

Wednesday, October 3, 2018

The first regular meeting of October 2018 of the Pike County Commissioners was called to order by Commissioner Osterberg at 9:00 a.m. at the Pike County Administration Building, followed by the "Pledge of Allegiance" to the flag. An opening prayer was offered by Chaplain Ed Blaney of Hemlock Farms.

PRESENT: Commissioners Osterberg, Schmalzle and Guccini; Chief Clerk Orben; Solicitor Farley.

Public Comments/Questions concerning today's agenda.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the October 3, 2018 Agenda.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the September 19, 2018 Commissioners' Meeting Minutes.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the September 11, 20, 27 and 28, 2018 Commissioners' Conference Minutes.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve payment from **GENERAL FUND (County Bills)**, in the amount of **\$199,618.73**, subject to further review.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve payment from **HAZARDOUS MATERIAL RESPONSE FUND (Transfer to General Fund)** in the amount of **\$29,360.81**.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve exonerations for 25 properties in the County Repository that have been sold out of the Repository, as presented by Cynthia Gehris, Tax Claim Bureau Director.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

PERSONNEL:

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to hire **LISA COLANDREA** to fill a newly created full time Housekeeper position in the Maintenance Department, for a 40 hour work week effective October 3, 2018 with benefits after 90 days. This is a newly created position.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to hire **MATTHEW GIANSANTI** to fill a newly created part time Housekeeper position in the Maintenance Department, for less than 1000 hours per year effective October 9, 2018 with no benefits. This is a newly created position.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to hire the following individuals to fill Caseworker 1 positions for Children & Youth Services, for a 40 hour work week effective October 9, 2018 with benefits after 90 days: **CARLA BARNETT BROWN, LAURA KROGER and FRANK VOGEL**. These are replacement positions.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

Motion: by Commissioner Guccini and seconded by Commissioner Schmalzle, to recess the Commissioners' Meeting to hold a Salary Board Meeting.

Vote: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

A SALARY BOARD MEETING WAS HELD.

Motion: by Commissioner Guccini and seconded by Commissioner Schmalzle, to reconvene the Commissioners' Meeting.

Vote: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

OLD BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to open bids received for the 2018-19 winter snowplowing and ice control for the following roads as one bid: Brooks Road, Old Owego Turnpike from Raymondskill Rd. to Route 6, Stone Quarry Road by Eureka and Tower Road.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

Solicitor Farley opened the only bid received which was from Lattimore Construction: Brooks Road, Stone Quarry Road by Eureka and Tower Road - \$806 per application (plowing and sanding), \$340 per application (sanding only); Old Owego Turnpike from Raymondskill Rd. to Route 6 - \$419 per application (plowing and sanding), \$233 per application (sanding only).

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to table for review, the bid received from Lattimore Construction for the 2018-19 winter snowplowing and ice control for the following roads as one bid: Brooks Road, Old Owego Turnpike from Raymondskill Rd. to Route 6, Stone Quarry Road by Eureka and Tower Road.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to open bids received for the Pike County Courthouse Generator Enclosure Project.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

No bids were received, therefore, it was recommended to re-advertise for bids.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to re-advertise for bids for the Pike County Courthouse Generator Enclosure Project.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

NEW BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to adopt Resolution No. 18-19, Domestic Violence Awareness Month, October 2018, which was read by Commissioner Guccini.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

