

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:31 A.M. IN THE COMMISSIONER’S MEETING ROOM, CARBON COUNTY ADMINISTRATION BUILDING, JIM THORPE, PENNSYLVANIA.

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

THE COUNTY CONTROLLER, COUNTY TREASURER, COUNTY SHERIFF, AND THE COURT ADMINISTRATOR WERE ALSO PRESENT.

SOLICITOR MISCAVIGE WAS ABSENT.

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 JUNE 13, 2019.

BOARD POLLED:	O’GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

GUESTS: (CONCERNING COUNTY BUSINESS AS PER COUNTY POLICY #2012-01 GOV)

THE CHAIRMAN ACKNOWLEDGED COURTNEY MCCALL, SUMMER INTERN FOR THE SECOND YEAR IN THE COMMISSIONERS’ OFFICE.

EXECUTIVE SESSIONS:

THE CHAIRMAN REPORTED THAT THE FOLLOWING EXECUTIVE SESSION WAS HELD:

JUNE 19, 2019	10:00 A.M.	PERSONNEL REASONS
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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

JUNE 20, 2019

LISTED ON TRANSMITTALS DATED JUNE 20, 2019.

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 206630 THROUGH 206741 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$ 95,883.29
RENTAL PROPERTY FUND	\$ 7,531.10
COUNTY PARKING FUND	\$ 7,310.82
LIQUID FUELS FUND	\$ 925.22
AREA AGENCY ON AGING FUND	\$ 50,293.92
CHILDREN & YOUTH FUND	\$ 10,635.57
HUMAN SERVICE AGENCY FUND	\$ 353.83
DOMESTIC RELATIONS FUND	\$ 504.68
PARKS & RECREATION FUND	\$ 9,525.18
CARBON TRANSPORTATION FUND	\$ 35,457.75
9-1-1 FUND	\$ 67,729.68
HAZ-MAT RESPONSE FUND	\$ 16.97
VICTIM/WITNESS FUND	\$ 288.59
CDBG FUND	\$ 101.50
CAPITAL PROJECTS FUND	\$ 461.92
FRINGE BENEFIT PAYMENT FUND	\$ <u>936.57</u>
TOTAL:	\$ 287,956.59

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 STATED, "YES, WITH THE EXCEPTION OF THE BILLS FOR THE TIMES NEWS, TN PRINTING, AND BLUE RIDGE COMMUNICATIONS, TO WHICH I ABSTAIN BECAUSE I AM A PART-TIME EMPLOYEE OF THE TIMES NEWS WHICH IS A SISTER COMPANY OF TN PRINTING, AND BLUE RIDGE COMMUNICATIONS."

ETHICS COMMISSION COMPLIANCE:

COMMISSIONER O'GUREK PRESENTED THE FOLLOWING MEMORANDUM STATING HIS POTENTIAL CONFLICT OF INTEREST WITH PENCOR RELATED COMPANIES AS PER THE ADVICE OF THE STATE ETHICS COMMISSION:

MEMORANDUM

SECTION 1103(J) OF THE ETHICS ACTS PROVIDES AS FOLLOWS:

VOTING CONFLICT-WHERE VOTING CONFLICTS ARE NOT OTHERWISE ADDRESSED BY THE CONSTITUTION OF PENNSYLVANIA OR BY ANY LAW RULE REGULATION ORDER OR ORDINANCE, THE FOLLOWING PROCEDURE SHALL BE EMPLOYED. ANY PUBLIC OFFICIAL OR PUBLIC EMPLOYEE WHO IN THE DISCHARGE OF HIS OFFICIAL DUTIES WOULD BE REQUIRED TO VOTE ON A MATTER THAT WOULD RESULT IN A CONFLICT OF INTEREST SHALL ABSTAIN FROM VOTING AND PRIOR TO THE VOTE BEING TAKEN PUBLICLY ANNOUNCE AND DISCLOSE THE NATURE OF HIS INTEREST AS A PUBLIC RECORD IN A WRITTEN MEMORANDUM FILED WITH THE PERSON RESPONSIBLE FOR RECORDING THE MINUTES OF THE MEETING AT WHICH THE VOTE IS TAKEN PROVIDED THAT WHENEVER A GOVERNING BODY WOULD BE UNABLE TO TAKE ANY ACTION ON A MATTER BEFORE IT BECAUSE THE NUMBER OF MEMBERS OF THE BODY REQUIRED TO ABSTAIN FROM VOTING UNDER THE PROVISIONS OF THIS SECTION MAKES THE MAJORITY OR OTHER LEGALLY REQUIRED VOTE OF APPROVAL UNATTAINABLE THEN SUCH MEMBERS SHALL BE PROVIDED TO VOTE IF DISCLOSURES ARE MADE AS OTHERWISE PROVIDED HEREIN. IN THE CASE OF A THREE-MEMBER GOVERNING BODY OF A POLITICAL SUBDIVISION WHERE ONE MEMBER HAS ABSTAINED FROM VOTING AS A RESULT OF A CONFLICT OF INTEREST AND THE REMAINING TWO MEMBERS OF THE GOVERNING BODY HAVE CAST OPPOSING VOTES THE MEMBER WHO HAS ABSTAINED SHALL BE PERMITTED TO VOTE TO BREAK THE TIE VOTE IF DISCLOSURE IS MADE AS OTHERWISE PROVIDED HEREIN.

ACCORDINGLY, TO COMPLY WITH THIS SECTION OF THE ETHICS ACT, I AM SUBMITTING THIS MEMORANDUM AS A MEANS OF PROVIDING FULL DISCLOSURE OF A CONFLICT OF INTEREST, STATING THAT I AM ABSTAINING TODAY ON ANY ACTIONS RELATING TO PAYING BILLS TO, ADVERTISING WITH, ACCEPTING PROPOSALS FROM AND/OR ENTERING CONTRACTS WITH TIMES NEWS, LEHIGHTON, PA, BECAUSE I AM A PART-TIME EMPLOYEE THERE, AS WELL AS ITS SISTER COMPANIES, INCLUDING BLUE RIDGE COMMUNICATIONS, PENTELE DATA, THE PALMERTON TELEPHONE COMPANY AND PENCOR HOSE AND FITTING, AND ANY OTHER PENCOR SERVICES' AFFILIATES.

/S/ WILLIAM J. O'GUREK, MEMBER

06/20/2019

TREASURER'S REPORT:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER'S REPORT DATED JUNE 10, 2019 TO JUNE 14, 2019 REPORTING BALANCES AS FOLLOWS:

BALANCES AS OF JUNE 14, 2019:

GENERAL FUND CHECKING ACCOUNT	\$ 7,288.64
GENERAL FUND SP NOW	\$ 4,407,746.83
OPERATING RESERVE FUND	\$ 967,792.43
RENTAL PROPERTY FUND	\$ 177,446.38
COUNTY PARKING FUND	\$ 1,069,668.79
LIQUID FUELS TAX FUND	\$ 600,294.72
AREA AGENCY ON AGING FUND	\$ 355,894.32
CHILDREN & YOUTH FUND	\$ 557,650.99
HUMAN SERVICE AGENCY FUND	\$ 13,300.70
DOMESTIC RELATION IV-D FUND	\$ 163,364.92
WORKFORCE INVESTMENT ACT	\$ 14,180.72
PARKS & RECREATION FUND	\$ 119,910.70
CARBON TRANSPORTATION SYSTEM FUND	\$ 154,473.45
9-1-1 FUND	\$ 1,446,986.86
HAZMAT RESPONSE FUND	\$ 150,914.40
OFFENDER SUPERVISION FUND	\$ 260,467.85
ADULT ELECTRONIC MONITORING FUND	\$ 199,704.35
FARMLAND PRESERVATION FUND	\$ 40,374.55

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HUMAN SERVICE DEVELOPMENT FUND	\$	14,618.62
HOMELESS GRANT FUND	\$	8,044.14
CENTRALIZED BOOKING FUND	\$	130,711.29
VICTIM/WITNESS FUND	\$	13,609.39
RECORDER OF DEEDS IMPROVEMENT FUND	\$	31,550.81
COUNTY RECORDS IMPROVEMENTS FUND	\$	6,677.80
JUVENILE SUPERVISION FEE FUND	\$	35,409.86
COMMUNITY SERVICE FEE FUND	\$	9,044.48
PROTHONOTARY AUTOMATION FUND	\$	82,172.77
AFFORDABLE HOUSING FUND	\$	308,044.16
CLERK OF COURTS AUTOMATION FUND	\$	1,892.93
REGISTER OF WILLS AUTOMATION FUND	\$	11,494.38
JUVENILE ELECTRONIC MONITORING FUND	\$	6,186.85
VITAL STATS IMPROVEMENT FUND	\$	35,292.61
SUBSTANCE ABUSE EDUCATION	\$	147,434.07
LIQUID FUELS/ACT 44	\$	483,500.31
HIGHWAY BRIDGE IMPROVEMENT ACT 13	\$	524,713.17
VICTIMS SERVICES FUND	\$	50,545.02
HOTEL ROOM EXCISE TAX FUND	\$	3,292.99
CDBG FUND	\$	111.31
DEBT SERVICE FUND	\$	885,162.19
CAPITAL PROJECTS FUND	\$	16,648,690.61
FRINGE BENEFIT PAYMENT FUND	\$	537,324.53
PAYROLL FUND	\$	34,230.19
TAX CLAIM FUND	\$	584,152.70

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

PERSONNEL REPORT:

RETIREMENT:

FRANCES E. NATT, HAZLETON, PA - LPN, CORRECTIONS - EFFECTIVE JULY 1, 2019.

RESIGNATIONS:

JOSEPH P. COLLINS, LANSFORD, PA - CORRECTIONS OFFICER, CORRECTIONS - EFFECTIVE MAY 19, 2019.

MALIK A. HAYES, EAST STROUDSBURG, PA - PROBATION OFFICER I, ADULT PROBATION - EFFECTIVE JUNE 25, 2019.

CHANGES OF STATUS:

JAMES E. YOUNGKIN, JR., NESQUEHONING, PA
FROM: CORRECTIONS OFFICER, CORRECTIONS
TO: SERGEANT (TEMPORARILY), CORRECTIONS
EFFECTIVE: JULY 1, 2019

JAMES B.J. TASCHLER, LEHIGHTON, PA
FROM: PART-TIME CORRECTIONS OFFICER/TEAMSTERS, CORRECTIONS
TO: CORRECTIONS OFFICER, CORRECTIONS
EFFECTIVE: JULY 1, 2019

GAVIN C. MOSER, LANSFORD, PA
FROM: PART-TIME CORRECTIONS OFFICER, CORRECTIONS
TO: PART-TIME CORRECTIONS OFFICER/TEAMSTERS, CORRECTIONS
EFFECTIVE: JULY 1, 2019

MARY E. REINERT, PALMERTON, PA
FROM: PART-TIME LPN, CORRECTIONS
TO: LPN, CORRECTIONS
EFFECTIVE: JULY 2, 2019

COURT APPOINTMENT DATE CORRECTION:

CARLA J. BARTELT, NESQUEHONING, PA – DISTRICT JUSTICE SECRETARY I – EFFECTIVE JUNE 19, 2019.

DISTRICT ATTORNEY APPOINTMENT:

KERA M. RODGERS, TAMAQUA, PA - PART-TIME VICTIM/WITNESS COORDINATOR - EFFECTIVE JUNE 24, 2019.

HIRE:

HAROLD L. MAURER, JIM THORPE, PA - SUMMER SUPERVISOR, LIQUID FUELS SUMMER PROGRAM - EFFECTIVE JUNE 24, 2019.

SEMINAR/TRAINING REQUESTS:

CHILDREN & YOUTH SERVICES

JAMI ROLON

2019 CIVIL SERVICE TRAINING

HARRISBURG, PA

COST: CONFERENCE FEE \$20, MEALS

JAMI ROLON

CPCMS TRAINING COURSE: NEW USER- DEPENDENCY CASE PROCESSING

MECHANICSBURG, PA

COST: MEALS

COMMUNICATIONS

GARY L. WILLIAMS, JR.

THOMAS B. WASSIL

NEW ACT 2 TRAINING & QUALITY ASSURANCE/QUALITY IMPROVEMENT REQUIREMENTS

ALLENTOWN, PA

JUSTIN E. MARKELL

NECORE NG911 GIS EDUCATION TRAINING

STROUDSBURG, PA

CORRECTIONS

TIMOTHY L. FRITZ

TAC OFFICER TRAINING

SCRANTON, PA

DISTRICT ATTORNEY

CINDY A. HATTON

SETH E. MILLER

2019 ANNUAL SUMMER MEETING

FARMINGTON, PA

COST: CONFERENCE FEE \$850 PER PERSON, LODGING, MEALS

HUMAN RESOURCES

LISA A. MARKS

2019 CIVIL SERVICE TRAINING

HARRISBURG, PA

COST: CONFERENCE FEE \$20

SHERIFF

JOSEPH V. HAGER

ALLEN B. STROHL

SURVEILLANCE DETECTION FOR BOMBING PREVENTION COURSE

ALLENTOWN, PA

COST: MEALS

TAX CLAIM

RENEE G. ROBERTS

PENNSYLVANIA TAX CLAIM BUREAU ASSOCIATION 2019 FALL CONFERENCE & EXECUTIVE BOARD MEETING

SHIPPENSBURG, PA

COST: CONFERENCE FEE \$350, MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

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COURTS SEMINAR/TRAINING REQUEST ACKNOWLEDGEMENT:

ADULT PROBATION

MALIK A. HAYES

BASIC FIREARMS TRAINING ACADEMY: CLASSROOM INSTRUCTION

HARRISBURG, PA

COST: MEALS

APRIL R. GOOD

KEVIN J. DOLL

BASIC FIREARMS TRAINING ACADEMY: CLASSROOM INSTRUCTION

HARRISBURG, PA

BASIC FIREARMS TRAINING ACADEMY: RANGE INSTRUCTION

ANNVILLE, PA

COST: LODGING, MEALS

ADULT PROBATIONS

RICHMOND S. PARSONS

2019 CLEAN MANDATORY TAC TRAINING

SCRANTON, PA

COST: MEALS

DOMESTIC RELATIONS

LAUREN HOLLAND

EMMA J. KELSALL

GUIDELINES 201

SUPPORT ORDER ESTABLISHMENT 201

NANTICOKE, PA

COST: MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE PERSONNEL REPORT DATED JUNE 20, 2019.

BOARD POLLED:	O'GUREK	YES
	GERHARD	YES
	NOTHSTEIN	YES

CORRESPONDENCE:

MINUTES RECEIVED: MAY 14, 2019 MEETING OF THE CARBON COUNTY AGRICULTURAL LAND PRESERVATION BOARD; MAY 21, 2019 MEETING OF THE CARBON COUNTY HOUSING AUTHORITY; MAY 21, 2019 MEETING OF THE CARBON COUNTY PLANNING COMMISSION.

COMMUNICATIONS WERE RECEIVED REGARDING THE FOLLOWING PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT APPLICATIONS:

BROAD MOUNTAIN POWER LLC (RECEIVED FROM AECOM)

AD1 – 143 BROAD MOUNTAIN 69 KV TRANSMISSION LINE PROJECT

NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION

PACKER TOWNSHIP

PA GAME COMMISSION

ACT 14 NOTIFICATIONS, GENERAL PERMIT

BRIDGE CONSTRUCTION PROJECT, BLACK GREEK, STATE GAME LANDS NO. 40

KIDDER TOWNSHIP

HUMAN SERVICES:

#19-288 STATE FOOD/DISTRIBUTION:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT AND ACKNOWLEDGE FY 2018/2019 STATE FOOD PURCHASE PROGRAM FIFTH DISTRIBUTION PAYMENT AS SUBMITTED BY SHEPHERD HOUSE, INCORPORATED.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

PLANNING & DEVELOPMENT:

#19-289 CDBG/MODIFICATION:

MODIFICATION REQUEST #2 WAS SUBMITTED FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONTRACT FOR PALMERTON BOROUGH AS FOLLOWS:

DELETE FUNDS (\$83,704) FROM STREET IMPROVEMENTS – SOUTH 4TH STREET (DELAWARE AVENUE TO ALLEY X) AND MOVE TO STREET IMPROVEMENTS MAUCH CHUNK ROAD (CHURCH STREET TO LINDEN STREET)

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF MODIFICATION REQUEST #2 FOR THE PALMERTON CDBG CONTRACT.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

CDBG/CORRECTION NOTICE:

#19-290 POSTING:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO AUTHORIZE THE POSTING OF A PUBLIC NOTICE (CORRECTION NOTICE) – INTENT TO REQUEST RELEASE OF FUNDS FOR FRANKLIN TOWNSHIP – RED HILL ROAD CULVERT RECONSTRUCTION, PHASE 1 WATER/SEWER IMPROVEMENTS & PHASE 1 STREET IMPROVEMENTS, AND WEISSPORT BOROUGH – BRIDGE STREET WATER/SEWER IMPROVEMENTS FROM JUNE 21 THROUGH JULY 1, 2019 AT THE FRANKLIN TOWNSHIP ADMINISTRATION OFFICE, WEISSPORT BOROUGH BUILDING, 76 SUSQUEHANNA STREET BUILDING, CARBON COUNTY COURTHOUSE AND CARBON COUNTY ADMINISTRATION BUILDING.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

SOLICITOR'S REPORT:

PARKS/RECREATION:

#19-291 ACTIVITIES AGREEMENT/MCLP:

A SPECIAL ACTIVITIES AGREEMENT FOR USE OF THE MAUCH CHUNK LAKE PARK WAS SUBMITTED FOR RATIFICATION FOR THE FOLLOWING:

TAMAQUA BASS CLUB
2019 WEDNESDAY NIGHT BASS TOURNAMENTS
JUNE 19, 26; JULY 3, 10, 17, 24, AND 31, 2019

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO RATIFY APPROVAL AND AUTHORIZE EXECUTION OF THE AGREEMENT WITH THE TAMAQUA BASS CLUB.

BOARD POLLED: O'GUREK YES
GERHARD YES
NOTHSTEIN YES

JUNE 20, 2019

TAX CLAIM:

#19-292 ACCURINT/UPDATE FEES:

A REQUEST WAS SUBMITTED BY THE TAX CLAIM DIRECTOR FOR APPROVAL OF AN UPDATED ACCURINT (LEXISNEXIS) FOR GOVERNMENT APPLICATION AND AGREEMENT FEE SCHEDULE, EFFECTIVE JULY 1, 2019.

THE FEE SCHEDULE WILL CONTINUE WITH THE \$50 PER MONTH PLAN; HOWEVER, THE PLAN WILL BE CODED UNDER THE PA MASTER STATE AGREEMENT TO AVOID PAYING THE PRICING INCREASE OF \$150.00 PER MONTH UNDER THE OLD PLAN.

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE UPDATED APPLICATION AND AGREEMENT FEE SCHEDULE, EFFECTIVE JULY 1, 2019.

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 10:38 A.M.

ELOISE K. AHNER,
CHIEF CLERK/COUNTY ADMINISTRATOR

WAYNE E. NOTHSTEIN, CHAIRMAN