

Wednesday, May 20, 2020

The second regular meeting of May 2020 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.

PRESENT: Commissioners Osterberg, Schmalzle and Guccini; Chief Clerk Orben; and Solicitor Farley via Zoom.

Public Comments/Questions concerning today's agenda.

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

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

A RETIREMENT BOARD MEETING WAS HELD.

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

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the May 20, 2020 Agenda.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the May 6, 2020 Commissioners' Meeting Minutes.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve the May 13 and 18, 2020 Commissioners' Conference Minutes.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve payment from **GENERAL FUND (County Bills)**, in the amount of **\$525,980.27**, subject to further review.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to approve payment from **PC EMPLOYEES HEALTH INS. FUND** in the amount of **\$143,600.66**, subject to further review.

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

OLD BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to open bids received for the purchase of groceries and frozen foods for the Correctional Facility.

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

Solicitor Thomas Farley opened the following bids:

| | | | |
|-----------------|--------------|------------------|--------------|
| Keystone - | \$149,262.58 | Driscoll Foods - | \$351,466.13 |
| Bernard Foods - | \$ 12,485.32 | Sysco Foods - | \$146,236.99 |

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to table the review and approval of the bids until the June 3, 2020 Commissioners' Meeting.

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

NEW BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to appoint **Keith Rodriguez** to the Road Task Force to fill an unexpired term ending 12/13/2022 as representative of Westfall Township.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to execute the First Amendment to the Professional Services Agreement between Evaluator Services and Technology and the County of Pike, to include CourthouseOnline Software as a service, relating to the Assessment Office.

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

MOTION: by Commissioner Guccini and seconded by Commissioners Schmalzle, to authorize the Chairman to execute the Inspection Agreement between Beach Lake Sprinkler and the County of Pike, on behalf of the Area Agency on Aging.

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

MOTION: by Commissioner Guccini and seconded by Commissioner Schmalzle, to execute Pike County Rental Assistance Contract #36 on behalf of the Human Services Department.

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

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

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

MISCELLANEOUS: None.

PRESS & PUBLIC COMMENTS/QUESTIONS/ADJOURNMENT: None.

Commissioner Osterberg said he needs the public to know that we are, every day, communicating with the Governor's Office and with the Department of Health to talk to them about where we see Pike County going. We understand there are more cases every day – yesterday there were 8 new cases (out of 45 tests). That is still quite a bit of people that are becoming positive with Coronavirus. We are continually talking to them about how we can help this county to the “yellow phase” to begin with and, in the future, move to the green. Right now we have to take one step at a time. It is important that everybody recognize that our role as Commissioners is to abide by the laws that are set out by the State of Pennsylvania – not to determine that we can be our own entity. That is the oath we took as Commissioners – to abide by the Constitution of Pennsylvania. There are some people in the public that are not in agreement with what the Governor is doing. At this moment we, as the County Commissioners of Pike, don't have the authorization, nor should we be leading people down those paths, to do something that is in direct violation of the law. We will continue to advocate with the Governor's Office and the Department of Health of how we can work toward getting this county open. We have added more testing sites and that is part of the parameters, they want more aggressive testing. We are doing that in 3 locations now. Starting tomorrow there will be a testing site at Walmart (there will be further announcements about it). We have partnered with Wayne Memorial Hospital at the Training Center in Blooming Grove and there is Dingman's Medical Center which has been doing testing since this began 2 months ago. We are doing our part, we are getting out the word. The other part of this is getting people that do “contact tracing”. They are looking for volunteers and you can sign up at SERVPA. For a county of Pike's size they are looking for 26-27 volunteers that would help the Department of Health determine how this is spreading throughout our community. We are actively doing all of that, but at the same time we are talking to the State about the numbers in Pike County and the impact that we have from people coming into our community. I don't want you to think that we are doing nothing about this – we are. We are doing it and following the law of what has been laid out for us to do as County Commissioners.

Commissioner Schmalzle said he thinks it is a very challenging time. I have a constant conflict about how I feel personally and how I feel I am obligated to act as a County Commissioner. Because of my background as a business owner, I have been in constant contact with the largest employer in our County and many of the tourism related businesses and also some of the small businesses. I can tell you when I meet with them and talk with them, they are on the same page that we are on. They want us to have some influence over pushing the Governor's plan along and maybe changing the Governor's plan. Unfortunately, in a small county with a small population, the metric they're using to turn people from red to yellow is very challenging for a small county. We are pushing to try to do some of the other things on the metric. Each and every time when we talk to the Governor's Office, they tell us moving from one phase to the next is a multifaceted plan. What we have come to know is that 100% of the counties that have moved from red to yellow have met the metric - that is 50 new cases over a 14 day period per 100K in population. For Pike County, that is a number of 2. When you see new cases in Pike County move out, if we're at 2 or below that is a good day. If we're at 2 or above, that is not so good of a day – we are not going to meet that metric. We are calling the Governor's Office out by saying you've asked us to do a number of things, but you're focused on just one thing. That one thing doesn't fit a county like Pike County - a border county with a smaller population. We are also working with our neighbors, with Monroe County, Wayne County and Carbon County as a 4 county region. We are promoted as a Poconos and fighting for our ability to get opened. I am a business owner and our biggest weekend at my Summer related business is Memorial Day. We will open within the Governor's guidelines with a very small portion of that business open. This means that revenue for my businesses will be substantially and significantly down during what we usually have as our busiest weekend of the year. I feel for all of the business owners that are struggling and I am struggling along side of you. My biggest concern with this Holiday weekend is that the tourists from the other States are coming whether we are open or closed. I live right in the middle of the tourist area in Lake Wallenpaupack and I can tell you it is busy now and it's been busy every weekend. I can also tell you that I am not so sure that everybody coming into the area is being safe. I am not so sure if we were open that it wouldn't be safer because we would have legitimate good businesses open to provide services and now we have just a few and people are flooding those couple of places they can go to. I believe that creates a not so safe environment and we could be safer moving to a different phase. We will plead our case and do everything we can to push along. I can also tell you that we have positive conversations with people at the Governor's Office that we think we are close. As Wayne County did a week and a half ago, they said they were ready. We are telling to Governor right now that we think we're ready and would like to move to the next phase in a responsible, careful and safe way. Know that we are working each and every day. We are working for the business owners and the people that live and visit Pike County. This will get done, maybe not in the time frame we all want, but this will get done and it will be done safely and we will move on to, hopefully in the near future in the Summer, to the green phase. That is the goal.

Commissioner Guccini reiterated what Matt and Ron have already said. First of all, from a policy standpoint, we here made sure that we put the politics aside and tried to do the best thing for the county, as Ron and Matt have pointed out and specified what we are doing. That is what we will continue to do. The other thing is that I am concerned that there seems to be this notion out there that we all individually get to decide what laws we can follow and what laws we can't follow. That is not the way America works. As several of our founding fathers said, we are a nation of laws, not of men. A week or so ago the Supreme Court of Wisconsin overturned the Governor's Order and said it is Unconstitutional. There are probably people who disagreed with that, but it doesn't matter – that is what the Supreme Court did. Our Supreme Court has done something different. We don't get to decide those things, Courts get to decide those things. If we go down that road that we're going to decide individually what we are going to follow and what we're not going to follow then we don't have a Country anymore – we have chaos. We need to follow those things and we need to push as individual Commissioners and as a group what we are trying to do and do the best thing for the county. People need to know that we are doing that every day. We're on the phone every day, we are doing meetings every day with the parties we need to contact and pressing them to do the things that we think work for this area.

Commissioner Osterberg added that when we do speak to the people in Harrisburg, we are asking them what more we can do to help them. We want suggestions from them and they're helping us through this. The businesses and residences are all important to everyone here. You saw recently there was an announcement on the Pocono Promise. That is an important piece put out by the Pocono Mountain Vacation Bureau to help businesses navigate through what they are going to need to be prepared for when they do open. They will open. I urge all the business owners to at least review that and you should sign on. It sends a signal that everybody is in this together and everybody is going to provide safe places for people to be able to go when the businesses do open. We're working on different grants. This is hard to navigate through because it is Federal Regulations with funding that we get from the Federal Government. We promise the business owners and some Non-Profit Organizations that we will have a plan in place soon. This will allow for some funding streams for them to use in grant forms, not in loan forms. You have to be patient with us because it is not that easy to navigate through this. We have consultants working on this right now and as soon we're prepared this will be going out and we will urge everyone to apply for these dollars that will be available. They will be related to the COVID-19 Virus. It will be money that will be able to be used from now until maybe the Spring of next year because some of these expenses that businesses will see are going to extend. All 3 of us up here have made our living in this county, we know how important it is that the businesses survive. I wouldn't be here if it wasn't for local businesses in this town. Steve practiced law in this county and Ron still operates businesses. We feel the pain of the businesses, but at the same time we have to operate through the laws and what we are being told to by Harrisburg. If there are questions, please contact the Commissioners' Office. If there are issues you are having with DCED (Department of Community and Economic Development) or any other type of government agency in getting assistance or getting any loans, you need to reach out to us. We're here to help you. I'm saddened when I see people go on there (Facebook) and complain they haven't been able to get this and that, there may be some reasons they don't qualify, but we're certainly here to help you and so is Mike Sullivan at Economic Development Authority. We want to make sure that we take some of that pressure off you – reach out and talk to us please. We are here to help you.

Commissioner Guccini said another thing in terms of reaching out, we've had very good communication with both our State Legislators and Federal Legislators and I think they're Local Representatives have been very good with helping people when they can. If it's a federal issue or state issue – reach out to us or the Local Representatives from the Federal and State Legislators.

THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, JUNE 3, 2020, AT 9:00 A.M. IN THE PIKE COUNTY ADMINISTRATION BUILDING.