Commissioner Osterberg introduced Christina Byrne of Safe Haven, one of the organizations who promote domestic violence awareness. Ms. Byrne read an opening statement about the role of Safe Haven in the community which includes free and confidential services to victims and survivors of crime and abuse, one on one advocacy, empowerment counseling, support groups, emergency shelter and crisis line. Safe Haven partners with the Commissioners and District Attorney's office to host the Children's Advocacy Center in their office. The Children's Advocacy Center is a one stop comprehensive investigation format into allegations of child abuse where one person who is trained to ask questions of the child is recorded and shares this with all other parties involved, such as police, etc. Save Haven offers many different educational awareness and prevention programs for children, teens and adults. Ms. Byrne distributed a flyer of free events throughout October to help raise awareness about domestic violence.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to advertise a Public Hearing for October 17, 2018 for the 2018 CDBG Program for Pike County.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to advertise for the purchase of fresh bread and baked goods for the Correctional Facility.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to authorize the Chairman to execute Change Order #2 between Grimm Construction and the County of Pike, for the Correctional Facility Generator and Cooler Building at an additional \$3,451 for a concrete ramp and to eliminate drywall and install plywood on interior walls.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the Generator Service Maintenance Contract between Peak Power Systems and the County of Pike, on behalf of the Communications Center for the Greenville Tower.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to execute Provider Agreements between the County of Pike, on behalf of Children & Youth Services, and the following providers: Avanco (Addendum), Clear Vision, Edison Court, Glen Mills Schools, Lancaster County Commissioners, Mid-Atlantic Youth, New Way Youth Services, PA Mentor, PA Treatment & Healing and Youth Services Agency.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the Memorandum of Understanding between Saw Creek Estates Community Association and the County of Pike, on behalf of the Area Agency on Aging.

VOTE: Commissioners Osterberg, Schmalzle and Guccini voted 'aye'. Motion carried.

MISCELLANEOUS

- Larisa Yusko and Ryan Lohman, Area Agency on Aging provided an update on the SHARE Housing Program. They thanked the Commissioners for their support and stated that in the last 14 months they have been more successful than anticipated. There were 450 inquiries about the program in Monroe/Pike/Wayne Counties, with close to 200 applications for the program, 13 matches and currently 7 matches. Two matches have been over 6 months and two are approaching 6 months. This program was created for seniors to age in place. They have been successful so far in keeping at least two people at home rather than in a personal care home.
- District Attorney Ray Tonkin spoke on the Pike CARE Program (Criminal Addiction Response Effort) funded through a PCCD grant, to identify offenders who have addiction problems that have come into the Criminal Justice System. Probation does a pre-trial risk assessment on these offenders who have to apply for the program and if accepted into the program by the Court, then they undergo an intensive supervision in Probation with electronic monitoring for a period of at least 6 months. This includes meeting with Probation at least twice a week, maintain employment, maintain drug and alcohol counseling and could be subject to electronic monitoring. To date, there have been 34 people enter the program with only 3 being discharged with unsatisfactory performance, either positive drug test or not following through with the terms and conditions. That is a 90% success rate. So far they have saved 3,584 days in jail, which at \$82.71 per day for the cost of an inmate at the Pike County Correctional Facility, is a savings of \$295,357. The program has been in place for about two years. The program itself has been very successful for the County because of the money being saved, but most importantly by not jeopardizing public safety because of the intensive supervision and electronic monitoring. Commissioner Osterberg said that this program was discussed at the Opioid Task Force meeting and stressed how important this is not only as a cost savings, but to the individual. Commissioner Guccini also noted that this was also talked about during the past Criminal Justice Advisory Board meeting about how you could not keep individuals out of jail and protect the community at the same time. Over time that theory has been disproved depending upon the offender. This is something that he is very happy that the District Attorney has started. He thanked them for their efforts. It has been a success and he sees it continuing as a success.
- Penn State Extension Schedule of Events October 1-15, 2018. Commissioner Osterberg commented that Angela Smith has been quite busy being involved in Recovery Month and did great job in bringing this out to the schools along with other programs. Commissioner Osterberg reminded everyone that the first Tuesday of every month there is an Opioid Task Force meeting at the Training Center at 10:00 am. It is important to get together to discuss this and programs through the District Attorney's Office and what is going on in the Correctional Facility to help these individuals and their families.
- Jill Gamboni announced that the Reality Tour is a three hour program on October 11 and November 8. She sent 1800 news flyers through the Delaware Valley School District, directly to parents, and she has 12 parents so far. They definitely need more families to enroll in this program. This year they have the Jeffrey Wallen Memorial Fund so if anyone attends they do not have to pay the suggested donation of \$5. They never turn anyone down because of money. This is a licensed program so she has to follow very strict regimen of this program with \$5 being a suggested donation. If the fee was not required, it would not be charged at all because they have sponsors. Schools are doing an outstanding job. This is a community based program that parents can go to. Please spread the word about this program. Through the Prosper Program, Ms. Gamboni says she has the cooperation of Delaware Valley, East Stroudsburg and Wallenpaupack to do a robo call, hopefully to get the word out about this. She thanked District Attorney Tonkin for the \$500 renewal fee for the Reality Tour. District Attorney Tonkin stated that this is a reinvestment of Drug Forfeiture Funds back into prevention.

