

**COVINGTON TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**TUESDAY, JUNE 1, 2021, AT 7 PM IN PERSON AND VIA ZOOM AT:**  
<https://zoom.us/j/97877983956>

*The Covington Township Board of Supervisors held its Regular Meeting on Tuesday, June 1, 2021, at 7:00 p.m. in person at the Covington Township Municipal Building, 20 Moffat Drive, Covington Township, PA 18444 and via Zoom.*

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

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE:** *Chairman Yerke called the meeting to order with the Pledge of Allegiance at 7:00 pm.*

**2. AGENDA:** *Chairman Yerke announced that the opening of the bids for the Storm's Road project would be moved up to after the treasurer's report was read. Supervisor Kearney asked to have the township secretary position moved from new business to administrative actions. On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the agenda as amended.*

**3. ANNOUNCEMENTS:** *Chairman Yerke announced that an executive session was held on Friday, May 28, 2021, at 9:30 am to discuss personnel. Supervisor Kearney read a prepared statement thanking her supporters.*

**4. PUBLIC COMMENT:** *Roz Davis asked when an audit would be done upon Doug's resignation with the township. She stated that an audit was completed upon Kate's retirement, and she was unsure whether there was a timeframe to complete an audit. Chairman Yerke asked to address this after the board decides whether to accept the resignation.*

**5. MINUTES:** *On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the minutes of the May 4, 2021, Regular Meeting, May 25, 2021, Work Session and the May 25, 2021, Public Hearing as presented.*

**6. BILLS:** *Treasurer Hein reported there is a total of \$98,399.65 in bills to be paid tonight including the payroll. The bills were available if there were any questions. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to accept the bills as presented.*

**7. TREASURER'S REPORT:** *Treasurer Hein reported that for the month of May we had General Fund receipts of \$345,282.56 and bills of \$98,399.65 leaving a balance in the general fund account of \$32,051.76; this is due to \$325,000.00 being transferred into the General Fund PLGIT account. The General Fund PLGIT account has an ending balance of \$743,494.47. The PLGIT capital project account, a new account which was opened, has a balance of \$55,000.33; Liquid Fuels PLGIT account has a balance of \$353,531.00; the escrow fund has a balance of \$314,961.54; & the payroll account has a balance of \$4,732.07. All balances after all the bills have been paid. On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the treasurer's report.*

**8. OPENING OF THE BIDS FOR THE STORM'S ROAD PROJECT:** *Chairman Yerke opened the bids as follows:*

*1<sup>st</sup> bid from Hanson's Aggregate ~ total base bid is for \$119,344.00;*

*2<sup>nd</sup> bid from American Asphalt ~ total base bid is for \$188,945.00;*

*3<sup>rd</sup> bid from Wayco, Inc. ~ total base bid is for \$98,717.20;*

*4<sup>th</sup> bid from Filinger Construction Corp ~ total base bid is for \$144,845.00*

*5<sup>th</sup> bid from Pioneer Construction ~ total base bid is for \$185,753.00*

*The bids were handed off to the township engineer, Mary Lou Butler for her review.*

**9. PLANNING COMMISSION:** *Secretary Hein stated that the planning commission report was reviewed at the work session. There were 3 minor subdivisions to be approved, Sohns, Matter, & Millard. Mary Lou was asked to come back to the meeting to review the Planning Commission report. She stated that the planning commission recommends the Sohns project for approval with no contingencies. This is a subdivision lot improvement. The Matter project is also recommended for approval but there are some contingencies, the main one being a highway occupancy permit. This project is a proposed lot line adjustment which will require a highway occupancy permit. The Millard project is a lot improvement for 2 parcels. He is in the process of having the property surveyed. Mr. Millard was present and addressed*



the board to ask if he can get conditional permission so that he can move forward with getting his zoning and building permits so that he will not have to delay the start of construction with the intent that he will comply with all the planning commission requests. On motion duly made by Supervisor Peirce, seconded by Supervisor Brostoski, and carried 5-0 to allow the Millard subdivision to go forward with the contingencies that he will comply with the survey, plans, and engineering. On motion duly made by Supervisor Peirce, seconded by Vice Chairman Setta, and carried 5-0 to approve the Matter land subdivision with contingencies. On motion duly made by Supervisor Kearney, seconded by Supervisor Peirce to approve the Sohns land subdivision. Supervisor Peirce questioned the F&L Realty project, Secretary Hein stated there was nothing done on it. On motion duly made by Supervisor Brostoski, seconded by Supervisor Kearney to accept the Planning Commission report as presented.

