

Wednesday, March 21, 2012

The third regular meeting of March of the Pike County Commissioners was called to order by Commissioner Caridi at 9:00 a.m. at the Pike County Administration Building, followed by the "Pledge of Allegiance" to the flag.

PRESENT: Commissioners Caridi, Osterberg and Wagner; Chief Clerk Orben; Solicitor Farley.

Public Comments/Questions concerning today's agenda.

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

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

A RETIREMENT BOARD MEETING WAS HELD.

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

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the March 21, 2012 Agenda, with an additional item at the end regarding Ordinance #23.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the March 14, 2012 Commissioners' Meeting Minutes.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the March 15, 2012 Commissioners' Conference Minutes.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment of the **COUNTY BILLS**, in the amount of \$1,111,643.94, subject to further review.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment from **HOTEL TAX FUND (Gelderman-2012 1Q)**, in the amount of \$6,250.00.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment from **DEBT SERVICE FUND (TD BANK-INTEREST)**, in the amount of \$388,692.38.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment from **SRCP DEBT SERVICE FUND (TD BANK-INTEREST)**, in the amount of \$90,003.25.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to approve payment from **PC EMPLOYEES' HEALTH INSURANCE FUND**, in the amount of \$95,485.28.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to approve payment from **HAZARDOUS MATERIAL RESPONSE FUND (LEPC MTG. AD)**, in the amount of \$2974.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve exonerations for properties in Lehman Township that were in County Repository as presented by Cynthia Gehris, Tax Claim Bureau Director.

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

OLD BUSINESS:

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to award the bid for the vehicles listed as follows:

2004 Ford Econoline 8 passenger van, VIN #1FTSS34L44HA03399, 210,000 miles, AS IS, to County Ark Farms for \$1256;

2003 Ford Phoenix 10 passenger van, VIN #1FDSE35LX3HA93836, 221,000 miles, AS IS, to Camp Spears Eljabar for \$1655;

1999 Chevy Crew Cab, VIN #1GCHK33RXXF094906, 80,826 miles, AS IS, to John Hefferan for \$750.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to advertise for bids for the following vehicle: 1998 GMC Safari AWD Van, VIN #1GKEL19W3WB537134, 244,000 miles, minimum bid \$500, AS IS; and a 2005 Ford Eldorado 14 passenger van, VIN #1FDXE45S15HA09828, 135,000 miles, minimum bid \$3,500, AS IS.

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

NEW BUSINESS:

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to adopt Resolution No. 12-11, approving an Application for a Grant under the Pike County Scenic Rural Character Preservation Program.

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

Sally Corrigan, Planning Director, explained that the previous resolution was a notice of intent to apply for a grant. This resolution is approving the submission of the application to the SRCP program for the partnership with US Geological Service for the testing of wells in Pike County.

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to adopt the Policies and Procedures on Tax-Exempt Bonds, as recommended by Bond Counsel.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute Change Order No. 26 between Grimm Construction and the County of Pike, for additional fencing around the generator for an increase of \$3,756. This would enclose the generator completely.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to table the execution of the Contract Documents between Grimm Construction and the County of Pike, for the Pike County Correctional Facility Roof Replacement Project, for further review by the County Solicitor.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute the quote from Dominion Voting Systems for an Election Rover for the April Primary Election, on behalf of the Election Office.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute the Software License Agreement between Dominion Voting Systems and the County of Pike, on behalf of the Election Office.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute the Advertising Agreement between AAA World and the County of Pike, as recommended by the Hotel Tax Board.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute the Brochure Distribution Contract between Pennsylvania on Display and the County of Pike, as recommended by the Hotel Tax Board.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to authorize the Chairman to execute the Contract between Yellowbook and the County of Pike, on behalf of CCIS.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to authorize the Chairman to execute the 1st quarter report for the Homeless Assistance Program & Rapid Re-Housing Program (HPRP), on behalf of the Human Development Office.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to execute Amendment #5 of the SRCP Grant Contract between Delaware Township and the County of Pike, for a six month extension for the Akenac Park Acquisition, as recommended by the Scenic Rural Character Preservation Board.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the SRCP Grant Contract between Trust for Public Land and the County of Pike, for the KD Land Acquisition, as recommended by the Scenic Rural Character Preservation Board.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the Deed of Conservation Easement dated January 16, 2012 between Beaver Run Hunting and Fishing Club and the Delaware Highlands Conservancy, as recommended by the Scenic Rural Character Preservation Board.

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

Sally Corrigan, Planning Director, explained the above three items. The amendment with Delaware Township for the Akenac Park Acquisition is an extension of time due to the back and forth negotiations between the County and the State in regard to the conservation easement versus deed restriction language. The SRCP grant to the Trust for Public Lands is for acquisition of KD Lands in Blooming Grove. Trust for Public Lands is receiving monies from the County and the State. They will have the closing and transfer the title to the Bureau of Forestry. The third item is the finalization of the Deed of Conservation Easement on the Beaver Run Hunting and Fishing Club in Porter Township. Delaware Highlands Conservancy received funding both from the SRCP program and also from the state for the purchase of the conservation easement.

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to advertise Pike County's consideration of adopting Ordinance No. 23, Imposing a Fee on Unconventional Gas Wells.

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

Commissioner Caridi stated that the adoption of the ordinance does not mean that the County is permitting gas wells, as the County has no authority to permit or deny them. Commissioner Wagner explained that the law indicates that the governing body of a county that has a spud gas level located within its borders may elect to impose a fee by ordinance. The Commissioners have been informed by the Governor's office and the PUC that unless the County has a spud well drilled, the Commissioners can't pass the ordinance. However, there is a clause in the law that says the County must pass the ordinance within 60 days from the time the law takes effect. Therefore, if a spud well is not drilled for two years and the ordinance is not passed within 60 days from the date the law took effect, you cannot impose a fee. Commissioner Wagner stated that, in his opinion, the law needs to be amended. The Commissioners are not going to take a chance by not passing the ordinance within the 60 days, so that if there is a spud well drilled, the County can collect impact fees. Further discussion was held, and questions on the topic were entertained.

MISCELLANEOUS: None.

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

ADJOURNMENT.

THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, MARCH 28, 2012, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.