I am legally allowed to give out the documents. Mechling said there was some confusion about that. Nasuti said Right to Knows are presiding with me, I'm just making sure I'm giving out what I'm allowed to give out. Side note from Mechling, I hope you continue in your position.

Nasuti said thank you.

Kristen Vida – Chestnut Avenue

When there are Personnel changes, whether there is retirement, resignation, or termination do you think there is a possibility of maybe working with Sandy Township; knowing that ultimately, we want to consolidate. That is the plan, that we could contract some of that or share responsibilities. I don't know, somehow bring the two together.

Mayor Walsh said that was the original plan. When they filed the Injunction that kind of got stalled. Then all of these other things happened. We obviously need to replace Bobbie; we are going to need to replace the Manager eventually. So, it's not that we are not going to work with them, but they stalled the whole process with their Injunction. We have to move forward. Nasuti said we are not operating in a vacuum; I still meet with Shawn every week and Shawn will have knowledge of who we are hiring. We have sat in on their interviews for their finance person and Shawn will have the opportunity when we are hiring someone to replace Bobbie. We are obviously stalled like Eddie said, but we are not working

separate we are still working together. On issues like that, it makes sense, there is no reason to be going parallel when we know we are coming together. We all work together.

Walsh said even with the agreement that we have signed with Sandy; we can't hire anyone new. We can't hire a new school guard crossing guard, a new position; but we can fill existing positions within the boundaries. Again, as Chris said he meets with Shawn on a regular basis. Shawn's aware of it, he passed it on to the Supervisors; they can say and do and poster however they want, but right now we make the ultimate decisions.

Linda London said you just made a statement Eddie that we will need to replace the City Manager. Walsh said eventually, I said eventually. What do you mean by that? Paint the picture of that. Mayor Walsh said right now Herm Suplizio is our City Manager on Administrative Leave. Linda said Chris is... Mayor Walsh said the Acting Manager. Linda said Acting City Manager. Walsh confirmed. London continued, according to recent actions Chris has withdrawn his name. So, if... Mayor Walsh said he has withdrawn his name to be interviewed when we hire a manager. He has not resigned from being...he has not resigned from being the active manager. Just to clear that up. Mayor Walsh said Chris will be the active manager until January 1st anyway; while I'm here. Unless a decision is made to fire Mr. Suplizio and happily hire the new manager. London said, but as of right now because of the Injunction. Mayor Walsh stated, we can't do anything until the judge rules. Mr. Nasuti, my buddy here, will be sitting in that seat next to me until at least January 1st. Unless the judge rules something different. London said, thank you for clarifying that for me. Walsh said, I know, I know, social media. London said exactly.

Beverly Kurts – Rainbow DR

Did you get any information yet on the date for the continuation of the Injunction Hearing. Mayor Walsh said no maam we have not. Mayor Walsh said the judge left that day for vacation. So, and again Ms. Cherry just came back..so.. The only question I have is do I have to go back, no one knows that yet. We'll find out.

Kathleen Clement – Chestnut Avenue

So if Chris Nasuti is going to be the Acting Mayor Walsh said don't give me the what ifs... Clement said Ok, Chris Nasuti is the Acting Manager. Mayor Walsh said that is correct. Clement said your statement was... Walsh said not was..is.. Clement continued that he will be here until January. Walsh corrected her; unless the judge makes a decision and Council decides either way. The Judge has put a moratorium on it, when the lawsuit is finished, we will see what Council does.

Clement asked, why did you advertise for City Manager and a Financial Director. Walsh replied, we need to replace the Manager eventually. We are trying to put the horse out front of the cart. We have the applications, they had until a certain date, there is nothing on this application that says we have to hire you by January 1st or December 31st. Again, as far as the financial position went it was something that Council decided that all these reports that we get we need someone with a degree. That doesn't mean that we are going to go that route, but we advertised for it ...actually we have not received any applications. Nasuti said that was his understanding. Walsh said as well as mine. So, there are no CPA's out there that want to come and work for the city. Hopefully that answered your question.

Clement said I know when you advertise for a position in any business, city; I'm surprised that it only appeared in the Courier and not a broader net, a wider net wasn't cast for someone to come here. Walsh said I can't answer that question, we followed the procedure for the law. Clement continued, where it says what your duties are it says you are to cast a wide net when you are advertising. Mayor Walsh said I won't give names, I will tell you right now we got one for Worthville, Pennsylvania; Lewistown, Pennsylvania; and DuBois, Pennsylvania. So, the net has been cast if these people from Worthville, which is down by Philadelphia, have responded. The net must be cast because we got applications from all over the state.

ATTEST:

Becky Now

APPROVED:

CA Walsh