

COVINGTON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING
TUESDAY, JULY 6, 2021

The July 6, 2021, Regular Monthly Meeting of the Covington Township Board of Supervisors was called to order with a Pledge of Allegiance at 7:11 p.m. in the Municipal Building, 20 Moffat Drive, Covington Township, PA 18444, by Chairman Melissa Kearney.

PRESENT: Melissa A. Kearney, Chairman; John Brostoski, Vice Chairman; Marshall Peirce, Supervisor; Joel M. Wolff, Esquire; Diana Patton, Treasurer; Melinda Musso, Secretary

PUBLIC COMMENT: None

AGENDA:

Chairman Kearney pointed out that Administrative Actions have been moved earlier in the meeting.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to approve the agenda as presented.

ANNOUNCEMENT: Chairman Kearney announced that an Executive Session was held on Friday, June 11, 2021, at 6:30 p.m. to discuss personnel issues, pay raises and the Sewer Authority.

MINUTES:

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept minutes from the June 1, 2021 Regular Meeting and the June 15, 2021 Special Meeting.

BILLS:

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept the bills as presented.

TREASURER'S REPORT:

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept the treasurer's report as presented.

ADMINISTRATIVE ACTIONS:

Supervisor Appointments: Chairman Kearney announced the township received five (5) letters of interest for the supervisor appointments and all were read to those in attendance.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to appoint Chris Balish to the vacated seat from Thomas Yerke.

ON MOTION duly made (Peirce), seconded (Brostoski) and carried to appoint Vicki Williams to the vacated seat from Joseph Setta.

Attorney Wolff and Chairman Kearney advised both appointees they need to make arrangements to be sworn in before Magistrate Adcock and to let the township know when that will be taking place so others can attend if interested. Chairman Kearney advised the sworn certificates will need to be submitted to the township secretary.

Lackawanna County Tax Claim Bureau Repository Sale: ON MOTION duly made (Brostoski), seconded (Peirce) and carried to approve the Eagle Lake property repository sale.

Northeast Signal & Electric Co. Inc.: There was a discussion about getting quotes from another company to compare prices, but they need to review the prints to provide information. MaryLou Butler offered to make copies at her office and advised to make sure that any new company will be able to put the maintenance records into the PennDOT system. Chairman Kearney advised we will hold off on a decision until next month pending another quote.

PSATS Ad in Commemorative Centennial Book: There was a discussion on what PSATS helps townships with and explained since the convention was cancelled again this year, PSATS planned a two-day meeting and dinner in October.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to place a ¼ page ad for \$100.00 in their centennial book.

PLANNING COMMISSION: No report submitted.

BUILDING INSPECTOR: Mr. Lamm reviewed his monthly report. Mr. Lamm also informed the Board that he has received the construction drawings for Lot 5 in the Industrial Park and currently, the zoning and building applications are under review.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept the Building Inspector's report as presented.

ZONING CODE ENFORCEMENT OFFICER: Mr. Donati summarized his monthly report.

Chairman Kearney asked about the status of the property located on Route 435 owned by Mr. DeMarco since it has been observed he was cleaning up; however, more stuff has recently been brought in, specifically a boat in the front yard. Mr. Donati advised he will check it out.

Bill Willson advised the township should not be coddling the violators since they do not care anymore, while the residents complaining are not getting satisfaction. He felt the magistrate should be the one to sort it out after the township steps up. Mr. Willson advised on the other side of the township there is a school bus storage yard that is not permitted. Ms. Kearney agreed that the township needs to get stricter enforcement on this with violation letters. Mr. Donati advised

he has been going on the Board's recommendation. Ms. Kearney advised she is willing to go for a ride with Mr. Donati, as he has offered to show her the properties with issues.

Scott VanFleet advised that three (3) out of the nine (9) properties with issues surround his business. People that come to his business comment about the conditions of neighboring properties and it has been going on for twenty years. Mr. VanFleet stated this needs to get taken care of. Chairman Kearney agreed and stated that letters of violation should be issued. Mr. VanFleet stated he has had to let bordering vegetation grow out to try to hide the mess on properties around him.

There was further discussion in the process of enforcement. Chairman Kearney advised that all enforcement officers, whether they are zoning, police, building, or sewer, are responsible for enforcement without direction from the Board of Supervisors. She stated that as a supervisor, they can give advice. Mr. Donati & Ms. Kearney agreed to get together about the current issues.

Roz Davis asked Mr. Donati about the nonconforming use of Mr. Yerke's property and what it means. Mr. Donati advised that his position on that was Mr. Yerke's nonconformity was approved by a prior Board and if there are any issues, he feels it should be directed to the supervisors. Mr. Donati stated he did not issue any of those permits and he does not know any legalities on expiration or validity of those non-conforming uses, and it should be handled by the attorneys.

ON MOTION duly made (Peirce), seconded (Brostoski) and carried to accept the Zoning Code Enforcement Officer's report.

ENGINEER: The pre-construction conference for the 2021 Road Project was completed and contractors are tentatively scheduled to hopefully begin next week along with the Union Mill Project.

Covington Lakes Phase 8 was approved by the supervisors with one contingency, the sewage planning modules. This plan was forwarded to the township for signatures and then will be submitted to D.E.P.

The Sewer Authority and Act 537 plan to expand the plant to the current sewer service area only. The plan is completed and was advised by D.E.P to complete a Needs Analysis to verify there were not any sewer needs outside the current service area. Our current S.E.O., Mr. Enslin, is currently too busy. Our alternate S.E.O., Mr. Kosik, is available to assist in this matter. Since he is not an employee of the Sewer Authority, only the township, Mr. Kosik would like the township to process his payroll and the Sewer Authority would reimburse the township for his wages. The solicitor for the Sewer Authority thought this would be the best way to handle it due to the resolution giving the Sewer Authority the ability to work on behalf of the township. Attorney Wolff recommended an email to the Sewer Authority verifying this information.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to employ Mr. Kosik for the sewer testing rate of pay acceptable by the Sewer Authority.

Supervisor Peirce asked for permission of the Board to have Mrs. Butler research the possibilities of putting a salt shed on the basketball courts near the recycling center. Mrs. Butler advised this has been discussed many times in the past, but it never moved forward, and no preliminary work was performed. Mr. Willson responded that it was possibly due to kids using the basketball courts. Chris Balish stated there isn't much use of the basketball courts, only a couple times a month he would see kids there. Ms. Kearney advised we can always relocate the basketball court to another location. Mr. VanFleet inquired how the salt works currently with PennDOT. There was a detailed conversation on the salt storage at the PennDOT building.

ON MOTION duly made (Peirce), seconded (Brostoski) and carried to have the township engineer research the township having a salt shed at the basketball court next to the recycling building.

DIRECTOR OF PUBLIC WORKS: Chairman Kearney advised this is still a vacant position and the township has not advertised for this yet.

Roller rental: There were quotes for a roller rental from Medico, Cleveland Brothers, and Powell's. Supervisor Peirce advised he spoke with the Road Department employees, and they advised him that Medico had the best deal for the money. Chris Balish spoke on the difference in the rental terms between companies. Medico \$3,300/month; Cleveland Brothers \$4,330/month; Powell's \$2,400 for 20 days.

Chairman Kearney advised Mary Lou Butler that the township will take road millings to place behind the fire house next to the wood chips.

ON MOTION duly made (Peirce), seconded (Brostoski) and carried to rent a roller from Medico for one month.

Chairman Kearney advised the township received three service requests that were all taken care of.

POLICE DEPARTMENT: Corporal Bastek reviewed the monthly report.

SRO applicant status: Corporal Bastek advised there were four applicants that Chief Klocko will be interviewing this week.

Lacka. County Drug Task Force & Chiefs of Police Assoc.: Chairman Kearney advised this is a contribution for 2021 and the township has regularly participated every year.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to make a \$150.00 donation.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept the Police Department report.

RECREATION COMMITTEE: No report submitted.

SEWAGE ENFORCEMENT OFFICER: No report submitted.

SOLICITOR: Attorney Wolff advised that from last month's meeting, PI Covington, LLC's intention to create a new entity with a third party, Covington Owner, LLC, and in order to do that in compliance with the developer's agreement, they had to have the new company sign the developer's agreement. This has been completed.

Ron Donati asked Attorney Wolff to review a bond that's been received for a recent tower renewal. Attorney Wolff asked for the information to be sent to him for review.

ON MOTION duly made (Brostoski), seconded (Peirce) and carried to accept the solicitor's report.

NEW BUSINESS:

PSATS Annual Business Meeting & Centennial Dinner: This is being held October 14th & 15th due to the cancellation of the annual convention. Chairman Kearney stated in January the Board approved attendance to the convention with expenses paid for herself and former board member, Thomas Yerke. However, since the cancellation, Kearney asked for a new motion to allow herself, as the Voting Delegate, and other supervisors and township personnel to attend.

ON MOTION duly made (Brostoski), seconded (Peirce) and passed to allow supervisors and township personnel to attend with expenses paid.

OLD BUSINESS:

Fire Tax: Chairman Kearney advised this was put on the agenda so it didn't fall by the wayside. After the last meeting, former supervisor, Mr. Yerke, wanted to have a meeting with the fire company to answer some questions. Since he is no longer on the Board, Kearney asked if the current supervisors still wanted to have a detailed conversation with the fire company. Supervisor Brostoski asked for this to be tabled until next month and to have Kate Tierney, Tax Collector, report back on the procedure for implementing this tax.

Barbara Havenstrite asked if passing the 2% tax will make the fire company's entire audit public and not just the 2% tax so that people can see if this is necessary and what they spend money on. Supervisor Brostoski advised it is for 2 mills, not 2%. Diana Patton explained that when the millage is changed, it needs to be done through the budget process first. Once the budget is passed, a resolution will then need to be passed for the tax. The county will send a form each year verifying the breakdown of millage and that is when it gets added into the tax bills. Supervisor Brostoski mentioned the budget is passed in December and verified with Mrs. Patton that nothing can be done until that point. Mrs. Patton added that the Second-Class Township Code states we are not required to give the fire company the money. The supervisors have the option of asking the fire company for bills to review and then pay those bills for them. Mrs. Patton advised another thing supervisors can, and should ask for, is for the fire company to give the Board their treasurer's report to see what their money is being spent on. Barbara Havenstrite wanted the public to have the right to see everything that is being spent in the fire company's entire budget. Supervisor Brostoski advised Mrs. Havenstrite the fire company meetings are open for public attendance to which Supervisor Peirce agreed. Roz Davis mentioned the lower income residents and advised this may be creating a hardship for them. Supervisor Brostoski stated the fund drive would no longer be sent out after the addition of this tax. There was a discussion how there are some residents that don't receive the fund drive. Supervisor Brostoski spoke of a meeting with county officials asking for allowances for low-income families, but unfortunately, there's nothing that can be done, and everyone is evaluated equally for taxes.

Roofs at Moffat Estate: There was a brief discussion concerning asking other architects for proposals only. Carlene Gilbride, Senior Center Coordinator, along with a group of Senior Center members, asked if it's possible for the center to be reopened after Labor Day, however, pointed out there's a lot of problems with the building that would need to be addressed. Mrs. Gilbride requested the roof and rain gutters be repaired, the building cleaned from top to bottom, the furnace to be evaluated, and an exterminator hired to make it safe for everyone. Chairman Kearney advised the township is having a difficult time finding contractors and the board is aware of the things that need to be addressed. Chris Balish stated contractors are backed up because of the pandemic. Carlene Gilbride also expressed concern for the senior's health and safety regarding wearing masks because there's a portion that are not vaccinated and there's not enough room to have six feet of social distance. Harriet Henna stated mask wearing has been lifted in most cases. Supervisor Brostoski advised a lot of public places are still requiring masks especially governmental buildings. Harriet Henna stated masks weren't being used here in this meeting and Supervisor Brostoski advised her that township personnel at the table are all vaccinated. Mrs. Henna admitted while unmasked, she is not vaccinated. Mrs. Gilbride stated this is the exact concern of

unvaccinated people not wearing masks for everyone's protection. Corporal Bastek advised if you're not vaccinated, then masks should voluntarily be worn when around others in all public areas. Supervisor Brostoski advised they will begin addressing the repair issues, however, will have to look at wearing masks in public places further for safety reasons. Roz Davis asked if there was any mold found and there was a discussion on previous remediation where that is no longer an issue. Supervisor Brostoski offered the use of the pavilion during the nicer months for the seniors to gather if they would like. Roz Davis advised if cleaning involves a large amount of mice droppings, which are carcinogens, then it should be handled with extreme care and not by anyone having any sort of ongoing cancer treatments.

CORRESPONDENCE: All correspondence was announced

Mary Lou Butler advised the incomplete NPDES permit application from NP Cov. Twp. was found to be administratively incomplete, but they have since resubmitted the proper information. Another update will be mailed.

Lackawanna County Assoc. of Township Officials: Letter was read regarding the convention and membership information that needs updating.

JDM Materials Co.: The letter was read regarding the price increase of \$6.00 per yard.

SUPERVISOR'S COMMENTS: There were no comments.

PUBLIC COMMENT:

Roz Davis noticed that Melissa Kearney's name was on the minutes and asked why they weren't completed by the former secretary, Mr. Doug Hein. Chairman Kearney responded that she completed those minutes. Ms. Davis asked if Mr. Hein was helpful with making a smooth transition without any problems. Chairman Kearney advised that Mr. Hein was running out of time with his term of employment and was not able to complete the minutes before he left, and she volunteered to do them.

Ms. Davis asked if the minutes from the first hearing on short term rentals was ever completed from April 27, 2021. Chairman Kearney advised she believes they were last month.

Ms. Davis asked how the minutes are done and if they were time consuming. Melinda Musso explained that the meetings are recorded and then replayed to transcribe the minutes, however, it is very time consuming. Ms. Davis asked if there is any special software that can be used to save time. Ms. Musso advised that they were recently talking about researching that possibility now.

Ms. Davis asked what criteria was used when the Board selected to appoint the two new supervisors. Chairman Kearney advised the two new appointments to supervisor are only until the end of this year. Chairman Kearney, speaking only for herself, advised she looked at the letters of interest, those who were already on the ballot, and the election results from May. She felt appointing the two candidates running for the same seat would allow them to get experience in serving the public and allow the public to make an informed decision for the November election. Chairman Kearney advised it was very difficult to make a decision between all the letters of interest and felt any one of the five people that expressed interest would have done a great job sitting on the Board because they have the township's best interest at heart. Ms. Davis asked Supervisor Brostoski his opinion and he stated that Chairman Kearney spoke for the entire Board, and she accurately summed it up. Supervisor Peirce also agreed.

Bill Willson felt that regardless of who was picked, what he liked is the simple fact that it was open and transparent, which allowed an informed decision to be made. He hoped the days of old are gone for good in this township. Mr. Willson thinks Diana Patton is good for the township, especially after the auditors had the opportunity to meet and work with her and is happy to see the township moving in a new and good direction. Chairman Kearney stated they are trying to be transparent and appreciates everyone's patience.

Barbara Havenstrite wanted to know who is bonded regarding handling the bids. Supervisor Brostoski advised the township engineer handles projects and they hold bonds, along with the companies that submit a bid, are also bonded. Mary Lou Butler talked about the process and that all involved have always been bonded.

Carlene Gilbride asked who she should call if there is a problem. Chairman Kearney told her she could contact her, but she would like to think any supervisor can be contacted.

ADJOURNMENT: ON MOTION duly made (Peirce), seconded (Kearney) and passed to adjourn at 8:43 p.m.

Respectfully submitted,
Melinda Musso, Secretary

Approved: