

Wednesday, September 20, 2017

The second regular meeting of September 2017 of the Pike County Commissioners was called to order by Commissioner Caridi at 9:00 a.m. at the Pike County Administration Building, followed by the "Pledge of Allegiance" to the flag.

PRESENT: Commissioners Osterberg, Caridi and Guccini; Chief Clerk Orben; Solicitor Farley.

Public Comments/Questions concerning today's agenda.

Motion: by Commissioner Guccini and seconded by Commissioner Caridi, to recess the Commissioners' Meeting to hold a Retirement Board Meeting.

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

A RETIREMENT BOARD MEETING WAS HELD.

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

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve the September 20, 2017 Agenda.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve the September 6, 2017 Commissioners' Meeting Minutes.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve the September 11, 13 and 19, 2017 Commissioners' Conference Minutes.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve payment from **GENERAL FUND (County Bills)**, in the amount of **\$281,637.36**, subject to further review.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve payment from **DEBT SERVICE FUND (TD Bank-principal/interest due)**, in the amount of **\$431,451.43**, subject to further review.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve payment from **SRCP DEBT SERVICE (TD Bank-principal/interest due)**, in the amount of **\$1,915,011.70**, subject to further review.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to approve payment from **PROJECT SERVICES C 2012 (Cthse. Exp. June-Aug. 2017)**, in the amount of **\$1,537,854.79**, subject to further review.

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

PERSONNEL:

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to acknowledge receipt of a letter from Sheriff Philip Bueki advising that he has hired **STEPHEN DEVORE** as a full time Deputy Sheriff for a 40 hour work week, effective September 25, 2017, with benefits after 90 days. This is a replacement position.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to hire **HEATHER LINEHAN**, as a full time Caseworker I for Children & Youth Services for a 40 hour work week, effective September 25, 2017, with benefits after 90 days. This is a replacement position.

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

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

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

OLD BUSINESS:

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to amend the motion made at the September 6, 2017 Commissioners' Meeting to change the date of the bid award of the CDBG Matamoras Borough Firehouse Re-siding Project from October 4 to September 20, 2017.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to award the bid for the CDBG Matamoras Borough Firehouse Re-siding Project to Zitone Construction in the amount of \$73,450.

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

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

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

Solicitor Farley opened the following bids: Mivila-\$138,695.37; Sysco-\$109,830.68; Benjamin Foods-\$154,297; Keyco-\$174,172.80; and Bernard-\$12,183.32. Bids are all based on different items.

MOTION: by Commissioner Guccini and seconded by Commissioner Caridi, to table the bids received for the purchase of groceries and frozen foods for the Correctional Facility for further review until October 18.

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

NEW BUSINESS:

MOTION: by Commissioner Guccini and seconded by Commissioner Osterberg, to adopt Ordinance No. 27 of 2017, an ordinance for the implementation of a fee for local use as provided by 75 Pa.C.S. §1935, allowing a county, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.

VOTE: Commissioners Osterberg and Guccini voted 'aye'. Commissioner Caridi voted 'nay'. Motion carried.

