

**COVINGTON TOWNSHIP SUPERVISORS
REGULAR MEETING
MARCH 03, 2020**

The Covington Township Board of Supervisors held their monthly Regular Monthly Meeting on Tuesday, March 03, 2020 at 7 p.m., at the Covington Township Municipal Building, Moffat Estate, 20 Moffat Drive, Covington Township, PA.

There were present: Thomas M. Yerke, Chairman; John Brostoski, Vice Chairman; William Fells, Supervisor; Joseph Setta, Supervisor; Melissa Kearney, Supervisor; Kate Tierney, Secretary / Treasurer; and Joel M. Wolff, Esquire.

The meeting was opened with a Pledge of Allegiance led by Mr. Yerke.

AGENDA: *ON MOTION duly made (Setta), seconded (Fells), and carried to approve the agenda as presented.*

ANNOUNCEMENT: *Chairman Yerke announced that Executive Session was held this evening at 6:50 and on Feb. 18, 2020 at 4 p.m. to discuss personnel.*

OPEN TO PUBLIC:

Ros Davis spoke on the issue for the appointment of the CPA voicing her concerns that it wasn't done properly. Supervisor Brostoski commented that the appointment was made in accordance with the code as shown in the PSATS news magazine. Supervisors Kearney said that she spoke to Atty Wolff regarding the same and he investigated it and couldn't find any case law stating that it had to be re advertised. Attorney Wolff explained that the requirement in the 2nd Class Township Code noting that the advertisement did not have a cap on time limit. There was continued discussion. Mr. Wolff reiterated that his information came from the 2nd Class Township Code.

Chairman Yerke stated that he invited Dean Butler to this meeting because there are two new supervisors who may not know how the prior board voted regarding the HVAC system for the pavilion. He noted that the full board had agreed to have the HVAC system designed. Dean Butler, P.E. commented on the HVAC system for the pavilion saying that the design is ninety percent complete. Mr. Butler suggested, that although the estimate is around \$230,000.00, a decision should be made about bidding the project. Supervisors Setta voiced a favorable comment. Supervisor Kearney asked if the system would resolve the moisture problems. Chairman Yerke gave background information. Supervisor Brostoski commented that if the design is ready and the township receives a large amount of money, the project may be able to be done. Supervisor Fells said that if the system is installed it can be used year-round, then there would be rental funds to support it. ON MOTION duly made (Fells), seconded (Setta) and carried to let Dean Butler continue obtaining information and put the HVAC system for the pavilion project out for bid.

MINUTES: *ON MOTION duly made (Brostoski), seconded (Fells) and carried to accept the minutes of the Feb. 4, 2020 regular meeting and the Feb. 25, 2020 Public Hearing and Work Session meetings.*

BILLS: *Supervisor Kearney questioned the disbursement for Kate Tierney. Kate explained that \$420.00 is for the annual real estate tax program and support. ON MOTION duly made (Setta), seconded (Fells), and carried to pay the bills.*

TREASURER'S REPORT: *Supervisor Kearney found an error in the presented Treasurer's report. Tierney explained that the numbers will all add up properly, but the general fund receipts amount was not updated on page 2 correctly. ON MOTION duly made (Kearney), seconded (Fells), and carried to accept the Treasurer's report with the correction.*

PLANNING COMMISSION: *There was a Feb 24, 2020 report from the Planning Commission.*

JCO, LLC Land Development: Mary Lou Butler, P.E., Township Engineer reported that the applicant is working on meeting the requirements in the engineer's comment letter and they have yet come back to the planners. ON MOTION duly made (Kearney), seconded (Setta), and carried to accept the Planning Commission report as presented.

BUILDING INSPECTOR: *David Lamm was present to report that one permit was issued for a roof at Nammo/Pocal.*

Flood Plain Ordinance: Mr. Lamm said he would like to see the Flood Plain Ordinance get passed in May or June of this year.

Hazardous Mitigation Plan: Mr. Lamm stated that he is working on the Hazardous Mitigation Plan in conjunction with Lackawanna County. He reported that the township is up to date with reporting.

L & I Audit: Mr. Lamm stated that Labor and Industry conducted an audit of three commercial buildings, and it was determined that Covington Township code enforcement department had satisfactorily complied with the UCC regulations. ON MOTION duly made (Fells), seconded (Brostoski), and carried to accept the building inspector's report.

ZONING CODE ENFORCEMENT OFFICER: Ron Donati submitted a report for the board's review.

Chairman Yerke summarized the submitted report. ON MOTION duly made (Fells), seconded (Brostoski), and carried to accept the ZCEO's report.

ENGINEER: Mary Lou Butler, P.E., Township Engineer was present to report.

Memorandum of Understanding with Lackawanna County Conservation District: ON MOTION duly made (Setta), seconded (Fells), and carried to approve and sign the Memorandum of Understanding with Lackawanna County Conservation District. ON MOTION duly made (Setta), seconded (Kearney), and carried to accept the Engineer's report.

DIRECTOR OF PUBLIC WORKS: The Dept of Public Works director's report was submitted for review.

Resolution 2020-03 Sale of Old Vehicles: Director Yerke reported on the condition of each vehicle on the list, stating that the 2005 GMC could have a reserve on it. ON MOTION duly made (Brostoski), seconded (Fells), and carried to adopt Resolution 2020-03, Sale of Old Vehicles and authorize the Director of Public Works to take the listed vehicles to Lapitosky's in April.

2006 Dodge Charger: Mr. Wally Bell from the NP School District had requested that the Township's 2006 Dodge Charger, that is no longer in service, be donated to the School District, since they need the motor. ON MOTION duly made (Brostoski), seconded (Fells), and carried to approve the donation of the township's 2006 Dodge Charger to the North Pocono School District.

Winter Materials Storage Building: Mr. Yerke reported that since the township used the State salt shed that we are not getting accurate weights per truck and are experiencing a loss in product. He would like to have the Township build a containment building on the basketball court behind the recycling center. There was a discussion.

Authorize Signer on titles for Township: ON MOTION duly made (Brostoski), seconded (Fells), and carried to authorize the Director of Public Works to sign titles for vehicles being sold at auction.

Road Inspection: ON MOTION duly made (Kearney), seconded (Setta), and carried to advertise a Saturday, March 14, 2020 @ 9 a.m., road inspection meeting beginning at the Township Recycling center.

Mr. Yerke also reported on the Recycling grants, performance and a grant to repair/rebuild the recycling center. He also noted that he would talk to Yvette Wentland regarding the pillar repair at Moffat Drive. Supervisor Kearney asked about the lights at Bochicchio Blvd. Mr. Yerke commented that the lights are not connected, as per John with Northeast Signal. There is no power to the lights on top. It could be rectified at a cost to the township. Mr. Brostoski asked to see if we can get an estimate for the lights at SR502 and SR 435. There was a short discussion regarding the lights.

ON MOTION duly made (Kearney), seconded (Fells), and carried to accept the director of public works report.

POLICE DEPARTMENT: Chief Klocko was present to give his monthly report.

Police Policy: It was agreed to have the Chief provide a copy of the proposed police policy to each board member and bring it up at the next meeting for consideration.

Police SUV: Chief will obtain a price for the purchase of a Dodge SUV. The Chief was asked to see if he could get a leasing option or three payment method with a buy out in the end.

ON MOTION duly made (Brostoski), seconded (Fells), and carried to accept the Police report as presented.

RECREATION COMMITTEE: Supervisor Kearney reported that there was not a quorum this month, so the Recreation Committee meeting was not held.

SEWAGE ENFORCEMENT OFFICER: Gary Enslin discussed his proposed fee schedule with the board. It itemizes the requirements set forth by PA DEP. He will get 100% of the fees, but will not bill the Township an hourly rate, except for the board sending him on an inspection. Mr. Enslin indicated that he will finish George VanBrunt's work on the current fee schedule and will bill accordingly. He noted that he must be on payroll because he doesn't carry Errors and Omissions insurance coverage. ON MOTION duly made (Fells), seconded (Setta), and carried to accept Gary Enslin's fee schedule for SEO services. ON MOTION duly made (Fells), seconded (Setta), and carried to accept the SEO report.

SOLICITOR:

LIENS: Attorney Wolff indicated that the township has two liens that will expire this year. First on June 3, 2020, \$5,500.00 lien for Tim Porter and second on October 28, 2020, \$9,900.00 for Glen Kellogg. He recommended reviving the liens for another five years. There was a discussion. It was clarified that both liens are on the individuals and there is a third lien the township filed on the A-Frame house. ON MOTION duly made (Kearney), seconded (Fells), and carried to renew the liens against Porter and Kellogg.

NAMMO/POCAL: Attorney Wolff reported that Nammo/Pocal had requested a waiver of certain building codes requirements regarding fire suppression. He noted that Brad Jones, Fire Chief signed off on the waiver recommending an indemnification. Pocal did provide site plans to the US Army showing what and how they are storing their magazines on the site. It was approved by the US Army. Attorney Wolff drafted an indemnification agreement, granting the waiver, which includes all the exhibits. Exhibit E is a certificate of liability insurance naming the township additional insured. Attorney Wolff listed the exhibits. ON MOTION duly made (Brostoski), seconded (Fells), and carried to accept the indemnification agreement granting a waiver to Nammo/Pocal.

Occhipinti Utilities: Attorney Wolff explained that the lease reads that the township pay the utilities and the lease reimburses. It was agreed to leave it as is. ON MOTION duly made (Brostoski), seconded (Setta), and carried to accept the solicitor's report as presented.

ZONING HEARING BOARD:

Melinda Musso, Secretary to the Zoning Hearing Board was present and explained that there are two scheduled hearings the first for the Naro Family Trust and the second for Gerald and Deborah Kenosky. They will be heard before the ZHB on March 12, 2020. ON MOTION duly made (Fells), seconded (Kearney), and carried to accept the ZHB report.

ADMINISTRATIVE ACTIONS:

Advertise for Position: ON MOTION duly made (Fells), seconded (Kearney), and carried to advertise for full time secretary and part time treasurer in The Scranton Times and on PSATS site. It will be put on the township web site as well.

Pavilion Manager/Rate of Pay: Mr. Brostoski explained that instead of having the manager stay the entire time of the event that she will open, spend an hour and come back at the end of the event to inspect and close. ON MOTION duly made (Fells), seconded (Setta), and carried to set the Pavilion Manager's pay at time and one half of her current rate of pay.

Computer purchase: It was agreed to hold off on the purchase of a new computer for the other person coming in the office. It was estimated to cost in the \$1,400.00 range.

CORRESPONDENCE:

Madison Township: There was a letter from Madison Township requesting a 20 yard roll off container.

SUPERVISORS COMMENTS:

Supervisor Kearney noted that she purchased the new Sunshine Law providing an order form should the board want to purchase more.

OPEN TO PUBLIC:

Barbara Havenstrite commented on destruction being done to school property on Center St. It was suggested to call 911 if the local police are not available.

Don Stengline commented on the sale of the pickup truck and the reserve amount.

ON MOTION duly made (Kearney), seconded (Brostoski), and carried to adjourn at 8:28 p.m.

Respectfully submitted,
Kate Tierney, Secretary

APPROVED: April 7, 2020