**10. BUILDING INSPECTOR:** David Lamm read his monthly report of permits that were issued. He also reported that a letter was received for a RTK request. Supervisor Setta & Secretary Hein stated the RTK request was taken care of and sent out. There was a complaint at the beginning of the month about a pool that was installed last year during the pandemic without a fence; the fence was installed within a week. Ron & Dave had a conference call with the owners of Lot # 5, Portman Industrial. He reported that they will be submitting their plans next week as they would like to begin construction in July. They anticipate construction to last one year. Atty. Wolff confirmed that Portman is PI Covington. PI Covington is going in a joint venture with another company, he will address this in his report. The assessor's office of Lackawanna County contacted Dave to confirm the cost of the property. On motion duly made by Supervisor Kearney, seconded by Vice Chairman Setta, and carried 5-0 to accept the Building Inspectors report.

**11. ZONING CODE ENFORCEMENT OFFICER:** Ron Donati read his monthly report of permits that were issued. He also reviewed the list of property owners that he has been dealing with regarding violations within the township and gave updates on each one. He stated that he will move forward with violation notices and have them come in to plead their cases. Supervisor Kearney questioned the old Fox & Hound property, stating she has been receiving complaints about it. Ron has not been made aware of any complaints. Supervisor Kearney advised that she would have anyone who is complaining submit a service request. Jim Pierre was present and stated that they will move forward with completing the siding as soon as they are able to find someone to do the work. Supervisor Brostoski asked about the pool complaint. Ron stated the pool has not been run in 3 or 4 years and that it is in dire condition. The neighbors are complaining of bugs and stagnant water. The owner states she does not have the money to fix the problem. Supervisor Brostoski is concerned about health issues with the stagnant water. Vice Chairman Setta recommended that she get a small pump and pump the water out. Discussion was held that violation letters should be sent out as the problem has been ongoing for many years. Discussion was also held on the difficulty of tire removal. On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the Zoning Code Enforcement Officers report as presented.

**12. ENGINEER:** Mary Lou Butler reported that Wayco, Inc. is the low bidder, at \$98,717.20, of the Storms Road project. This is contingent upon the formal bid tabulation (prepared by Mary Lou) and their ability to provide a bond. Vice Chairman Setta questioned the low amount of the bid compared to the other bidders and their quality of work. Chairman Yerke stated they are a good company. A brief discussion was held on the different reasons for the low amount of this bid compared to the other bidders. On motion duly made by Supervisor Peirce, seconded by Supervisor Kearney, and carried 5-0, to award the contract for Storms Road improvement to Wayco, Inc. contingent on the preparation of the bid tabulation, which will be prepared by MaryLou, and they must submit a bond. Mary Lou also reported that there has been a serious delay in obtaining the concrete end wall to fix Union Mill Road. On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the Engineers report as presented.

**13. DIRECTOR OF PUBLIC WORKS:** No Report

**14. POLICE DEPARTMENT:** Chief Klocko reviewed his monthly report. On motion duly made by Supervisor Brostoski, seconded by Supervisor Peirce, and carried 5-0 to accept the Police Department report as presented.

**15. RECREATION COMMITTEE:** Supervisor Kearney reported the committee did not meet as there were only 3 members present. The Memorial Day service was held. There was no cost to the township for the Memorial Day service. The use of the tent was donated by a friend and Supervisor Kearney donated the refreshments. She mentioned that the recreation committee needs new members. On motion duly made by Vice Chairman Setta, seconded by Supervisor Brostoski, and carried 5-0 to accept the Recreation Committee report as presented. Supervisor Brostoski also put the call for help to the public for anyone who would like to join the recreation committee especially at the Christmas event. Supervisor Kearney also mentioned that she received a compliment from a participant of the service on how great the grounds looked. She complimented the Wonderful art studio for the painting.



**16. SEWAGE ENFORCEMENT OFFICER:** Chairman Yerke read the monthly report. The total fees collected were \$2,028.40. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to accept the Sewage Enforcement Officers report.

**17. SOLICITOR:**

a. Atty. Wolff reported he received the easement from the County for the Union Mill project. He just received the easement in the mail today; he just needs to record it.

b. The Exeter 100 sale to Safe Haven Group for Lot # 1 was completed.

c. The Portman Industrial site will be entering into a joint venture with a third (another) company to form another company. The township will need to sign another developer's agreement for Covington Owner, LLC. Everything will stay the same with the developer's agreement except the name will change. A discussion was held on whether there would be another realty transfer tax. It is unknown since this is the same company just partnering with another entity. The current balance in the escrow account is \$36,919.42. On motion duly made by Supervisor Brostoski, seconded by Supervisor Peirce, and carried 5-0 to approve the transfer to the third entity. Supervisor Kearney asked about the Wonderful Lease that expired as of May 31, 2021. It was stated that this lease will now be a month-to-month lease and the terms of the last least are still in effect. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to accept the Solicitor's report as presented.

**18. ADMINISTRATIVE ACTIONS:**

a. Repository Sales: Secretary Hein stated there are 2 separate letters regarding the repository sales. The 1<sup>st</sup> letter has 3 and the 2<sup>nd</sup> letter has 6; they all appear to be Eagle Lake properties. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to allow the repository sales of the properties.

b. Security Camera system: A presentation was presented at the work session from CVI; Triguard security systems did not attend the work session. Vice Chairman Setta stated that CVI was the lower cost out of the 2 companies coming in at \$15,287.00. Secretary Hein stated that we may be able to pay for this out of the Covid money we will be receiving. Supervisor Kearney asked that Chief Klocko be involved in the placement of the cameras and the access to the hard drives. On motion duly made by Vice Chairman Setta, seconded by Supervisor Kearney, and carried 5-0 to approve the installation of security cameras at the Moffat compound, the pavilion, the township garage/recycling center, and the police compound.

c. Fire Tax: Chairman Yerke asked for an explanation of this as he missed the last meeting. Secretary Hein explained that this cannot go on a referendum because it is under 3 mils; it is up to the board to make the decision whether to implement this new tax. This would amount to approx. \$100,000.00 revenue to the fire dept. Fire Chief Brad Jones stated that this money would be used for equipment maintenance, equipment purchases, fuel, utilities, insurance. Chief Jones stated that if this passed, they would most likely do away with their annual fire fund drive (this would need to be finalized with the fire company executive board). The money that the township currently gives to the fire department (\$40,000.00/year) will go back into the township coffers because they will be receiving the fire tax revenue. Chairman Yerke asked if the board of supervisors can have an executive session with members of the fire company to further discuss this. Supervisor Brostoski stated that he spoke with Kate Tierney and a 2mil increase would increase an individual residence approx. \$35.00/year. Chief Jones also mentioned that they are in a unique situation right now, that their membership has increased, and they are having trouble outfitting their new members with gear; although this is a good problem to have. Chairman Yerke will get in touch with Chief Jones to schedule an executive session with the fire company before the next meeting. Supervisor Kearney informed the public in attendance that this came about a few months ago when Supervisor Brostoski asked about putting a referendum on the ballot to have the taxpayers decide if we should impose a 2mil tax increase for the fire department. Roz Davis asked Chief Jones how the funds from the Covid grants will help and if it would decrease the 2mils. Chief Jones explained the monies they have received and how the grants are applied.

d. Moffat Estate Steam Boiler: Chairman Yerke stated that the steam boiler at the mansion had a malfunction, and it is now destroyed. A quote from Rite-temp was received in the amount of \$21,880.00 which will be paid for by our insurance company. On motion duly made by Supervisor Brostoski seconded by Supervisor Peirce and carried 5-0 to have Rite-temp install the new boiler.

e. Lackawanna County 2021 Hazard Mitigation Plan Update Resolution: Secretary Hein stated this is a resolution from the county because we are a part of the hazard mitigation plan with them. This just needs to be signed so that it can be updated. On motion duly made by Supervisor Brostoski, seconded by Vice Chairman Setta, and carried 5-0 to approve Resolution 2021-04 to update the Lackawanna County 2021 Hazard Mitigation Plan.



*f. Authorize ad to hire a new SRO: Chief Klocko stated that Officer Grube resigned as the SRO, but he did express interest in remaining on staff as a part-time officer. Chief Klocko recommends keeping Officer Grube on staff. Chief Klocko did speak with the school district regarding the wages and contract, and they would like to keep it at what it is now. They are not set on the wages yet, but they did state that the minimum would be \$22/hr. Supervisor Brostoski asked what Officer Grube would be needed for in the summer. Chief Klocko stated that he would be used for special functions. Chairman Yerke asked if his rate of pay would remain the same. A discussion was held on the wages of the part-time officers. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to advertise for a new SRO in the Times. On motion duly made by Supervisor Brostoski, seconded by Vice Chairman Setta, and carried 5-0 to keep Officer Grube on as a part-time officer for the summer at the same rate of pay (\$22/hr). Supervisor Kearney expressed concerns about the rate of pay for Officer Grube compared to the other part time officers.*

*g. Authorize bidding for dumpster service at the Pavilion and DPW garage: Secretary Hein stated that we received a contract from County Waste, our current supplier, for 5 years with a 3-year evergreen clause after that. Chairman Yerke advises against signing a contract with any garbage hauler. Currently we are paying a monthly fee with no contract. Secretary Hein will send them a letter informing them that we do not sign contracts for garbage pickup.*

*h. Sign Ordinance ~ Chairman Yerke asked Ron Donati if this was about the revisions to our sign ordinance. This was added to the agenda because this was never voted on in the past, and it needs to be enacted. A discussion was held on the digital signs. It was decided that we would hold off for one more month so that the supervisors and the zoning officer can become familiar with the ordinance again and make any changes that may need to be made.*

*i. Township Secretary/Treasurer position: Chairman Yerke read the resignation letter from Secretary/Treasurer Douglas Hein effective June 11, 2021. Vice Chairman Setta discussed that since there is not enough time to advertise for the position, David Petrosky, Jr. would be interested in taking the position on an interim basis to help us out. He would also be considered in the interview process. Vice Chairman Setta made a motion to hire David Petrosky, Jr. on an interim basis to work with Doug, although he cannot start until June 6, 2021, he will be here until we can run interviews and he would be included in on the interviews. Motion failed for a lack of a second. A lengthy discussion was held regarding the appointment of a new secretary/treasurer. Diana Patton of Stone House Tax Municipal Business Accounting attended the meeting via Zoom. Stone House submitted a proposal to handle the treasurer's duties for the township at a cost of \$1,830.25/month. This would be on a month-to-month basis with no contract. Diana explained her extensive experience as a township treasurer, stating that she would come to the office twice a month to complete the duties. She would also be available remotely if needed. A discussion was held regarding Stone House handling the treasurer's duties. Supervisor Kearney stated that she has spoken with Melinda regarding handling of the secretarial duties on an interim basis. Melinda feels that she will be able to handle the duties of the office while we search for a qualified candidate. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0, to hire Stone House Municipal Treasurer to handle the township treasurer duties at the rate of \$1,830.25 per month. On motion duly made by Supervisor Kearney, seconded by Supervisor Peirce to advertise for the secretary position. As the vote was being taken, Vice Chairman Setta asked that the board break for an executive session to discuss the duties with Melinda. Chairman Yerke called for a 5-minute recess. After the recess, the motion carried 5-0. On motion duly made by Supervisor Peirce, seconded by Supervisor Kearney, and carried, to allow Melinda Musso to fill in as part time secretary until it is advertised.*

## **19. OLD BUSINESS:**

*a. Short term rental ordinance: Secretary Hein informed the board that the ordinance needed to be signed as it had already been approved. Supervisor Kearney mentioned that we still need multiple items addressed with the ordinance. Chairman Yerke apologized for missing the public hearing. He does not agree with this ordinance since it will be allowing short term rentals in every development and on every street within the township; he feels that this should be restricted to only be allowed in the Eagle Lake & Big Bass Lake developments. A discussion was held on the possibility of having a property management company handle the enforcement of this ordinance, as an ordinance is only as good as the enforcement of it. A discussion was held on how to handle the issues of rental properties at this time. Supervisor Brostoski stated that anyone who has a problem with noise, etc. should contact the police department who can issue citations. Don Stengline voiced his concerns about the police department pay. He recommended that the township hire an additional officer and pay the police officers more. Chairman Yerke asked Supervisor Kearney to reach out to the property management companies to discuss the application process, fees, enforcement, etc. of the short-term ordinance that has been passed. Attorney Wolff asked Chief Klock and Ron Donati, the zoning officer, to alert the township office if they have any complaints regarding a short-term rental. This way the office can keep track of any violations prior to their obtaining a permit.*



