

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:30 A.M. IN THE COMMISSIONER’S MEETING ROOM, COURTHOUSE ANNEX, JIM THORPE, PENNSYLVANIA.

PRESENT WERE COMMISSIONERS NOTHSTEIN, GERHARD, AND O’GUREK, CHIEF CLERK/COUNTY ADMINISTRATOR AHNER, SOLICITOR MISCAVIGE, AND EXECUTIVE SECRETARY MARIANNE BUTRIE.

THE COUNTY CONTROLLER, FIRST DEPUTY CONTROLLER, COUNTY TREASURER, AND ASSISTANT COURT ADMINISTRATOR HAMM WERE ALSO PRESENT.

MOMENT OF SILENCE:

A MOMENT OF SILENCE WAS OBSERVED.

PRAYER:

THE VICE-CHAIRMAN OFFERED THE PRAYER.

PLEDGE OF ALLEGIANCE:

THE MEETING OPENED WITH THE PLEDGE OF ALLEGIANCE.

OFFICIAL ACTIONS OF THE CARBON COUNTY BOARD OF COMMISSIONERS:

MINUTES:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD SEPTEMBER 8, 2016.

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

GUESTS (CONCERNING COUNTY BUSINESS):

CHRIS L. LUKASEVICH, JIM THORPE, PA	RE: COURTESY NOTIFICATION OF INTENT TO CONDUCT TOURISM-CENTRIC SURVEY FROM APPROXIMATELY OCTOBER 1 TO DECEMBER 31, 2016
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EXECUTIVE SESSIONS:

THE CHAIRMAN REPORTED THAT THE FOLLOWING EXECUTIVE SESSION WAS HELD

9/12/16	10:30 A.M.	PERSONNEL MATTERS
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DEPARTMENT REPORTS:

CHIEF CLERK/COUNTY ADMINISTRATOR:

BUDGET TRANSFERS:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE BUDGET TRANSFERS AS LISTED ON TRANSMITTALS DATED SEPTEMBER 15, 2016.

BOARD POLLED: O'GUREK YES
 GERHARD YES
 NOTHSTEIN YES

SUPPLEMENTAL APPROPRIATIONS:

THERE WERE NO SUPPLEMENTAL APPROPRIATIONS.

EXPENDITURE APPROVAL:

GENERAL FUND CLEARING ACCOUNT:

APPROVAL OF CHECK NUMBERS 125361 THROUGH 125475 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$ 367,107.87
RENTAL PROPERTY FUND	\$ 167.96
COUNTY PARKING FUND	\$ 5,205.03
LIQUID FUELS TAX FUND	\$ 452.67
AREA AGENCY ON AGING FUND	\$ 23,129.44
CHILDREN & YOUTH FUND	\$ 23,268.79
HUMAN SERVICE AGENCY FUND	\$ 2,539.15
DOMESTIC RELATIONS 4D FUND	\$ 11,647.07
WORKFORCE INVESTMENT ACT FUND	\$ 8,452.55
PARKS & RECREATION FUND	\$ 12,878.87
9-1-1 FUND	\$ 24,519.15
HAZ-MAT RESPONSE FUND	\$ 23.41
CENTRALIZED BOOKING FUND	\$ 122.00
VICTIM/WITNESS FUND	\$ 99.24
AFFORDABLE HOUSING FUND	\$ 7.68
CDBG FUND	\$ 41,363.85
CAPITAL PROJECTS FUND	\$ 2,550.50
FRINGE BENEFIT PAYMENT FUND	\$ 419,265.24
TAX CLAIM FUND	\$ <u>328,924.57</u>
TOTAL:	\$ 1,271,725.04

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE PAYMENT OF THE CHECK NUMBERS AS LISTED ABOVE.

BOARD POLLED: O'GUREK YES*
 GERHARD YES
 NOTHSTEIN YES

* MR. O'GUREK VOTED YES WITH THE EXCEPTION OF BILLS FOR THE TIMES NEWS, TIMES NEWS PRINTING AND PENTELEDATA, HE ABSTAINED.

TREASURER'S REPORT:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER'S REPORT DATED SEPTEMBER 9, 2016 REPORTING BALANCES AS FOLLOWS:

BALANCES AS OF SEPTEMBER 9, 2016:

GENERAL FUND CHECKING ACCOUNT	\$ 1,332.44
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PAYROLL CHECKING ACCOUNT	\$ 31,060.31
GENERAL FUND SP NOW	\$ 15,107,368.77
OPERATING RESERVE	\$ 934,108.42
RENTAL PROPERTY	\$ 198,566.95
PARKING FUND	\$ 687,113.49
LIQUID FUELS	\$ 415,779.83
AREA AGENCY ON AGING	\$ 544,990.65
CHILDREN & YOUTH	\$ 1,485,109.85
HUMAN SERVICES AGENCY	\$ 27,664.68
DOMESTIC RELATIONS	\$ 147,600.97
WORKFORCE INVESTMENT ACT	\$ 19,640.92
PARKS & RECREATION FUND	\$ 234,238.10
CARBON TRANSPORTATION	\$ 95.18
9-1-1 FUND	\$ 1,363,738.87
HAZMAT FUND	\$ 114,397.56
OFFENDER SUPERVISION	\$ 457,771.32
ADULT ELECTRONIC MONITORING	\$ 178,417.58
FARMLAND PRESERVATION	\$ 123,382.91
HUMAN SERVICES DEVELOPMENT	\$ 12,509.30
HOMELESS GRANT	\$ 6,842.37
CENTRALIZED BOOKING	\$ 76,597.97
VICTIM WITNESS	\$ 5,806.84
RECORDER OF DEEDS	\$ 32,668.89
RECORDS IMPROVEMENTS	\$ 11,311.52
JUVENILE SUPERVISION FEE	\$ 25,673.52
COMMUNITY SERVICE FEE	\$ 12,607.10
PROTHONOTARY AUTOMATION	\$ 36,145.88
AFFORDABLE HOUSING	\$ 316,470.26
CLERK OF COURTS	\$ 2,072.09
REGISTER OF WILLS	\$ 11,760.91
JUVENILE ELECTRONIC MONITORING	\$ 4,716.91
VITAL STATISTICS	\$ 47,496.72
SUBSTANCE ABUSE EDUCATION FUND	\$ 99,556.63
LIQUID FUELS/ACT 44 FUND	\$ 206,177.24
ACT 13 BRIDGE IMPROVEMENT FUND	\$ 337,725.51
VICTIMS SERVICE FUND	\$ 47,823.98
HOTEL EXCISE TAX FUND	\$ 36,469.31
CDBG FUND	\$ 41,375.33
DEBT SERVICE	\$ 2,033,667.59
CAPITAL PROJECTS	\$ 901,564.94
FRINGE BENEFITS	\$ 595,389.64
TAX CLAIM	\$ 454,264.34

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

PERSONNEL REPORT:

RESIGNATIONS:

KASAUNDR A. BARCLAY, LEHIGHTON, PA – LIFEGUARD, PARKS – EFFECTIVE SEPTEMBER 5, 2016.

ELENA R. BECKETT, LEHIGHTON, PA – LIFEGUARD, PARKS – EFFECTIVE AUGUST 14, 2016.

LENORA J. GERA, WEATHERLY, PA – DISTRICT JUSTICE SECRETARY I, DISTRICT JUSTICES – EFFECTIVE SEPTEMBER 29, 2016.

KENDALL J. JURACKA, JIM THORPE, PA – LIFEGUARD, PARKS – EFFECTIVE SEPTEMBER 5, 2016.

SAMANTHA R. MCCARTHY, COALDALE, PA – LIFEGUARD, PARKS – EFFECTIVE SEPTEMBER 5, 2016.

EMMA Z. NAJIBI, JIM THORPE, PA – LIFEGUARD, PARKS – EFFECTIVE AUGUST 18, 2016.

EDWARD D. PENETAR, BLAKELY, PA – LAW CLERK, COURT ADMINISTRATION – EFFECTIVE SEPTEMBER 23, 2016.

ALYSSA M. SCHULTZ, SUMMIT HILL, PA – LIFEGUARD, PARKS – EFFECTIVE SEPTEMBER 5, 2016

TAMMY S. SMITH, LEHIGHTON, PA – CLERICAL SPECIALIST, JUVENILE COURT – EFFECTIVE SEPTEMBER 21, 2016.

DANIELLE R. SPILLMAN, JIM THORPE, PA – LIFEGUARD, PARKS – EFFECTIVE AUGUST 23, 2016

KELSEY A. VAN HORN, NESQUEHONING, PA- LIFEGUARD, PARKS – EFFECTIVE AUGUST 19, 2016

HIRE:

AUSTIN D. LESKO, LEHIGHTON, PA – PART-TIME DISPATCHER/TRAINEE, COMMUNICATIONS CENTER – EFFECTIVE SEPTEMBER 16, 2016.

