

**MARCH 18, 2021**

THE REGULAR WEEKLY MEETING OF THE CARBON COUNTY BOARD OF COMMISSIONERS CONVENED THIS DATE AT 10:30 A.M. IN THE COMMISSIONERS' MEETING ROOM, CARBON COUNTY ADMINISTRATION BUILDING, JIM THORPE, PENNSYLVANIA, VIA THE ZOOM PLATFORM WITH LIVE STREAM FOR THE PUBLIC ON THE CARBON COUNTY COMMISSIONERS FACEBOOK PAGE.

PRESENT WERE COMMISSIONERS NOTHSTEIN, LUKASEVICH, AND AHNER, CHIEF CLERK/COUNTY ADMINISTRATOR ELOISE AHNER, AND EXECUTIVE SECRETARY JEN BOGER.

THE COUNTY CONTROLLER, COUNTY TREASURER, ASSISTANT DIRECTOR OF ELECTIONS AND THE COURT ADMINISTRATOR WERE AVAILABLE REMOTELY.

SOLICITOR MISCAVIGE WAS ABSENT.

**MOMENT OF SILENCE:**

A MOMENT OF SILENCE WAS OBSERVED.

**PRAYER:**

THE VICE-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. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD MARCH 11, 2021.

**\*NOTING CHANGE:** #21-111 BID AWARD: #2 FUEL OIL & OFF-ROAD DIESEL DELIVERY – THE FIX COST PROFIT WILL BE 49.7 CENTS/GALLON ABOVE THE PUBLISHED SCRANTON OPIS PRICE ON DATE OF DELIVERY SHOULD BE THE FIX COST PROFIT WILL BE 49.7 CENTS/GALLON ABOVE THE PUBLISHED OPIS PRICE ON DATE OF DELIVERY.

BOARD POLLED:	AHNER	YES
	LUKASEVICH	YES
	NOTHSTEIN	YES

**GUESTS: (CONCERNING COUNTY BUSINESS AS PER COUNTY POLICY #2012-01 GOV)**

THERE WERE NO GUESTS CONCERNING COUNTY BUSINESS.

**EXECUTIVE SESSIONS:**

THE CHAIRMAN REPORTED THAT THERE WERE NO EXECUTIVE SESSIONS HELD.

MARCH 18, 2021

**DEPARTMENT REPORTS:**

**CHIEF CLERK/COUNTY ADMINISTRATOR:**

**BUDGET TRANSFERS:**

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE THE BUDGET TRANSFERS FOR 2020 AND 2021 LISTED ON TRANSMITTALS DATED MARCH 18, 2021.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**SUPPLEMENTAL APPROPRIATIONS:**

THERE WERE NO SUPPLEMENTAL APPROPRIATIONS.

**EXPENDITURE APPROVAL:**

**PAYROLL FUND CHECKING ACCOUNT:**

APPROVAL OF PAYROLL CHECK NUMBERS 73194 THROUGH 73226 AND DIRECT DEPOSIT CHECK NUMBERS 6028558 THROUGH 6028962 FOR PAYROLL PAID THROUGH THE PAYROLL FUND CHECKING ACCOUNT FOR ALL COUNTY FUNDS TOTALING \$ (PAYROLL DATED, 2021).

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO RATIFY PAYMENT OF THE PAYROLL CHECKS AS LISTED ABOVE.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**GENERAL FUND CLEARING ACCOUNT:**

APPROVAL OF CHECK NUMBERS 219440 THROUGH 219595 FOR EXPENDITURES THROUGH THE GENERAL FUND CLEARING ACCOUNT AS FOLLOWS:

GENERAL FUND	\$ 271,394.76
RENTAL PROPERTY FUND	\$ 1,226.28
COUNTY PARKING FUND	\$ 3,901.91
LIQUID FUELS FUND	\$ 103.09
AREA AGENCY ON AGING FUND	\$ 26,055.02
CHILDREN & YOUTH FUND	\$ 297,478.83
DOMESTIC RELATIONS FUND	\$ 4,069.93
WORKFORCE INVESTMENT ACT FUND	\$ 119.77
PARKS & RECREATION FUND	\$ 4,910.17
CARBON TRANSPORTATION FUND	\$ 28,051.00
9-1-1 FUND	\$ 2,770.39
HAZ-MAT RESPONSE FUND	\$ 19.46
CENTRALIZED BOOKING FUND	\$ 104.65
VICTIM/WITNESS FUND	\$ 136.97
JUVENILE SUPERVISION FEE FUND	\$ 7,998.05
COMMUNITY SERVICE FEE FUND	\$ 688.00
CDBG FUND	\$ 9,853.79
CAPITAL PROJECTS FUND	\$ 25,426.50
FRINGE BENEFIT PAYMENT FUND	\$ 573.00
TOTAL:	\$ 684,881.57

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE PAYMENT OF THE CHECK NUMBERS AS LISTED ABOVE.

BOARD POLLED:   AHNER       YES  
                           LUKASEVICH YES  
                           NOTHSTEIN YES

**TREASURER'S REPORT:**

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO ACCEPT THE TREASURER'S REPORT DATED MARCH 8, 2021 TO MARCH 12, 2021 REPORTING BALANCES AS FOLLOWS:

**BALANCES AS OF MARCH 12, 2021:**

GENERAL FUND CHECKING ACCOUNT	\$	393.29
GENERAL FUND SP NOW	\$	9,749,883.88
PLGIT/PRIME	\$	0.00
OPERATING RESERVE FUND	\$	983,629.85
PLGIT/PRIME	\$	0.00
RENTAL PROPERTY FUND	\$	183,090.00
COUNTY PARKING FUND	\$	1,461,753.27
PLGIT/PRIME	\$	0.00
LIQUID FUELS TAX FUND	\$	702,911.49
AREA AGENCY ON AGING FUND	\$	679,540.65
CHILDREN & YOUTH FUND	\$	1,001,249.19
HUMAN SERVICE AGENCY FUND	\$	9,522.31
DOMESTIC RELATION IV-D FUND	\$	155,543.42
WORKFORCE INVESTMENT ACT	\$	15,465.93
PARKS & RECREATION FUND	\$	86,756.52
CARBON TRANSPORTATION SYSTEM FUND	\$	220,079.75
9-1-1 FUND	\$	982,099.35
HAZMAT RESPONSE FUND	\$	165,350.24
OFFENDER SUPERVISION FUND	\$	564,987.87
ADULT ELECTRONIC MONITORING FUND	\$	147,343.16
FARMLAND PRESERVATION FUND	\$	86,369.92
HUMAN SERVICE DEVELOPMENT FUND	\$	16,584.68
HOMELESS GRANT FUND	\$	8,804.73
CENTRALIZED BOOKING FUND	\$	253,192.12
VICTIM/WITNESS FUND	\$	10,529.96
RECORDER OF DEEDS IMPROVEMENT FUND	\$	62,688.34
COUNTY RECORDS IMPROVEMENTS FUND	\$	22,303.30
JUVENILE SUPERVISION FEE FUND	\$	49,360.91
COMMUNITY SERVICE FEE FUND	\$	10,718.03
PROTHONOTARY AUTOMATION FUND	\$	47,971.13
AFFORDABLE HOUSING FUND	\$	308,862.57
CLERK OF COURTS AUTOMATION FUND	\$	13,688.73
REGISTER OF WILLS AUTOMATION FUND	\$	18,272.51
JUVENILE ELECTRONIC MONITORING FUND	\$	6,288.56
VITAL STATS IMPROVEMENT FUND	\$	33,416.76
SUBSTANCE ABUSE EDUCATION	\$	195,110.79
LIQUID FUELS/ACT 44	\$	630,507.37
HIGHWAY BRIDGE IMPROVEMENT ACT 13	\$	741,738.97
VICTIMS SERVICES FUND	\$	95,328.62
HOTEL ROOM EXCISE TAX FUND	\$	21,557.90

**MARCH 18, 2021**

CDBG FUND	\$	9,859.21
DEBT SERVICE FUND	\$	508,075.71
CAPITAL PROJECTS FUND	\$	13,110,332.32
PLGIT/PRIME	\$	0.00
PLGIT/CD PURCHASE	\$	0.00
FRINGE BENEFIT PAYMENT FUND	\$	750,332.73
PAYROLL FUND	\$	175,289.74
TAX CLAIM FUND	\$	1,061,838.09

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**PERSONNEL REPORT:**

**RESIGNATIONS:**

SAVANNAH C. ALFARO, TAMAQUA, PA – CORRECTIONS OFFICER – EFFECTIVE FEBRUARY 21, 2021.

VICTORIA L. PEARSON, KUNKLETOWN, PA – PART-TIME LPN – EFFECTIVE MARCH 18, 2021.

MARY M. CONNORS, HAZLE TOWNSHIP, PA – LAW CLERK, COURT ADMINISTRATION – EFFECTIVE  
APRIL 23, 2021.

**DATE OF RESIGNATION CORRECTION:**

ALEXANDRIA EBBERT, ALLENTOWN, PA – LAW CLERK, COURT ADMINISTRATION –  
EFFECTIVE MARCH 1, 2021.

**CLERK OF COURTS APPOINTMENT:**

ANGELA E HEFFLEY, PALMERTON, PA – PART-TIME CLERICAL SPECIALIST – EFFECTIVE MARCH 22, 2021.

**CHANGE OF STATUS:**

KYLA E. KERR, NESQUEHONING, PA  
FROM: PART-TIME CORRECTIONS OFFICER, CORRECTIONS  
TO: PART-TIME CORRECTIONS OFFICER/TEAMSTERS, CORRECTIONS  
EFFECTIVE: MARCH 22, 2021

**SEMINAR/TRAINING REQUESTS:**

**HUMAN RESOURCES**

DAWN M. BOWMAN  
LISA A. MARKS

LEGAL ISSUES IN THE ELECTRONIC MONITORING/SURVEILLANCE OF EMPLOYEES - WEBINAR  
JIM THORPE, PA

**TAX ASSESSMENT**

LEWIS M. GULLONE  
KATHRYN A. MCGUIRE

ACT 28 VIRTUAL-ZOOM  
JIM THORPE, PA

COST: CONFERENCE FEE \$40.00 PER PERSON

**COURTS SEMINAR/TRAINING REQUEST ACKNOWLEDGEMENTS:**

**ADULT PROBATION**

SARA M. HOLLAND  
OHIO RISK ASSESSMENT SYSTEM TRAIN THE TRAINER PROTOCOL  
YORK, PA

COST: LODGING, MEALS, MILEAGE (IF COUNTY VEHICLE IS UNAVAILABLE)

**JUVENILE PROBATION**

JOSEPH A. GRECO  
OFFICER SAFETY AWARENESS TRAINING (OSAT) – ONLINE TRAINING  
JIM THORPE, PA

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO ACCEPT THE PERSONNEL REPORT  
DATED MARCH 18, 2021.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**CORRESPONDENCE:**

MINUTES: FEBRUARY 12, 2021 MEETING OF THE CARBON COUNTY PARKS AND RECREATION  
COMMISSION; FEBRUARY 16, 2021 MEETING OF THE CARBON COUNTY PLANNING COMMISSION.

NUMEROUS EMAILS WERE RECEIVED FROM INDIVIDUALS REGARDING GUN OWNERS OF AMERICA'S  
SECOND AMENDMENT SANCTUARY ORDINANCE.

A COMMUNICATION WAS RECEIVED FROM THE DEPARTMENT OF COMMUNITY & ECONOMIC  
DEVELOPMENT REGARDING THE FINAL REPORT FOR THE MONITORING OF THE CARES ACT COUNTY  
RELIEF BLOCK GRANT.

A COPY OF THE 2020 FINANCIAL STATEMENT PERTAINING TO THE COLLECTIONS DIVISION OF THE  
CLERK OF COURTS OFFICE.

CORRESPONDENCE WAS RECEIVED FROM THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND  
ECONOMIC DEVELOPMENT REGARDING THE FOLLOWING:

- DRAFT OF 2020 CONSOLIDATED ACTION PLAN ANNUAL PERFORMANCE AND EVALUATION REPORT  
(CAPER) IS AVAILABLE FOR CITIZEN REVIEW AND COMMENT FOR A 15-DAY PERIOD BEGINNING  
MARCH 14, 2021 (LOCATED AT: [HTTP://DCED.PA.GOV](http://dced.pa.gov))

**ADVERTISING REQUEST:**

**#21-120 CDBG/BIDS:**

AUTHORIZE THE ADVERTISEMENT FOR INVITATION TO BID FOR THE FOLLOWING COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS:

PALMERTON BOROUGH - STREET IMPROVEMENTS (FY 2019)  
RECONSTRUCT/PAVE - MAUCH CHUNK ROAD (SOUTH SIDE) (FRANKLIN AVE. - LINDEN  
STREET)

SUMMIT HILL BOROUGH - STREET IMPROVEMENTS (FY 2019)  
RECONSTRUCT/PAVE – WEST HOLLAND STREET (S. CHESTNUT STREET TO N. MARKET  
STREET)

WEISSPORT BOROUGH – WATER/SEWER IMPROVEMENTS (FY2017) – BRIDGE STREET

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO AUTHORIZE THE ADVERTISEMENT FOR  
INVITATION TO BID FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AS LISTED.

BOARD POLLED: AHNER YES  
LUKASEVICH YES

**BOARDS & AUTHORITIES:**

**#21-121 MH/DS ADVISORY BOARD:**

**REAPPOINTMENTS:**

CARBON-MONROE-PIKE MENTAL HEALTH/DEVELOPMENTAL SERVICES ADVISORY BOARD:

**3-YEAR TERM (APRIL 1, 2021 – MARCH 31, 2024):**

DOROTHY EBERTS, COMMISSIONER CHRIS L. LUKASEVICH  
ANDREAS, PA JIM THORPE, PA

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE THE REAPPOINTMENTS OF DOROTHY EBERTS, ANDREAS, PENNSYLVANIA AND COMMISSIONER CHRIS L. LUKASEVICH, JIM THORPE, PENNSYLVANIA TO AN ADDITIONAL THREE-YEAR TERM TO THE CARBON-MONROE-PIKE MENTAL HEALTH/DEVELOPMENTAL SERVICES ADVISORY BOARD, TO EXPIRE MARCH 31, 2024.

BOARD POLLED: AHNER YES  
LUKASEVICH ABSTAIN  
NOTHSTEIN YES

**COURT COMPUTER:**

**DISTRICT COURT OFFICES:**

**#21-122 AGREEMENTS/PENTELEDATA:**

A REQUEST WAS RECEIVED FROM COURTS COMPUTER INFORMATION DEPARTMENT FOR APPROVAL OF THREE-YEAR AGREEMENTS WITH PENTELEDATA FOR THE CABLE MODEMS FROM (12MBPS/2MBPS TO 25MBPS/3MBPS) IN THE THREE (3) MAGISTERIAL DISTRICT JUSTICE OFFICES (DJ SCHRANTZ, DJ KISSNER AND DJ KOSCIOLEK) WITH MONTHLY RECURRING FEES OF \$85.90/MONTH FOR EACH OFFICE.

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE THREE-YEAR AGREEMENTS WITH PENTELEDATA.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**#21-123 CENTER AVENUE/TEMPORARY LOCATION:**

A REQUEST WAS RECEIVED FROM COURTS COMPUTER INFORMATION DEPARTMENT FOR APPROVAL OF A THREE-YEAR SERVICE AGREEMENT WITH PENTELEDATA FOR INTERNET ACCESS VIA CABLE MODEM INCLUDING UPGRADE FROM 25MBPS/5MBPS TO 100MBPS/15MBPS FOR RELOCATED OFFICE FROM COURT IT OFFICE AT THE TEMPORARY LOCATION OF 410 CENTER AVENUE WITH A MONTHLY FEE OF \$90.95.

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE AND EXECUTE THE THREE-YEAR AGREEMENT WITH PENTELEDATA.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**DISTRICT COURT:**

**#21-124 AGREEMENT/BLUE RIDGE/ JIM THORPE:**

A RENEWAL AGREEMENT FOR A ONE (1) YEAR TERM FOR FOUR (4) LINES WITH BLUE RIDGE COMMUNICATIONS FOR ALL LOCAL AND LONG DISTANCE TELEPHONE SERVICES AT THE CARBON COUNTY DISTRICT COURT OFFICE #56-3-01, JIM THORPE, PENNSYLVANIA AT A COST OF \$99.80 WAS SUBMITTED FOR APPROVAL. (DECREASE OF \$80.00/MONTH)

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE RENEWAL AGREEMENT WITH BLUE RIDGE COMMUNICATIONS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**21-125 AGREEMENT/BLUE RIDGE/LANSFORD:**

A RENEWAL AGREEMENT FOR A ONE (1) YEAR TERM FOR TWO (2) LINES WITH BLUE RIDGE COMMUNICATIONS FOR ALL LOCAL AND LONG DISTANCE TELEPHONE SERVICES AT THE CARBON COUNTY DISTRICT COURT OFFICE #56-3-03, LANSFORD, PENNSYLVANIA AT A COST OF \$49.90 WAS SUBMITTED FOR APPROVAL. (DECREASE OF \$40.00/MONTH)

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE RENEWAL AGREEMENT WITH BLUE RIDGE COMMUNICATIONS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**#21-126 AGREEMENT/BLUE RIDGE/PALMERTON:**

A RENEWAL AGREEMENT FOR A ONE (1) YEAR TERM FOR FOUR (4) LINES WITH BLUE RIDGE COMMUNICATIONS FOR ALL LOCAL AND LONG DISTANCE TELEPHONE SERVICES AT THE CARBON COUNTY DISTRICT COURT OFFICE #56-3-02, PALMERTON, PENNSYLVANIA AT A COST OF \$99.80 WAS SUBMITTED FOR APPROVAL. (DECREASE OF \$80.00/MONTH)

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE AND EXECUTE THE RENEWAL AGREEMENT WITH BLUE RIDGE COMMUNICATIONS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**PURCHASE/EDWARDS:**

**#21-127 ARCHIVES:**

A PURCHASE AGREEMENT WITH EDWARDS BUSINESS SYSTEMS OF WYOMISSING, PENNSYLVANIA, FOR A 4002 CROSS CUT SHREDDER FOR THE ARCHIVES DEPARTMENT AT A COST OF \$2,687.50, UNDER COSTARS CONTRACT #001-046 WAS SUBMITTED FOR APPROVAL.

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE PURCHASE AGREEMENT WITH EDWARDS BUSINESS SYSTEMS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

MARCH 18, 2021

**#21-128 RECORDER OF DEEDS:**

A PURCHASE/SERVICE AGREEMENT (SOURCEWELL #083116-KON) WITH EDWARDS BUSINESS SYSTEMS OF WYOMISSING, PENNSYLVANIA, FOR TWO (2) FI-7160 FUJITSUI COLOR SCANNERS AT A COST OF \$981.00/SCANNER PLUS A THREE (3) YEAR WARRANTY AT A COST OF \$380.00. ONE (1) HP LASERJET MANAGED E50145DN PRINTER AT A COST OF \$1,094.00 (0.0155 B&W PER COPY BILLED QUARTERLY). TOTAL COST OF \$3,436.00

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE AND EXECUTE THE PURCHASE/SERVICE AGREEMENT WITH EDWARDS BUSINESS SYSTEMS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**COUNTY BUILDINGS:**

**#21-129 GENERATOR / MECHANICAL SERVICE COMPANY:**

A QUOTE WAS RECEIVED FROM MECHANICAL SERVICE COMPANY, OF PITTSTON, PENNSYLVANIA, FOR SERVICE REPAIRS TO THE GENERATOR LOCATED IN THE ADMINISTRATION BUILDING. TOTAL COST \$6,250.00 PLUS SHIPPING; COOLANT - \$22.75/GALLON.

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO RATIFY THE AGREEMENT WITH MECHANICAL SERVICE COMPANY.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**SHERIFF:**

**#21-130 EAGLE WIRELESS:**

A SERVICE AGREEMENT WAS SUBMITTED BY SHERIFF HARVILLA WITH EAGLE WIRELESS, OF LANSDALE, PENNSYLVANIA, FOR (6) AZUGA GPS UNITS IN SHERIFF'S VEHICLES. THE TERM OF THE AGREEMENT SHALL BE TWO (2) YEARS AT A COST OF \$19.95 PER UNIT PER MONTH.

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE AND EXECUTE THE AGREEMENT WITH EAGLE WIRELESS.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**UNION AGREEMENT:**

**#21-131 AFSCME:**

THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY AND AFSCME, AFL-CIO, DISTRICT COUNCIL 87, LOCAL 2483 FOR THE PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2023 WAS SUBMITTED FOR APPROVAL. WAGE INCREASES FOR EACH YEAR: 2021 - 3%; 2022 - 2%; AND 2023 - 2%.

MOTION BY MR. AHNER, SECONDED BY MR. NOTHSTEIN, TO APPROVE AND EXECUTE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY AND AFSCME, AFL-CIO, DISTRICT COUNCIL 87, LOCAL 2483.

BOARD POLLED: AHNER YES  
LUKASEVICH NO



NOTHSTEIN YES

**SOLICITOR'S REPORT:**

**EMERGENCY OPERATIONS & TRAINING CENTER/BROADBAND:**

**#21-132 DELTA DEVELOPMENT/AMENDMENT:**

THE EIGHTH AMENDMENT TO THE ORIGINAL AGREEMENT DATED FEBRUARY 19, 2015, WITH DELTA DEVELOPMENT GROUP, INCORPORATED, OF MECHANICSBURG, PENNSYLVANIA, FOR PROFESSIONAL SERVICES RELATIVE TO A FUTURE ARC POWER GRANT APPLICATION (BROADBAND FEASIBILITY AND IMPLEMENTATION STUDY) AND 2017 RACP COMPLIANCE (EOTC). THE AMENDMENT EXTENDS SAID AGREEMENT AND PRIOR AMENDMENTS FOR ONE (1) ADDITIONAL YEAR, MARCH 9, 2021 THROUGH MARCH 9, 2022. THE RATE IS \$2,700.00/MONTH; ALL OTHER TERMS REMAIN UNCHANGED.

MOTION BY MR. NOTHSTEIN, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE EIGHTH AMENDMENT TO THE AGREEMENT WITH DELTA DEVELOPMENT GROUP, INCORPORATED WITH THE MODIFICATION FOR THE EMERGENCY OPERATIONS & TRAINING CENTER/ BROADBAND.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**PARKS/RECREATION:**

**#21-133 AGREEMENT/MCLP:**

A SPECIAL ACTIVITIES AGREEMENT WAS SUBMITTED FOR THE FOLLOWING:

CARBON ADVENTURE RACING (KEYSTONE BACKYARD ULTRA), LLC, PALMERTON, PA  
ULTRA-MARATHON TRAIL RUNNING, MAY 22-23, 2021  
\*PENDING RECEIPT OF CERTIFICATE OF INSURANCE

MOTION BY MR. AHNER, SECONDED BY MR. LUKASEVICH, TO APPROVE AND EXECUTE THE SPECIAL ACTIVITIES AGREEMENT.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**#21-134 AGREEMENT/MCLP:**

A SPECIAL ACTIVITIES AGREEMENT WAS SUBMITTED FOR THE FOLLOWING:

SLAY NATION FISHING TOURNAMENT, LEHIGHTON, PA  
KAYAK FISHING TOURNAMENT, AUGUST 28, 2021  
\*PENDING APPROVAL BY PENNSYLVANIA FISH & BOAT COMMISSION

MOTION BY MR. LUKASEVICH, SECONDED BY MR. AHNER, TO APPROVE AND EXECUTE THE SPECIAL ACTIVITIES AGREEMENT.

BOARD POLLED: AHNER YES  
LUKASEVICH YES  
NOTHSTEIN YES

**FURTHER BUSINESS:**

**REEVALUATION STUDY OF THE FRANCIS E. WALTER DAM:**

**MARCH 18, 2021**

MR. NOTHSTEIN, MR. AHNER AND MR. LUKASEVICH READ THEIR WRITTEN TESTIMONY THAT WAS SUBMITTED TO THE PENNSYLVANIA HOUSE REPUBLICAN POLICY COMMITTEE REGARDING THE FRANCIS E. WALTER DAM REEVALUATION STUDY.

MR. NOTHSTEIN'S TESTIMONY:

“GOOD MORNING EVERYONE, MY NAME IS WAYNE E. NOTHSTEIN, CHAIRMAN OF THE CARBON COUNTY BOARD OF COMMISSIONERS. I THANK YOU FOR THE OPPORTUNITY TO SPEAK ON BEHALF OF THE CARBON COUNTY BOARD OF COMMISSIONERS AND THE RESIDENTS OF CARBON COUNTY.

FRANCIS E. WALTER DAM AND THE LEHIGH RIVER ATTRACTS HUNDREDS OF THOUSANDS OF VISITORS EVERY YEAR TO ENJOY THE SCENIC BEAUTY OF THE LEHIGH RIVER GORGE. FROM THE MANY RAFTING COMPANIES IN THE COUNTY THAT OPERATE ON THE RIVER, THE FISHING ENTHUSIASTS, SCENIC RAIL TOURS, THE TENS OF THOUSANDS OF HIKERS AND BIKERS THAT ENJOY THE 165-MILE DELAWARE & LEHIGH NATIONAL HERITAGE CORRIDOR SCENIC TRAIL THAT STARTS FROM WILKES-BARRE, PA RUNS THROUGH CARBON COUNTY ON THE WAY TO BRISTOL, PA. THIS ATTRACTION HAS ENABLED COUNTLESS BUSINESSES TO THRIVE AND PROSPER. THE MANY RAFTING COMPANIES, RESTAURANTS, GIFT SHOPS, GAS STATIONS, HOTELS, BED & BREAKFASTS AND SPORTING GOODS STORES, ARE JUST TO NAME A FEW. OUR COUNTY WAS BUILT ON THE COAL INDUSTRY USING THE LEHIGH CANAL AND RAIL SYSTEM TO TRANSPORT THE PRODUCT. TODAY, VERY LITTLE OF THAT INDUSTRY REMAINS AND HAS BEEN REPLACED BY TOURISM WHICH IS AN IMPORTANT ECONOMIC FACTOR IN THIS AREA.

CARBON COUNTY IS AGAIN SEEING A SURGE OF POPULATION GROWTH AND HOUSING SHORTAGE DUE TO COVID PANDEMIC. HUNDREDS FROM NEW YORK CITY AND OTHER HIGHLY POPULATED AREAS ARE MOVING TO RURAL PENNSYLVANIA. JUST AS IT HAD AFTER 9-11. WITH THAT COMES THAT CONCERNS OF OUR OWN WATER SUPPLY AND ABILITY TO MEET THE DEMAND NOW AND WELL INTO THE FUTURE. WATER FROM THE LEHIGH RIVER IS ALREADY A BACK-UP SOURCE OF SUPPLY TO SOME MUNICIPAL WATER SYSTEMS HERE IN THE COUNTY DURING DROUGHT CONDITIONS. IF NEW YORK CITY STARTS REMOVING THEIR 15% OF THIS WATER FROM FRANCIS E. WALTER DAM DURING A DROUGHT THERE WILL BE NOTHING LEFT DOWNSTREAM.

RESERVING 15% OF THE WATER AT FRANCIS E. WALTER DAM FOR A NEW YORK CITY DROUGHT IS NOT THE ANSWER FOR THE RESIDENTS OF PENNSYLVANIA. IT IS FINANCIAL, ECONOMIC AND ENVIRONMENTAL DISASTER WAITING TO HAPPEN FOR THE RESIDENTS OF CARBON AND MANY OTHER COUNTIES.

I'M SURE THAT'S THE RESIDENTS OF NEW YORK CITY WOULD NOT LIKE US TAKING THEIR WATER SUPPLY. WE NEED TO PROTECT AND PRESERVE THIS VITAL COMMODITY FOR CURRENT AND FUTURE GENERATIONS AND THE ECONOMIC STABILITY OF OUR COUNTY AND OTHERS.

AGAIN, THANK YOU FOR THIS OPPORTUNITY TO SPEAK ON BEHALF OF THE RESIDENTS OF CARBON COUNTY.”

WAYNE E. NOTHSTEIN, CHAIRMAN, CARBON COUNTY BOARD OF COMMISSIONERS

MR. LUKASEVICH'S TESTIMONY:

“THE WATERS OF THE LEHIGH RIVER AND BEAR CREEK THAT FILL FRANCIS E. WALTER DAM, AND THEIR MANAGED CONTROL BY THE U.S. ARMY CORPS OF ENGINEERS, ARE NOT ONLY VITAL TO THE PHYSICAL LIFE OF THE 64,000 RESIDENTS OF CARBON COUNTY, BUT ONCE AGAIN AS IN CENTURIES PAST, THE WATER OF THE LEHIGH IS VITAL TO THE ECONOMIC WELL-BEING OF THE COUNTY.

THE LEHIGH, AND THE GORGE IT CUTS, DIVIDES CARBON COUNTY GEOGRAPHICALLY; HOWEVER, OUR RESIDENTS' RECOGNITION OF ITS VALUE TO OUR PHYSICAL AND ECONOMIC WELL-BEING UNITES US. AND FOR THAT REASON, WE STAND UNITED TO ENSURE THAT NEW YORK CITY CANNOT EXPLOIT THIS INVALUABLE RESOURCE (THE WATERS HELD BY THE FRANCIS E. WALTER DAM AND MANAGED BY THE U.S. ARMY CORPS OF ENGINEERS). WE STAND UNITED AGAINST NEW YORK CITY'S INTENT TO SEQUESTER

15% OF WATER HELD BY FRANCIS E WALTER, AN INTENT THAT IS DETRIMENTAL TO OUR RESIDENTS' PHYSICAL, AND OUR COUNTY'S ECONOMIC, WELL-BEING.

THE CARBON COUNTY COMPREHENSIVE AND GREENWAY PLANS ARE OUR ROAD MAPS FOR THE PROTECTION AND OPTIMAL USE OF THIS COUNTY'S NATURAL RESOURCES.

THE LEHIGH RIVER, ONE TIME KNOWN AS THE WEST BRANCH OF THE DELAWARE RIVER, STANDS SECOND-TO-NONE AS A CATALYST AND FOUNDATIONAL ELEMENT IN THE QUALITY OF LIFE OF RESIDENTS AND THE RESURGENT ECONOMIC VITALITY OF CARBON COUNTY.

THE COMPREHENSIVE AND GREENWAY PLANS MENTION THE LEHIGH RIVER A STAGGERING 132 TIMES, MORE SO THAN ANY OTHER NATURAL OR MANMADE CHARACTERISTIC OF OUR COUNTY. ADDITIONALLY, THE 2018 CARBON COUNTY RETURN OF ENVIRONMENT STUDY EMPHASIZES THE RIVER'S CONTRIBUTION IN GENERATING "...OVER \$800 MILLION ANNUALLY IN AVOIDED COSTS..."

THE WATER AND BANKS OF THE LEHIGH SERVED AS CRITICAL COMPONENTS FOR THE BUILDING OF A CANAL THAT, EVEN PRIOR TO THE FOUNDING OF CARBON COUNTY IN 1843, WOULD SERVE AS THAT PERIOD'S SUPER HIGHWAY FOR THE MOVEMENT OF ANTHRACITE COAL THAT FUELED THE INDUSTRIAL REVOLUTION IN AMERICA. HOWEVER, THIS ALSO LED TO THE RIVER'S DEGRADATION AND DESCRIPTION AS "BLACK FLOWING LAVA."

IT WOULD NOT BE UNTIL THE TIME PERIOD OF THE CLEAN WATER ACT AMENDMENTS OF 1972 THAT THE VALUE OF THE LEHIGH'S WATER WOULD BE REASSESSED AS NOT SIMPLY AN ESSENTIAL OF LIFE, BUT AN ESSENTIAL LIFELINE TO AN ANTHRACITE-CENTRIC COMMUNITY THAT WAS ON THE PRECIPICE OF TOTAL COLLAPSE.

OVER ENSUING DECADES, THE REVIVED LEHIGH AND THE WATER CONTROLLED BY THE U.S. ARMY CORPS OF ENGINEERS FROM FRANCIS E. WALTER DAM HAS SERVED AS A SIGNIFICANT DRIVER FOR OUR COUNTY'S ECONOMIC REVITALIZATION SPURRED BY THE ACTIVITIES THAT THE LEHIGH ENABLES.

WE MUST PROTECT THE INVESTMENT MADE AND THE NATURAL ASSET, WATER, THAT SUSTAINS BOTH OUR LIVES AND OUR ECONOMY.

AS AN ELECTED MEMBER OF THE CARBON COUNTY BOARD OF COMMISSIONERS, AND THUS AN ARDENT ADVOCATE FOR THIS COUNTY'S RESIDENTS, I RESPECTFULLY APPEAL TO THE U.S. ARMY CORPS OF ENGINEERS TO HOLISTICALLY AND OBJECTIVELY CONSIDER ANY MODIFICATION TO OPERATIONS OF THE FRANCIS E. WALTER DAM THAT COULD HAVE EVEN THE SLIGHTEST POTENTIAL TO ADVERSELY IMPACT OUR ECONOMY AND QUALITY OF LIFE."

RESPECTFULLY,

CHRIS L. LUKASEVICH, CARBON COUNTY COMMISSIONER

MR. AHNER'S TESTIMONY:

"AS A CARBON COUNTY COMMISSIONER, I'M WRITING THIS LETTER WITH MY OPPOSITION TO THE PROPOSED FRANCIS E. WALTER DAM PROJECT TO SUPPLY WATER TO NEW YORK.

I WAS RAISED IN FRANKLIN TOWNSHIP WHEN THE BELTZVILLE DAM WAS BUILT. THE PURPOSE WAS FOR FLOOD CONTROL AND TO STOP SALTWATER FROM ENCROACHING INTO FRESH WATER DOWNSTREAM. ONE OF THE BENEFITS WAS RECREATION. BUT THAT WAS NOT THE END, THERE WERE MANY PROGRAMS PUT IN PLACE OVER THE 50 YEARS SUCH AS TREE PLANTING FOR EROSION TO THE CLEAN-UP OF POLLUTANTS TO ENHANCE THE QUALITY OF AQUATIC LIFE AND FISHING.

PENNSYLVANIA HAS BEEN VERY DILIGENT IN MANAGING THE DELAWARE WATER BASIN. THE WATERWAYS AND ITS TRIBUTARIES ARE THE STRENGTH OF ECONOMIC DEVELOPMENT, RECREATION AND A SOLID SOURCE OF DRINKING WATER NOT ONLY IN CARBON BUT OUR SURROUNDING COUNTIES ALSO.

SOMETIMES IN THE LEHIGH GAP BY PALMERTON WHEN THERE ARE DROUGHT CONDITIONS YOU CAN ALMOST WALK ACROSS THE LEHIGH RIVER. IF 15% OF THE WATER IS TAKEN WE JUST MIGHT BE ABLE TO WALK ACROSS THE LEHIGH AND WHAT ADVERSE CONSEQUENCES WILL IT HAVE ON ALL THE HARD WORK AND PROJECTS PUT INTO PROTECTING AND IMPROVING OUR AREA.

IN THE 60' THE PENNSYLVANIA DAMS (WHICH THERE ARE TWO IN CARBON COUNTY) WERE SOLD AS A BENEFIT TO THE PUBLIC. MANY MAY NOT KNOW; THE END OF THE LINE FOR OUR WATER IS THE DELAWARE RIVER PORT THE LARGEST FRESH WATER PORT IN THE WORLD, THAT PROVIDES DOCKING

**MARCH 18, 2021**

FACILITIES TO PENNSYLVANIA, NEW JERSEY AND DELAWARE.

MY QUESTION IS WHEN ARE THE OTHERS GOING TO TAKE RESPONSIBILITY FOR THEIR EXISTENCE INSTEAD OF LOOKING TO ENCROACH ON PENNSYLVANIA ASSETS.”

THANK YOU,  
ROCKY C. AHNER, VICE-CHAIRMAN, CARBON COUNTY COMMISSIONER

MR. NOTHSTEIN COMMENTED A STATEMENT PRESENTED BY THE U.S. ARMY CORPS OF ENGINEERS DURING THE PUBLIC HEARING ON THE FRANCIS E. WALTER DAM REEVALUATION STUDY STATING THE PURPOSE OF THE USE OF THE DAM WILL BE USED FOR DROUGHT AND FLOOD CONTROL. NEW YORK’S TESTIMONY SPOKE OF A WAY TO PREVENT SALTWATER FROM BACKING UP IN THE DELAWARE RIVER.

HE THANKED THE LEGISLATURES AND EVERYONE THAT PARTICIPATED IN THE PENNSYLVANIA HOUSE REPUBLICAN POLICY COMMITTEE VIRTUAL HEARING.

A BRIEF DISCUSSION WAS HELD.

**COMMISSIONERS’ REPORTS:**

COMMISSIONER LUKASEVICH ANNOUNCED THE SENIOR CENTERS ARE SCHEDULED FOR RE-OPENING ON APRIL 5, 2021.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,

THE MEETING OF THE BOARD OF COMMISSIONERS ADJOURNED AT 10:59 A.M.

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ELOISE K. AHNER,  
CHIEF CLERK/COUNTY ADMINISTRATOR

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WAYNE E. NOTHSTEIN, CHAIRMAN