

Wednesday, July 20, 2022

The second regular meeting of July, 2022 of the Pike County Commissioners was called to order by Commissioner Osterberg at 11:00 a.m. at the Pike County Administration Building, followed by the "Pledge of Allegiance" to the flag.

PRESENT: Commissioners Osterberg, Schmalzle and Waldron; Chief Clerk Orben; and Solicitor Farley.

Public Comments/Questions concerning today's agenda – None

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to recess the Commissioners' Meeting and hold a Retirement Board Meeting

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

RETIREMENT BOARD MEETING HELD

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to adjourn the Retirement Board Meeting and reconvene the Commissioners' Meeting

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the July 20, 2022 Agenda.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Schmalzle and seconded by Commissioner Osterberg, to approve the July 6, 2022 Commissioners' Meeting Minutes.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the July 13, 2022 Commissioners' Conference Minutes.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve payment from **GENERAL FUNDS (County Bills)**, in the amount of **\$363,174.89**, subject to further review.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve payment from **PIKE COUNTY EMPLOYEES' HEALTH INSURANCE FUND (PCEHIF)**, in the amount of **\$92,635.68**, subject to further review.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

PERSONNEL

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to hire **ANDREW M. NEBBIA** as Adult Probation Officer, in the Adult Probation Department, for a 40-hour work week, effective August 8, 2022, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

Commissioner Osterberg said I think we should take a moment to recognize why we are all here. Many years counties have Chief Clerks for decades and we have been fortunate to have Gary. There will be a transition here in the County. Through efforts of our office and the cooperation of Gary, we understand that there is a time in a County when we have to start to think about the future. Gary and now our new Chief Clerk, Krista, have been working together for a number of years to work through this to make sure that Krista's prepared for the job. At the same time, we always have respected Gary's dedication to this County. Gary has worked for the County for 46 years and it's an incredible accomplishment. Gary gives us lots of information and education, all of his years' experience here. He is still going to be working for the County. He is going to be our Special Assistant to the Commissioners' office. Krista will have the title of Chief Clerk. Gary will still be our Assistant to help us and help Krista as we navigate through this. Gary will also be in charge, as he has been for year, of GIS. We are asking him to take on that role even more. He's capable of a lot and Gary has handled a lot of offices in this County – Mapping, Board of Elections and the Chief Clerk. We just want to make sure everybody understands, we thank Gary very much and the residents of this County do also. None of us want to be moving on in different points of our lives, but we also know that the County has to be prepared for the future. Again, this has been a work in progress with our office and Gary and with Krista now to move on. All I want to say is – thank you Gary for 46 years. We're all here to celebrate that part of this transition. There's a lot of things to do in the Commissioners' office and he gives us a lot of experience to help us. We're only in this job for so many years – Gary is here for 46 years.

Commissioner Schmalzle said Gary was really the only conduit to the office here and I would hear from him as the Chairman of the Tax Board or with other dealings and the way he handles himself and his ability to respond to every question and if we didn't have an answer, to get that answer and respond quickly. The County has been lucky to have Gary's service and will continue to be lucky with his continued service. Thank you! A testament to his service to the County is how he handled this transition. As Matt said, anything that you've been doing for a long time, when change comes up it's always challenging and it's always difficult. A testament to his professionalism and his love for the County is how he's handled this transition. Thank you.

Commissioner Waldron said I'm the newest Commissioner, however I've been dealing with Gary in my role as Municipal Solicitor off and on for a bunch of years and the Commissioners come and go, but Gary was always here. That's the person I would go to, although I did know the rest of the Commissioners along the way. He's been a great asset and now that I've come into this, there are parts of this job that I knew fairly well and there's other parts that I didn't know anything about. I've learned a lot and it absolutely would not have been that easy without Gary's involvement. I agree – we appreciate Gary's willingness to say, you know what, we need to make sure that Pike County is viable no matter who is in these seats. He's worked to try to make this transition happen. I think it's been successful. The fact that he can also facilitate some things that

need to be worked through in this different role that he's taking will be great for us. We look forward to working with him while being in a slightly different capacity.