CHANGE OF STATUS:

JILL M. GEISSINGER, LEHIGHTON, PA

FROM: COUNTY CASEWORKER II, CHILDREN & YOUTH SERVICES

TO: COUNTY CASEWORK SUPERVISOR I, CHILDREN & YOUTH SERVICES

EFFECTIVE: SEPTEMBER 26, 2016

SEMINAR/TRAINING REQUESTS:

CORRECTIONS

CHARLES NEFF

VALVES: OPERATION & MAINTENANCE TRAINING

NESQUEHONING, PA

COST: TRAINING FEE \$203

CORRECTIONS

COLBY CHEW

ALEC DELONG

JOSE ORTIZ

ALEX BONNER

JOHN FM EVANS

O'NEIL CHAMBERS

ELADIO GONZALEZ

FERNANDO VARGAS

JUSTIN HALL

AMBERLEY KOSCHAK

BRIAN NEWTON

FIRST AID/CPR

NESQUEHONING, PA

WORKFORCE INVESTMENT ACT

KEITH RAMSAY

PA WORKFORCE DEVELOPMENT BOARD SYMPOSIUM

STATE COLLEGE, PA

COST: CONFERENCE FEE \$200, LODGING, MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

COURT SEMINAR/TRAINING REQUEST ACKNOWLEDGEMENT:

COURT COMPUTER

REBECCA COLLURA

DELL EDUCATION SERVICES: 20410 INSTALLING AND CONFIGURING WINDOWS SERVER 2012 ON-LINE COURSE

JIM THORPE, PA

COST: ON-LINE COURSE FEE \$2,900

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE PERSONNEL REPORT DATED SEPTEMBER 15, 2016.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

CORRESPONDENCE:

MINUTES RECEIVED: AUGUST 8, 2016 MEETING OF SHEPHERD HOUSE, INCORPORATED.

THE AUGUST 2016 MONTHLY REPORT WAS RECEIVED FROM THE CARBON COUNTY RECORDER OF DEEDS.

CORRESPONDENCE WAS RECEIVED FROM THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE ENCLOSING A COPY OF THE AGENCY SUMMARY REPORT (ASR) OF USDA COMMODITY ACTIVITY FOR FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016.

A COPY OF PENNEAST PIPELINE COMPANY'S RESPONSE TO THE FEDERAL ENERGY REGULATORY COMMISSION REGARDING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) WAS RECEIVED.

BIDS/CDBG PROJECTS:

#16-341 MAHONING/REJECT BID:

A COMMUNICATION WAS RECEIVED FROM THE OFFICE OF PLANNING AND DEVELOPMENT ADVISING THAT AFTER REVIEW OF THE BID FOR THE FOLLOWING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, IT IS RECOMMENDED IT BE REJECTED:

MAHONING TOWNSHIP – STREET IMPROVEMENTS

REX ROAD BRIDGE RECONSTRUCTION

(FY 2014)

J. D. ECKMAN, INCORPORATED

ATGLEN, PA \$277,485.00

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO REJECT THE BID AS SUBMITTED BY J. D. ECKMAN, INCORPORATED FOR THE MAHONING TOWNSHIP PROJECT.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

#16-342 PALMERTON/POSTPONE:

A COMMUNICATION WAS RECEIVED FROM THE OFFICE OF PLANNING AND DEVELOPMENT REQUESTING ACTION ON THE FOLLOWING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT BID BE POSTPONED FOR ONE (1) WEEK:

PALMERTON BOROUGH – STREET IMPROVEMENTS

ADA INTERSECTIONS LEHIGH AVENUE, 5TH & 6TH STREETS

(FY 2014)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO POSTPONE ACTION TO AWARD OR REJECT THE BID FOR THE PALMERTON PROJECT UNTIL SEPTEMBER 22, 2016.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

DISTRICT ATTORNEY:

#16-343 VICTIM/WITNESS GRANT:

THE RASA (RIGHTS AND SERVICES ACT) GRANT APPLICATION/AGREEMENT WITH THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY, IN THE AMOUNT OF \$91,526 FOR THE YEARS 2017 THROUGH 2018 VICTIM/WITNESS PROGRAM WAS SUBMITTED FOR BOARD ACTION.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND EXECUTE THE RASA GRANT.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

EMERGENCY MANAGEMENT:

#16-344 LEPC/RESIGNATION:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE RESIGNATION OF HOWARD GIRER, JIM THORPE, PENNSYLVANIA, FROM THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

HUMAN SERVICES:

#16-345 STATE FOOD REPORT:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE FY 2015/2016 STATE FOOD PURCHASE PROGRAM'S 4TH QUARTER EXPENSE AND DATA REPORT AS SUBMITTED BY SHEPHERD HOUSE, INCORPORATED.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

SOLICITOR'S REPORT:

CLERK OF COURTS:

#16-346 AGREEMENT/MCGOWAN:

AN AGREEMENT BETWEEN THE COUNTY OF CARBON AND THERESA M. MCGOWAN OF JIM THORPE, PENNSYLVANIA FOR SERVICES IN THE CLERK OF COURTS OFFICE FOR THE PERIOD OF SEPTEMBER 16TH THROUGH OCTOBER 25, 2016 AT COMPENSATION OF \$25.00/HOUR NOT TO EXCEED 140 HOURS WAS SUBMITTED FOR BOARD ACTION.

MOTION WAS MADE BY MR. GERHARD, SECONDED BY MR. NOTHSTEIN.

MR. O'GUREK QUESTIONED IF IN DOING THIS A PRECEDENT WOULD BE SET IN HIRING SOMEONE ON A CONTRACT BASIS FOR FILL-IN WORK FOR SOMEONE ON A LEAVE OF ABSENCE. HE ALSO QUESTIONED THE RATE OF PAY FOR CLERICAL WORK.

MR. GERHARD RESCINDED HIS MOTION.

MR. NOTHSTEIN RESCINDED HIS SECOND NOTING THAT IT IS AN ELECTED OFFICIALS OFFICE AND IT IS VERY DIFFICULT WHEN WE DON'T HAVE CONTROL OVER THINGS THAT HAPPEN IN AN ELECTED OFFICIALS OFFICE.

NO ACTION WAS TAKEN; THE MATTER DIED FOR LACK OF A MOTION.

D&L PEDESTRIAN BRIDGE PROJECT:

#16-347 REIMBURSEMENT AGREEMENT/RBMN:

A REIMBURSEMENT AGREEMENT BETWEEN THE COUNTY AND READING BLUE MOUNTAIN AND NORTHERN RAILROAD COMPANY, PORT CLINTON, PENNSYLVANIA, FOR 100% OF ACTUAL COSTS FOR RAILROAD FLAGGING AND PROTECTIVE SERVICES ASSOCIATED WITH THE D&L PEDESTRIAN BRIDGE PROJECT, ESTIMATED IN THE AMOUNT OF \$160,000.00, WAS PRESENTED FOR APPROVAL.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE AGREEMENT WITH READING BLUE MOUNTAIN AND NORTHERN RAILROAD COMPANY.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

HOTEL EXCISE TAX:

#16-348 ORDINANCE:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ADOPT ORDINANCE #2016-02 AMENDING ORDINANCE #2006-02 HOTEL ROOM RENTAL EXCISE TAX, CHANGING THE ADMINISTRATIVE FEE FROM 2% TO 4% (AS A RESULT OF CHANGES TO ACT 18).

***ORDINANCE #2016-02 TO BE TYPED IN ORDINANCE BOOK.**

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

PARKS/JOSIAH WHITE:

#16-349 BANNER REQUEST:

A BANNER REQUEST WAS SUBMITTED FOR THE FOLLOWING:

ST. JOSEPH'S CHURCH, JIM THORPE, PA
OCTOBERFEST, OCTOBER 16, 2016
(OCTOBER 1 - OCTOBER 17, 2016)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE BANNER PERMIT AS SUBMITTED.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

#16-350 GAZEBO REQUEST:

A REQUEST FOR USE OF THE GAZEBO IN THE JOSIAH WHITE PARK WAS SUBMITTED FOR THE FOLLOWING:

STACEY A. GREEN, SUMMIT HILL, PA
WEDDING CEREMONY – NOVEMBER 11, 2016
(10:00 – 11:00 A.M.)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE GAZEBO PERMIT AS SUBMITTED.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

TAX CLAIM BUREAU:

CREDIT CARD PROCESSING:

#16-351 VALUE PAYMENT SYSTEMS/AMENDMENT:

A COMMUNICATION WAS RECEIVED FROM THE DIRECTOR OF THE TAX CLAIM BUREAU ENCLOSING AN AMENDMENT TO THE PAYMENT PROCESSING SERVICE AGREEMENT BETWEEN THE COUNTY OF CARBON AND VALUE PAYMENT SYSTEMS L.L.C. FOR CREDIT CARD TRANSACTIONS.

THE AMENDMENT REVISES THE DEBIT CARD TRANSACTION FEE TO A FLAT 1.50% (CURRENT MASTERCARD AND DISCOVER DEBIT CARDS ARE AT 2.75% AND VISA DEBIT AT \$3.95 PER TRANSACTION) THIS CHANGE WILL NOT INVOLVE THE TAX CLAIM BUREAU; IT WILL ONLY CHANGE THE CONVENIENCE FEE PAID BY THE TAXPAYER. ALL OTHER TERMS OF THE AGREEMENT WILL BE CONFIRMED AND RATIFIED.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE AMENDMENT TO THE AGREEMENT WITH VALUE PAYMENT SYSTEMS.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:52 A.M.

ELOISE K. AHNER,
CHIEF CLERK/COUNTY ADMINISTRATOR

WAYNE E. NOTHSTEIN, CHAIRMAN