

Wednesday, August 20, 2014

The first regular meeting of August 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 Osterberg and seconded by Commissioner Wagner, 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 August 20, 2014 Agenda.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the July 30, 2014 Commissioners' Meeting Minutes.

VOTE: Commissioners Osterberg and Wagner voted 'aye'. Commissioner Caridi abstained due to his absence. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve the July 30, August 6, 11, 12, 14 and 18, 2014 Conference Minutes.

VOTE: Commissioners Caridi, Osterberg and Wagner voted 'aye', except for the July 30 and August 6 conference for which Commissioner Caridi abstained due to his absence. Motion carried.

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to approve payment from **GENERAL FUND (County Bills)**, in the amount of \$612,227.60, 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 **PC EMPLOYEES' HEALTH INS. FUND**, in the amount of \$47,295.82.

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 Judge Joseph Kameen advising that he has hired **JOHN CAMPO**, as a full time Law Clerk for the Courts, for a 37 ½ hour work week, effective August 13, 2014, with benefits after 90 days. This is a replacement position.

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

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 full time Correction Officers for the Correctional Facility, for a 40 hour work week, effective August 18, 2014, with benefits after 90 days: **NICHOLAS BRENNEIS, JUSTIN LAO-SEGARRA, KERRI RIDER AND STEVEN SPRAGUE.**

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to hire **ALAN UMBRIA**, as a part time Van Driver in the Transportation Office, for less than 1000 hours per year, effective August 21, 2014, with no benefits. This is a newly created position.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Caridi, to appoint **AMANDA CHESAR**, as an Assistant Public Defender for a term effective September 1, 2014 to December 31, 2014, with continued benefits due to her transfer from the Court.

VOTE: Commissioners Caridi and Osterberg voted 'aye'. Commissioner Wagner voted 'nay' because he feels that Eric Hamill, who applied for the position, is a more qualified candidate. 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 bid for the purchase of fortified flavored beverage bases for the Correctional Facility to Bernard Food Industries for the amount of \$8,176.32.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to open bids received for the Pike County Administration Building HVAC Upgrade Project.

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

Solicitor Farley opened the only bid which was received from L.J. Bogumil in the amount of \$333,500.

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to table the bid received from L.J. Bogumil for the Pike County Administration Building HVAC Upgrade Project for review until September 3, 2014.

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

NEW BUSINESS:

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to reappoint Tina Larkin and appoint Howard Shankler to the Workforce Investment Board for a three year term ending June 30, 2017.

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 2014/15 winter snowplowing and ice control for the following roads as one bid: Brooks Road, Old Owego Turnpike from Raymondskill Road to Route 6, Stone Quarry Road by Eureka and Tower Road.

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 purchase of groceries and frozen foods for the Correctional Facility.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Letter of Understanding between Zelenkofske Axelrod and the County of Pike for auditing services for the year ending December 31, 2013.

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 Service Agreement Acceptance Form between Smiths Detection and the County of Pike, for x-ray equipment at the Courthouse.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the PA Commission on Crime & Delinquency Grant Application entitled "Operation Rally Point", on behalf of the District Attorney's Office.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Child Welfare Information Solution (CWIS) Data Sharing Agreement between the PA Department of Public Welfare 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 FY 2013/14 Certification Statement Fourth Quarter Report for the period 4/1/14 to 6/30/14, on behalf of Children & Youth Services.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to execute the FY 2013/14 MATP 4th Quarter Report for the period 4/1/14 to 6/30/14 on behalf of the Transportation 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 FY 2014/15 PA Department of Public Welfare Acknowledgement Letter for the County's tentative MATP allocation amount of \$270,680, on behalf of the Transportation Office.

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

MOTION: by Commissioner Wagner and seconded by Commissioner Osterberg, to execute the FY 2014/15 MATP Participation Grant Agreement & Assurance of Compliance, on behalf of the Transportation 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 Transportation Agreement between Pocono Cab Company and the County of Pike, on behalf of the Transportation Office.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the 2014/15 State Food Purchase Program Pantry Sub-Agreements between the County, on behalf of the Human Development Office, and the following food pantries: Blooming Grove, Loaves to Fishes, Pike County, Holy Trinity and Bushkill Outreach.

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

MOTION: by Commissioner Osterberg and seconded by Commissioner Wagner, to execute the Housing Rehabilitation Assistance Lien, 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 authorize the Chairman to execute the Housing Rehabilitation Lien Mortgage Satisfaction, 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 authorize the Chairman to execute Rental Assistance Contracts #15A and #19, on behalf of the Human Development Office.

