

CITY OF DUBOIS/SANDY TOWNSHIP JOINT BOARD MEETING MINUTES
Wednesday, January 24, 2024 @ 6 p.m.

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Wednesday, January 24, 2024, at 6 p.m.; DuBois City Council and Sandy Township Supervisors convened at their Joint Board Meeting. Board Members present were: Jim Aughenbaugh, Bill Beers, Shane Dietz, Elliot Gelfand, Jennifer Jackson, Sam Mollica, Pat Reasinger, Mark Sullivan and Richard Whitaker. Barry Abbott attended by telephone. Also present were: Interim City Manager, Chris Nasuti; Sandy Township Manager, Shawn Arbaugh; Public Works Superintendent, Scott Farrell; Redevelopment Authority Director, Joe Mitchell; Code Enforcement Officer, Zac Lawhead; Assistant Police Chief, Dustin Roy; Sergeant Shawn McCleary; Detective Corporal, Matt Robertson; Sandy Township Chief of Police, Kris Kruzalak; Interim Solicitor Associate, Josh Brown; and City Secretary, Korbi Slocum.

Pledge of Allegiance

The meeting was called to order at 6 p.m. and the Pledge of Allegiance was led by Co-Chairman Mark Sullivan.

Roll Call

Roll call was taken. All board members were present; Abbott attended by telephone.

Public Comments on Agenda Items Only

Melissa Keen – Sandy Township

Keen requested clarification on the Consolidation Agreement Schedule. “Regarding the elected officials, will the ones who are elected now continue to the end of their term as elected? Will there be a new election? What is the projected date for that? Are all of the members or some of the members paid positions?”

Nasuti replied, “The election for 2026 will be held in 2025. So, the primary in 2025 and the general in 2025 will be at the same time they typically are (May and November). Those will be for the new City in 2026. None of these 10 positions will remain. Everybody will have to run for seven new positions in 2025 for 2026.”

Sullivan added, “And they are not paid positions.”

Old Business

Update on STMP 2 Grant

- Facility Planning
- Forensic Audit

Nasuti gave an update on the preliminary site evaluations of the municipal building and three firehalls – Oklahoma, North Point and Friendship – conducted by KTH Architects in March 2023. Recommendations and preliminary budget for the upgrades of the mechanical, plumbing and electrical systems were estimated to be \$575,000 and \$750,000 for the firehall and city building, respectively. Shawn and I will be looking at facilities a little more specifically this upcoming year.

With the assistance of DCED, the firm of Boyer & Ritter began a forensic analysis of City of DuBois financial records covering the tenure of the most recent City Manager. The budget for the analysis is \$125,000.00. The kick-off meeting was held on June 5, 2023, and a secure information-sharing account was set up on the Suralink website. The initial upload of all the data required for the analysis was completed on June 30,

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2023. The analysis is currently on hold pending the release of documents from the Pennsylvania Attorney General's Office. The unreleased information is sensitive material to the legal case and will not be available until the completion of the case itself.

To date, Boyer & Ritter have invoiced \$16,337.48 for work on the analysis leaving a balance of \$108,662.52. DCED has given preliminary approval to amend the STMP 2 Grant and reallocate the balance toward special counsel services so we can move forward with consolidation. With an additional \$40,000.00 already available, there would be approximately \$150,000.00 for special counsel services. If you would authorize it, we can submit an amendment to the STMP 2 Grant to reallocate the \$108,662.52 for the special counsel services. In July we can go back in for the forensic analysis.

The motion was made by Aughenbaugh and seconded by Beers to approve amending the STMP 2 Grant so the balance of \$108,662.52 for the special counsel services. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

Consolidation Agreement Schedule

Nasuti reviewed some milestones of the 2022 Consolidation Agreement:

- As of January 1, 2024, approval from the Joint Board is required for either municipality to hire any full-time employee, including replacing current employees who may leave.
- We are working on the alignment of our accounting systems. We will use the Edmunds accounting software. We'll have a plan for you guys to do that in the next month or two.
- June 1, 2024 – A recommendation on a plan for consolidating the administrative staff is due. We'll have the formal organizational chart within the next month or two and should be able to start integrating and cooperating services shortly after that.

A few things for 2025:

- Maintain accounting books according to the agreed Edmunds accounting system.
- Develop a joint budget for 2026. Because we will be one community we will work together on that budget.
- February 1, 2025 – The tax structure and tax rates for the new city need to be in place.
- Elections will be in 2025. We're about 13 months away from people submitting their petitions for the primary. The general election will be in November.
- May 2025 – Both municipalities have to submit an Inventory of Assets so we can sit down together and do the budget with the assets and the tax structure. Then we'll work on the utility rates and pull it all together.

By the end of 2025, we'll have a Municipal Services Plan and an Integrated Police Department. Those are the steps, generally, we need to go through in the next two years. They are approaching quickly.

Approval of the Minutes from November 7, 2022

The motion was made by Aughenbaugh and seconded by Beers to accept the minutes from November 7, 2022, as presented. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, abstain; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, abstain; Sullivan, yea. Motion passed 8-0.

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New Business

Sandy Township Lawsuit

Right now, absent any action by the Supervisors, that lawsuit is in a dormant status. The Board of Supervisors can either let it go in a dormant status, they could force an action of some type, or they could dismiss the lawsuit. There is some benefit to having the lawsuit in a dormant, especially associated with the forensic audit where it gives some potential for subpoenaing some records for different entities.

Committees

- 9-Person Consolidation Committee
- Transition Committee
- Subcommittees

These committees worked hard setting the foundation for where consolidation is today. Our recommendation is to disband these committees. If the need arises, the Joint Board can reappoint subcommittees as specific tasks come up with a monetary component or budget constraint.

The motion was made by Mollica and seconded by Reasinger to dissolve the 9-Person Consolidation Committee, Transition Committee and subcommittees. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, nay; Reasinger, yea; Sullivan, yea. Motion passed 9-1.

Solicitor

We had a Joint Board Solicitor position in place to establish a Consolidation Agreement. Because that work is completed, our recommendation is to eliminate the Joint Board Solicitor position and utilize our own separate solicitors for any legal items that may occur. It will be more economical, and we can utilize the STMP 2 Grant money for special counsel services. If the Sandy Solicitor and the City Solicitor disagree on a point, a neutral party would be brought in to resolve that specific disagreement.

The motion was made by Gelfand and seconded by Beers to amend the Consolidation Agreement to eliminate the need for a Consolidation Solicitor at this time.

After much discussion, Gelfand re-stated his motion to amend the Consolidation Agreement to eliminate the need for a Consolidation Solicitor providing that each entity will use their own Solicitor and pay for their own Solicitor's costs. Beers seconded the re-stated motion. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

STMP 3 Grant

As explained earlier, the STMP 3 Grant will be for the forensic audit.

Establish 2024 Meeting Dates

The meeting dates are the third Wednesday of each month at 6:00 p.m. at the City building. If the attendance outgrows the venue, it will be moved.

The motion was made by Reasinger and seconded by Jackson to hold the Joint Board meetings on the third Wednesday of each month at 6:00 p.m. at DuBois City building. Roll call was as follows: Abbott, yea;

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Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

Draft RFP for Special Counsel

The reallocated balance of the STMP 2 Grant will be used to assist in negotiating extensions of the police contract, to identify and recognize, if required, any collective bargaining unions that would represent the uniformed and non-uniformed employees, negotiating the terms of new collective bargaining agreements to become effective January 6, 2026, prepare amended civil service rules and regulations for those employees covered by civil service, and developing a mechanism for transition through which current police officers of both Sandy and DuBois have continued employment with the new city and continued civil service status and protection, research effective and efficient methods to consolidate the uniformed and non-uniformed pension plans, review the personnel policies and employee handbook, and help with any other labor or employment issues that may arise. If approved, the RFP will go out tomorrow and we will have proposals back in for the next meeting for consideration.

The motion was made by Aughenbaugh and seconded by Beers to approve advertising the RFP as presented. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

Authorize Managers Work

- Alignment of Accounting Systems
- Organization Chart
- Facility Use/Staff Locations

The motion was made by Beers and seconded by Reasinger to authorize the Managers to continue working on the alignment of accounting systems, organization chart and facility use/staff locations. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

Joint Board Member Comments

The board members agreed that it is good to be back together working toward consolidation in 2026.

Open Meeting to the Floor

Dr. Harold Webster - DuBois

"I was on the zoning and ordinance sub-committee. We reached a point where we were looking at dividing the zoning areas for the municipalities. At that time, we needed to have funding in order to get that work done. Has that been done or is that still..."

Nasuti answered, "That has not been done. It still needs to be done. When we get the funding and special counsel for that particular work we'll reconvene, most likely, that committee specifically. You guys did a fantastic job at getting to that point, so we'll get the opinions from that. Shawn and I will work with them and that will be an example of when we'll reach back out to committees and put things back together."

Arbaugh added, "We have a little bit more time to get that task accomplished, so kind of our priority is to get these pensions and union contracts squared away."

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Mark Zmitravich - DuBois

"It's great to see everyone working together finally. It's great to see everybody in this one room working together trying to get things done."

Joel Keen - Sandy Township

"I was just wondering, with the time restraint that you have, is it possible to ask for more time so you're not rushed into making decisions. Sometimes when you're rushed making decision the best decisions aren't made. If there was a little more time involved maybe... or are you held by this time restraint? There's not a lot of time left because of the time that was lost."

Arbaugh responded, "First off, Mr. Keen, the statute is pretty clear on the timeframe, so as far as extension - absent some court ruling - there wouldn't be an extension. But I would say a lot of the foundation has been set already. We think we can get it done. We think with cooperation amongst the elected officials... we have a lot ahead of us but it's definitely manageable."

Close Meeting to the Floor

Adjourn

There being no further business to transact, the motion was made by Aughenbaugh and seconded by Reasinger that the DuBois/Sandy Township Joint Board adjourn. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 10-0.

ATTEST: Korbi Slocum

APPROVED: 