

COVINGTON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, MAY 4, 2021 AT 7 PM IN PERSON AND VIA ZOOM AT:
<https://zoom.us/j/96338489199>

The Covington Township Board of Supervisors held its Regular Meeting on Tuesday, May 4, 2021 at 7:00 p.m., in person at the Covington Township Municipal Building, 20 Moffit Drive, Covington Township, PA 18444 and via Zoom.

There were present: Joseph Setta, Vice-Chairman; John Brostoski, Supervisor; Melissa Kearney, Supervisor; Marshall Peirce, Supervisor; Douglas A. Hein, Secretary / Treasurer; and Joel M. Wolff, Esquire. Also present were Mary Lou Butler, Township Engineer; David Lamm, Building Inspector; and Bernard Klocko, Police Chief. Chairman Thomas Yerke was absent.

1. **CALL TO ORDER / PLEDGE OF ALLEGIANCE:** Vice Chairman Setta called the meeting to order with the Pledge of Allegiance at 7:00 pm.
2. **AGENDA:** The agenda was accepted as presented.
3. **ANNOUNCEMENT:** There were no announcements.
4. **PUBLIC COMMENT:** There were no comments on agenda items. Roz Davis stated she would have questions as the Board got to certain agenda items. Vice Chairman Setta said that was OK.
5. **MINUTES:** The minutes of the April 6, 2021 Regular Meeting and April 27, 2021 Work Session; March 22 Public Hearings; and April 27, 2021 Public Hearing were accepted.
6. **BILLS:** Total bills of \$85,186.40 including payroll were accepted. Mr. Hein corrected it to be \$85,168.40 stating he reversed the numbers.
7. **TREASURER'S REPORT:** Mr. Hein stated there were General Fund receipts \$215,410.74 & bills \$85,168.40; with a balance of \$157,489.65. The General Fund PLGIT balance was \$418,489.20. The Liquid Fuels PLGIT balance was \$353,528.00. The Escrow balance was \$321,413.49. The Payroll balance was \$3,925.85. Account balances are after all bills in the bills list are paid. Supervisor Kearney asked what the AmTrust \$101 overpayment refund was for. Mr. Hein said it was a refund from the workers' comp audit which is done every year. Ms. Kearney asked if we are under contract with Comcast for the Senior Center and asked if Mr. Hein could ask for it to be put on hold until it opens back up. She questioned the bottled water bill earlier and Mr. Hein said they delivered nine bottles this time. Supervisor Peirce asked where it was used. Mr. Hein said at the office, police station and DPW. Supervisor Peirce asked if the water was bad; Chief Klocko said the water at the police station is cloudy and he would not drink it. Supervisor Peirce asked if the office water was bad; Mr. Hein said it was not too bad. Supervisor Brostoski suggested getting the water tested; Vice Chairman Setta agreed. Supervisor Kearney asked about the ABC Oil bill being so high and suggested shopping around for better prices. Roz Davis asked what AmTrust North America was; Mr. Hein said it was the workers' comp carrier. **ON MOTION** duly made (Brostoski), seconded (Peirce), and carried 4-0 to accept the Treasurer's report.
8. **PLANNING COMMISSION:** Vice Chairman Setta stated no report submitted because the commission did not meet.
9. **BUILDING INSPECTOR:** David Lamm reviewed the four permits he issued in April for two inground pools, a deck addition and a single family residence totaling \$2,020. **ON MOTION** duly made (Kearney), seconded (Peirce), and carried 4-0 to accept the Building Inspector's report.
10. **ZONING CODE ENFORCEMENT OFFICER:** Vice Chairman Setta read the Zoning Officer report, stating there were 12 Eagle Lake permits for \$580; 1 sign permit for \$75; and 7 zoning permits for \$361.56. Correspondence with residents regarding cleaning up properties is ongoing. **ON MOTION** duly made (Setta), seconded (Peirce), and carried 4-0 to accept the Zoning Officer's report.
11. **ENGINEER:** Mary Lou Butler stated Storm Road project will be advertised on Thursday in the Villager; she gave Mr. Hein a copy of the bid pack and specs and will e-mail them to contractors. The pre-bid meeting is at the estate on May 20 at 11 am with bids being opened at the June meeting. The Union Mill Road project will begin as soon as the contractor receives a concrete endwall from his supplier. Supervisor Peirce asked about the Langan Road project. Ms. Butler said she believes there is a grant on the way, but work cannot begin until the

signed grant contract is received from the State otherwise any monies spent will not be reimbursed. Supervisor Peirce asked if Storms Road and Union Mill Road were the projects for this year. Ms. Butler said the approved project was Storm Road and Union Mill Road is an emergency project. He asked if there was enough money in the liquid fuels fund to pay for this. She estimates that Storm Road will be around \$200,000 but said it may be higher depending on the price of asphalt and how busy contractors are. Supervisor Peirce asked if Union Mill Road could be done with liquid fuels funds; Ms. Butler said it was not a liquid fuels project with no PennDOT number given to it. It is an emergency project. Mr. Lamm said he thought the Township was going after the developer for reimbursement; Supervisor Peirce said we are, but it will be a process. Ms. Butler said because it is an emergency, no formal bidding was done so liquid fuels monies cannot be used. Supervisor Peirce just wanted to make sure we had the funds to pay for everything. Supervisor Kearney asked for an explanation of the pre-bid meeting. Ms. Butler said contractors, the Roadmaster and she meet so she can go over the paperwork, etc. and take any questions. She then sends out the minutes and any addenda. Supervisor Brostoski asked why the grant for Langan Road was taking so long. She said it is from the state and is in the process. **ON MOTION** duly made (Brostoski), seconded (Kearney), and carried 4-0 to accept the Engineer's report.

12. DIRECTOR OF PUBLIC WORKS: Vice Chairman Setta stated no report was submitted.

13. POLICE DEPARTMENT: Chief Klocko reviewed the report, stating there were 60 total service calls and 1 traffic warning. He went over the breakdown of the service calls, fuel used, officer hours and miles patrolled by unit. **ON MOTION** duly made (Brostoski), seconded (Kearney), and carried 4-0 to approve the Police Chief's report.

14. RECREATION COMMITTEE: Vice Chairman Setta stated no report submitted because the committee did not meet. Supervisor Kearney stated she has scheduled a meeting for May 20th.

15. SEWAGE ENFORCEMENT OFFICER: Vice Chairman Setta said that no permits issued due to failed lot and that a check totaling \$305.20 pending. Supervisor Kearney questioned a bill from last month because of a permit issued to Monroe County Habitat for Humanity. Mr. Hein said he sent an email out that the property was in Covington Township. **ON MOTION** duly made (Kearney), seconded (Brostoski), and carried 4-0 to accept the SEO report.

16. SOLICITOR:

- a. Short Term Rental ordinance – Solicitor Wolff said there were some procedural issues at the April 27th public hearing, and he recommended holding a new hearing. Mr. Hein said he checked with PSATS and they said it must be voted on again because there was not a majority of the Board voting for it. Supervisor Peirce asked if the Board would be discussing it again since Mr. Setta had some problems with it. Vice Chairman Setta said he is against Air BnB's, not the ordinance; he doesn't want the Township overrun with short term rentals. Supervisor Brostoski said it will happen and the Township needs regulations, so the Police have direction for complaints. Chief Klocko asked if the Township would be under any liability if something bad happened at a rental. Solicitor Wolff said no because they have to apply each year and meet the requirements. He said if a problem renter were issued a permit year after year without the problems being addressed, there could be some liability. Supervisor Brostoski asked if other townships have ordinances like this; Solicitor Wolff said yes, and he used them as a basis for ours. Supervisor Kearney asked if a paragraph could be added. Solicitor Wolff said the hearing and ordinance are null; there is no ordinance, and we have to start over. It was agreed to get any changes to Solicitor Wolff by May 14th so it could be advertised with a copy being sent to the paper. Roz Davis asked if there would be a stenographer present; she was told yes. She asked if it were able to be held on Zoom; it was decided it would be held in person and on Zoom. She asked if those who attended the first hearing would be notified; Solicitor Wolff said that is the purpose of advertising. **ON MOTION** duly made (Brostoski), seconded (Kearney), and carried 4-0 to schedule a hearing on the short term rental ordinance for Tuesday May 25th at 6:00 pm. Mary Lou Butler suggested the SEO look at the properties that have on-lot systems. Solicitor Wolff said he would look to see if there was something in the ordinance covering it.
- b. Exeter 100 First LLC Developer's Agreement assignment – Lot 1 in the industrial park is currently owned by Exeter 100 First LLC and they have an agreement of sale with Safe Haven Group LLC for the purchase of the lot. The lot is subject to a developer's agreement which needs to have the Board's consent to transfer to the new owner. Supervisor Brostoski asked Mr. Lamm if he had any issues with the property; he said he did not. Solicitor Wolff said he told the buyer they would have to start the process over if they were to go beyond the existing developer's agreement. Supervisor Peirce asked if they were going to expand; Solicitor Wolff said there was an expansion pad there and they were contemplating it.

ON MOTION duly made (Brostoski), seconded (Peirce), and carried 4-0 to consent to the transfer of the developer's agreement. ON MOTION duly made (Kearney), seconded (Peirce), and carried 4-0 to accept the Solicitor's report.