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

MISCELLANEOUS:

Dr. Robert A. Ollar, newly appointed member of the Department of Health's Tick and Lyme Disease Task Force, distributed information on the creation of the Pike County program for a more effective and uniform approach to tick borne diseases. Dr. Ollar presented the pertinent information regarding the creation of the Pike County program, including the adoption of more advanced technologies for early and accurate identification methodologies to decrease misdiagnosis and understanding the later stages of tick borne diseases. Dr. Ollar's intent is to relocate his existing molecular lab to a Pike County venue where it will serve as a practical county field testing unit for evaluating the worth of newly available assays in providing more rapid, accurate and early detection, as well as, for monitoring the efficacy of the antibiotics utilized in therapy. Dr. Ollar said that funding from the state will not be available for the program in Pike County until April 2015, and therefore, is requesting funding from the local share grant funds. He is also asking for a venue for the laboratory in Pike County. This laboratory was in existence at St. Vincent's Hospital, but after the hospital closed, the equipment was put into storage. The equipment alone would cost approximately \$100,000, but he would like to deed this equipment to Pike County. It is the aim of Dr. Ollar to create, in Pike County, a model based on eventually be presented to the members of entire body of the state task force based upon field findings and recommendations from members of the medical profession, healthcare and research professionals, the Pike County Lyme Disease Task Force, local government, state government, educators and concerned citizens of Pike County. Commissioner Osterberg suggested that a meeting be held with Dr. Ollar and the Commissioners to discuss the requirements and funding to move forward. Mikki Weiss, founder of the Pike County Lyme Disease Task Force, gave a brief history of her own personal difficulties with the diagnosis of Lyme Disease. She also introduced some of the members of the task force. She thanked the news media for their support. Dr. Ollar answered various questions from the Commissioners, press and public.

Commissioner Osterberg introduced Ellen Howarth, Supervisor, Department of Agriculture, Dog Law Enforcement. The Commissioners thought it would be important to have Ms. Howarth explain the state laws on dog enforcement in light of a recent attack of a person and dog in Matamoras.

Ellen Howarth explained that at no point in this particular case as it stands now does the law authorize the removal of a dog. There is a legal process that must be followed. The complaint is received, responded to, investigated and charges filed. In this case, 14 charges have been filed. They are waiting for the defendant to either plead guilty or not guilty and then a hearing will be scheduled. The Magistrate will listen to all parties and determine innocence or guilt. The Dog Law Enforcement Agency's job is to investigate and determine if, as officers of the Court, violations of the state's dog law have occurred. It is up to the Magistrate and Court of Common Pleas and an Appeal or Superior Court to determine innocence or guilt. If there are hearings and the Magistrate determines the dog to be a dangerous dog, the owner does not, under the state's dog law, have to relinquish custody of the dog. The owner has the right to retain their animal if they come into compliance with a number of regulations under the law to keep the dog in their possession. They would have to register each dog and pay a \$500 annual registration fee. Each dog would have to be spayed or neutered, micro chipped, and the owner would also have to secure insurance coverage or liability insurance for each dog. The owner has 30 days after the hearing to come into compliance with the regulations. If they failed to come into compliance once they have exhausted the legal process, then additional charges are filed which rises to a misdemeanor level. At this point there is nothing under the law that gives dog wardens, local or state police officers, legal authority to remove the dog from the owner's custody. They are entitled under the Constitution to their due process under the judicial system. At this point, the Mayor of Matamoras, Janet Clark stressed the need for a dog warden. The dog warden that is in place now covers three counties, which is not feasible to do. There is also a need for a place to quarantine dogs that have attacked when they have not had their rabies shots. The Mayor is asking the Commissioners for funding to make this possible. Ms. Howarth responded that Jim Rickert is the dog warden and he covers Wayne and Pike Counties, which has always been the coverage area even prior to Mr. Rickert. Mr. Rickert explained that he is not a first responder and therefore cannot carry a gun. He would have had to have found another method to break up the fight had he been present. He said that dog owners need to be educated. Dog license money is what funds dog law enforcement. There are roughly between 5,000 and 6,000 licensed dogs in Pike County. Dog owners need to be the responsible ones by licensing and controlling their dogs. He went on to explain the laws regarding the dogs in question. Further discussions and questions were held.

Sally Corrigan, Executive Director, and Vincent Cordova, Watershed Specialist of the Pike County Conservation District, spoke about the scientific investigations that have been ongoing in Pike County in regard to water resources. The Conservation District has been doing ongoing surface water monitoring. There is about 20 years worth of data. The Conservation District has been working with various state and federal partners to specifically look at building a baseline of water quality and quantity information that can be used over the long term to assess surface and ground waters. Ms. Corrigan proceeded to go over the history of the various studies that were done in Pike County. Some of the funding for these studies were from grants and through the County Scenic Rural Character Preservation Program. The most recent study done in 2012/13 in partnership with the USGS was explained by Mr. Cordova. The report is available on line at www.usgs.gov under Scientific Investigative Report #SIR2014-5117.

ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, SEPTEMBER 3, 2014, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.