Commissioner Osterberg explained that Ordinance No. 27 relates to legislation passed in November 2013 by the State which gave counties the direction to implement a \$5 additional per year registration fee on vehicles. The fee is on non-exempt vehicles. In some cases, where people register their vehicles for multiple years the fee is only \$5 per registration. The advantage for Pike County is that it will generate \$350,000 to \$400,000 per year. This money must be used on bridges and roads. Pike County is fortunate enough to not own many roads, probably only 2 miles of road. Pike County does have 17 bridges, which is always a struggle to find the funding to take care of these. The first \$2 million dollars collected, which will take about 5 years, will be matched with another \$2 million dollars by PennDot. Again, that money is for bridges which equates to \$4 million. He continued by saying that if you do the simple math with the number of taxable parcels, it is about \$66 per year as opposed to \$5 per year to help fix the bridges. Some of the bridges are in pretty bad condition. Just recently, Mink Pond Bridge was repaired and the cost was \$450,000. There is only one place to get that money, and that would be the General Fund. We could bond all of these things, but again, we are still paying back \$4 million, regardless of how we look at it. This is a chance to double the money. Commissioner Osterberg understands there are some reservations about the State and PennDot, but there is the documentation that says it initially reserves \$2 million for each county that has passed a resolution with a 50% local match and commitment required to secure the program funding. The commitment includes submitting a bundle of 5 bridges that are the most crucial to be repaired. The County engineer is working on that right now. Some of them go on the TIP program which matches the money even further through federal and state funding on top of the \$2 million. It is an impact, no one wants to raise taxes or have fees implemented, but it is \$5 a year for people who have vehicles. Senior citizens that don't drive or don't have a vehicle are not impacted by this. Wayne Witkowski asked if this was something new, how is the \$5 handled and is this all vehicles. Commissioner Osterberg responded that it is for all non-exempt vehicles, meaning that they are not government vehicles, certain farm equipment. Commissioner Guccini said there is a list of exempt vehicles in the vehicle code and it does not apply to them. Commissioner Osterberg said that the \$5 fee will be placed on the registration bill. The money will go to Harrisburg, comes back to the County and placed in a segregated account. The payments will be made in January and June of each year. This will go into effect January 2018. Each County can choose whether or not to participate. This was implemented in legislation in November 2013. Commissioner Guccini said they were given a list of those counties participating which he believes is about 18. Someone asked about how much the County expects from this fee to which Commissioner Osterberg responded that the Planning Office did some research and the figure is between \$350,000 to \$400,000 per year, plus then that amount gets matched, so every year somewhere between \$700,000 and \$800,000 will be collected to be used on bridges. A plan will be put in place to begin the work on the bridges that need the crucial work now. If any of these bridges, as the one in Mink Pond, turns into an emergency which leads to the problem of finding the funds for the repairs out of the General Fund. Commissioner Osterberg repeated that no one looks forward to doing this, but it seems to not have a large impact as opposed to doing a 4 mil increase. You would not have to do that at one time, but there is now the option for another income source to plan better to repair these bridges. It will take a number of years to repair 17 bridges or 12 bridges because some of them do not need to actually be repaired right now, but at some point in the future if a Board of Commissioners want to take it away they can. This does not have to be permanent as it can only be used for bridges so once you run into those projects maybe they can be done right. In the case of the Mink Pond Bridge, that bridge is probably set down there now for years because it is a brand new structure and not a repair. There was a priority list done in 2014, and included the Kimbles Bridge, Bushkill Mill Creek, Winona Falls, Springbrook, Claire's Mill on Harford Street, Paupack Road, Stonehill Road, another bridge in Bushkill. The engineers are in the process of doing all the inspections now and they were asked to perform that same type of report and give the Commissioners a clear idea on what it will take not just to do minimal repair but repair the bridge and bring it up to standard, and if it is replacement project they can look at that also. The plan is to get them so they are finished so we are not dealing with this continually and maybe another Board of Commissioners won't have bridges to worry about.

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to authorize the Chairman to execute Change Order #19 between Mar-Paul and the County of Pike, for the first floor interview room window frames and glass for an additional \$2,787.40, relating to the Courthouse addition.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to authorize the Chairman to execute the 2017 Emergency Management Performance Grant Agreement for the period October 1, 2016 through September 30, 2017, on behalf of the Emergency Management Agency.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to authorize the Chairman to execute the State Food Purchase Program Expense and Data Report for Fiscal Year 2016-17, on behalf of the Human Development Office.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to execute the Sub-Grant Agreements between the following food pantries and the County of Pike for the State Food Purchase Program Temporary Emergency Food Assistance Program for 2017/18, on behalf of the Human Development Office: Pike County Food Pantry, Loaves to Fishes, Holy Trinity and Bushkill Outreach.

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

MOTION: by Commissioner Caridi and seconded by Commissioner Guccini, to authorize the Chairman to execute the Senior Rental Subsidy Voucher for Delaware Run, in the amount of \$814 for September 2017, on behalf of the Human Development Office.

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

MISCELLANEOUS

Angela Smith of Penn State Extension gave an overview of the September 21-October 5, 2017 events. They are working on the Strengthening Families Program which will be starting up this fall. They have three programs starting this month in Wallenpaupack, Delaware Valley and Wallenpaupack South as well. Ms. Smith will be attending the State Team Meeting for Prosper on Friday at the University. The new 4H year starts on October 14th with clubs resuming and starting at different places throughout the County. After attending the school open houses, Ms. Smith has found that there are many children that are interested in different programs, but not enough leaders to go around. She will be doing monthly new leader orientation/workshops to be able to offer different opportunities for people in the community to find out exactly how easy it is to become a 4H leader. She is also working with Tim Knapp, Emergency Management Coordinator, to offer an Emergency Preparedness family workshop on October 8 at the Training Center from 2:30 p.m. to 6:00 p.m. on the importance of being prepared for an emergency, which coincides with "September is National Preparedness Month" and "October is National Fire Safety Month". A 4H Roundup will be held on September 23rd, which is the end of the old year and kicking off the new year event, at Akenak Park from 11 a.m. to 4 p.m. There will be various activities such as crafts, a station to write thank you letters to our troops, making candy corn catapults (which she gave to the Commissioners), etc. Commissioner Caridi commented that he is very impressed with Ms. Smith and thanked her for her efforts. Commissioner Osterberg mentioned an important program for Townships and residents as well, which is called Zoning in Local Municipalities at the Training Center to understand zoning and how it affects everyone.

Commissioner Osterberg brought attention to the Commissioners' Conference Minutes of September 19 where the County has executed an agreement between two law firms to determine the feasibility of bringing an action against the manufacturers, distributors and sellers of prescription opiates for damages to the County and its residents. For a number of years, Commissioner Osterberg has been speaking about this and what is going on in the community when it comes to the opiate epidemic. Through these years he has been talking to the other Commissioners and to Harrisburg on how the County can hold the pharmaceuticals responsible for creating this mess. He has countless articles that he has shared with everyone on reports of how it was deceptively done for the last number of years by pharmaceuticals making us believe that opioids in the form of oxycodone for pain relief was non-addictive. Commissioner Osterberg said that he thinks all of us have read enough in the news to see that that is not true. They need to be held, as the tobacco industry has been held to cigarette smoking, to help cover the costs to the communities, not only just in Children & Youth, Correctional Facility, 911 calls, drug and alcohol prevention that we pay into under Carbon/Monroe/Pike Drug & Alcohol, the District Attorney's Office, the Coroner's Office, local police, Probation, etc. There are a number of places where this is inundating a large amount of money out of the counties. He believes that we, in Pike County, owe it to the residents that are suffering through this, that we hold the right people responsible. Not 100%, but they have to realize that there is some culpability on their part. A number of years ago one of the pharmaceutical companies was found guilty of this and paid a \$600 million fine. That is not enough, not when you understand the human suffering that is going on. Commissioner Osterberg shared that he goes to a meeting once a month, now being held twice a month, for Hope4Pike, which is a group of individuals in this community forming part of the task force that will be forming, and he hears these heartbreaking stories about what is going on in this community, and Pike County is a small little county. To give you an idea of the impact, in Children & Youth last year, there are 46 children in placement, 21 of them are due to opioid addiction. In neonatal, 54 out of 1000 births in Pike County, those children are born with some form of an addiction and 50% of them are from opioids. The Correctional Facility, there are 80% suffering from addiction, with the Warden saying at times it's more like 100%. Those costs are staggering at \$93 a day for those individuals when you add in all the treatment and everything else that needs to be provided to them because we don't want to just release them and have them fall back into the harrowing effects of opioids. We want to try to help them so that the Correctional Facility is doing their role. Even at 80% the costs are \$3.4 million. These are enormous numbers not just to Pike County, but many counties. There were 82 drug related 911 calls last year. It is very hard to find out right now what the overdoses are, but there are some reports by the state of the deaths from Pike, but there are too many. It is hard to get a grasp on those numbers because the patients are being transported out of County. The two law firms came highly recommended by individuals from the state. One law firm is from Philadelphia, the other from New York City. The agreement reads that Pike County wishes to determine the feasibility of bringing an action against the manufacturers, distributors and sellers of prescription opiates for damages to the County and its residents arising out of aggressive marketing and distribution of opiates in the County and to its residents. As of now, this is just a feasibility to study to make sure that this law firm wants to move on with this, but more importantly is that we need to do something and this is telling the pharmaceuticals that we are not going to stand for this anymore. There are other counties in the region, such as

Orange County and Sullivan County in New York, and a few counties in Pennsylvania that have done the same thing. We are hearing from Washington that they are going to hold the pharmaceuticals responsible, but the question is when. Again, there are countless articles for the past 4 or 5 years that Washington is going to go after the pharmaceuticals and that research is being done, but after 5 years how many more deaths do we have to have before we realize there is a problem. We have had enough hearings in this County and this State to hear the horrors of what is going on. Someone needs to act and they need to act like they did to the tobacco industry. They were held, and why were they held, because they lied. There were ads where they actually told you that cigarette smoking was good for you. In this case, they have made it so opioids are readily available to people, and have it set up that hospitals are rated by the amount of pain, where they are funded back by the federal government as far as the level of care that they are given. One of the questions they ask is did you suffer any pain. If people check that the wrong way saying they did, the hospital gets impacted by that. This is the government telling the hospitals to make sure patients get enough pain medication so they have none. Sometimes there is going to be some pain, and Commissioner Osterberg stressed that he is not talking about people suffering from cancer and from severe injuries. There is a place for these drugs, but not if you get a simple wisdom tooth pulled out. There needs to be another plan. Commissioner Guccini explained that the agreement with the two law firms is on contingency basis so if the County gets money, they get money, including them covering the costs, so there is no cost to the County. He also commented that he read an article yesterday where national life expectancy rates are going down because of opioid deaths. They have been rising steadily since the 1920s-30s. They are now starting to go down because of opioid related deaths, which is unbelievable. Two things he asked the press to mention and anyone to spread the word, is he believes this is a very good thing the Commissioners are doing, but you need to keep an eye on what the federal and state governments are doing. Are other people going to take up the mantle, so to speak, and bring lawsuits at the federal and state level; and are we going to continue to figure out how we are going to fund this, because no matter what you read about this and no matter which experts you talk to and which families you talk to, the only solution is long term treatment, and long term treatment costs money. Regardless of how you feel about national health insurance or any of those things, if we are not going to fund treatment, people are going to continue to suffer. Commissioner Guccini asked everyone to hold the Commissioners' and other elected officials' feet to the fire to make sure they are doing something about this. Commissioner Osterberg said there was information if anyone wanted at the table. The things they will be looking at as far as the cost impact on the County. The law firms will be asking for that information from the County and that will be the role of the Commissioners, to gather statistical information for them throughout the County of the impact it is having on Pike County, and also not just statistical information, but also the human side of it and how it is affecting the residents in the County. Commissioner Osterberg stated again that there are other counties doing this, but he is not sure of the ones throughout the state. He has talked to other counties that are interested in doing this. They will let the law firms move forward and contact those counties that they want to bring them all together. That turns into a legal issue however they add more counties to one suit. This document is only with Pike County, not other counties. Commissioner Caridi added that it is just a matter of time that other counties will do this as well because they have the same problem. Solicitor Farley said there is actually a township in Philadelphia that has already filed. A question was asked about how the Commissioners found these two law firms. Commissioner Osterberg responded that he found them through Harrisburg. The last couple of years when he has gone to different conferences, he spoke to people from Drug & Alcohol and about this issue and continually asking the question, when are you going to file a lawsuit against the pharmaceuticals and normally the answer is a dance, but then after the conference is over, reputable individuals in this state highly recommend these two law firms. So it was through those contacts in Harrisburg that directed Commissioner Osterberg to these law firms. The Commissioners have spoken to them on numerous occasions, at length, so they trust that these are the law firms that are capable. These law firms are from Philadelphia and New York City, including Illinois and California so they have offices all over the country. They will be likely to put together law suits not only in Pennsylvania, but other jurisdictions outside. The Commissioners just felt that Pike County needed to make a stand in this. Someone wanted to know how this would work with all the pharmaceuticals. That is the investigation process that the attorneys will do. There are many of them making this product, but the law firm determines which ones they are going to list in this suit as that is part of their due diligence. The law firms will also decide if this will become a class action with any other governmental entities.

PRESS AND PUBLIC COMMENTS/QUESTIONS

ADJOURNMENT: THE NEXT REGULAR MEETING OF THE PIKE COUNTY COMMISSIONERS WILL BE HELD ON WEDNESDAY, OCTOBER 4, 2017, AT 9:00 A.M., AT THE PIKE COUNTY ADMINISTRATION BUILDING.