THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:30 A.M. IN THE COMMISSIONER’S MEETING ROOM, COURTHOUSE ANNEX, JIM THORPE, PENNSYLVANIA.

PRESENT WERE COMMISSIONERS NOTHSTEIN, GERHARD, AND O’GUREK, CHIEF CLERK/COUNTY ADMINISTRATOR AHNER, SOLICITOR MISCAVIGE, AND EXECUTIVE SECRETARY MARIANNE BUTRIE.

THE COUNTY CONTROLLER, COUNTY TREASURER, AND ASSISTANT COURT ADMINISTRATOR WYNN WERE ALSO PRESENT.

MOMENT OF SILENCE:

A MOMENT OF SILENCE WAS OBSERVED.

PRAYER:

THE CHAIRMAN OFFERED THE PRAYER.

PLEDGE OF ALLEGIANCE:

THE MEETING OPENED WITH THE PLEDGE OF ALLEGIANCE.

OFFICIAL ACTIONS OF THE CARBON COUNTY BOARD OF COMMISSIONERS:

MINUTES:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD OCTOBER 16, 2014 WITH THE FOLLOWING CLERICAL CORRECTION INCLUDED:

C&Y FY2014-15 AGREEMENT: AVANCO INTERNATIONAL, SENIOR PROGRAMMER ANALYST - $78.70/HOUR (NOT $7.70).

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

GUESTS (CONCERNING COUNTY BUSINESS):

THERE WERE NO GUESTS CONCERNING COUNTY BUSINESS.

EXECUTIVE SESSIONS:

THE CHAIRMAN REPORTED THAT THE FOLLOWING EXECUTIVE SESSION WAS HELD:

OCTOBER 21, 2014 9:00 A.M. PERSONNEL MATTERS

DEPARTMENT REPORTS:

CHIEF CLERK/COUNTY ADMINISTRATOR:

BUDGET TRANSFERS:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE BUDGET TRANSFERS AS LISTED ON TRANSMITTAL DATED OCTOBER 23, 2014.
SUPPLEMENTAL APPROPRIATION:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE SUPPLEMENTAL APPROPRIATION AS LISTED ON TRANSMITTAL DATED OCTOBER 23, 2014.

EXPENDITURE APPROVAL:

PAYROLL FUND CHECKING ACCOUNT:

APPROVAL OF PAYROLL CHECK NUMBERS 63924 THROUGH 63984 AND DIRECT DEPOSIT CHECK NUMBERS 5085015 THROUGH 5085333 FOR THE NET PAYROLL PAID THROUGH THE PAYROLL FUND CHECKING ACCOUNT FOR ALL COUNTY FUNDS TOTALING $292,119.46 (PAYROLL DATED OCTOBER 17, 2014).

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO RATIFY PAYMENT OF THE PAYROLL CHECKS AS LISTED ABOVE.

GENERAL FUND CLEARING ACCOUNT:

APPROVAL OF CHECK NUMBERS 110611 THROUGH 110715 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL FUND</td>
<td>$129,488.36</td>
</tr>
<tr>
<td>RENTAL PROPERTY FUND</td>
<td>$1,940.14</td>
</tr>
<tr>
<td>9-1-1 FUND</td>
<td>$1,976.10</td>
</tr>
<tr>
<td>COUNTY PARKING FUND</td>
<td>$74.92</td>
</tr>
<tr>
<td>LIQUID FUELS TAX FUND</td>
<td>$14,409.83</td>
</tr>
<tr>
<td>AREA AGENCY ON AGING FUND</td>
<td>$35,546.48</td>
</tr>
<tr>
<td>CHILDREN &amp; YOUTH FUND</td>
<td>$48,981.24</td>
</tr>
<tr>
<td>HUMAN SERVICE AGENCY FUND</td>
<td>$49.06</td>
</tr>
<tr>
<td>DOMESTIC RELATIONS 4D FUND</td>
<td>$1,395.41</td>
</tr>
<tr>
<td>PARKS &amp; RECREATION FUND</td>
<td>$1,136.04</td>
</tr>
<tr>
<td>FARMLAND PRESERVATION FUND</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>HUMAN SERVICE DEVELOPMENT FUND</td>
<td>$6,203.27</td>
</tr>
<tr>
<td>HOMELESS GRANT FUND</td>
<td>$5,062.47</td>
</tr>
<tr>
<td>CDBG FUND</td>
<td>$589.77</td>
</tr>
<tr>
<td>PAYROLL FUND</td>
<td>$42,805.34</td>
</tr>
<tr>
<td><strong>TOTAL</strong>:</td>
<td><strong>$291,658.43</strong></td>
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MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE PAYMENT OF THE CHECK NUMBERS AS LISTED ABOVE.
OCTOBER 23, 2014

