

### **Wednesday, May 6, 2015**

The first regular meeting of May 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. Father Van A. Bankston of Church of Good Shepherd & St. John the Evangelist offered the opening prayer.

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

#### ***Public Comments/Questions concerning today's agenda.***

**PRESENTATION OF \$50,000 TO THE HABITAT FOR HUMANITY.** Mike Dolan accepted \$50,000 on behalf of Habitat for Humanity. They have currently started on their 23<sup>rd</sup> home. Mr. Dolan also gave an overview of the qualifications and requirements for a Habitat for Humanity home. There will be a fundraiser yard sale at the Habitat shed on Fisher Lane and 2001, Dingman Township on July 4<sup>th</sup> at 8 a.m.

#### ***Miscellaneous item #1 moved to this point in the meeting.***

Kevin DeVizia of the Delaware Valley School District explained the idea of geocaching as a hobby of placing containers on public lands with permission, which can range in size from an old used ammo can to a small container the size of a fingernail. These can be placed in creative hiding places to enjoy the outdoors and use some problem solving abilities. A GPS or phone will be able to take coordinates of the hidden object which will be published on line (geocaching.com). People who are into geocaching will go on the free website and search in your area for where geocaches are placed. This encourages families, friends and individuals to enjoy the outdoors and be able to appreciate the environmental areas and the challenges of finding geocaches. There are many different types of geocaching which Mr. DeVizia went over. Some of these are mathematical puzzles that geocachers need to solve like "Easy as Pi". A Tri-State Treasures geocaching event will take place on June 26-27 at Airport Park in Matamoras.

Jessica Grohmann of the Pike County Planning Office, stated that the Scenic Rural Character Preservation Program, is a program which protects the natural wonders in Pike County. The SRCP sponsors the "Seven Wonders of Pike County" by placing geocaching on some of the SRCP-protected sites, some being open space, municipal recreation areas and the Santos property. People from all over are coming to experience geocaching and enjoy Pike County.

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the May 6, 2015 Agenda.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the April 15, 2015 Commissioners' Meeting Minutes.

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

**MOTION:** by Commissioner Wagner and seconded by Commissioner Osterberg, to approve the April 15, 21, 23, 27, 29 and May 5, 2015 Conference Minutes.

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

**MOTION:** by Commissioner Wagner and seconded by Commissioner Osterberg, to approve payment from **GENERAL FUND (County Bills)**, in the amount of \$172,244.21, subject to further review.

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

**MOTION:** by Commissioner Wagner and seconded by Commissioner Osterberg, to approve payment from **AFFORDABLE HOUSING**, in the amount of \$50,000.00.

**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 (May web hosting)**, in the amount of \$75.00.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment from **PC EMPLOYEES' HEALTH INS. FUND**, in the amount of \$62,623.84.

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

#### **PERSONNEL:**

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to acknowledge receipt of a letter from Warden Craig Lowe, advising that he has hired, with Prison Board approval, the following individuals as Correctional Officers for the Correctional Facility, effective May 4, 2015, for a 40 hour work week, with benefits after 90 days: **ISAAC DECKER, LAURENCE MASLIN AND SCOTT ROBERTS.**

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to promote **LARRY MILLER**, from Caseworker 1 to Caseworker 2 for Children & Youth Services, effective May 11, 2015.

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

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

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

**OLD BUSINESS:**

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to award the bids for the sale of the following vehicles: 2004 Subaru WRX Impreza, VIN #JF1GD67554H518206, 158,494 miles, AS IS, to Antonio Biafora for \$2,001; and 2007 Ford Mustang, VIN #1ZVFT80N375336733, 96,917 miles, AS IS, to Jersey One Auto Sales for \$2,262.

**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. 15-11, Pike County Board of Commissioners Adopting Housing Rehabilitation Procedures and Standards.

**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 two Housing Rehabilitation Assistance Liens, on behalf of the Human Development 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 two Housing Rehabilitation Assistance Lien Mortgage Satisfactions, on behalf of the Human Development Office.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Senior Rental Assistance subsidy voucher from Delaware Run for May 2015 in the amount of \$1,850, on behalf of the Human Development Office.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Addendum to the Agreement between Scott Eyler Construction and the County of Pike, on behalf of the Area Agency on Aging, for an extension of time to May 30, 2015.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Contract for Psychological Services between Joseph F. McNamara, Ph.D. and the County of Pike, on behalf of Children & Youth Services.

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

**MOTION:** by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Contract from Patrick J. Zirpoli for the PREA (Prison Rape Elimination Act) Audit at the Correctional Facility, as per recommendation by the Prison Board.

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

**MISCELLANEOUS:**

Elizabeth Erickson Kameen, President, and Kelly Gaughan, Secretary of the Pike County Bar Association introduced the Wills for Heroes program. Ms. Gaughan announced that Wills for Heroes will be held May 9, 2015 at the Pike County Training Center beginning at 11 a.m. This program is for veterans and active and retired first responders and their spouse/significant other to obtain a will, living will and power of attorney at no cost through the Pike County Bar Association. Please call 570-296-8844 to make an appointment. Appointments can also be made online at [www.pabar.org/wfh/](http://www.pabar.org/wfh/).

Commissioner Osterberg brought up the subject of the recycling program as it once again is in the newspapers that the Commissioners have lost the county \$1 million dollars, have done something illegal and improper for its residents. Commissioner Osterberg pointed to the documents that were handed out a month ago regarding this program, and which documents that when the recycling program was ended it was costing the County in excess of \$500,000 per year. The Commissioners turned it over to private sector, who have increased the amount of recycling of 2600 tons a year to 4400 tons a year. The Commissioners continue to be ridiculed for losing \$1 million dollars. Commissioner Osterberg also pointed out that letters to the editor are written by a gentleman who wrote that the Commissioners didn't do the research in taking on the issue. The gentleman who wrote the article is the person who gave the Commissioners the research. At that time, the Commissioners interviewed every hauler in the County, and they talked about the best way for the County to proceed. All of them said the program should be ended and should be done by curbside, and the haulers can accomplish this much more cost effectively. The Commissioners did this. When the question was presented to the haulers if the County was to keep all those containers on all of those 10 sites, and had all the residents going there to drop off the recyclables, would the haulers take the recyclables for free. The answer was no. The haulers think it is more cost effective to go door to door than to have the public go to the sites to drop off the recyclables. So the Commissioners ended the entire program. The program, as it is now, is working and successful. Just recently, there was an article in the newspaper on May 1<sup>st</sup> about Waste Management. Waste Management last quarter lost \$13 million dollars in the recycling business. Commissioner Osterberg stated that if this was a money making proposition, Waste Management is not making it profitable, how could the County

possibly make it profitable. He continued to read that it is as low as it has ever been and we haven't seen the indication of the bottom yet. So this is costing them even more money, and the Commissioners do not understand why anyone would believe that the County of Pike should be in the recycling business when the haulers pick it up door to door. The gentleman who is proposing this is the same gentleman who is suing the County of Pike for \$500,000 and he is also the gentleman who put in a bid for \$380,000. If he tells us it can be free, how did he give the Commissioners a bid for \$380,000. Two bids were given. One by Greenway Enterprises for \$380,000 and the other from Waste Management for a little over \$500,000. Waste Management is not suing the County of Pike. Commissioner Osterberg asked what the reason would be to keep on promoting recycling by the person who is suing the County for \$380,000. He let the Solicitor and Caridi speak on the matter. Commissioner Caridi stated that all bids were rejected because the Commissioners could not justify spending taxpayers' money to do recycling when they, in fact, were going to do it curbside at their own expense.