Solicitor Tom Farley said Gary and he have been together 14 years. When I first came back it was Rich Caridi, Harry Forbes and Karl Wagner. We have had so many issues together and so many times we've worked together in dealing with issues. Gary is always there, and I want people to understand – it was never 9-5 with Gary. Gary and I would work Saturdays, Sundays, nights, whatever the hell it took to solve the problems to address the issues, Gary was there. I never had to worry about that. He's had my cell number and I've had his cell number. We've made hundreds of calls through the years and we always worked together because for Gary, he cares about the County, he always puts the County first. He's been professional, he's been courteous and makes the tough decisions and both of us have made decisions, maybe we weren't popular at the time. We always had a joke, it's your job and my job that may be unpopular, but that's our jobs and he did it well. He did it with panache. Krista, you've got big shoes to fill, but I know he'll help you fill them, and we'll work together. Gary, it's been a pleasure for 14 years working with you – thank you very much!

Gary Orben then added there is one thing Matt left out – 46 years, but he didn't say I started when I was 15! I really appreciate it. I appreciate the attendance of the departments here. First, I have to thank my wife, Debbie for putting up with me and the hours and the phone calls 24/7 during the course of this tenure. It's been a privilege to be here, it's been an honor to be here, it's been fun, and it's had its' down times. A lot of it is due to the employees in the County and the Department Heads. We have a bunch of wonderful people that work here, they're very knowledgeable and they also share the same compassion for the County that I think we all do here. That's why we're all here. I thank the Department Heads, the Elected Officials and the employees – if it wasn't for them, this job would have been 10 times tougher. I really appreciate it – thank you.

Board of Elections Director, Nadeen Manzoni, said I am a little choked up – Gary was a great mentor to me. I still turn to him for advice, for a sounding board, and I miss working with him on that daily basis. Thank you! I learned a lot from you – putting the County first and always having the best interests of our residents in the County in mind. He also reigned in my impulsiveness at times when I was young and idealistic.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to appoint **GARY R. ORBEN** as Special Assistant to the Commissioners and maintain his title as GIS/Mapping Director in the GIS/Tax Administration Office, for a 37.5-hour work week, effective August 1, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to appoint **KRISTA GROMALSKI** as Chief Clerk/County Administrator in the Commissioners' Office, for a 37.5-hour work week, effective August 1, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to promote **SHANNON DEVUYST** to Communications Director in the Commissioners' Office, for a 37.5-hour work week, effective August 1, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to recess the Commissioners' Meeting and hold a Salary Board Meeting

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

SALARY BOARD

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to convene Salary Board Meeting.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the July 6 and July 13 Salary Board minutes.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to set the annual salary of **ANDREW M. NEBBIA** at \$50,000 as Adult Probation Officer, in the Adult Probation Department, for a 40-hour work week, effective August 8, 2022, with benefits after 90 days. This is a replacement position.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to increase the salary of **KRISTA GROMALSKI** by \$12,500 for her appointment as Chief Clerk/Administrator in the Commissioners' Office, for a 37.5-hour work week, retroactive to June 19, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to increase the salary of **SHANNON DEVUYST** by \$2,800 for promotion to Communications Director in the Commissioners' Office, for a 37.5-hour work week, effective August 1, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to adjourn the Salary Board Meeting.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to reconvene the Commissioners' Meeting.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

OLD BUSINESS

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to open bids received for the Pike County Jail Complex Well #3 Drilling and Development in accordance with the Drawings, Specifications, and other Contract Documents prepared by MHE Engineering.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

Solicitor Tom Farley announced that there is only one bid and opened it. It's from Duane Moyer Well Drilling and the total amount is \$129,260. I would ask that we table the bid to be reviewed by the engineer. For the record, the bid bond was provided.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to table the awarding of bid until the engineer reviews until the August 24, 2022, Commissioners' meeting.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

NEW BUSINESS

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to adopt Resolution No. 22-24 Pretrial, Probation, and Parole Supervision Week, July 17-23, 2022.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

Commissioner Schmalzle read Resolution No. 22-24 aloud.

Commissioner Osterberg said all of the jobs in the County are extremely important. The job of the Probation Officers is a difficult and dangerous job. We're lucky to have some very dedicated and professional individuals that work in the County. Many of them are here for many years. I know Jeff (Angradi, Chief Probation Officer) has been here for almost as long as Gary. Commissioner Osterberg introduced Jeff Angradi, Chief Probation Officer to say a few words and thanked him for his service.

Chief Probation Officer Jeff Angradi said first I'd like to echo the comments of the Commissioners and the Solicitor in wishing Gary the best of luck as he moves forward to the next phase of his life. Congratulations also to Krista on her recent promotion. The Probation/Parole Officer plays a critical role in both our juvenile and adult justice systems. Often times work can be challenging and difficult, but I believe it can also be meaningful and very rewarding. I am fortunate to have a staff who is very passionate about the work that they do in trying to change behaviors in the people that we serve. Thank you – for the support of the Commissioners, especially President Judge Chelak, Judge Gaughan and Court Administrator, Samantha Venditti. Thank you for the recognition and the Proclamation. I look forward to continuing the efforts that we've brought to the County for a long time and trying to make the County a better place to live and at the same time providing the people that we serve an opportunity to better their lives and make themselves better citizens of Pike County.

Commissioner Osterberg added that it is important to note that a few years ago Jeff instituted opening his offices in the evenings to accommodate those who need to go in and meet with their Officers, but also giving them an opportunity to move on with their lives. It was difficult before that because obviously we want these individuals to get back out in the community and work, but through their leadership and the Officers, that's a really important part in making sure that we have a good transition. The last place we want to see these people is back in trouble. The last place we want to see them is in the Pike County Correctional Facility. We commend them for giving that time of their lives and having to work sometimes into the evening treating these individuals. Thank you again from the Commissioners.

District Attorney Ray Tonkin thanked Gary and said it's been a pleasure working with Gary. I know many times I've called you on the weekends and I appreciate you always taking those calls. Thank you very much. I look forward to working with you Krista. With regards to Jeff Angradi and his staff, I just want to say it is certainly a pleasure working with Jeff, a great leader, runs a great office and his office shows that. They are always cooperative and Jeff and I talk about different programs to try to bring to the County. The most recent initiative is a bail initiative to start getting people focused on where they really need to be early on in the system while protecting our community. He is a pleasure to work with and his staff is great. Thank you!

Commissioner Waldron added that, with respect to Jeff, I've known Jeff for many years. I met him way back when I was a Public Defender. However, more recently, taking on this role I also have an interest in trying to follow through on something that was initiated by Boards of Probation and by Steve Guccini (former Commissioner) as well - treatment courts. Jeff and I have worked together where he would go visit other counties where that's working. There's already a program that tries to help people, because some people do end up in the justice system that have the ability to be rehabilitated if they could deal with other problems such as substance abuse and alcohol abuse. I am a recovering alcoholic and addict of 42 years and proud of it. That's why I've kind of taken that on myself to work with Jeff on this and, particularly, Judge Gaughan, who has been instrumental in this. I really appreciate Jeff's attitude that while yes, there are some people who, quite honestly, belong in jail, they're going to try and make sure they do have the opportunity to better their lives. I really appreciated Jeff's work over the last 3 almost 4 decades. Thank you Jeff.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the fiscal year 2022 second quarter payments from Pike County Emergency Medical Services Matching Grant funds to the following municipalities: Matamoras Borough in the amount of \$5,500.00; and Porter Township in the amount of \$8,000.00.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the C-Screen Annual Service Agreement 2022, between C-Screen and the County of Pike, on behalf of the Area Agency on Aging.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the Sales Order between Atlantic Tomorrows Office and the County of Pike, on behalf of the 911 Center.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the Pestfree365 Service Agreement and Product and Equipment Sale/Rental Agreement between Rentokil North America d/b/a Ehrlich Pest Control, on behalf of the Commissioners.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute a Surety Bond in the amount of \$10,000 between the Commonwealth of Pennsylvania and the County of Pike on behalf of the Department of Public Safety, for the Antennae Tower Site FM-10908.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between the County of Chester and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Family Care for Children and Youth and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between The Children's Home of Easton and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Access Services and the County of Pike, on behalf of the Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Alternate Living Solutions and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Cornell Abraxas Group, LLC. and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Diversified Treatment Alternative and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between George Junior Republic in Pennsylvania and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Justice Works Youthcare Services and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Pentz Run Youth Services, Inc. and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Valley Youth House and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Purchase of Service Agreement between Clear Vision Residential Treatment Services, Inc. and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Contract for Professional Services between Community Solutions and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to execute the Contract for Professional Services between Otto Psychology and the County of Pike, on behalf of Children and Youth Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the Affordable Housing Payment Voucher in the amount of \$16,500.00 payable to Troy Estus for 1, 2, 3, & 4 Phases of V. Frano Roof Repair, on behalf of the Office of Human Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the Affordable Housing Payment Voucher in the amount of \$3,510.00 payable to Delaware Run Associates, for July 2022 Subsidy, on behalf of the Office of Human Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the 2020 CDBG Program Payment Voucher in the amount of \$16,247.80 payable to Family Promise of Monroe County for the Mortgage Assistance Program, on behalf of the Office of Human Services.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to approve the following Human Services Payment Vouchers, on behalf of the Office of Human Services: Emergency Rental Assistance Program in the amount of \$35,591.28; Emergency Rental Assistance Program 2.0 in the amount of \$60,461.59; and PHARE in the amount of \$800.00.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the Chairman to request an extension to Pike County's FFY2030-CV contract to May 31, 2023, for the Childcare Scholarship activity, on behalf of the Office of Human Services. The contract currently expires on September 17, 2022. This contract extension is to replace the activity approved at the July 13 Conference.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MOTION: by Commissioner Waldron and seconded by Commissioner Schmalzle, to authorize the Chairman to execute the Sale and Purchase Agreement between Runbeck and the County of Pike, on behalf of the Elections Office.

VOTE: Commissioners Osterberg, Schmalzle and Waldron voted 'aye'. Motion carried.

MISCELLANEOUS:

- Elder Justice Day- August 10, 2022 - Tracy Simon, Area Agency on Aging – I am here to promote Elder Justice Day this year. Our focus is on fraud prevention. Our County has seen an increase since the Pandemic with on-line scams like 'get your stimulus check early' or 'get your shots early', 'phishing' scams and romance scams. We are fortunate this year to have the banking and securities coming to speak as well as an individual from the Scranton FBI Office. We are encouraging people to come. We are having breakfast, lunch and transportation is provided. Carbon-Monroe-Pike Drug and Alcohol will be on the site for our Drug Take Back Program again. If anybody is interested in signing up, they can call our office (570) 775-5550 and ask for myself or Robin Soares. Transportation is being provided through the Pike County Transportation and we are paying for this through our fees as well. It is at the American Legion this year, the hours are 9AM-1PM. We will be under the pavilion. We will be updating the State website for the Department of Aging, which is also a financial exploitation resource, and we update our webpage with that information.

Commissioner Osterberg added that in consideration of the drastic heat we've been having outside, this has been posted in the media, but there are a number of cooling stations at all of the aging Centers: Blooming Grove, Lackawaxen, Eastern Pike Matamoras Fire Department, Bushkill, Top of the World Restaurant and Bushkill at the Pocono Mountain Lake Estates. We urge people that are in the need of this that these facilities are open. They are also limiting fans at the Aging Office. If there's issues that people have or concern for their neighbors, have them contact the Aging office. If there is a way to get people there, I'm sure there's a way to work on that to make sure they are safe considering how hot is outside.

- PennState Extension Calendar of Events – August 1-15, 2022

PRESS & PUBLIC COMMENTS/QUESTIONS/ADJOURNMENT

Meeting attendee Vito Dibiasi circulated a map from GIS/Mapping Department. The attendee explained that the map was full of 'yellow dots' that represent homes and people's investments in those homes. He said those people pay taxes. In return for paying those taxes they expect their leaders to protect their health and safety. They expect you guys to protect their property values, especially the people that live around the I-84 and Route 6 Interchange. There are a lot of dots there. One of those dots happens to be the grandson of Gifford Pinchot, Peter Pinchot. Peter Pinchot lives on Schocopee Road. When I wrote the essay about 2 warehouses being a cancer on the legacy of Gifford Pinchot, I meant it. After I wrote that essay, Nancy and Peter (Pinchot) came to the next Milford Water Authority meeting. That changed everything. The dream of The Economic Development Authority, Matt (Osterberg) and whoever else is behind all this – that's your dream, that is not our dream. You forgot to ask the people of Milford and the 2,400 rate payers that pay for that water. You forgot to ask about the dreams and hopes of all those people who own those yellow dots. One of those houses would be your (Commissioner Osterberg's) house in town. We can see the opposition that has come against us. Two other times I came here. The first time I came here, you said where was the Milford Water Authority and where was Milford Borough? Now, Milford Water Authority is an interested party against this and so is Milford Borough, they just voted the other night to become a party of interest against the warehouses. It's not just me anymore. The second time I came here and gave you maps, you were silent and I didn't understand why you were silent - now I do. We can go with yard signs, we can have the protests, we can do it that way if you want. We can ride you guys all the way until the elections next year or you can stop this. When you thought it was the crossroads of the world, as Chant had said in a letter to Dingman Township, that's a delusion. It's not the crossroads of the world, it's the crossroads of our drinking water! For you to pursue that and you did it strangely – you tried to write an ordinance, you didn't even know that the Milford Water Authority's Source Water Protection Plan even existed.

Vito Dibiasi continued, there's another study, The Princeton Hydro Study. They wrote that ordinance – the Shepstone Ordinance. They tried to make the delineated aquifer disappear, it's not even on the map. It's not even in the Ordinance. That was one way they were going to do it. Then you have the Pike County Hazard Mitigation Plan. How could you be pushing 2 or 3 warehouses when you know climate change is coming? I bring this up because when LVL (engineers) came to Milford Water Authority, they said they only have a filtration system that works up to a 10-year storm. When that filtration system is run over by a 10-year storm, what happens? How many 10-year storms have we had in the last 20 years? We can have a 10-year storm next month. In the Pike County Hazard Mitigation Plan, there are tons of statistics about drought and floods that we've had and the economic impact it has had on Pike County's economy. As climate change accelerates, you can't deny it any more, what do you think is going to happen? You'll have more swings to more floods and more swings to more droughts. None of that is mentioned in the LVL Engineering plans – they are planning for climate change. I know that

because I talked to their expert, Dr. John Crowe for 3 hours. He said he doesn't believe in climate change; he thinks it's a hoax. That's the guy who is designing the filtration system for the warehouses. A guy who does not believe in climate change. We're asking you kindly to take this away from our community. It is going to be a cancer on our community, and we don't need it. I don't know who out there in the community actually thinks this is a good idea.

Duke (Schneider) had other dreams. He had the mall project in 1989 and Home Depot in 2000. Why don't these guys learn their lesson? They came in 1989 and shot down by the community. They came in 2000 and shot down by the community. Why? It's scientifically untenable. That is a very sensitive spot all around the interchange. It just so happens that in 1966 they put the interchange on top of the aquifer, either by mistake or by they could get away with it. That means that it is there, it never changes, it won't go away. Why do the developers keep trying to come there, it's impossible, it will not work? Our solution is please come to the table with realistic numbers, and we will make a deal and we will put that land into permanent protection like it should've been all along. We aim to stop that cycle of development onto an aquifer and put that land into protection.

It turns out the community really does care about the quality of their drinking water, the air they breathe, the calm of their nights, property value and the safety of the roads they driven on, the political quality of the development policy being pushed, the historical connection, the legacies of their community, their human rights and the PA Constitutional Rights and the future, health and safety of the entire community. You've underestimated our will and the dreams of the community, and you are getting the pushback you deserve. I hope that you reconsider, and I hope you come to the table with realistic numbers so we can make a deal and I would like to see if you guys are still supportive of the warehouse idea. Does any Commissioner want to make a statement?

Commissioner Osterberg responded that at the last meeting that you were here, we did not tell you that we weren't listening. The County Commissioners have not submitted this application. We have no way removing the application. The EDA (Economic Development Authority) didn't submit the application. The way this works is people come into our community and they ask the EDA to identify properties that are zoned in communities for these uses. We didn't create the zone. We have no control over land development or zoning. We have not submitted the application. I barely know who these people are that are doing this. You're right, there is a concern up there for the water. I told you, at the last meeting with the Milford Water Authority and the Milford Borough Council, when you wanted us to write a letter, until we hear from those entities saying they want the County Commissioners to get involved in this, again we have no role in it. I asked all of them after that meeting do you want us to write letters? Their answers to us were – 'no, we have this'. Milford Township has a Planning Department and Board of Supervisors, they're the ones who have zoned this property for this use, we didn't. We have to just let the process go. You come here asking us to withdraw some application. We don't have any application. Vito Dibiasi answered no, I didn't say that. I ask you to use your influence. You have policy decisions to make on this.

Commissioner Osterberg replied we do the education; we identify watersheds and we hand that off to the Townships. The Townships take that information, and they use it to write their ordinances. That's where the information comes from. What they do and where they do it is their choice. There are 18 watersheds in this County, all of them have a concern just as you, and we all have. I do, I live here – no one wants to pollute this water. I doubt that the developer is saying I don't care, I just want to pollute this water. We have to let the process go. You say that Mr. Farley (Solicitor for Pike County) wrote this stuff up, he did not write this. This was written by the Township. We are the Board of Commissioners; we are above this. This is the Township's. If they want our assistance, if the Township's Board wants us to get involved in this, they all know us very well – pick up the phone and talk to us.