* MR. O'GUREK VOTED YES WITH THE EXCEPTION OF BILLS FOR THE TIMES NEWS AND BLUE RIDGE COMMUNICATIONS, HE ABSTAINED.

TREASURER’S REPORT:

MOTION BY MR. GERHARD, SECONDED BY MR. O'GUREK, TO ACCEPT THE TREASURER’S REPORT DATED OCTOBER 17, 2014 REPORTING BALANCES AS FOLLOWS:

**BALANCES AS OF OCTOBER 17, 2014:**

- **GENERAL FUND CHECKING ACCOUNT** $ 1,714.65
- **PAYROLL CHECKING ACCOUNT** $ 130,160.36
- **GENERAL FUND SP NOW** $ 9,354,402.11
- **OPERATING RESERVE** $ 927,857.32
- **RENTAL PROPERTY** $ 249,833.63
- **SOLID WASTE FUND** $ 162,105.41
- **9-1-1 FUND** $ 340,554.46
- **PARKING FUND** $ 1,078,360.87
- **ACT 78 FUND** $ 33,739.03
- **ACT 56 FUND** $ 965,722.39
- **LIQUID FUELS** $ 200,150.28
- **AREA AGENCY ON AGING** $ 202,230.71
- **CHILDREN & YOUTH** $ 579,148.53
- **HUMAN SERVICES AGENCY** $ 13,065.58
- **DOMESTIC RELATIONS** $ 56,620.63
- **WORKFORCE INVESTMENT ACT** $ 6,860.27
- **PARKS & RECREATION FUND** $ 101,424.04
- **CARBON TRANSPORTATION** $ 290,255.66
- **HAZMAT FUND** $ 128,632.49
- **OFFENDER SUPERVISION** $ 536,785.26
- **ADULT ELECTRONIC MONITORING** $ 146,185.87
- **SMALL BUSINESS EXPANSION LOAN** $ 69,745.75
- **FARMLAND PRESERVATION** $ 169,234.76
- **HUMAN SERVICES DEVELOPMENT** $ 22,962.72
- **HOMELESS GRANT** $ 10,181.92
- **CENTRALIZED BOOKING** $ 59,940.35
- **VICTIM WITNESS** $ 12,685.33
- **RECORDER OF DEEDS** $ 31,851.67
- **RECORDS IMPROVEMENTS** $ 12,065.81
- **JUVENILE SUPERVISION FEE** $ 22,331.85
- **COMMUNITY SERVICE FEE** $ 14,764.87
- **PROTHONOTARY AUTOMATION** $ 12,903.57
- **AFFORDABLE HOUSING** $ 237,799.24
- **CLERK OF COURTS** $ 9,733.23
- **REGISTER OF WILLS** $ 11,057.75
- **JUVENILE ELECTRONIC MONITORING** $ 4,105.44
- **VITAL STATISTICS** $ 39,220.36
- **SUBSTANCE ABUSE EDUCATION FUND** $ 37,389.48
- **LIQUID FUELS/ACT 44 FUND** $ 149,171.60
- **ACT 13 BRIDGE IMPROVEMENT FUND** $ 192,110.37
- **VICTIMS SERVICE FUND** $ 18,475.10
- **HOTEL EXCISE TAX FUND** $ 57,730.88
PERSONNEL REPORT:

PRISON BOARD APPOINTMENT:

SEMINAR/TRAINING REQUESTS:
AREA AGENCY ON AGING
CHERI MAE SANTORE
SUSAN ZEIGLER
ETHEL WHITE
PAM SCHLEICHER
ELIZABETH ESRANG
MARY ANN MARZEN
ANNE HARRIGAN
CONNIE LYNN
STACEY GRANT
FRANCINE CRAIGIE
CAROL HEFFELFINGER
EVA LABANOSKI
PATRICIA SCHMALZRIEDT

