Wednesday, June 7, 2017

The first regular meeting of June 2017 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 Rev. Leonard Gilpin of the Hope Evangelical Free Church.

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

Public Comments/Questions concerning today's agenda.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to approve the June 7, 2017 Agenda, moving Items #2, 3 and 4 to the beginning of the meeting so that the District Attorney could speak about them before leaving for Court.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the PCCD Subgrant Award Notifications for the Pike County CAC (Children’s Advocacy Center) Project, each in the amount of $50,000, on behalf of the District Attorney’s Office.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the PCCD Subgrant Award Notification for the Justice Reinvestment Project, in the amount of $28,367, on behalf of the District Attorney’s Office.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the PCCD Subgrant Award Notification for the Victim Witness Project, in the amount of $122,774, on behalf of the District Attorney’s Office.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

District Attorney Ray Tonkin explained that the first two Subgrant Awards are related to the Pike County Children’s Advocacy Center. There are different funding streams for each. One is funding provided by the state on a regular basis through assessments on birth certificates. The other is through a Penn State Endowment Fund which is used to help children throughout the state. This is in furtherance of the Children’s Advocacy Center that is in cooperation with Safe Haven. There has been a tremendous amount of progress with the project. This allows specifically for a forensic interviewer and some other items necessary. DA Tonkin continued to explain that the idea is that the child is interviewed once instead of by multiple agencies who have responsibilities in child abuse investigations. It is audio and video recorded and it is done in a non-leading fashion of the children to avoid potential court challenges. He introduced Sara Wilson, Senior Deputy District Attorney, who is working very hard on this project. Ms. Wilson said that on a weekly basis children are interviewed and opening up in the child-focused environment that is being developed. It is a great place for children to talk about some of the worse things that have ever happened to them. Recently they have reaffirmed their connection and affiliate status with the National Children’s Alliance, which is an important step in having a fully accredited CAC. There is also a program available through grant funding called NCA Track which will allow the District Attorney’s Office, Children & Youth, Victim Services and Law Enforcement to further track cases to make sure that children not only are getting justice, but are also receiving treatment and services within the Community. District Attorney Tonkin said that there will be specific outreach to the community regarding the CAC in the near future.

The Justice Reinvestment Project is funded through the Pennsylvania Commission on Crime and Delinquency prison cost savings, and is specifically targeted to help municipal law enforcement with the purchase of 15 ballistic vests, namely for Eastern Pike Regional, Milford Boro, Shohola Police Departments and the County Detective Bureau. There is also a purchase of 4 mobile computers that can be placed in the patrol cars so that officers have access to computers to help them in their daily duties. The last is the purchase of an evidence module for a computer program to make sure that evidence is being kept track of properly.

District Attorney Tonkin stated that the Victim Witness Program funding has been ongoing through the District Attorney’s Office for over 20 years, and this award is a continuation of that effort.

Commissioner Osterberg stressed the importance of a CAC located in Pike County. Prior to this the other CAC’s were located in Lackawanna and Monroe Counties, which puts additional stress on the families who are already going through a stressful time in their lives. He commended the District Attorney’s Office for bringing this to Pike County. This is a collaboration between the Commissioners, Safe Haven and the District Attorney. DA Tonkin also thanked the Board for their continued effort. Commissioner Guccini said that this is a remarkably important project for kids to be able to do these forensic interviews and not undergo multiple interviews. He also thanked the District Attorney’s Office.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to approve the May 17, 2017 Commissioners’ Meeting Minutes.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Osterberg, to approve the May 25, 30, June 1 and 5, 2017 Commissioners’ Conference Minutes.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Commissioner Caridi abstained from June 1 and 5 minutes due to his absence. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to approve payment from GENERAL FUND (County Bills), in the amount of $401,300.61, subject to further review.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to approve payment from ACT 44 FUND (MHE-Mink Pond Bridge), in the amount of $5,932.03.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to approve payment from PIKE COUNTY EMPLOYEES’ HEALTH INSURANCE FUND, in the amount of $273,605.14.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, approve exonerations as presented by Cynthia Gehris, Tax Claim Bureau Director, for certain properties located in Delaware, Palmyra, Lackawaxen, Shohola and Lehman Townships.
VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.
PERSONNEL:

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to acknowledge receipt of a letter from Judge Gregory Chelak, advising that he has hired BENJAMIN AMMERMANN as a Probation Officer in Domestic Relations, for a 40 hour work week, effective June 5, 2017, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to acknowledge receipt of a letter from Judge Gregory Chelak, advising that he has hired LEONOR PINO as a part time Clerk for Magistrate Menditto’s Office, for less than 1000 hours per year, effective June 5, 2017, with no benefits. This is a replacement position.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to acknowledge receipt of a letter from Warden Craig Lowe, advising that he has hired, with Prison Board approval, AMY KINGSTON as a Treatment Counselor for the Correctional Facility, for a 40 hour work week, effective June 5, 2017, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to acknowledge receipt of a letter from Warden Craig Lowe, advising that he has hired, with Prison Board approval, VINCENT SAPIENZA AND ANTHONY MATTEO as Correctional Officers at the Correctional Facility, for a 40 hour work week, effective June 19, 2017, with benefits after 90 days.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

Vote: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to rescind the Commissioners’ Meeting to hold a Salary Board Meeting.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

A SALARY BOARD MEETING WAS HELD.

Motion: by Commissioner Guccini and seconded by Commissioner Caridi, to reconvene the Commissioners’ Meeting.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

OLD BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to table the bid award for the CDBG Matamoras Borough Firehouse Re-siding Project until June 21, 2017.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

NEW BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to adopt Resolution No. 17-13, Pike County Parkinson’s Awareness Month, June 2017, which was read by Commissioner Guccini and presented to Marcia Guberman, the organizer of Fox Trot.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

Ms. Guberman thanked the Commissioners and also announced the Commissioner Osterberg is heading a team and invited everyone to join. This is the third year of this event with 248 people registered this year. As long as the weather holds up there will be well over that many people attending. The Resource Fair has been a great way for people to find out what is going on locally, and what is available locally and nationally. Based on last year’s event, they were unfortunately unable to start a second support group. The first was in Wayne County in Wayne Memorial Hospital once a month. The second group meets once a month at Access Physical Therapy in Milford. Unfortunately, there are 40 people that attend the one in Milford on a monthly basis. Pike County is well affected with people living with Parkinson’s. The website is www.peconofosstrot5K.org.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the PCCD Subgrant Award Notification for the Computer Purchase Request (CPR) Project, in the amount of $9,781, on behalf of the Probation Office.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to execute the Contract Amendment for Ombudsman Services between Wayne County and Pike County, on behalf of the Area Agency on Aging.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to execute the Commercial Lease Agreement between Westfall Senior Apartments I Associates LLC and the County of Pike, on behalf of the Area Agency on Aging.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the Land Development Improvement Agreement between Blooming Grove Township and the County of Pike, on behalf of the Communications Center for the Tanglewood Tower.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to execute the Contract for Professional Services between Camp Speers YMCA and the County of Pike, on behalf of Children & Youth Services.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to execute FY 2017-18 County Human Services Plan Assurance of Compliance, on behalf of the Human Development Office.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the Housing Rehabilitation Lien, on behalf of the Human Development Office.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to authorize the Chairman to execute the Senior Rental Assistance Payment Voucher for Delaware Run for June 2017 in the amount of $2,377, on behalf of the Human Development Office.

VOTE: Commissioners Osterberg, Caridi and Guccini voted ‘aye’. Motion carried.
Robin LoDolce, Area Agency on Aging Director, announced the opening of the new Matamoras Senior Center (Eastern Pike Community Center for Active Aging Adults) at the Matamoras Fire Department on June 16, 2017 at 12:30 p.m. They are very happy working with the Matamoras Fire Department, Matamoras Borough Council Members and the Commissioners to get a location that has the necessary permits. The Pocono Mountain Visitor’s Bureau have the Blind Association Support Group and the Golden Age Club meeting there. They are also going to have office hours at the new Westfall Apartments a few days a week to be available for seniors to do applications, answer any questions, etc. The Apprise Counselor will also be there to do medicare insurance. This allows for a bigger presence in the Eastern part of the County now which is long overdue. Commissioner Guccini said that the lease being signed today (above) is for the office space.

Commissioner Guccini asked Ms. LoDolce to explain about the Ombudsman Program. Ms. LoDolce explained that there are new federal rules for some of the state programs and the state Ombudsman Program has to be conflict free. Currently the Ombudsman Program operates in Milford Senior Care, Twin Cedars and Belle Reve. Ombudsmen are volunteers and they meet with the residents and resolve any issues. With the new Federal rule, the Area Agency on Aging cannot operate that program directly because they are doing other services in the nursing facilities, such as assessments, so they are now contracting with Wayne County to supervise the program so that it is conflict free.

Commissioner Osterberg asked Ms. LoDolce to advise what services will be offered at the Westfall Senior Center. Ms. LoDolce said that the hours will probably be between 10 a.m. and 1 p.m. a few days a week, and they will be able to do the Farmers Market vouchers, process the PACE applications, help with applications for LIHEAP, food stamps, etc. There are also a lot of seniors who have moved into the area that do not know what services are available in Pike County.

A member of the audience said that she went to look at the Westfall Apartments and asked if they were in the flood zone. She was told that they were 8 feet above the river, which she believes is in the flood zone. She does not think that people who move into those apartments will be able to afford flood insurance. Commissioner Guccini answered that he does not know if it is in the flood plain, but that would have had to go before the Township for approval before being built. If they are the insurance would have to be paid by the owner of the development, not the tenants. He does not think there would be any liability on the part of the tenants to pay flood insurance. She said she was checking because that area was flooded in 2004. It is a concern that she has and they could not tell her if it was or not. She was wondering if there was a flood map of Pike County. Commissioner Guccini said there is. Commissioner Osterberg stated that he was not sure how the Township would have approved the construction of buildings in a flood zone. He said that they wouldn’t have and that it must have been addressed by the Township.

Disability Sensitivity Workshop, 8:00 a.m., June 15, 2017 at the Training Center, was also announced by Robin LoDolce, who said it is a cross training by the ADRC Link (Wayne/Pike/Monroe Link). It will be a half-day event including interactive workshops with Center for Independent Living, Keith Williams doing person-centered language and also the United Cerebral Palsy doing some work with Assistive Technology and will be going over project ABLE. Anyone in the community can attend because of the different levels of vision, hearing, physical disabilities. They are hoping to have a transportation vehicle there to do the wheelchair lift. This is a free workshop.

Wayne Witkowski of the Pike County Dispatch asked how many people would be working at the Senior Center in Matamoras. Ms. LoDolce answered that there is one half-time individual that is hired and the rest are all volunteers. They are also taking volunteer applications. The hours are 8 a.m. to 2 p.m. on Wednesdays and Fridays. Lunch is served at 11:30 a.m.

Commissioner Guccini stated that Elder Justice Day was yesterday, and he mentioned that Pike County’s population is continuing to age. As of last December he officially has his Medicaid card and is now a member of club. It has been his experience in working with people of the years that sometimes seniors can’t figure out how to make that first call, what that first contact should be. The Aging Office has a large array of programs that they get involved with and if they can’t help, they can make referrals. He just wants the community to be aware that if you have an issue and are not sure how to address it, they should contact the Aging Office.

Keith Williams of the Pocono Mountain Visitor’s Bureau apologized that Christopher Barrett, new CEO of Pocono Mountain Visitor’s Bureau is delayed and will not make the meeting. Mr. Williams said that Chris Barrett is the new CEO and joined PMVB about a month ago to replace retired Carl Wilgus, who had served for almost 10 years as CEO. Mr. Williams said that Mr. Barrett worked in Lancaster’s Visitor’s Center and Convention Bureau. He also worked at Target Media in advertising, Hershey Park & Resorts for 20 years. He is very knowledgeable of the history, has a great manner and is very excited to work with the PMVB. Recently they came out with the new travel guide for the Northern Pocono Mountains. Mr. Williams manages the Visitor’s Center at Lake Wallenpaupack and is focused on Wayne/Washington Counties, two of the four counties that they promote tourism in. Last year, the Wayne and Pike Counties Commissioners met with the Wayne and Pike Hotel Tax Boards to say that we have more in common than different, and let’s work collectively together. There was a Discover Pike Guide that was out there, but realized that by utilizing the brand of the Pocono Mountains where they get millions of dollars that can be used to promote far and wide to get people to come to the area to jump on that, so they created the Northern Pocono Mountains Travel Guide. They produced 90,000 guides which are distributed to 500+ locations through PA on Display and through Forest & Sons, through central and southern Pennsylvania, northern New Jersey and New York, primarily Sullivan, Delaware and Orange Counties of New York. They list everyone that has a tourism related job in sections within the guide. This year they also put in a couple of maps of the downtowns of Milford, Hawley and Honesdale to give people a sense of where they are and some of the major roads getting to our region. They were a great success last year and should continue to be a great success this year. He recommends businesses that benefit from the guides should have copies on their front desk. They can pick some up at the Pike Chamber of Commerce Visitor’s Center, the Lake Wallenpaupack Visitor’s Center or Bailey Design in Honesdale. It was Bailey Design who originally worked with the Discover Pike Guide, who also did all the excellent work on this.

Peter Wulfforst of Penn State Extension highlighted a few of the June 8-22, 2017 events. There is an active Master Gardener on Tuesdays between 10 and 12 if anyone has any questions on plants, insect problems, fungus problems or wanting to do a better job growing plants. You can bring a sample and talk to someone who is trained in horticulture and gardening. The same individuals will be holding a program called “Good Bugs, Bad Bugs” which is integrated pest management to determine what type of bug is affecting your plants. They will also be discussing tick prevention management. He also mentioned that Penn State Extension offers water testing through a couple of labs that pick up on Wednesdays. Commissioner Osterberg said that as far as water testing, the Commissioners had just met with Conservation District Director Sally Corrigan, and it is important that everyone know that these services exist in Pike County because many of us are using well water and we are not aware that water should be tested on a regular basis. When you live where there is central water, that water is tested every day, but when you have well water you don’t know how that water can change from year to year, so he encourages everyone to get their water tested because it is not just about hardness of water, but other contaminants that can affect water. Mr. Wulfforst stated that Pennsylvania is one of only two states without regulations concerning private water systems. It is important without those regulations for people to get information to get water tested, because it is their responsibility to maintain the water quality of their home.
Reggie Cheong-Leen, a resident of Pike County, said that he did some research, and according to the PA Election Code, the maximum number of voters per voting precinct should be 1200 voters and out of 18 precincts 11 are over that. He passed out a list to the Commissioners to verify that the information is correct and that they are within the number of voters as set as the maximum. Also, according to the code, there should be a voting machine for every 600 voters, and he believes there are some precincts where people have to wait two hours to vote, which he believes is a way to discourage people from voting. He was wondering if there was a simple way to let people vote easier, for instance, under the code it says if there is no electricity, a power failure, the voting precinct are allowed to pass out paper ballots. If people come and there is a two hour waiting line, he stated, perhaps they should be given an option to fill out a paper ballot. He thinks that would give people the chance to vote instead of walking away and say I can’t wait two hours in line.

Commissioner Osterberg said they would have to look into that, and people would still have to wait in line to get the paper ballot. He said they can’t just walk up the line and hand out paper ballots because it is not confirmed that they are actually registered voters. The two hour wait is every 4 years. This Primary Day you could vote in Milford Borough in two minutes. Commissioner Osterberg understands the concern during the Presidential Elections and have talked about maybe adding more machines. It does come with an expense and also comes to people that are willing to work that day because the more machines added, the more people that are needed located within the polling place. It is not something they are opposed to, but he believes there is more to this than just saying hand out paper ballots and adding other polling places to it because when you add the other polling places, again you add more staff and we need to find those locations and they need to be handicapped accessible. They are not opposed to it, but it is only every 4 years.

Mr. Cheong-Leen said it has nothing to do with being opposed to it, it is the law and a form of voter suppression if it is not complied with. Solicitor Farley said the County is abiding by the law, as we have never had any issues. He said that Mr. Cheong-Leen cites the code, and Solicitor Farley said he is familiar with the code, but he is not quite sure of the sections he is citing. Mr. Farley explained that it is very difficult to get people who want to be Judge of Elections and support staff. It is very little pay and usually away from their jobs, and unfortunately in this County what we did have is a very good support staff, but they were elderly, and they have come to the age where they don’t want to do it anymore and we are finding it difficult to find people who want to participate. He also told Mr. Cheong-Leen that he would look into what he cites, but he is not too sure about the code sections he is suggesting. He assured Mr. Cheong-Leen that the County makes sure that everyone gets to vote, that we have a consistent staff every day of Election. If someone comes they can get provisional ballots, but if there is an issue. The phone is always ringing, and there is a full staff if any of the Judge of Elections have questions they can call. He agrees the only time that there is any issue is every 4 years because unfortunately that is the only time there is any interest in voting to a large degree. At that time almost all the election machines are out and they try to get the most staff. He continued by saying that he would look into this and check and see if need be get more machines. Mr. Cheong-Leen said the number of voters per precinct is Section 502 and the number of machines per 600 voters is Section 530 B. He said just because you have a problem every 4 years does not mean that you don’t have a problem. Solicitor Farley did not say there was a problem, Mr. Cheong-Leen said there was a problem and Solicitor Farley will look into it. The only time there is an issue is of any type of line is Election Year for the Presidential Race. That’s when people really want to vote, said Mr. Cheong-Leen. Solicitor Farley repeated that that is unfortunate because that’s the only time they vote, and he wishes they would vote more. That’s not what they are arguing. He believes the local elections are actually more important because they have an impact on everyday life, but people just want to vote for the Presidential and the difficulty is trying to get enough staff. Commissioner Gucinni addressed Mr. Cheong-Leen by saying that he is not familiar with a limit of 1200 voters per voting precinct. That may be the case, but he has never heard of it before and will certainly look at, but he is wondering, having spent more years as a lawyer, if that refers to certain class counties or whatever, because it seems like an awfully low number for let’s say Philadelphia. They will look at it. In terms of the paper ballots, Commissioner Gucinni’s understanding is once a County, any County, makes the determination to go to an electronic system, it can’t issue paper ballots other than provisional and absentee ballots. He doesn’t think legally they are allowed to do that. He never wants to cross the boundary between Solicitor and Commissioner, so he referred to Solicitor Farley. Solicitor Farley said Commissioner Gucinni is accurate. You can only have one or the other. He is correct, once the county decided to go electronic, they cannot use paper ballots other than provisional. It’s either A or B and that is right in the statute and we have selected the electronic years ago. Commissioner Caridi said they were mandated by the State to go electronic. Solicitor Farley said they were guided by the state maybe 3 or 4 years ago and they were pushed all the Counties to go electronic and they even gave us money to do it. The paper ballot part that you mentioned is Provisional Ballots so that if Mr. Smith has an issue he can still vote, with the worst case later being that it doesn’t count. But God forbid you don’t vote and we find out later that you should have. That’s the worst mistake ever, so we always grant Provisional ballots to make sure you vote first and we will check it out later. He will check it out. There is an individual at the State who is an attorney that S...