

Wednesday, February 5, 2014

The first regular meeting of February 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. Rabbi Shaul Elkeslasi of the Chabad House of Deerpark, Port Jervis & Pike County, was scheduled to offer the opening prayer, but did not attend due to the weather.

PRESENT: Commissioners Caridi (via telephone), Osterberg and Wagner; Chief Clerk Orben.

NOT PRESENT: Solicitor Farley.

Public Comments/Questions concerning today's agenda.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve the February 5, 2014 Agenda.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to approve the January 15, 2014 Commissioners' Meeting Minutes.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve the January 15, 16, 22, 23, 27, 29 and February 3, 2014 Conference Minutes.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve payment of **COUNTY BILLS**, in the amount of \$65,369.48, subject to further review.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to approve payment from **LIQUID FUELS FUND (1/25-26 plowing/sanding)** in the amount of \$1,700.00.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve payment from **DEBT SERVICE FUND (BG Tax Collector-reimb.overpayment)**, in the amount of \$172.46.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve payment from **SRCP DEBT SERVICE FUND (BG Tax Collector-reimb.overpayment)**, in the amount of \$19.17.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to approve payment from **PC EMPLOYEES' HEALTH INS. FUND**, in the amount of \$206,212.41.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

PERSONNEL:

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to acknowledge receipt of a letter from Sheriff Phil Bueki advising that he has hired **NICHOLAS MARKS**, as a full time Deputy Sheriff for the Sheriff's Office, for a 40 hour work week, effective February 3, 2014, with benefits after 90 days. This is to fill a Deputy Sheriff position that was changed from part time to full time.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to hire **JORDAN WISNIEWSKI**, as a part time Training Assistant for the Training Center, for less than 1000 hours per year, effective February 3, 2014, with no benefits. This is a replacement position.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to hire **KERRY DONLEAVY**, as a full time Fiscal Assistant for Children & Youth Services, for a 37 ½ hour work week, effective January 27, 2014, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to hire **ANNA LOPEZ**, as a part time Case Aide I at the Area Agency on Aging, for less than 1000 hours per year, effective February 10, 2014, with no benefits. This is to fill a Case Aide I position that was changed from full time to part time.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Wagner and seconded by Commissioner Caridi, to promote **JAMES RABBAS, JR.** from Aging Care Manager II to Aging Care Manager Options Supervisor I at the Area Agency on Aging, for a 40 hour work week, effective January 21, 2014. This is to fill a newly created position.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

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

Vote: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

A SALARY BOARD MEETING WAS HELD.

Motion: by Commissioner Caridi and seconded by Commissioner Wagner, to reconvene the Commissioners' Meeting.

Vote: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

OLD BUSINESS: None.

NEW BUSINESS:

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to adopt Resolution No. 14-03, Proclamation Commemorating the Birth Date of Zane Grey.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to advertise for bids for the CDBG Milford Borough Broad Street Parking Lot Project.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to advertise for bids for the lease of the Santos property for the 2014 growing season.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to appoint the following individuals to the Pike County Road Task Force for a three year term expiring 12/31/2016 as recommended by the Road Task Force: Jim Snyder, Dingman Township; Edward Simon, Greene Township; Richard Krochta and Greg Scigliano as alternate, Lackawaxen Township; Kevin Rose, Matamoras Borough; and Albert William Schneider, Westfall Township.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the Pike County Liquid Fuels Tax Fund and Act 44 Tax Fund Reports for the Year 2013.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the 2014 Savin Maintenance and Service Agreement between the PA District Attorneys' Institute and the County of Pike, on behalf of the Correctional Facility as per recommendation by the Prison Board.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to approve the proposal from Esitech for the analysis of two HMI touch screen controllers at the Correctional Facility as per recommendation by the Prison Board.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the Planned Maintenance Agreements between Cummins Power Systems and the County of Pike, for the generators located at the Wastewater Treatment Plant and the Correctional Facility as per recommendation by the Prison Board.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the Annual Service Agreement between Corrpro and the County of Pike, for the water storage tank/clarifier cathodic protection systems at the Correctional Facility as per recommendation by the Prison Board.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the Amendment to the Scenic Rural Character Preservation Board By-Laws, as per recommendation by the SRCP Board.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the Amendment to the Contract for Professional Services between Ray Evans and the County of Pike, on behalf of the Transportation Office for mileage reimbursement.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the Fair Housing Action Report for 2012 on behalf of the Human Development Office.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the voucher for the Affordable Housing Act 137 fees for 2013 in the amount of \$26,585.40, on behalf of the Human Development Office.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the voucher for Rental Assistance Subsidy for Delaware Run in the amount of \$2,020.00 for February 2014, on behalf of the Human Development Office.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the Agreement between Avanco International and the County of Pike, on behalf of Children & Youth Services for FY 2013/14 Child Accounting and Profile System upgrades.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to execute the Purchase of Service Agreement FY 2013-14 between EI HAB Human Services, Inc. and the County of Pike, on behalf of Children & Youth Services.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MOTION: by Commissioner Caridi and seconded by Commissioner Wagner, to authorize the Chairman to execute the Proposal for Maintenance Support Services for the Fire Trainer Live Fire Training Systems between Kidde Fire Trainers and the County of Pike, on behalf of the Training Center.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye'. Motion carried.

MISCELLANEOUS:

Scheduled but not in attendance due to weather:

Area Agency on Aging - Enhanced Senior Center Program in Delaware Township.

Lori Strelecki - Pike County 200th Anniversary Highlight.

Commissioner Osterberg announced the following: Overall Strategy for Economic Development Dinner, February 18, 2014, Ehrhardt's at 5:30 p.m.

Questions and comments were opened to the Public and the Press.

Someone mentioned that the Commissioners did meet with O&R regarding the rate hike. He questioned what the discussion was about. Commissioner Osterberg explained that O&R did explain the reasoning behind the rate hike which has not been changed in the past 6 years. The County has not filed with the Public Utility Commission at this time.

Dick Snyder asked if the Commissioners have halted the courthouse expansion, if removing the Kenworthy Building has been suspended and if other options were being explored. He asked about the alternative of moving the courthouse to the rear and if there is in fact a cost to the county to relocate utility lines. He stated that under "common law" utilities do not acquire a property right unless there is an agreement. He asked whether there was an agreement with the Borough and the utilities that requires the Borough to reimburse them for relocating, or is it at their expense. Commissioner Wagner stated that it was case law and not common law, according to research by Solicitor Tom Farley. He stated that the utilities in question were contacted and given the case law for their attorneys to review which indicates that the lines would be moved for nothing. There is an agreement with the Borough and O&R that he believes the Borough would have to pay for it. The Commissioners are waiting on responses from the utilities' legal counsel. Mr. Snyder asked if there was any discussion with the utilities about reduced costs of relocating by going around the back of the expanded courthouse rather than going out to 5th Street. O&R said that because of high tension wires they would not go over private property or go underground either. Commissioner Osterberg stated that O&R will be stating that in a letter to the Commissioners. Commissioner Osterberg also stated that there are no poles on 5th Street. Commissioner Osterberg said he was very concerned about eroding into the residential zone and also mentioned plans that have been discussed for years where the alleys would be used if and when sewer lines were installed. He believes that the alleys are a very important part of Milford. You cannot run sewer lines be run under the buildings. He also said that a brick building of this magnitude should not be in a residential zone. Commissioner Osterberg said that if everyone works together and the County decided to use two lots next to the Columns and together the Kenworthy Building was picked up and put next to the Columns, the Kenworthy Building would be put on the tax rolls, Kannerbacher's building would stay on the tax rolls. Commissioner Wagner stated that the main issue is the cost of moving all the utilities, purchase the building, raise it and go back. Mr. Snyder stated that when the Commissioners receive a revised or reduced utility costs that they should consider offsets to the cost of acquiring the Keystone Building for example not only the sale of the Kenworthy Building but it appears the Commissioners can sell the Miller Oil Building. Commissioner Wagner said they were opposed to sell that lot which may be needed for parking, but he is willing to preserve the Kenworthy Building by moving it to a piece of that property. It can be used for County purposes or sold and put on the tax rolls. Mr. Snyder stated that under the ARB rules moving the building is the same as demolishing. It is taking it out of its historical context. Commissioner Osterberg said that there are economic sections in the ARB rules that talk about when things are not economically viable. Some of them can be economics, the difference between the Kenworthy and Keystone Buildings, if there are charges to utilities. If the ARB does not see that as a viable reason, then they go to the Borough Council. Mr. Snyder noted that this is a one time cost, but the cost of weakening the historic district regulations for the future as well as the impact on businesses and property values, has there been an assessment of this, and that is an ongoing cost of every year and this should be considered in the overall evaluation. Commissioner Wagner offered that if Mr. Snyder was welcomed to pay for the assessment, but that the Commissioners would not have the County pay for an assessment. Commissioner Wagner does not think that another building would not change the business climate. Mr. Snyder said that if you bring a large brick structure to the front of Broad Street, it will change as far as people wanting to come here to visit or live. The Commissioners added that Mr. Snyder was entitled to his opinion. Mr. Snyder noted that he is sitting right across from it and has to look at it.

Martha Lorin questioned whether it would be possible to get opinions in a more open fashion on these questions. She thought that it should be open it up to more people. She said the people in Milford feel like this is being bulldozed through and the Commissioners should care what the people in Milford think. The Commissioners assured her that was not the case, and that they have presented it to the ARB and Milford Borough Council. Commissioner Osterberg said that it is unfair to say that this has been going on behind closed doors. He has numerous articles from last May regarding this issue. It is up to the Borough Council to either approve or disapprove of the plans, but the Commissioners needed to look at this project through a financial standpoint and they owe it to all the residents of Pike County and not just a handful of Milford residents. Commissioner Osterberg again reiterated the fact that a brick building should be in the commercial zone and not the residential zone.

ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, FEBRUARY 19, 2014, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.