NATIONAL VOTER REGISTRATION ACT (NVRA) PROCEDURES WEBINAR
PALMERTON, PA

CORRECTIONS
MARY FAIRCHILD
GTL NORTHEAST REGION FALL TRAINING SESSION
ALTOONA, PA
COST: LODGING, MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

HUMAN RESOURCES
DAWN M. BOWMAN
PREMIUM ONLY PLAN (POP) SECTION 125 PLANS WEBINAR
JIM THORPE, PA

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO ACCEPT THE PERSONNEL REPORT DATED OCTOBER 23, 2014.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

CORRESPONDENCE:
COMMUNICATIONS WERE RECEIVED REGARDING THE FOLLOWING PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT APPLICATIONS:

PHASE III ENVIRONMENTAL
(RICH PARRISH, IMPACT ENVIRONMENTAL CONSULTING, BOHEMIA, NY)
FORMER NEW JERSEY ZINC PROPERTY – WEST PLANT
NPDES STORMWATER PERMIT; COUNTY LAND USE REVIEW
ROSSI EXCAVATING COMPANY, BEAVER MEADOWS, PA
SURFACE MINING PERMIT #13940201R4; GENERAL NPDES STORMWATER
PERMIT #13940201GP104; BOND REVIEW FOR 2015; AUTHORIZATION TO MINE
#1756-13940201-07, BANKS BANK OPERATION, BANKS TOWNSHIP
SURREAL PROPERTIES, INCORPORATED, JIM THORPE, PA
(BRUCE RADER, BERKS SURVEYING & ENGINEERING, INCORPORATED, FLEETWOOD, PA)
FLAGSTAFF HOTEL LAND DEVELOPMENT
COUNTY LAND USE REVIEW

CORRESPONDENCE WAS RECEIVED FROM THE PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE ANNOUNCING A CARBON-MONROE-PIKE MH/DS PROGRAM SUPPLEMENTAL GRANT OF $10,535 IN FY 2014-15 FEDERAL COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT FUNDS (APPROPRIATION 70167) FOR A COUNTY MENTAL HEALTH MATTERS PROJECT TO BUILD PUBLIC AWARENESS AND KNOWLEDGE AROUND MENTAL HEALTH.

CHILDREN & YOUTH:

#14-363 AGREEMENT/2014-15:

A FY 2014-15 PURCHASE OF SERVICE AGREEMENT WAS SUBMITTED FOR THE FOLLOWING PROVIDER:

DIAGON CHILD FAMILY & COMMUNITY MINISTRIES, ALLENTOWN, PA
(FORMERLY DIAGON LUTHERAN SOCIAL MINISTRIES)

PROVIDER: DIAGON CHILD FAMILY & COMMUNITY MINISTRIES

<table>
<thead>
<tr>
<th>FY 14-15</th>
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<tbody>
<tr>
<td>TRADITIONAL FOSTER CARE-LEVEL I</td>
<td>$0.00/PER DIEM</td>
</tr>
<tr>
<td>SPECIALIZED FOSTER CARE-LEVEL II</td>
<td>$0.00/PER DIEM</td>
</tr>
<tr>
<td>TREATMENT FOSTER CARE-LEVEL III</td>
<td>$90.00/PER DIEM</td>
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MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE THE AGREEMENT AS LISTED.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

#14-364 PSYCHOLOGICAL SERVICES:

A LETTER OF AGREEMENT WITH DALE K. HORST M.A., LICENSED PSYCHOLOGIST, ANNVILLE, PENNSYLVANIA, TO PROVIDE PSYCHOLOGICAL SERVICES DURING THE 2014-2015 FISCAL YEAR AT A RATE OF $125.00/HOUR WAS SUBMITTED FOR BOARD ACTION.
MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF THE CONTRACT WITH DALE K. HORST.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

DOMESTIC RELATIONS:

#14-365 LEGAL SERVICES/HATTON:


MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE THE CONTRACT WITH ATTORNEY CYNTHIA A. DYRDA HATTON.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

#14-366 LEGAL SERVICES/GREEK:


MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE THE CONTRACT WITH ATTORNEY MICHAEL S. GREEK.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

HUMAN SERVICES:

#14-367 STATE FOOD/DISTRIBUTION:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO ACCEPT THE SECOND QUARTER DISTRIBUTION REPORT FOR THE FY 2014/2015 STATE FOOD PURCHASE PROGRAM SUBMITTED BY SHEPHERD HOUSE, INCORPORATED.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

#14-368 TEFAP 4TH QUARTER:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE 2013-2014 FOURTH QUARTER TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP) INVENTORY PARTICIPATION REPORT AND INVOICE EXPENSE REIMBURSEMENT REQUEST, WHICH HAS BEEN SUBMITTED TO THE DEPARTMENT OF AGRICULTURE.

BOARD POLLED: O’GUREK YES
GERHARD YES
INSURANCE:
#14-369 DELTA DENTAL:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND AUTHORIZE EXECUTION OF
THE RENEWAL OF AGREEMENT WITH DELTA DENTAL OF PENNSYLVANIA FOR THE TERM 01/01/15 TO
12/31/16, WITH THE COUNTY’S ADMINISTRATION FEE CHANGING FROM $4.75/EMPLOYEE PER MONTH TO
$4.90/EMPLOYEE PER MONTH.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

PARKS/RECREATION:
#14-370 MCLP RATE CHANGES:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE THE PARKS & RECREATION
COMMISSION RECOMMENDATION TO INCREASE THE PAVILION RENTALS AT THE MAUCH CHUNK LAKE
PARK EFFECTIVE 2015 AS FOLLOWS:

COUNTY FROM $100.00/DAY TO $125.00/DAY
NON-COUNTY FROM $150.00/DAY TO $175.00/DAY

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

SOLICITOR’S REPORT:
AGENCY ON AGING:
#14-371 ASSIGNMENT OF SUBLICENSE:
VALLEY NATIONAL:

A REQUEST WAS RECEIVED FROM THE AGENCY ON AGING DIRECTOR FOR APPROVAL AND EXECUTION
OF ASSIGNMENT OF SUBLICENSE AGREEMENT BETWEEN THE COUNTY AND VALLEY NATIONAL
PROPERTIES, LLC TRANSFERRING THE RIGHTS AND DUTIES OF THE SUBLICENSE AGREEMENT, DATED JULY
28, 2011, FOR THE PANTHER VALLEY SENIOR CENTER TO 90 E CATAWISSA REALTY LP, C/O D.B.H.
MANAGEMENT LLC, LAKEWOOD, NEW JERSEY.


MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE THE
ASSIGNMENT WHICH REFLECTS THE CHANGE OF OWNERSHIP OF THE BUILDING.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

HOSPITAL AUTHORITY:
HOSPITAL REVENUE BONDS/SERIES 2012:
#14-372 GNADEN HUETTEN/MODIFICATION AGREEMENT:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE A JOINT
CONTINUING DISCLOSURE MODIFICATION AGREEMENT BETWEEN THE COUNTY OF CARBON AND GNADEN
HUETTEN MEMORIAL HOSPITAL, WHICH REFLECTS A CHANGE IN THE COUNTY’S ANNUAL REPORTING DATE ON THE CARBON COUNTY HOSPITAL AUTHORITY BONDS.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

#14-373 PALMERTON HOSPITAL/MODIFICATION AGREEMENT:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO APPROVE AND EXECUTE THE JOINT CONTINUING Disclosure MODIFICATION AGREEMENT BETWEEN THE COUNTY OF CARBON AND PALMERTON HOSPITAL, WHICH REFLECTS A CHANGE IN THE COUNTY’S ANNUAL REPORTING DATE ON THE CARBON COUNTY HOSPITAL AUTHORITY BONDS.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

SOLID WASTE:

#14-374 TIPPING FEES:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO DISCONTINUE COLLECTION OF TIPPING FEES, EFFECTIVE 1/01/15.

BOARD POLLED: O’GUREK YES
GERHARD YES
NOTHSTEIN YES

FURTHER BUSINESS:

ADVERTISING:

#14-375 RETRO LIGHTING PROJECT:

MOTION BY MR. GERHARD, SECONDED BY MR. O’GUREK, TO AUTHORIZE THE ADVERTISEMENT FOR INVITATION TO BID FOR INSTALLATION OF LIGHTING RETROFIT EQUIPMENT IN THE COURTHOUSE, ANNEX, 76 SUSQUEHANNA STREET BUILDING AND THE COUNTY PRISON.

BOARD POLLED: O’GUREK ABSTAIN
GERHARD YES
NOTHSTEIN YES

COMMISSIONERS’ REPORTS:

COMMISSIONER O’GUREK COMMENTED ON CORRESPONDENCE RECEIVED REGARDING THE PROJECT TAKING PLACE AT THE FORMER NEW JERSEY ZINC PROPERTY IN PALMERTON. HE NOTED THAT TWO WEEKS AGO, A COMMUNICATION WAS LISTED ON THE AGENDA FROM DEP INDICATING THAT THEY ALLOWED PHASE III ENVIRONMENTAL TO MODIFY ITS PERMIT FOR DUMPING REGULATED FILL ON THAT PROPERTY.

MR. O’GUREK REQUESTED AN EXPLANATION FROM THE DEP ENVIRONMENTAL MANAGER AND WAS TOLD THAT DEP ALLOWED PHASE III TO INCREASE THE AMOUNT OF CONTAMINANTS IN THE REGULATED FILL THAT THEY ARE BRINGING TO PALMERTON FROM 450 MG/KG TO 1000 MG/KG (DOUBLING THE AMOUNT OF LEAD CONTAMINATION IN THE REGULATED FILL THEY WERE BRINGING TO PALMERTON).

MR. O’GUREK STATED THAT MORE CONCERNING THEN THE MODIFICATION, IS THE CORRESPONDENCE APPEARING TODAY WHERE THEY HAVE APPLIED FOR A NPDES PERMIT (STORMWATER RUNOFF).

THE CORRESPONDENCE WAS SENT TO THE COUNTY PLANNING OFFICE FOR A LAND USE REVIEW, AND THE COUNTY REVIEWER HAS ALSO EXPRESSED CONCERNS REGARDING THE INCREASED LEVELS OF LEAD CONTAMINATION, ALONG WITH DISCREPANCIES ON THE APPLICATION, SPECIFICALLY INDICATING THAT A
LETTER OF APPROVAL WAS GIVEN BY THE PALMERTON WATER COMPANY. MR. O’GUREK SAID THE PALMERTON MUNICIPAL WATER AND SEWER AUTHORITY INDICATED IT HAD NO KNOWLEDGE AND DID NOT PROVIDE A LETTER OF APPROVAL.

DEP HAS INDICATED THAT THE WRONG FORMS WERE USED FOR THE RENEWAL AND A NEW APPLICATION MUST BE SUBMITTED.

DEP’S STANDARDS ALLOW FOR A MAXIMUM OF 1000 MG/KG, BUT UNDER THE SAFE WATER ACT THERE ARE REGULATIONS THAT STATE IF ANY REGULATED FILL IS GOING OVER AN AQUIFER OR WELL SYSTEM THE MAXIMUM IS 450 MG/KG.

COMMISSIONER O’GUREK CALLED TO THE ATTENTION OF THE PUBLIC AND NEWS MEDIA SINCE THE PALMERTON WATER SUPPLY SITS UNDERNEATH THE WEST PLANT AND IT IS VERY CONCERNING THAT ELEVATED LEVELS OF LEAD AND OTHER ORGANIC COMPOUNDS ARE BEING ALLOWED TO BE BROUGHT INTO THAT PROPERTY BECAUSE OF PENNSYLVANIA’S LIBERAL ENVIRONMENTAL LAWS.

COMMISSIONER NOTHSTEIN ELABORATED ON THE ADVERTISEMENT FOR BIDS FOR INSTALLATION OF THE LIGHTING RETROFIT PROJECT, EXPLAINING THAT THE COUNTY WILL BE CHANGING TO LED ENERGY EFFICIENT LIGHTING, USING GRANT FUNDS RECEIVED FROM NORTHEAST PENNSYLVANIA ALLIANCE (NEPA).

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:55 A.M.

_________________________  _________________________
ELOISE K. AHNER,                        WAYNE E. NOTHSTEIN, CHAIRMAN
CHIEF CLERK/COUNTY ADMINISTRATOR