PRESS/PUBLIC COMMENT

Someone from the public asked about Senator Baker's statement concerning increasing fracking in areas including Pike County where there are some protected lands. She knows that the Borough has taken a stand against that, but asked for the Commissioners' stand on that, and also about the money that goes back to the state from the fracking and why we are not getting money. Commissioner Osterberg replied that we do get some money. She said she heard that some of it is being given to individual people for campaigns from the Governor on down. She said she was just repeating what she had heard and is asking for clarification. She asked if any of the Commissioners receive any funds from any of those

organizations or companies or other groups that support it, and why they are supporting that activity because fracking she believes is not necessary. You don't take something out of the earth and not put something back in its place. Commissioner Osterberg replied that as far as the funds that come from the gas industry, that goes into a fund called Act 13 Funds which the County does get money from. The County does not get direct money from the actual drilling, but it gets money that is passed through to all the Counties. All Counties get some form of dollars and cents from it. Some of that money is used for roads, bridges and administration. There is a mini-grant program in Pike County that is used for townships who apply for funding to build parks, trails, etc. There is a number of criteria that have to be met, but Dingman and Lehman Townships have received funding through this mini-grant. Commissioner Osterberg stated that as far as the Commissioners personally getting money from Act 13 funds, no, he has not heard that. As far as donations towards campaigns, no. You would have to check that with Senators and Representatives, but that's a whole different topic because that is not coming actually from money that is collected for the impact fee, that is money that is collected more than likely from the corporations that own the gas or the industry. Commissioner Osterberg stated that fracking, if it is done correctly, he has been to a number of wells, and it is done all over this country, it is a safe industry. He is going to disregard what they say, because he has been to the sites, and he saw what they do. Was there an issue a number of years ago where things were done incorrectly, that's true. But talking about taking things out of the earth, we take oil out of the earth and coal. If we could come up with another source of energy that can heat his house as effectively and efficiently as natural gas, he is all for it. Right now, this is the product that is being used. If you drill for oil incorrectly, you will have a mess also. If you move oil in a tanker and hit an iceberg you're going to have a mess. They don't plan on doing that though. He has not heard about Senator Baker's latest comments. He does know that there is no real fracking for Marcellus shale oil in Pike County. We stand in opposition in some counties, Wayne and Pike in some areas, and some people with the DRBC. That's why it is not allowed here, but he stated that he also does not think that Pike County is a Marcellus shale area. It is the Utica shale which is much further down, and he is not sure, except for maybe Lawrence County at the other end of the state that they have not even gone that deep. That's where he stands on that issue. If it is done safely then it is a good thing. He likes his \$80 month gas bill to heat his house, and that's why it's there, because there is an abundance of it, and we are looking for savings. Chris Jones of the Dispatch asked about the Act 13 Impact fees. He stated that when Tennessee Gas was here and having to campaign to make this pipeline, it was right by the nursing home under 209 and under the river, they made donations to Milford Police Department and other organizations so they do political gratification type donations. Commissioner Osterberg disagreed that the Fire Company is political gratification. Mr. Jones said that when they come with big money bags that are open to all kinds of organizations including the people who own the land that they want to go over. Commissioner Osterberg agreed, and said that that PP&L hands out money also, as well as many other corporations including Walmart for that matter. He wanted to be clear on the pipeline. The pipeline has been in Pike County since about 1942. It is not as if the pipeline was just created 10 years ago. We fought that bypass. The pipeline has come down under the Econopack Building for decades. Mr. Jones stated that he was aware of that, but Commissioner Osterberg wanted everyone to be aware that TGP or Kinder Morgan or Columbia Gas, whoever owned it, did not just show up here 10 years ago. They have been here for a long time and they are community members. If they chose to give money to the Fire Company and the Police Department.....Chris Jones said his point was that they only did that when there was opposition and when they wanted to make that bypass. Commissioner Osterberg reminded Mr. Jones that the County of Pike spent money to fight that in Washington because we did not believe in the bypass. We wanted the pipeline to continue through its current path underneath the river where it has been going for 70 years. Mr. Jones said that he didn't want to get into an argument. Commissioner Osterberg said he just wanted to make sure everyone has a clear understanding. Mr. Jones asked who gets the money, and not strictly through Act 13, which is an impact fee, which is a work back from these companies. Mr. Jones continued to say the companies themselves give money and they give it to very specific targeted recipients. He does remember when they gave money for Milford Police to get new rifles or something. They also had a contract for the Milford Police to patrol when there were demonstrations and it was accepted and they did do that. Commissioner Osterberg suggested that he bring that up with Milford Borough, but he does not think that is such a bad thing. Mr. Jones clarified that he does not see it as good or bad either. He said no one answered the question that the woman asked regarding if anyone gets money. Commissioner Osterberg said that the Commissioners do not get money individually. Commissioner Guccini stated that he is not familiar with the recent statement by Senator Baker or what was in the paper, his only understanding of her position is that she had introduced some legislation along with others that basically indicated if you were in the DRBC and therefore not allowed to drill on your property, especially for those people who had signed contracts, that would be considered a taking and you would have the right to, as any other entity would have if a government was taking your property, to seek compensation for that. That is the only thing he is aware of. If there is something new, he is not familiar with it. As far as Act 13, there are fees that come back to counties. More goes back to counties where there is drilling taking place. There is a formula that is followed. In terms of contributions, he stated that political candidates in Pennsylvania cannot take any corporate donations. Period. From any corporation. They cannot take the first dollar. Political candidates in Pennsylvania can take an unlimited amount from individuals, but cannot take the first dollar from any corporation whatsoever. We hear a lot of different things because the Federal rules are different. Federal candidates can take corporate funds he thinks, but there is a limit on personal contributions that they can take. Pennsylvania has a different system.

Chaplain Ed Blaney of Hemlock Farms said that in his prayer he brought out the fact about cancer and cancer related illnesses. He stressed that first responders after they have been on a call need to clean off their gear. Everything on their coats, helmets, gear, etc. has cancer stuff on it, and they have to wash it. He wanted to make everyone aware in the fire companies and first responders that cancer is at a very high rate among first responders today. He is a member of the New York State Fire Chaplains Association and a Federation of Fire Chaplains which is nationwide. First responders are facing cancer risks, and he urged everyone to get their first responders to wash their gear and maybe get commercial washing machines in the fire companies. Commissioner Osterberg said that he would mention it to EMA Director Tim Knapp.

Chris Jones asked about the Hazardous Material Response Fund transfer from the top of the agenda. Chief Clerk Gary Orben explained that the funds were incorrectly electronically deposited from the state. It should have gone to the General Fund.

Mr. Jones inquired about the properties that were sold out of the Repository. Commissioner Osterberg explained that these are County-owned properties that the County has and then they are sold. Once they are not sold at tax claim then they go into the repository. Solicitor Farley said that there are three stages: first the tax sale with all the liens, second free and clear with all the liens dropped, and the third if it still does not sell goes into repository and then there is a repository sale and you can make any bid you want so at least it becomes a taxable property in the County. Mr. Jones wanted clarification that these are all based on delinquent taxes, and at the end of all those stages, the County owns the property? Solicitor Farley said that the County never owns the property. The title stays in the property owners name. It drops at different stages. The owner still remains, but when it finally gets to repository and sold to a third party, then it is conveyed from the County to the third party and the taxes are exonerated. Until it is sold at repository it still belongs to the property owner, but we are trying to sell it so we remove it from the delinquent tax properties so it becomes a viable taxable property again. Then it's back on the books from that day forward and they pay taxes.

ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, OCTOBER 17, 2018, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.