**b. Wall repairs at the Moffat Estate Entrance:** Ron Donati received 2 separate quotes to repair the wall at the Moffat Estate Entrance. The 1<sup>st</sup> amount was to square up the damaged wall and pour a concrete edge on top for \$4,900.00 and the 2<sup>nd</sup> amount was to rebuild the stone wall edges with existing stone to match and pour a concrete cap for \$7,300.00. Vice Chairman Setta asked if our workers could repair the wall. Chairman Yerke explained that they were originally going to contact Yvette to see if the estate would cover the cost. He will contact Yvette to see if the estate will pay to have the wall repaired. Supervisor Brostoski said that he spoke with our DPW workers to do the repair & they were receptive to it, however, Chairman Yerke should check with Yvette before we have our guys fix it.

**c. Zoom subscription renewal:** The zoom subscription is due to automatically renew on July 6, 2021, in the amount of \$149.90. Supervisor Setta stated he spoke with Attorney Wolff earlier in the day regarding the opening of the meetings and the need for the zoom subscription. The zoom subscription would be a good idea to keep in the event of emergencies. On motion duly made by Supervisor Setta, seconded by Supervisor Brostoski, and carried 5-0 to continue the zoom subscription.

**20. CORRESPONDENCE:** Chairman Yerke stated we discussed the correspondence of Doug's resignation letter under administrative actions.

**21. SUPERVISOR COMMENTS:** Supervisor Peirce asked for the board's approval to have the road department take care of the garbage at the fire company picnic. The board agreed to allow the road department to take care of the garbage. On motion duly made by Supervisor Setta and failed for the lack of a second to advertise for a DPW director. Supervisor Brostoski asked if we had the need to hire a DPW director for the summer. The township is saving money by not having a DPW director and if the current DPW crew can manage for the summer, we can discuss this at the next meeting. Chairman Yerke stated that we do have a few part timers coming back for the summer, so we can get by for the summer & discuss this at the next meeting.

**20. PUBLIC COMMENT:** Zoning Officer Donati commented that the board discussed sending out violation notices to property owners that are in violation of the zoning ordinance. Mr. Sheridan said they would like to pull the permits that they need to fix their home. They were advised to see Dave Lamm for the proper permits. Mr. Donati said they are complying by removing some vehicles. Chairman Yerke asked to allow them the time they needed to come into compliance. Barbara Havenstrite commented that the board of supervisors and the school have let the township down with their parking situation on Center Street. Ordinances within the township are not being enforced. She has had no help from the township or the school in enforcing the parking of vehicles on Center Street. She has been vandalized in the past because she has been blamed for complaining. A brief discussion was held on how this situation was handled in the past. Don Stengline asked when the roof on the Senior Center will be repaired. He also asked the board to send a letter to Eagle Lake to check the cars for garbage as they are leaving the community. He also questioned why we cannot pay our part time police officers \$21/hour. A discussion was held as to how we could pay for this increase. Vicki Williams, Chairman for the board of auditors, recommended that the auditors look at the books for the first 6 months of the year upon Doug's leaving his employ with the township. Supervisor Brostoski stated that an official audit will need to be conducted. On motion duly made by Vice Chairman Setta, seconded by Supervisor Kearney, and carried 5-0 for the auditors to audit the books (from Jan. 1 until June 11, 2021) and pay the associated fees. Roz Davis asked Supervisor Peirce if there were any thoughts or consideration for the position of EMA coordinator that Mr. Raziano resigned from. She was questioning if there was a timeframe that we needed to fill the position, but Supervisor Brostoski said that we tried to find one but the last one took a long time to find. She also commented on the Memorial Day service saying that it was beautiful & she wished Doug the best of luck. On motion duly made by Supervisor Kearney, seconded by Supervisor Brostoski, and carried 5-0 to adjourn the meeting at 9:30pm.

*Respectfully Submitted,*

Melissa Kearney, Supervisor  
Secretary, Pro-tem

*Approved:*