Solicitor Farley addressed Mr. Dibiasi and said the next meeting is August 23rd. The developers will be coming. I welcome you and all the interested parties to come because at that point, it's the Townships that make the decision with the Planning recommendation and the recommendation to the Supervisors. Tony Magnotta, the attorney for the Township had a hearing, the applicant agreed to continue this until October 9th and in the meantime, he's had us come back to Planning and go through the process. I respect and understand everyone's concerns, legitimate concerns, but the County itself has no issue here. We are a Commonwealth. In a Commonwealth, the goal is to have the local, small governments regulate their Townships. Milford Township is going to regulate the Townships, the County is not involved. We're not encouraging this project. We're not for the project or against it. It's up to Township to give their recommendations. There is not a person I know who wants to pollute the aquifer and everybody recognizes the concerns for the aquifer. I know you addressed the watershed, that was an ordinance. It's still up to the Supervisors, Planning made a recommendation, but I'm told it's still going through the process and making changes and addressing your concerns and others. Whenever the Supervisors decide on the end of that, that's up to them. This is not the proper forum to be raising your issues on. The proper forum is at Planning with Milford Township. August 23rd is the first meeting of Planning where the applicant indicates he will be there with the engineer. Please come – everyone's input is welcome. That is the process that needs to be done.

Vito Dibiasi asked so you have no role as leaders of this County to direct and establish policy? You have input into these municipalities as leadership. Number 1, he (Solicitor Farley) is the Solicitor for Milford Township. Solicitor Farley corrected Mr. Dibiasi and said Milford Township Planning, only Planning. Mr. Dibiasi said he (Solicitor Farley) wrote this ordinance (Shepstone Ordinance). Solicitor Farley again corrected Mr. Dibias and said no – I did not write that ordinance. Mr. Dibiasi said you said you did, and Solicitor Farley again said no – Mr. Shepstone did, I made comments as a lawyer. That ordinance is not my role to write. Mr. Shepstone was hired to write it with recommendations from the Planning Board with my legal input on concerns I had. No sir, I did not write that. Mr. Shepstone did and then it was recommended with some of your (Mr. Dibiasi's) concerns and other concerns to the Supervisors. It has not moved since it's been sent to the Supervisors. Please, I did not write it. I don't know what else to tell you. Mr. Dibiasi stated to go to the minutes of Milford Township, it is in the record. Solicitor Farley said no, I did not write it. Let's leave it at this Mr. Dibiasi – come on August 23rd. Your points, some of them are valid, that's where you raise your issue. Mr. Dibiasi said he wants the application withdrawn. Solicitor Farley and Commissioner Osterberg repeated that this is not something they can do. Solicitor Farley continued if we did what you ask, it may actually hurt the Township. To suggest that we, the County, are putting pressure on the Township Supervisors and their final decision, that may actually give the applicant an argument if we go to court. It's not the role of the County Commissioners to put their thumb on any township. The only role the County has with Supervisors is to work together on common goals in regards to funding and/or financing of projects for the Township. What you're asking may actually hurt your position. I would think in hindsight, do what I ask for your benefit and the people that are in objection so that everybody has the right to say something – come on August 23rd. That's the date the applicant picked and please be there. Please bring all the individuals and make your points. That's the forum to raise your issues which will be listened to and considered because this is a Conditional Use, which means the ordinance right now says, it may be permitted, but with conditions. Recognize that's how the Planning Board has to address it and that's how the Supervisors have to address it. To ask these Commissioners to do anything other than simply sit back and be tacit and not do anything may actually hurt your position. Please, just let it play out as it's supposed to, through the laws and statutes of our Commonwealth.

Commissioner Waldron added that he is a recent Commissioner and I practiced land use law for 42 years in Pike County. I was the Alternate Solicitor for the Borough for close to 30 years and for Milford Township as the Alternate Solicitor for 20 some odd years. In fact, I was involved with Milford Township when the Home Depot project came in. Aquifers are certainly important to protect, but you misrepresent when you say that the County created an ordinance. We never did that, nor did we say this project should happen. However, the Township decided long ago that that was an appropriate zoning location. By the way, the reason why that interchange is there (Route 6 and I-84), is because Route 6 was there way, way before Interstate 84 was there. You always put interchanges where you're crossing the State Highway, so it wasn't like this was all done to try to destroy an aquifer. Water protection is a key reason why a project might get approved or not approved, but Tom (Solicitor Farley) raises a very good question. If there's an interference, I represented developers, I represented Municipalities, the developer who doesn't get the answer that they want to hear can use that to run to a higher court and say there is a prejudice. We have to tread lightly here. If we're asked to write a letter by Milford Borough, we're not going to refuse to do that, but we can't be an advocate here, nor can the Economic Development Authority be an advocate. The only thing their job though is to try to encourage economic development in Pike County.

Victor Dibiasi said he just wants to end with this – Matt you were on the steering committee for the Source Water Protection Plan. You know intimately that the aquifer is underneath that 44 acres, that's number one. Number two, when we're talking about the courts right now and I'm going to use last year, June 11th, when they went to Federal Court to stop the fracking in the Delaware River Basin, what went up? Property rights were thrown out and the rights of the people to have clean water and the 17M people living downstream in the Philadelphia area their rights were codified in law because the Federal judge said property rights for fracking were thrown out of court. What was voted on, the water rights of the people both downstream and throughout the Delaware River Basin. When you talk about going to court, I'm not worried about that. You (the Commissioners) might be worried, but we're not worried because the Federal courts are on our side for water rights, that's what has changed. New Windsor (New York) sued their County Managers for negligence for not establishing good policy for protecting the water. Their water was contaminated, all 9 wells and they had to pay millions of dollars to replace that water with New York State water. That was very expensive. That community had to put millions out and sued all their managers and the DEP of New York just like we could. They won and the State had to come in with millions of dollars to fix that problem. Are we going to repeat that scenario here in Pennsylvania or are we going to establish sound policy? I don't buy the argument that you guys have no input. You have input, maybe not legally, but as advisors.

Commissioner Osterberg said he was the Borough of President of Milford back when he (Mr. Dibiasi) speaks of this. We were talking about source water protection plan that was implemented by the Milford Water Authority. I never served on the Milford Water Company, but we talked to Milford Township, and we didn't come to the County back then. We worked throughout the Municipalities to make sure that the watershed was protected. Again, Milford Township took all this information and so did Dingman Township. For you to say that I wrote that, sorry I was involved because I was the Borough President. You're at the wrong forum. We appreciate your passion over this, no one wants to pollute the water, but you need to go to the right place – Milford Township. The Milford Water Authority is going there, they are all over this. I talk to those gentlemen all the time and they are on this. Their role is to make sure that we all have clean drinking water, and they take that role very seriously.

Reporter Travis Caldwell from the Pike County Dispatch asked Chief Clerk Gary Orben about his new appointment. What sort of duties will you, as Special Assistant to the Commissioners, be responsible for? Chief Clerk Gary Orben answered he works at the direction of the Board (of Commissioners). Reporter Caldwell then asked what are some of the achievements, during your time working with the County, that are especially noteworthy? Chief Clerk Gary Orben replied there's many. One is the advancement of the computerization of the County. When I started back in 1976 a lot of stuff was still done on paper like ledgers. That is not the case today. I think one of the biggest accomplishments is probably the initialization of the Tax Mapping System for Pike County. I was given direction of that shortly after I began my tenure with the County and actually created some of that in-house and that it was contracted out to a different firm to complete the task and maintain the system within the County and also instituted the GIS System for the maintenance of the system and recordkeeping of the system. It's a never-ending evolution with that in itself. It's probably one of the biggest accomplishments that I'm proud of. Commissioner Osterberg added that the Chief Clerk is the 4th Commissioner. We do that in respect for Gary. Gary has been here for 25 years, right after the construction of the Pike County Correctional Facility, which is a big edition for this County. We've had the construction of a new courthouse while the Commissioners work to do that, it's the Chief's Clerk operation to make sure all of the parts keep moving and everybody keeps working, dealing with the County engineer along with the 911 Center. That was at his direction also. It's not just the Board of Commissioners that see that these improvements occur, that is a very important job of being Chief Clerk. He's right on the GIS side, that's where he came to, moving into the Chief Clerk he was in charge of GIS and he continues that role and continues it today.

THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, AUGUST 3, 2022, AT 11:00 A.M. IN THE PIKE COUNTY ADMINISTRATION BUILDING