17. ADMINISTRATIVE ACTIONS:

- a. Roofs at Moffat Estate – Vice Chairman Setta said something has to be done because they are getting worse. Supervisor Brostoski asked if Chairman Yerke heard anything. Vice Chairman Setta said he had not mentioned it. Supervisor Kearney asked if we had success in the past getting bids for something like this. Supervisor Brostoski said no one will bid on it. It was decided to wait until Chairman Yerke was back to discuss.*
- b. DPW Director termination and cell phone -- ON MOTION duly made (Brostoski), seconded (Kearney), and carried 4-0 to terminate the DPW Director effective today. Supervisor Brostoski asked if his cell phone was returned. Supervisor Kearney asked if the phone could be turned off and publish the DPW workers' Township cell phone numbers on the web site. Mr. Hein said he would have their numbers put on the web site and call Verizon to shut off the phone.*
- c. Security camera systems – Mr. Hein reviewed the proposals from CVI and Triguard Security. He said the cameras would be able to be viewed remotely. Chief Klocko asked if there would be a monitor on the wall; Mr. Hein said yes. Supervisor Brostoski asked if it would be recorded to the cloud. Mr. Hein said each site would have a DVR that could be viewed remotely. He said the cameras would all be replaced; Supervisor Brostoski said the pavilion cameras were good, but Mr. Hein said they were analog and wouldn't work with the new system. Mr. Hein said he was talking to PSATS about paying for part of the cost with the new COVID money; there is a possibility to do it if it falls under lost revenue, which we have at the pavilion but PSATS is waiting for further guidance from the Treasury Department. Supervisor Kearney said we need the cameras but didn't know much about them and who would have access to them. She didn't know how to compare the quotes. Mr. Hein said he would contact them to come in to present to the Board at the May 25th work session.*
- d. Pocono Spray Patch estimate approval – Vice Chairman Setta read the proposal from Pocono Spray Patch for repairing potholes at \$2,000 per load with an estimate of 4 loads, totaling \$8,000. Supervisor Kearney asked how we would hold them to the quote of only four loads. The Supervisors discussed this, and it was determined that DPW employees had gone out and marked the roads for Pocono Spray Patch. Mr. Hein was instructed to tell them that they will be held to the four loads when he sends the approved estimate to them. ON MOTION duly made (Kearney), seconded (Brostoski), and carried 4-0 to approve the estimate for \$8,000 / four loads.*
- e. Approve updated Police Department Policy manual – Vice Chairman Setta said this was done last year. Mr. Hein said updates were put in place which Supervisor Brostoski had reviewed. Supervisor Peirce said he hadn't seen it and Chief Klocko said it was a good manual. ON MOTION duly made (Brostoski), seconded (Kearney), and carried 4-0 to approve the updated Police Department Policy manual.*
- f. Eagle Lake Association 2021 Police agreement – Vice Chairman Setta read the letter of request from Eagle Lake Association for police coverage during the summer of 2021 at a rate of \$40/hour. He asked Chief Klocko if he was OK with the agreement; he stated he was but questioned what the officers' rate of pay would be. Supervisors said it was discussed last week; Supervisor Brostoski asked who usually took the shifts. Chief Klocko said Officer Ciannella did but Officer Bastek would take some. Supervisor Brostoski asked if the part time officers were used; Chief Klocko said originally they did but he can't get them to come in for the rate they are paid. Chief Klocko said the officers should get their overtime rate. ON MOTION duly made (Brostoski), seconded (Peirce), and carried 4-0 to accept the Eagle Lake Association agreement for police coverage at \$40/hour. Supervisor Peirce said we will remember to negotiate a new contract for next year; Chief Klocko said he would talk to them in the fall.*
- g. North Pocono Trails Association request for letter of support – Vice Chairman Setta read a request for a letter of support for the Trails Association's grant application to construct handicapped access from Market Street to the Roaring Brook grove. ON MOTION duly made (Peirce), seconded (Brostoski), and carried 4-0 to approve the letter of support.*
- h. Pavilion Manager pay increase from \$24.60/hour to \$25.83/hour – Mr. Hein the \$24.60 was her overtime rate last year and the \$25.83 is her overtime rate this year. This was missed in the reorganization meeting agenda. ON MOTION duly made (Brostoski), seconded (Kearney), and carried 4-0 to approve the Pavilion Manager's pay increase.*
- i. Extension of Emergency Declaration – Vice Chairman Setta said he believes it should be extended through September 7th. Supervisor Peirce noted the Governor was opening up everything by the end of May. Mr. Hein said his Emergency Declaration would still be in place. Supervisor Kearney asked how the meetings would be held, opening the office. Vice Chairman Setta said he believed we should open it*

up. It was decided to hold the May work session in the Estate with all further meetings to be held in the pavilion starting June 1st through the end of the summer. Melinda Musso stated there was already an event at the pavilion and everyone seemed to abide by the rules. Supervisors agreed everything would be opened up Memorial Day with masks still mandated inside. ON MOTION duly made (Peirce), seconded (Kearney), and carried 4-0 to open the pavilion fully with masks required effective May 31st as well as the office building being fully open. ON MOTION duly made (Kearney), seconded (Brostoski), and carried 4-0 to extend the Emergency Declaration through September 7th.

- j. PTO / Auditor recommendations – Supervisor Kearney asked for an executive session to meet with the auditors to discuss their recommendations. ON MOTION duly made (Kearney), seconded (Peirce), and carried 4-0 to hold an executive session on Thursday May 20th at 5:30 pm.

18. NEW BUSINESS:

- a. Lackawanna County Landbank properties – Mr. Hein stated the Land Bank was just notifying the Township of the sale of three properties as per the agreement entered into with the Land Bank, NPSD and the County.
- b. Barbara Havenstrite letter of resignation from Recreation Committee – Vice Chairman Setta read the letter of resignation from Mrs. Havenstrite. Supervisor Peirce asked Mrs. Havenstrite if she would reconsider; she said no. Supervisors Brostoski, Setta and Kearney thanked Ms. Havenstrite for her service and all she had done over the years. ON MOTION duly made (Brostoski), seconded (Kearney), and carried 4-0 to accept Barbara Havenstrite's resignation.
- c. Charles Raziano letters of resignation as EMA Coordinator and alternate ZHB member – Vice Chairman Setta read the letters of resignation from Mr. Raziano. Vice Chairman Setta said he had done a good job for the Township. Supervisor Brostoski said we should send a letter of thanks to him. Supervisor Kearney said she has spoken with Charles and that he had sent an email asking for a recommendation letter for an EMA Coordinator position where he was moving. Mr. Hein said he had received the email and responded to asking to whom it should be addressed but did not receive a reply. She said she didn't think the Board would have a problem with it. Supervisor Brostoski said Charles stepped up and really helped the Township. ON MOTION duly made (Peirce), seconded (Kearney), and carried 4-0 to accept Charles Raziano's resignations.

19. OLD BUSINESS: There was no old business.

20. CORRESPONDENCE: There was no correspondence.

21. SUPERVISORS COMMENTS: Vice Chairman Setta said the cleanup will be held May 14 & 15 from 8 to 5. No permit is needed, residents just need to show their license. Supervisor Peirce asked if the dumpsters were bid out; Mr. Hein said they were not, he believed CCI dropped one.

Supervisor Peirce asked if the Township was receiving \$55,000 realty transfer tax from the sale of the Portman property in the industrial park. Dave Lamm said the sale price was \$11 million and Supervisor Peirce calculated that to be \$55,000. He suggested setting that money aside in a separate account to put toward the building of a salt shed or repairing the roofs at the Estate and Senior Center.

Supervisor Kearney asked how we would set it aside; Mr. Hein said a new account would have to be opened at FNCB or PLGIT.

Supervisor Brostoski asked if we received anything from NorthPoint. Solicitor Wolff stated that LERTA has been a sticking point with North Pocono School District, but he believes they are close to passing some sort of graduated LERTA, not 100% forgiveness for the 10 years.

ON MOTION duly made (Kearney), seconded (Brostoski), and carried 4-0 to open a new account with PLGIT to deposit realty transfer tax proceeds from the sale of the Portman Industries property in the industrial park.

Supervisor Kearney stated that Memorial Day services will be held at 1 pm at the monument by the Police Department.

Supervisor Brostoski said he is working on the wording for the fire tax referendum. Discussion was held as to what to include in it. Solicitor Wolff said we can include what we want but the County Board of Elections will edit it as they see fit. It was decided to put the resolution on the June 2021 Board meeting agenda.

22. PUBLIC COMMENT: Jeanne DeSandis asked about the sign ordinance but didn't see any mention of it in the April 27th minutes; Solicitor Wolff said it was on the agenda, but nothing was done about it. Vice Chairman Setta said Ron Donati reviewed the documentation and did not have a problem with it. He said the Board would take one more look at it. Barbara Havenstrite asked if there were problems with short term rentals. Vice Chairman

Setta said there was a house on Bunea Vista Drive that neighbors were complaining about. She asked if it would include Eagle Lake; Vice Chairman Setta said no, and Solicitor Wolff said they wouldn't be able to comply with the provisions of the ordinance. He said they could do something internally. She asked if the overtime for police working in Eagle Lake goes toward their pension. Supervisor Brostoski said the fee covers their pay. Mr. Hein said the pension is taken from the employee as an employee contribution but no match. He said the Township pays an MMO which may have a small increase. Mr. Hein said we will negotiate with them later this year for a higher rate.

24. ADJOURNMENT: *ON MOTION duly made (Kearney), seconded (Brostoski), and carried 4-0 to adjourn the meeting at 8:50 pm.*

*Respectfully submitted,
Douglas A. Hein
Secretary / Treasurer*

Approved: