

CITY OF DUBOIS/SANDY TOWNSHIP JOINT BOARD MEETING MINUTES
Wednesday, February 21, 2024 @ 6 p.m.

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Wednesday, February 21, 2024, at 6 p.m.; DuBois City Council and Sandy Township Supervisors convened at their Joint Board Meeting. Board Members present were: Barry Abbott (by phone), Jim Aughenbaugh, Bill Beers, Shane Dietz, Elliot Gelfand, Jennifer Jackson, Sam Mollica, Pat Reasinger, Mark Sullivan and Richard Whitaker. Also present were: Interim City Manager, Chris Nasuti; Sandy Township Manager, Shawn Arbaugh; Public Works Superintendent, Scott Farrell; Code Enforcement Officer, Zac Lawhead; Sergeant Shawn McCleary; Detective Corporal, Matt Robertson; Sandy Township Chief of Police, Kris Kruzelak; 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 Pat Reasinger.

Roll Call

Roll call was taken. All board members were present; Abbott (by phone).

Executive Session (Personnel) – 5:00 p.m. on 2/21/24

Reasinger announced an Executive Session was held prior to the Joint Board meeting. No decisions were made.

Public Comments on Agenda Items Only

There were no comments.

Old Business

Update on STMP @ Grant Amendment

At the last meeting we were directed to revise the STMP 2 Grant Agreement to take out the forensic audit and to replace it with the special counsel. Both municipalities have completed their Resolution. We sent them in with a letter requesting the contract amendment on February 14, 2024, to DCED. We received confirmation that they are working on getting us the amendment. Hopefully we'll have that by the next meeting.

Managers' Progress Report

- Alignment of Accounting Systems
- Facility Use/Staff Locations
- Fire Subcommittee

Arbaugh reported the alignment is going very well. Sandy Township staff and DuBois City staff are working hard on getting the billing for sewer and water together. We do have a tentative launch date of May 1st for that to happen. We'll be starting to do some things on our end administratively, putting notices out to the sewer and water customers that their bills will look a little different and the City's doing some creative things with the billing so we can have our billing schedules on the same page. They're backing up their dates a couple of days so we can all align on the same billing cycle. Everything is moving very well on that. We are switching over to Edmunds for that billing system.

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Nasuti stated that we're currently working on the facility locations for administration and the police. We are going to evaluate three options:

- 1) Locating the police at Sandy Township and have all administration in DuBois
- 2) Expand the DuBois building for police
- 3) Expand the DuBois building for administration and have the police on the first and third floors where they are connected by a stairwell and an elevator

The first meeting will be on Tuesday morning at Sandy Township to go through their facilities.

We received letters from the Fire Chief of Sandy Township and the Fire Chief from DuBois City for a fire subcommittee to be appointed. The memo asks that one member from each station, nine members total, with the Fire Chiefs from Sandy Township and DuBois City as co-chairs. They did request a list of certain topics to address which include by-laws, Standard Operating Procedures, fire relief and box alarms. They did request that no elected officials be on that committee. Additionally, we had one Supervisor ask about a fire study. We did research that issue; DCED would offer us a free fire study if we are interested. Each municipality would have to approve that at their own regular meeting. That fire study would be free of charge, and we could set the scope of the study.

The motion was made by Aughenbaugh and seconded by Whitaker to set up the fire subcommittee. Roll call was as follows: Aughenbaugh, yea; Beers, nay; Dietz, yea; Gelfand, yea; Jackson, nay; Mollica, nay; Whitaker, yea; Abbott, yea; Sullivan, yea; Reasinger, yea. Motion passed 7-3.

Arbaugh noted that a letter would be sent to the Fire Department informing them to each appoint a member to the fire subcommittee. It will include information as to what they will be working on.

The motion was made by Beers and seconded by Jackson that we pursue the fire study by DCED. Roll call was as follows: Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, nay; Abbott, yea; Sullivan, yea; Reasinger, yea. Motion passed 9-1.

Approval of the Minutes from January 24, 2024

The motion was made by Beers and seconded by Gelfand to accept the minutes from January 24, 2024, as presented. Roll call was as follows: Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Abbott, yea; Sullivan, yea; Reasinger, yea. Motion passed 10-0.

New Business

Award Special Counsel Contract

The RFP for Special Counsel for personnel was advertised with responses due by February 19, 2024. We received proposals from: Gabriel Fera, McNees/Wallace, Fisher/Phillips, Salzmann/Hughes and Campbell/Durant. After reviewing the proposals, it is the recommendation of Arbaugh and Nasuti that the award go to McNees/Wallace. DCED also had a favorable recommendation for McNees/Wallace. What set them apart from the others is they had a very detailed way of approaching all of the points and are well-rounded. Arbaugh added that two of the team members are experts in pensions with over 24 years in pension-related matters. They also have consolidated a borough and township police department and were able to carry through the civil service regulations which is also one important point.

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The motion was made by Beers and seconded by Jackson to accept the recommendation of McNees/Wallace as Special Counsel for personnel. Roll call was as follows: Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, yea; Jackson, yea; Mollica, yea; Whitaker, yea; Abbott, yea; Sullivan, yea; Reasinger, yea. Motion passed 10-0.

Amend Consolidation Agreement

The purpose of this item is to amend the Consolidation Agreement which removes a reference to the DuBois Solicitor doing some of the work that we just awarded the RFP to. Additionally, it removed the transition committee. We did add something we thought was important which is Joint Board approval of any expenditure over \$100,000.00. This also would have to be executed at the Sandy Township and DuBois City regular meetings.

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

Penn Highlands Bond

There was a recent question about the bond the hospital took out for construction. I reached out to the Hospital Authority Solicitor and wanted to go over a couple of items. "One of the Authority's recognized purposes is to finance hospital and health center projects. Unlike a government entity which can issue its own tax-exempt bonds, a 501(c)(3) nonprofit corporation is allowed to benefit from tax-exempt financing but is not allowed to issue its own tax-exempt bonds. The Authority can issue the tax-exempt municipal bonds to fund projects that benefit 501(c)(3) nonprofit corporations. In such a bond issue, the Authority is referred to as a "conduit" issuer in that it issues the bonds, sells them to a lender or underwriter and then loans the proceeds of the sale to the Borrower to finance a project. In connection with the foregoing, the Borrower assumes all liability for repayment of the bonds, and neither the Authority nor the City incurs financial liability for the bonds. This is stated and disclosed throughout the financing documents, including in the Authority resolutions approving a bond issue. In summary, the involvement of a government related entity, such as the Authority, is required to assist 501(c)(3) nonprofit corporations in obtaining lower cost financing for projects undertaken in furtherance of their nonprofit purpose. Under state law and federal tax law, the City is required to make certain findings and to approve the financing of such projects in order for the financing to proceed, but such actions do not obligate the City financially or otherwise." I just wanted to make sure everybody knows that while the hospital has that obligation, the City and the Authority did not take on that obligation. They were merely the instrument to allow the hospital to get those bonds.

Joint Board Member Comments

Dietz – "It's good to see the fire subcommittee coming back online and hope to see a few more in the near future."

Arbaugh – "It's been great working with the City. I think we have a lot of good things moving forward. Working with Mr. Nasuti has been really beneficial. We have big plans in place to get our staffs working together."

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Reasinger – “I’m very happy with the work Chris and Shawn are doing. They bring us very well-prepared items to discuss and make decisions on. Things are going very well.”

Sullivan – “Chris and Shawn have been great doing our legwork for us. It will save a lot of homework for us.”

Nasuti – “I want to thank Shawn who has been very helpful. Also, thanks to both staffs who have been working together the last few weeks. We’re learning a lot from each other, sharing information. It’s been very uplifting to see the cooperation and look forward to working with them moving forward.”

Mollica – “The only thing I want to emphasize is I’m happy about the fire study being done. I think that’s very important. In relation to the fire committee, I didn’t think at this time we needed to re-start the fire committee until we got some guidance from the fire study. My understanding is the fire committee will not be in charge of shutting down any fire companies. They’ll just be working on issues that need worked on.”

Abbott – “Thank you very much for keeping me informed. I know I’m 1,000 miles from the meeting, but the communications have been going very well. I’d like to say thank you to Shawn and Chris for making that happen. I’m very pleased with the way consolidation is coming together and working with each other. That’s a big step forward and I appreciate all the work the Council and Township Supervisors are putting forth.”

Open Meeting to the Floor

Dr. Harold Webster - DuBois

Webster voiced concern that people are not getting informed with how consolidation is moving forward. He suggested including an update with residents’ water bills. Nasuti explained, “In the next couple of months we’re going to be billing together. We’ll put out a notification to let everybody know what to expect. ‘For more information on consolidation’ and put the websites so people will have the information right there in front of them. There’s a lot of information on both websites. We can utilize that conduit to get people that information.”

Dave Lombardo – Treasure Lake

Lombardo asked where to find the meeting agenda. He also voiced interest in serving on the committee for consolidation of ordinances and asked how he could become a member when the time comes. Arbaugh responded, “We do have a little bit of time on Codes and Zoning. We actually have two years after Consolidation to complete that step. Right now, we didn’t see it as a high priority. The process would be to write a letter to Council and the Board of Supervisors with myself and Mr. Nasuti requesting that subcommittee to be reconvened with the membership recommendations and the specific items you want to work on.”

Kristen Vida – DuBois

Inquired about the scope of work for the fire study. Arbaugh stated, “It does have to be approved at each individual meeting. Tonight was a recommendation for Council and Board of Supervisors to approve and then we’ll establish that scope of work.” Mollica referred Vida to the DCED website where there is information of previous studies done for other municipalities. “Our fire companies, I think, are in pretty good shape. If they recommended closing down a station, there was usually a four-, five- or six-year lead time, so no one is facing immediate closure.”

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Close Meeting to the Floor

Adjourn

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

ATTEST: Konbi Slocum

APPROVED: 