Commissioner Wagner stated that Nick Troiano, son of Louis Troiano, Jr., is the person who has been writing the articles in the newspaper and is also involved in one of the campaigns. Louis Troiano wrote the recent letter to the editor indicating that an expert came to the Commissioners, Commissioner Wagner stated that Mr. Troiano was speaking of himself as the expert. Louis Troiano is also the one who is suing the County in a lawsuit which has been amended 4 times. Counsel has advised the Commissioners that this is a frivolous law suit. He is also suing Delaware Township, Birchwood Lakes Community Association and a mass of others who wouldn't go along with his scheme, and by that Commissioner Wagner indicated that he came to the Commissioners, sat with them, had a scheme that he wanted the Commissioners to finance 100% and he would run it. The Commissioners rejected that and told him that if he wanted to start a recycling business such as other local businesses have, feel free to go out and get that started because the County is now being serviced by other local recyclers who have started their own business. He wanted the Commissioners to start his business, so it appears that both Nick and Louis Troiano have an axe to grind. They are not impartial arbiters, and do not have a fair and unbiased view.

Commissioner Caridi reiterated what was said by Commissioner Wagner. He stated that when Louis Troiano met with the Commissioners after giving them his proposal, Commissioner Caridi said to Mr. Troiano, "so what you want to do here is, instead of going to a bank like a commercial entity to get your funding and start your business, you want us to use the Bank of Pike County Taxpayers to put you into business at their risk". He told Mr. Troiano that the Commissioners were not elected for that, and if he wanted to go into business then "God Bless you, we wish you well, but you do it on your dime or you go to one of the local banks and take care of it that way. We are not in the business of subsidizing private enterprises".

Solicitor Farley explained that Greenway filed a lawsuit the first time and listed many defendants. Listed were Delaware Township, Pike County, Birchwood Lakes, Thomas Farley as Solicitor for the County and Delaware Township, Farley's law firm, and the Commissioners individually. The insurance companies for both Delaware and Pike County filed appeals and his first complaint was dismissed because Birchwood was dropped out, Farley and his law firm was dropped out. Appeals were filed again and second amended complaint, and all the defendants were dropped except for the County and the Commissioners after three amended complaints. He is now on his fourth complaint. The only defendant left is the County and his argument now is that the County hurt him because they rejected his bid, but the County rejected all bids. His other theories are suggesting that somehow because he was also rejected in Delaware Township, there is a conspiracy. He forgets to mention that he went through a hearing in front of the Zoning Hearing Board, with Steve Guccini as Solicitor for the Zoning Hearing Board. As Solicitor for the Township, Mr. Farley was asked to go as Birchwood Lakes did not want it. After a full hearing presented, the Zoning Hearing Board, with Steve Guccini as Attorney, rejected Mr. Troiano's suggested place to have his recycling facility. Solicitor Farley said that Mr. Troiano needed that facility to do what he projected in his bid to the County. Therefore, as Commissioner Caridi suggested, if he received the money from the County then he would use that money to build that facility once it was approved by Delaware Township, but it was rejected. Instead of appealing to the courts, he decided not to do anything, he dropped it, did not file his appeal within 30 days, but suddenly decided to sue the County. As an attorney, he said this lawsuit is frivolous, as did the County insurance company. The County has filed a preliminary objection to his last complaint and Solicitor Farley believes this will be successful as well. Mr. Troiano said the Commissioners did not file the proper procedures through DEP. Solicitor Farley argued that it was a non-substantial change, and the County only had to do a small procedure to change the program. Mr. Troiano consistently argued that it was a substantial change which required much larger steps. He sent letters to DEP, argued with Solicitor Farley and accused him of not following proper procedure. DEP agreed with Solicitor Farley that it was not a substantial change and that almost all the other counties are doing the same thing because recycling simply is not profitable and almost all the counties are getting rid of the transfer stations and going to curbside pick-up. The only thing DEP required was a meeting with the recycling committee to discuss it, which was held, and Mr. Troiano did not show up. Solicitor Farley respects Waste Management because their representatives were honest and told the Commissioners that they should not continue with the program, and they were the ones making the money on the program. It is not right to the taxpayers to continue to lose money for a recycling program when the remedy given was to use curb side service which is free, and actually increased recycling.

**ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, MAY 20, 2015, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.**