

# CITY OF DUBOIS/SANDY TOWNSHIP JOINT BOARD MEETING MINUTES

## Wednesday, May 15, 2024 @ 6 p.m.

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Wednesday, May 15, 2024, at 6 p.m.; DuBois City Council and Sandy Township Supervisors convened at their Joint Board Meeting. Board Members present were: Barry Abbott, Jim Aughenbaugh (by phone), Bill Beers, Shane Dietz (by phone), Elliot Gelfand (by phone), Jennifer Jackson, Sam Mollica, Pat Reasinger, Mark Sullivan and Richard Whitaker. Also present were: DuBois/Sandy Township Manager, Shawn Arbaugh; Public Works Director/Engineer, Chris Nasuti; Sandy Township Chief of Police, Kris Kruzalak; Detective Corporal Matt Robertson; Zac Lawhead, DuBois Codes Officer; 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

Co-Chairman Mark Sullivan noted that all board members were present – Gelfand, Aughenbaugh and Dietz by phone – as well as Shawn Arbaugh representing Sandy Township and Chris Nasuti representing City of DuBois.

### Public Comments on Agenda Items Only

There were no comments.

### Correspondence

Arbaugh thanked Representative Mike Arminini and Tom Prestash from PennDOT for their assistance with this matter. One of the concerns with consolidation is how stormwater will be treated. It is handled differently on and around state roads in a city or borough as opposed to a township. We want to make sure we kept the same stormwater agreement moving into consolidation. We did receive a letter from PennDOT saying they would treat the areas of Sandy Township in perpetuity as a second-class township.

### Old Business

#### Managers' Progress Report

- Architect Update
- Special Counsel Update

Arbaugh clarified the reasoning for recommending KTH Architects. We did have a kick-off meeting to discuss where we're at and have another meeting set up for next Tuesday (May 21<sup>st</sup>). Things are moving along fairly well. We'll have a lot more information at the June meeting. We did have a few comments about why we awarded the proposal to KTH. First, we felt that KTH was the best for that RFP award. Their proposal was projected to be slightly higher than SGS. SGS gave us a flat fee and KTH gave us a percentage of construction fees. It could potentially be lower, but we do project it to be higher. Second, a lot of people may not know this, but we awarded a previous contract to KTH for basically the same project. Before we were also looking at fire halls; we took fire halls out of the equation. As an abundance of precaution, we did want to bid it back out to ensure we could still receive the STMP Grant funding for the architectural fees. During that timeframe, KTH did some mechanical evaluations. They gave us some drawings and did a decent amount of work already in that process of upgrading this building. Third, we really awarded because of their understanding of the project, plans for meeting them, and their qualifications and experience with this building. Their structure meets our needs very well.

Abbott thanked Arbaugh for the clarification. He would like to have at least a week to review them. If we need to call a special meeting to vote, then we can do that. Arbaugh agreed that the decision was made hastily and said they would make sure there is adequate time to review everything before a vote on it.

Nasuti gave an update on Special Counsel. At the last meeting, the Joint Board authorized special counsel to move forward with the declaratory judgement for the Civil Service. Shawn and Chris reviewed the paperwork which will be filed with the court system shortly. They're also working on the pension plans. We talked with them yesterday morning (May 14<sup>th</sup>) and should have options to begin discussions by the end of June. We may or may not have them available for the June meeting. If so, we'll have the information, but won't ask you to vote on anything. We hope to get everything out to the unions and Joint Board for discussion in July. We're also reaching out to Mr. Welby with the police and working on the extension needed to get us from 2025 to consolidation in 2026. The contracts of both police unions expire at the end of 2025.

#### **Approval of the Minutes from April 17, 2024**

The motion was made by Beers and seconded by Whitaker to accept the minutes from April 17, 2024, 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.

#### **New Business**

- Approval of Invoices
  - McNees, Wallace & Nurick, LLC - \$1,728.00
- Tax Structure, Budget, and Utility User Fee Subcommittee

The invoice for McNees, Wallace & Nurick, LLC is the initial invoice for setting up the milestones and schedules and putting the plan together for us. This is covered by the grant which is 90-10. It will be 95-5.

The motion was made by Reasinger and seconded by Beers to pay the invoice from McNees, Wallace & Nurick, LLC in the amount of \$1,728.00. 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.

The purpose of the subcommittee item is, we have a deadline of February 2025 to have a proposed tax structure to the Joint Board to consider. We think we need to get started on this now and before we can establish a tax structure, we need to come up with a budget. At the same time, we need to look at water and sewer user rates and also that tax structure. Our recommendation is to get that subcommittee started. If we can meet in June, we can start the process and get a good product to the board in February. We did have it set up in our consolidation agreement to do this. The committee would include the managers and one elected official from both municipalities. We are also suggesting adding a public person. Our recommendation is to appoint Chris Nasuti; myself, Shawn Arbaugh; Barry Abbott, Sandy Township Supervisor; Elliot Gelfand, DuBois City Councilman; and a resident who has a great financial background that we think will be instrumental in the process, Ed Andrulonis. Beers asked how Abbott was selected for Sandy Township. Arbaugh replied, "Barry has been asking about other committees. We thought the individuals for this were going to have to have some time. I did discuss it with Chairman Sullivan and thought it would be a good suggestion to have him on because he is retired and interested in serving." Beers replied, "I feel we should have been informed. If it wasn't by you, Shawn, it should have been our Chairman who informed the other supervisors. We didn't know anything about it until we got our packet, that this committee was going to be formed. Also, I feel that we need to put it out there for the public to see if there's anybody else who would like to sit on this committee. I'd like to keep this all transparent because everything that's being unearthed here for the budgets. I want to see a good solid moving

forward and that we don't have any hidden items down the road. We've got a lot of good quality people in these two communities that I think we should be able to put at least a couple more on." Mollica asked, "Was there any thought in getting someone from a tax specialist dealing in municipal taxes to serve on this committee?" Arbaugh replied, "Originally the committee was supposed to be four people as listed in the consolidation agreement which is one elected official from each municipality and the managers from each municipality. We used that structure and said it would be nice to have one expert to keep the committee at a manageable size. Once you get over five people it does get a little cumbersome especially with schedules and everything else to get together." Mollica continued, "Does Ed have a resume? I've known him for years." Arbaugh responded, "He served on the original finance subcommittee and he's also CFO of Christ the King Manor." Mollica asked, "What did he do before that?" Reasinger replied, "Banking."

Beers made the motion to table the matter until we can advertise for interested persons who want to serve on the subcommittee. "I'd like to keep everything transparent as much as we can." Sullivan asked, "Can we add to that to appoint what Shawn is recommending tonight and put it out there to add to that?" Beers replied, "Why don't we wait until we see what we can get?" Speaking to Arbaugh, Whitaker said, "My question is, were you making a motion?" Sullivan replied, "He cannot make a motion. He can only make a recommendation. I think timewise we were trying to get started." Whitaker said, "I'll make that motion." Beers said, "I already have a motion on the floor." Sullivan asked Beers to repeat his motion. The motion was made by Beers and seconded by Mollica to table the matter until the next meeting to determine if any citizens submit a letter of interest to serve on the subcommittee. Reasinger said, "I do not think the five people will not be transparent." Beers replied, "I'm not saying that. I'm saying I want this transparent for our community because there are stones being unturned everyday it seems. And, I want to show that we are asking people out in the public. One thing is, we didn't even get asked as our Board of Supervisors. I wasn't told about this, and Sam told me he wasn't told about it. So, that's not transparent. That's where I'm at." Aughenbaugh said, "I get what you're saying and I agree. There's a lot of things going on, a lot of busy work for Shawn and stuff like that. Not saying that's an excuse, but having this dropped on us without any knowledge of it. I agree with what you guys are saying." Arbaugh said, "Just a reminder, the Consolidation Agreement specifically stated four people to be on that committee." Sullivan asked, "Do you think we have to amend the Consolidation Agreement?" Arbaugh replied, "I don't think we have to stay with that number. I think we could" Aughenbaugh said, "Shawn, I get what you're saying about having too many people. It's just that, I think it's a little bit quick on this like everyone else is suggesting right now. I think doing a little bit of due diligence on putting it out there just to make sure. I have no issue with the people you recommended. That's not it at all. It's just that not knowing about it, not being asked about it, I think what's being questioned is justified." Reasinger said, "I think we need to get started sooner rather than later. It's a huge, mammoth task. Personally, I would like to see the five go ahead and if we want to add a person or two next month or something like that it would be fine, but I really think we need to get moving with what is suggested. It's one of the most important tasks we need to do is how we're going to pay for everything and how is it going to be organized." Sullivan repeated the motion on the floor. "The motion on the floor is to table this until the next meeting and request letters of interest. Roll call was as follows: Abbott, nay; Aughenbaugh, yea; Beers, yea; Dietz, yea; Gelfand, nay; Jackson, yea; Mollica, yea; Whitaker, nay; Reasinger, nay; Sullivan. The board was tied at 5-5. The motion was defeated.

The motion was made by Whitaker and seconded by Reasinger to move forward with the recommendation from Shawn Arbaugh to have a five-person subcommittee. Sullivan asked, "Could I get you to include in that that we do put out letters of interest?" Whitaker replied, "Absolutely." The motion now reads to move forward with the recommendation from Shawn Arbaugh to have a five-person subcommittee and add up to two additional qualified people after requesting letters of interest from the public. Roll call was as follows: Abbott, yea; Aughenbaugh, yea; Beers, nay; Dietz, yea; Gelfand, yea; Jackson, nay; Mollica, nay; Whitaker, yea; Reasinger, yea; Sullivan, yea. Motion passed 7-3.

## Joint Board Member Comments

### Barry Abbott

Abbott attended the DuBois City Council meeting on May 13, 2024, and feels bad that perhaps the new Council members were not aware of the history of the ball fields in DuBois. Typically, some of the money is recouped by Visit Clearfield County. "This year, their donation was \$5,000.00 so it's not like we don't get income." As a past athletic administrator, Abbott spoke to the positive aspect of having ball tournaments like Small College World Series in our town. "We do this for our community. They are the beneficiaries. My message tonight is, we're coming together. We need to move forward. We can't look backward." Abbott requested the Joint Board vote to advertise for and hire a Parks and Recreation Director. Because the item was not on the agenda, the board is unable to entertain a motion to that effect; however, it could be an item on the agenda for the June 19, 2024, Joint Board meeting.

### Shawn Arbaugh

Thanked Commissioner John Sobel for attending tonight's meeting to see how consolidation is moving along. He also thanked the staff of both the City of DuBois and Sandy Township. "We've had a lot of trying issues, a lot of staff resignations and they've really stepped up and worked together well and filled those gaps. I appreciate everybody's efforts."

### Sam Mollica

Mollica commented on the budget tax structure user fee committee. "This sort of upsets me. It reminds me of being here in August 2022 when another committee was formed and rushed and voted on. I thought we were done with that type of business, but I guess we're not. It sort of saddens me."

### Bill Beers

"You hit the nail on the head, Sam. Going forward, I want to ask the two co-chairs that they make sure that there are 10 people on this board. All 10 need to be informed. We're getting back to the old boys' club where just a few know what's going on. That's not right. I don't care. We all have disagreements. We move forward for this community. If you have an agenda, there's the door. I'm getting really tired of that. You guys are in chairmen's positions. Please inform your councils." Reasinger pointed out it was on the agenda and anyone could have asked questions. Beers replied, "I did. I asked you last night and you could have made a call to your cohort today and gotten back to me." Reasinger replied, "I told you the part that I knew of." Beers responded, "So, you didn't know the whole thing. Who is the mastermind?"

### Jim Aughenbaugh

"I just want to say to Supervisor Abbott, great job on explaining that on the ball fields and how important that is to the community. I concur 100%. On the committees, I think there should be some more communication with everybody so we know what's going on before it's thrown on the agenda."

### Shane Dietz

Dietz thanked the board for being able to join by phone. "I think it's good to see the ball tournaments coming to town and helping out at our hotels and restaurants and everything else in the area."

### Mark Sullivan

"I will do better making sure that all supervisors are contacted on all agenda items."

## Open Meeting to the Floor

### Dave Lombardo – Treasure Lake

"Can I assume Treasure Lake will not be assessed any type of utility user fee. You're talking sewer and water, right?" Arbaugh confirmed. "So, there's not going to be a hidden cost, like you've got to hire somebody and our tax dollars pay for that, since we have an independent water system." Arbaugh replied,

"The one that would up to this board to decide is garbage. The City of DuBois does charge garbage as a utility fee where Sandy Township does not, so that could change." Lombardo said, "We have a private one, too." Arbaugh explained, "Sandy Township residents pay Waste Management directly; the City of DuBois pays the City of DuBois and the City of DuBois pays Waste Management." Lombardo voiced his concern about hidden fees and required tap-ins down the road. Arbaugh said, "How we operate now is Treasure Lake residents don't pay anything for sewer and water. That is incurred from Sandy Township. It would be up to the Joint Board if that would change at all."

Lombardo continued, "On the tax structure, is there a big difference on how Sandy assesses and how DuBois City assesses their tax structure and will there be potentially a difference in that or is that you're your committee is going to try and consolidate?" Arbaugh replied, "There are different assessed rates between the city and the township. That's one point of the committee is to establish that budget to figure out what that tax structure needs to look like to support that budget." Lombardo said, "So, I assume for transparency that at some point when the committee comes up, before you vote are you going to open it to the public and advertise? I would like to see at least town hall meetings happening. It's a critical issue that I know a lot of people, myself included, is that old tax structure. People are very apprehensive of the consolidation."

"I assume the ordinance committee is on hold right now?" Arbaugh replied, "We recently had a resignation of our (Sandy's) Zoning Code Officer, so we want to get someone hired and bring them up to speed before opening that committee back up." Lombardo reiterated his interest in serving on that committee.

Commissioner John Sobel

"Thanks for the opportunity to be here. Shawn, thank you for your nice words. The commissioners are here to help if we can in any way, but not interfere. I do want to congratulate the DuBois area on the success you have with the Small College World Series and the Little League tournaments. You guys have had quite a success with the program, so congratulations."

**Close Meeting to the Floor**

**Adjourn**

There being no further business to transact, the motion was made by Beers and seconded by Jackson 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:

