

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
14 JANUARY 2014**

PRESENT:

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:00 p.m. by Chief Harry Lewis with the Pledge of Allegiance.

Chief Lewis welcomed new board members Brandon Igdalsky, from Tunkhannock Township, Phyllis Haase, Tobyhanna Township, Lynn Kelly, Coolbaugh Township.

**REORGANIZATION:**

**Nominations for Chairman:**

The Chief opened the floor for nominations for the position of Chairman of the Pocono Mountain Regional Police Commission for 2014.

Phyllis Haase made a motion to nominate David Moyer for Chairman, seconded by Francis DePiano.

Lynn Kelley made a motion to nominate Roy Gross, seconded by Juan Adams.

Harry Coleman stated that a vote of nominations in the order that the nominations were made was needed. He continued stating, "First vote would be for Mr. Moyer if that fails we go to the next." Mr. Coleman stated a roll call vote was necessary. After a roll call vote for the nomination of David Moyer for Chairman, there were 5 yes and 5 no votes.

The next vote took place for the nomination of Roy Gross for Chairman that vote was 5 yes and 5 no votes.

Harry Coleman stated that it was open for further nominations.

Lynn Kelly then made a motion for Jim Frutchey for Chairman, Juan Adams seconded the motion. The motion to appoint Jim Frutchey Chairman passed unanimously, with Jim Frutchey abstaining.

**Nomination for Vice – Chairman:**

Chairman James Frutchetey requested nominations for Vice – Chairman.

Francis DePiano made a motion to nominate Dave Moyer for Vice-Chairman, seconded by Juan Adams. With no additional nominations for Vice –Chairman Francis DePiano made a motion to close the nominations, seconded by Fred Courtright. The motion to appoint Dave Moyer Vice-Chairman, passed unanimously.

**Nominations for Treasurer:**

Chairman James Frutchetey opened the nominations for Treasurer.

Phyllis Haase made a motion to nominate Francis DePiano for Treasurer, seconded by Dave Moyer. The motion to re-appoint Francis DePiano passed with Lynn Kelly, Juan Adams and Roy Gross voting no.

**Nominations for Secretary:**

Chairman James Frutchetey requested nominations for Secretary.

Francis DePiano made a motion to nominate Phyllis Haase for Secretary, seconded by Lynn Kelly. With no additional nominations for Secretary Francis DePiano made a motion to close the nominations. The motion to appoint Phyllis Haase for Secretary passed unanimously with Haase abstaining.

**Appointment for Solicitor:**

Chairman James Frutchetey requested appointments for Solicitor.

Francis DePiano made a motion to retain Harry Coleman as Solicitor, seconded by Phyllis Haase. With no additional nominations for solicitor Francis DePiano made a motion to close the nominations for solicitor. The motion passed unanimously to re-appoint Harry Coleman Solicitor.

**Nominations for Police Pension & Non-Uniform Pension Representative:**

Chairman James Frutchetey requested appointments for the Police Pension and Non-Uniform Pension Representatives.

Roy Gross made a motion to re-appoint Harry Smith for the Police Pension & Non-Uniform Pension Representative, seconded by Fred Courtright as citizen representative on the Pension Board. The motion to re-appoint Harry Smith Police Pension & Non-Uniform Pension Representative (as a non-voting member) was passed with the opposition of Phyllis Haase.

Chairman James Frutchetey requested a motion to close the reorganization meeting.

Francis DePiano made a motion to adjourn the reorganization meeting; adjournment was seconded by Roy Gross. The motion passed unanimously.

Reorganization Meeting adjourned at 7:11

The Regular Meeting of the Pocono Mountain Regional Police Commission was called to order at 7:11 p.m. by Chairman James Frutchetey.

## **APPROVE MINUTES:**

### **Motion:**

Roy Gross made a motion to approve the Minutes of 10 December 2013 Regular Business Meeting, seconded by Francis DePiano. The motion passed with Phyllis Hasse, Brandon Igdalsky and Lynn Kelly abstaining.

### **Motion:**

Roy Gross made a motion to approve the Minutes of 30 December 2013 Special Meeting, seconded by Juan Adams. The motion passed with Phyllis Hasse, Brandon Igdalsky and Lynn Kelly abstaining.

## **APPROVE BILLS:**

### **Motion:**

Juan Adams made a motion to approve the Bill-pack of 14 January 2014 in the amount of \$453,857.58 seconded by Roy Gross. The motion passed unanimously.

Lynn Kelly questioned gloves purchase with notation of "foundation." Ms. Kelly asked if they were purchased for the foundation or by the foundation. Chief Lewis stated that the gloves were purchased by the foundation, explaining the department pays the bill and the foundation reimburses the department.

Roy Gross stated that he noticed that the Blue Cross bill was not on the bill pack. Kathy stated she would have to look into it.

## **DECEMBER POLICE REPORT:**

Total calls for the month of December were 895 total calls consisting of 808 Complaints and 87 Accidents. There were a total of 76 Criminal Arrests, 101 Traffic Arrests, 77 Traffic Warnings and 18 Ordinance Arrests.

Chief Lewis stated that there are some cases that show up in the statistics as one incident. However, there are hundreds of hours and many officers that go into these investigations. Chief Lewis stated for the February meeting, he is planning to bring in Scott Hoke from Cedar Crest College to have some discussions before the annual report comes out with reference to our crime rate and UCR breakdown. He continued that even though the calls are down, there are fewer officers handling these calls and the crime rate is up. This will be addressed at the next meeting.

Chairman James Frutchey questioned the hours forward of 94.15. Kathy Matisak explained that is where Coolbaugh ended in 2012. The (376.48) will start the January monthly report. Chief Lewis stated "you are in a deficit right now, which is good."

### **Motion:**

Francis DePiano made a motion to accept the December Police Report, seconded by Roy Gross. The motion passed unanimously.

## **VEHICLE REPORT:**

Dave Moyer questioned the mileage on car 8. Chief Lewis stated it was a typo.

Chief Lewis stated that there is money in the budget for 3 vehicles; for less than 6 months payments each at \$1,300.

Lynn Kelly asked if the Monroe County Task Force vehicles belong to the Drug Task Force or PMRPD. Chief Lewis explained that they belong to the Task Force but they are given to us to use and we pay for the up keep and fuel. They are insured by the Task Force. Roy Gross asked if there was a reason why we do not keep track of the mileage. The Chief stated that they are not our cars, and get switched around the county.

Lynn Kelly asked who would be using the vehicles listed as (6) undercover vehicles. The Chief stated that those vehicles are used by administrators and detectives. Ms. Kelly asked if only two undercover vehicles were used. The Chief explained that the mileage on the report was not accurate since the mileage was not recorded by the time the report was printed last week. Ms. Kelly asked if the (4) vehicles showing 0 mileage was not correct. The Chief stated that the mileage on those vehicles is not accurate.

### **Motion:**

Francis DePiano made a motion to accept the December Vehicle Report as presented, seconded by Fred Courtright. The motion passed unanimously.

Phyllis Haase informed the Chairman that PMREMS was interested in being considered for one of the retired vehicle for donation. Chairman Frutchey instructed Ms. Haase to have PMREMS submit a written request to the Chief.

### **UPDATE:**

- **Member Municipality Concerns** – Chairman Frutchey – asked if GPS are in all cars. The Chief stated that GPS are in the marked cars and some of the unmarked cars. He continued to state that FleetMatics was here one day and was not able to complete all of them and they will be rescheduling another day. Chairman Frutchey asked when we expect them to reschedule. The Chief stated that he did not know what the schedule was to come back. He continued to state that a decision needs to be made on who is going to pay these bills.

Secretary Phyllis Haase stated she had the same question. Stating that in December's minutes it refers to a contract being signed but there is nothing in 2013 minutes that approved the contract. Ms. Haase then asked "was this budgeted for 2014?" She continued, "If it was, there needs to be a motion regarding this contract. If it wasn't, then we need to decide who's going to pay for the \$10,000 that's going to be spent in 2014?" Ms. Haase also stated her concern that a contract was signed without the approval of the commission.

Chairman Frutchey stated that the discussion of the GPS started in February of last year at Coolbaugh Township. The concern was brought back to this board that Coolbaugh would pay approximately \$17,000 to get the system back up and running.

Harry Coleman stated "when the contract with that provider ended it wasn't amicable, I'll leave it at that." He continued, "When Coolbaugh stepped forward and indicated a desire to have those GPS systems back in the vehicles, we then approached our former contractual partner about revisiting the issue." "The issue of signing a contract relative to the current services, to my knowledge, I don't know if that was ever a real issue." He continued to state, "There were some issues about paying what was previously owed on past contracts and then there was an issue about establishing the installation and the startup which I believe was handled by Coolbaugh, I think." Mr. Coleman then stated, "We are at a stage right now where I suspect there will be a full contract once they are all installed going forward." He continued, "I don't recall any particular contract, per se, being signed in the past, but all the pieces of the puzzle were being put together."

Dave Moyer asked if the Chief had a copy of the contract. The Chief stated he did, not a copy for everyone but he could make copies. The Chief stated he never spoke to the FleetMatics people it was done by someone else. He continued stating "we were told that they were going to be installed, we were told they they were going to be turned on, but no one ever told us who was going to pay for these things going forward." He continued, "I've always asked that question, and unfortunately we didn't get a response; but

FleetMatics gave me a contract that was signed committing this commission for 30 some thousand dollars for the next three years.”

David Moyer asked if that contract covers the maintenance costs of the units, through the three years, and if it covers the installation on new cars. The Chief stated he did not know if that was covered.

David Moyer continued to ask, “What does this do for us? FleetMatics- who can view this? How does this help this Commission, to spend \$50,000 on FleetMatics?” He continued, “Is it a safety thing?” “Who can view it?” “Can I view it?”

The Chief explained that the original reason was for vehicle maintenance and radio reception. He stated, “The main objective was to get these installed if there was ever a time, and it happens, when an officer doesn’t answer the radio and we can’t find out where they are; the front line supervisor can pull them up on the screen, and find out exactly where the vehicle is and we can go help that officer. That is what it was always here for.” He continued to explain when asked to reduce the budget by \$400,000 by the commission - FleetMatics at \$17,000 a year was the largest line item, therefore leaving the contract.

He explained moving forward it was discussed at previous meetings to bring the GPS back.

The Chief stated that his concern was that we needed to replace officers and staff prior to getting the GPS hooked up. The immediate need was that the department was previously at 44 officers and currently now at 36. Under his recommendation it was more important to find funding to get more officers on the street. The Chief stated, “The GPS units are for the administrators and staff to see where our units are and why it took longer or shorter to get to a scenario, so we can see where our people are.” He continued, “We can also set it so when services are due we can do a better maintenance program with the cars.”

Dave Moyer asked Chairman Frutchev, “What are we looking to get out of FleetMatics?” Lynn Kelly stated “I would say accountability.”

Juan Adams asked about the prior contract that was breached by the commission. Asking, “Do you still need board action to reinstate a contract that was approved before?” Phyllis Haase asked when the contract was executed. The Chief stated the contract was signed November 22, 2013, by John Kerrick. Juan Adams stated that he was not speaking of the current contract; he was referring to the previous contract. When the Chief thought it was a good idea to bring in the system for accountability. The Chief answered that he did not bring it in for accountability; he bought it in for officer safety and fleet management.

Juan Adams stated that in the example of an officer not responding to the radio involves accountability.

Open discussion took place on accountability.

Lynn Kelly stated that the system can also be used as a defense for liability issues in addition to accountability to the municipalities.

Harry Coleman stated that his discussion with FleetMatics was to put FleetMatics back in touch with the commission. He continued that he believes that there is a new contract at issue that was signed by the former Chairman of the commission.

Chief Lewis stated that “We were never told that the contract was signed and we were never told that the Police Department, in preparation for the budget, would be responsible paying any of this. That was never given to me, I didn’t know about it.” He continued, “I finally got through to FleetMatics a week ago when it was never answered if we were, if the board voted on that we were going to put these back in the cars.”

Roy Gross stated that it was known for many months and should have been included in the budget.

Lynn Kelly stated that the discussion was at both Commission Meetings and Coolbaugh Meetings. She stated that Coolbaugh paid the fee necessary for going back in to the contract, but that Coolbaugh expected the Commission to allow for it in the future.

**Motion:**

James Frutchey made a motion to sign the contract for FleetMatics for 2014 and moving forward for three years, seconded by Juan Adams.

Open discussion.

Phyllis Haase stated that she understands that there was discussion, but there was no motion by the commission for a 3 year contract with FleetMatics.

Open discussion took place on the responsibility of the contract and FleetMatics not being budgeted.

Fred Courtright voiced his opinion on how the FleetMatics issue was handled expressing the commission needs to make sure this doesn't happen again. He also stated that the current issue for the commission is making sure Coolbaugh stays in the Regional Police. Other members agreed.

Open discussion continued.

Chairman James Frutchey retracted his motion to adopt the contract for FleetMatics and Juan Adams retracted his second. Motion was withdrawn.

Other member municipality's concerns-

Tunkhannock- none

Tobyhanna- Phyllis Haase stated she has a "concern with the concerns." She continued, "Everyone needs to be honest." She asked if the concerns of Coolbaugh Township have been satisfied. Brandon Igdalsky agreed that everyone should have all the information; he wasn't aware of any concerns. Chairman Frutchey stated that there would be an Executive Session before the end of this meeting, and the list of concerns would be available. Lynn Kelly stated that some concerns are public concerns and some are executive concerns.

Harry Coleman suggested to Chairman Frutchey to consider the adoption of the by-laws at the February board meeting. The By-Laws will make it clear of the mechanics of a municipality opting out.

Lynn Kelley stated that the procedure is in the contract. She continued to state a set of By-Laws passed by this commission does not take president over a contract by four municipalities.

Harry Coleman stated he was not saying that it did, but he reiterated that the commission doesn't have operational By-Laws. Chairman Frutchey stated everyone needs to get a copy of the By-Laws. Mr. Coleman said he would email them out.

• **Committees** –

Headquarters-

Strunk –Albert Engineering Chief Lewis stated that the next meeting should finalize the specs to go out for bid for the mold remediation.

Gates and Fence- Chief stated that he believes that process will have to start over once the new committee is appointed.

Ordinance - Phyllis Haase stated that Tobyhanna Township received an amended version of the alarm ordinance, it has been circulated to Tobyhanna Township members and will forward back to this commission.

Chief Lewis stated that during the crime analysis it was determined that the number one calls for service was alarms. He stated that he is looking to have a unified ordinance with stricter penalties as well as streamlining the process. Additionally he mentioned the DA's office requested a pawn shop ordinance due to the precious metals and copper thefts throughout Monroe County. Chief Lewis suggested new committees be assigned to the ordinance committee due to the changes in the commission.

Discussion took place on the status of the mold remediation and the fence project. Chief Lewis updated the commission stating that Strunk Albert was approved to be the engineer to oversee the project of mold remediation.

A new Building Committee was appointed with Francis DePiano, Roy Gross and Fred Courtright as members. This committee will meet with Strunk Albert and bring its findings to the commission.

David Moyer suggested seeing if Strunk Albert can help with Fence project. He stated there should be a set of specs along with three bids.

Chairman James Frutchey asked that a list of committees and their members be given to all commission members. Chief Lewis stated that he would supply the list.

#### Finance-

Francis DePiano stated nothing to report at this time.

A new Finance Committee was appointed with Francis DePiano and Phyllis Haase as members.

#### Bargaining Unit

Francis DePiano stated that he had the completed agreement that he is ready to present to the union. He stated that he would like to review it in Executive Session with the commissioners.

A new Bargaining Unit Committee was appointed with Francis DePiano, David Moyer, Juan Adams and Roy Gross as members.

- **Pension**- Chief Lewis stated that at the last meeting it was decided that RFP's go out and Mr. Coleman has the time line of that process. Chief Lewis stated that he was waiting for the quarterly meeting schedule from PFM. The meeting should take place in March.
- **Community Events/Letters of Support**- Chief Lewis stated that these subjects were contained in the commission packets for their view.

#### **NEW BUSINESS:**

- **Set 2014 Meeting Dates**- Phyllis Haase commented that the November meeting fell on Veterans' Day; stating that she felt it would be disrespectful to Veterans to hold the meeting on the Holiday. The committee

discussed rescheduling dates with many conflicts. It was decided to place the notice with verbiage stating November to be determined at later date.

**Motion:**

Roy Gross made a motion to approve the 2014 meeting dates as listed with the rescheduling of the November 11<sup>th</sup> meeting. The motion was seconded by Juan Adams and passed unanimously.

**PUBLIC PARTICIPATION:** N/A

Chief Lewis addressed the commission on the passing of retired K9 Kane, partner of Corporal Matt Nero. Kane died December 21, 2013. Chief Lewis stated that for the February meeting he would like to honor Kane and Corporal Nero.

Meeting moved to **Executive session** to discuss personnel. Executive Session began approximately 8:25 p.m. and ended approximately 9:20 p.m.

Meeting reconvened at 9:24 p.m.

**Motion:**

Fred Courtright made a motion to send the contract to the union for their consideration the motion was seconded by Juan Adams. The motion passed with Phyllis Haase abstaining.

Chairman James Frutchey stated that he would like to form a Personnel Committee consisting of Lynn Kelly, Roy Gross, Phyllis Haase and Brandon Igdalsky to make monthly reports to the commission. All agreed. Harry Coleman will assist with guide lines for the committee.

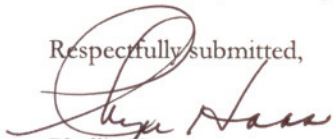
**ADJOURNMENT:**

**Motion:**

Francis DePiano made a motion to adjourn the meeting, seconded by Brandon Igdalsky. The motion passed unanimously.

The meeting adjourned approximately 9:40 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary



**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
11 FEBRUARY 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**ABSENT:**

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:00 p.m. Chairman James H. Frutchey Jr with the Pledge of Allegiance.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 14 January 2014 Reorganization/ Regular Business Meeting, seconded by Fred Courtright. The motion passed unanimously.

**APPROVE BILLS:**

**Motion:**

Francis DePiano made a motion to approve the Bill-pack of 11 February 2014 in the amount of \$235,844.67 seconded by Phyllis Haase.

Lynn Kelly questioned lease payment to Ford Motor Credit on page 1 of 3 and Ford Motor Credit on page 2 of 3 both in the amount of \$4,126.26. Kathy Matisak explained that the first payment was for the month of January and the second payment was for the month of February. Ms. Kelly questioned Check # 12704 payable to Acteon Networks, LLC. Chief Lewis explained that it was for the contract for the office phones. Ms. Kelly also questioned check # 12684 IACP with the memo of 2014 renewal. Chief Lewis stated that it was the International Chief of Police Association membership dues. Ms. Kelly asked of the procedure process for the bill pack and if as a commissioner, it was possible for her to review the bills before they are paid before the meeting. Chairman Frutchey stated he would get speak with Sue, who processes the checks and get back to Ms. Kelly.

With no further questions the motion passed.

### **JANUARY POLICE REPORT:**

Total calls for the month of January were 1008 total calls consisting of 907 Complaints and 101 Accidents. There were a total of 71 Criminal Arrests, 147 Traffic Arrests, 90 Traffic Warnings and 10 Ordinance Arrests.

#### **Motion:**

Francis DePiano made a motion to accept the January Police Report, seconded by Phyllis Haase. The motion passed unanimously.

### **VEHICLE REPORT:**

Dave Moyer asked what was happening with car # 8. The Chief stated we fixed it one more time; because we don't have any idea when or if, the LSA grant will be awarded to us."

Phyllis Haase asked why unit 14 shows no mileage last month. Chief Lewis stated that it was out of service for the month.

Chief Lewis stated that unit 22 is out of service but is still on the list as we still own it. He continued that we will trade it in for something for our new detective.

#### **Motion:**

Francis DePiano made a motion to accept the January Vehicle Report as presented, seconded by David Moyer. The motion passed unanimously.

### **UPDATE:**

- **Member Municipality Concerns** – Coolbaugh-Chairman Frutche stated, "I'll say my usual thing but it's going to be taken care of I think." Lynn Kelly continued, "I'll say my questions are pretty much listed as additional agenda items."

Tobyhanna –Phyllis Haase asked, "So just for clarification, so the only concerns Coolbaugh has is what's listed on the agenda?" Lynn Kelly responded, "My questions on the GPS on the pension and on the finance. So when we get to those I thought I will ask them then." Phyllis Haase stated she did not have any further questions.

Tunkhannock – Francis DePiano stated "we're fine; one point we would like to bring out we are very pleased that at every one of our meetings now there is an officer there and a definite sense of security."

Mt Pocono- Fred Courtright mentioned the Chiefs response to concerns of speeders Pine Hill Rd., stating that the Chief was very responsive to our concerns and needs to be commended for his quick actions.

- **Committees** --

Headquarters-

Strunk –Albert Engineering- Chief Lewis stated on Wednesday February 19<sup>th</sup> at 10:00 there is a meeting with Strunk-Albert Engineering and the Building Committee to verify what will be going out

for bid, discuss the hours of work and then put the bids out. Chief Lewis stated that Strunk was also on board for the fence project predicting that both of these issues should be moving along.

Chief Lewis also discussed the limited lighting at headquarters. Some signage has been ordered to replace the sign out front to make the building more visible and welcoming. Chief Lewis stated that this project can be paid out of the capital project fund that has been allocated for bricks and mortar and repair.

David Moyer asked if Strunk -Albert would be putting the specs together for the fence project. Chief Lewis stated "yes." Mr. Moyer continued to ask if spec for the fence project could be available for the next meeting.

#### Ordinance -

Chief Lewis stated that he and Phyllis Haase have been trying to "make everything uniform." He continued to state that they will be working on it again this week, trying to get it finished.

Phyllis Haase went over the procedure that will be proposed to be moved to the police department rather than the Townships; which will allow the Police Department to absorb and take the permit fees and any fines that may be incurred.

Chief Lewis stated that the goal of this ordinance would be to get everyone on board, take it back to the individual municipalities, so that the ordinances in each township would be similar or the same.

#### Finance –

Francis De Piano had nothing at this time.

Lynn Kelly asked if the 4<sup>th</sup> quarter financials would be disseminated shortly. Kathy Matisak stated that we normally wait until the audit. She continued to ask if draft copies are disseminated for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters. Kathy Matisak explained that the quarter ends in March and we would present the final quarterly report in May. She stated that the committee meets in April.

Ms. Kelly asked if bank account balances could be made available. Francis DePiano stated that would not be a problem.

#### Bargaining Unit –

Francis DePiano stated that the collective bargaining agreement is completed, and has been presented to the union.

#### **Motion:**

Francis DePiano made a motion to approve the three year contract on condition that no additional changes are made by the union. The motion was seconded by Lynn Kelly and passed unanimously.

- **Pocono Mountain Regional Police Commission By-Laws-**

Harry Coleman stated that the minutes of this meeting should reflect that the commission has been working on the by-laws for this body and it is almost complete. He continued to state, "some members have put in some comments and we are targeting the March meeting for the adoption of the draft". He continued, to

state that he could have the final draft ready for consideration in the next two weeks. It can then be debated amongst the commission members and then voted on at the March meeting.

- **Fleetmatics-**

**Motion:**

Chairman James Frutchev made a motion to pay the FleetMatics bill, a three year contract, out of the Asset Forfeiture Account. The motion was seconded by Fred Courtright and passed unanimously.

Lynn Kelly asked for clarification, if 23 units were installed and one still needed to be installed. Chief Lewis stated, "I believe so, yes."

- **Pension-**

Chief Lewis stated that there is a pension meeting scheduled for February 18<sup>th</sup> at 11:45.

Francis DePiano stated that there was not a commission member on the Pension Board and he would volunteer as a member.

**Motion:**

Dave Moyer made a motion to appoint Francis DePiano to the Pension Board. The motion was seconded by Donald Moyer and passed unanimously.

Lynn Kelly asked Francis DePiano, "Have you worked with this before?" Francis DePiano stated, "Yes."

Ms. Kelly asked of the status of the RFP's.

Harry Coleman stated that the end date is March 3<sup>rd</sup>.

Kathy Matisak stated there have been requests, but she did not believe any packets have been received to date.

- **Community Events/Letters of Support-** N/A

**NEW BUSINESS:**

- **Dr. Elizabeth Robson PMSD Superintendent: SRO Grant-**

Dr. Robson addressed the commission on the SRO Grant in the amount of \$60,000.00

- **School Resource Officer Position-**

Chief Lewis stated that after an interview process, Officer Jason Wile has been assigned as the SRO and is currently in training.

Chief Lewis stated, "Although this is going to enhance our performance; the only downfall is we are going to lose one person on patrol, because they are allocated to the school." He continued, "I hope this is something that could be replenished."

Phyllis Haase asked if in the situation, the commission should possibly bring in another officer and suggested paying the salary out of the drug resource money.

Chief Lewis explained with the SRO being funded by the school district, this gives us the ability to hire someone with the money that we have in the existing budget.

Chief Lewis stated, "Starting salary in our department is \$30,000.00. He continued, "The number one person on our last list was still available. He is already Act 120 certified and currently working part time in a police department. It would be great to give him a call tomorrow and move on with the background and hiring."

**Motion:**

Francis DePiano made a motion to offer the position of officer to the # 1 person on the current list. The motion was seconded by Donald Moyer and passed unanimously.

Lynn Kelly asked, "What happens when the Grant money is finished? You have a new hire and you don't have the grant money anymore."

Dr. Robson reiterated that the school district for next year has budgeted \$85,000. This will cover the cost of the officer.

Lynn Kelly stated, "If 2014 is covered by the Grant and 2015 is covered by the School District. And after that "it's as you go along?"

Dr. Robson stated, "That after, what I stated is; that I would continue to collect the statistics, take it back to my board, and certainly show the continual need that we have for this officer." She continued "to be perfectly honest, whatever I felt needed to be cut out of the budget, I would look at cutting because I know I need this position."

• **PMRPD Chaplain:**

Chief Lewis stated PMRPD doesn't officially have a Chaplain. David Moyer had someone who was not available for this meeting. It will be addressed at the next meeting.

➤ **Employment Agreements:**

**Motion:**

Brandon Idgalsky made a motion to approve the Chiefs Employment Agreement for 3 years as discussed in Executive Session, the motion was seconded by Dave Moyer.

Fred Courtright stated he has not seen the latest copy of the contract. "Even if it were in front of me I would not vote for a three year contract for the Chief. That has not come up in any discussions we have had. I know that my colleague, Roy Gross, who is the Mt Pocono Representative for Boro Council, would not be in agreement of a three year contract."

Mr. Courtright, continue, "I think it is premature to vote on this contract tonight, with many questions unanswered."

Lynn Kelly agreed with Mr. Courtright. She stated "I feel the entire board should be part of the process. We are sorely missing members from Coolbaugh and Mt Pocono" and I believe they should have input on this." She continued, "I believe we should just prolong this a short while longer?" "Whether we have a special

meeting for it or whether or we put it to the March meeting." She continued to state last year's contract was not signed by Chief Lewis until June-July. Ms. Kelly added, "Coolbaugh does have some major concerns in this contract. I agree with Mr. Courtright that one concern is that it is a three year contract. Another concern is that it is contractually binding and a not an At-Will Agreement."

Ms. Kelly continued to address the board on accountability issues.

Chairman Frutchet asked Harry Coleman if this is an At-Will Agreement. Mr. Coleman stated, "It is an At-Will Agreement; however, if the person was separated from employment you are obligated to pay that person under the three years."

David Moyer stated that this contract was used since 1994. He stated, "There have been many three year contracts because we want the department to be here sitting here as a group." He continued, "The votes on the floor Mr. Chairman, we need to take a vote."

**Motion:**

Lynn Kelly made a motion to table the contract until the next meeting. Fred Courtright seconded the motion.

Harry Coleman stated that procedurally you would have to do the motions in reverse, with the tabled motion first.

Chairman Frutchet asked, "All those in favor of tabling" response 2 yes 5 no. The motion to table the Chief's contract failed.

Chairman Frutchet asked, in response to the motion to approve the Chief's contract, 5 yes 2 no.

Lynn Kelly asked for total count on both motions.

Fred Courtright asked for a roll call vote.

Chairman Frutchet asked on the motion to table the Chief's contract: Francis DePiano- No, Mr. Gross- is absent, Ms. Haase- opposed, Mr. Igdalsky-opposed, Mr. (David) Moyer-opposed, Mr. (Donald) Moyer-opposed, Mr. Adams-absent, Ms. Kelly-yes, Mr. Courtright-yes, Chairman Frutchet abstained. Motion does not carry.

Chairman Frutchet asked under approving the Chief's contract: Francis DePiano- yes, Mr. Gross- is absent, Ms. Haase-in favor, Mr. Igdalsky-yes, Mr. (David) Moyer-yes, Mr. (Donald) Moyer- yes, Mr. Adams-absent, Ms. Kelly-no, Mr. Courtright-no, Chairman Frutchet abstained. Motion passes.

Fred Courtright stated again for the record, "You have asked me to vote on a contract that I have not seen for a three year term. I am rather short sighted by this commission. It demonstrates an unwillingness to understand the realities that I have with regard to my responsibilities to my municipality." He continued, "I maintain that this is a poor way to do business, it has nothing to do with my admiration for the Chief, which I at every opportunity try to demonstrate. I would have been very pleased to look at a one year term with similar conditions that we are talking about, and I know Mr. Gross, was he here, would echo my comments."

Mr. Igdalsky- stated that there were 6 hrs of meetings regarding this and everyone worked diligently to try to come to terms. He continued to state that although Mr. Adams and Mr. Gross could not be here, they both had a chance to be part of the conversation.

Lynn Kelly stated for clarification, that there was not 6 hours of debate on it. One of the meetings was a debate of which contract to use not discussion of the detail.

**Motion:**

Phyllis Haase made a motion to consider the Lieutenant's agreements as well; to coincide with the union contract as a three year contract for Lt. Lavery and Lt. Wagner. She stated she would like to consider using the existing employment agreement changing the dates from January 1 2014 to December 31, 2016, along with the notations that we made in Executive Session regarding the salaries. The motion was seconded by Francis DePiano.

Lynn Kelly expressed views stating that there has not been any opportunity for a portion of the board to review these contracts. She continued to state that Coolbaugh and Mt. Pocono have been seriously under the gun in representation. She stated that Coolbaugh does not consider this a fair way to do business.

Phyllis Haase added that this is the existing contract that Coolbaugh Township did approve last year.

Roll call vote to approve Lieutenant's agreements:

Francis DePiano- Yes, Mr. Gross- is absent, Ms. Haase- in favor, Mr. Igdalsky-yes, Mr. (David) Moyer-yes, Mr. (Donald) Moyer- yes, Mr. Adams-absent, Ms. Kelly-no, Mr. Courtright-no, Chairman Frutchey abstained. Motion approved.

Brandon Igdalsky gave a definition of accountability from Merriam Dictionary.

**Motion:**

Phyllis Haase made a motion to consider the same increase that was allotted to the union across the board to the administration staff over a three year period. The motion was seconded by Francis DePiano.

Fred Courtright asked what the amounts were. Phyllis Haase stated 2014 2% bonus, 2015 1% increase and 2016 2% increase. These funds will be out of last year carry over.

The motion passed unanimously.

Chairman Frutchey noted that Executive Sessions were held on personnel issues and contracts on:

January 20, 2014 4:00 p.m.-6:00 p.m.

January 27, 2014 4:00 p.m. – 5:30 p.m.

February 10, 2014 4:00 p.m. – 6:15 p.m.

February 11, 2014 6:00 p.m. – 6:15 p.m.

**PUBLIC PARTICIPATION:**

Ed Tutrone- Pocono Lake- Mr. Tutrone referred to a copy of Chief Lewis' 2013 contract questioning why there were no minimum hours stated in the contract.

Ms. Haase stated that was the 2013 contract.

Lynn Kelly read the portion of Chief Lewis' 2014 contract stating the hours and conditions worked.

Mr. Tutrone referred to the 2013 contract, personal use of vehicle.

Fred Courtright stated that the 2014 contract required and the Chief agreed that it is not used for personal use.

Open discussion.

Harry Coleman read portion of vehicle use from the 2014 contract for clarification.

Mr. Tutrone also asked if the Chief is eligible for overtime.

The answer was no he is a salaried employee.

Mr. Tutrone then asked about Chief Lewis' reimbursement to opt out of health insurance.

Francis DePiano stated that it was half of the family coverage.

David Moyer voiced his opinion on Chief Lewis using an SUV. Moyer stated that the vehicle was part of a state grant when purchased. He stated if a person is driving in uniform, and willing to take a call he had no problem with the distance traveled to and from work. Mr. Moyer referred to the incident in Ross Township, where Chief Lewis was one of the initial responders; on his way home, he heard the calls coming in and turned around to assist.

Lynn Kelly asked Mr. Coleman what was on the contract for item # 20.

Mr. Coleman asked, "With the heading investigations?" Lynn Kelly stated, "Yes."

Open discussion.

Public question- would rise if Coolbaugh and Mt. Pocono were to leave regional?

Chairman Frutchey said that determination would be up to the municipalities that were left.

Open discussion.

Public question- is there a requirement for medical and psychological evaluations of commission members?

Mr. Courtright stated that commission members are appointed by municipalities.

Mr. Pope- voiced his opinion on the GPS and accountability of hours.

Chief Lewis addressed Mr. Pope on the 800 hrs regarding the double homicide, stating he gave Coolbaugh detailed information and received emails from Coolbaugh stating the information was helpful.

Phyllis Haase stated that Mr. Hein from Coolbaugh looked at the records. She also stated in the February 2013 minutes state the concerns have been answered. She continued to state at the last meeting Coolbaugh stated they had no concerns.

Chief Lewis addressed Mr. Pope explaining when the accountability issue came up; PMRPD changed daily logs to provide more information, in addition to changing the format used to present information at monthly meetings at Coolbaugh's request. Coolbaugh also requested and preformed an internal audit where nothing was found. The Chief continued to explain every dollar we spend is accounted for every month in our monthly reports. Chief Lewis



stated in comparison to other regional departments, PMRPD gives out much more information. He continued to state it is difficult to explain the time that goes into one crime on a tally sheet.

Mr. Pope stated at the end of last year Coolbaugh Township was under hours, asking, "how much money does that equate to?" Chief Lewis stated it was about \$30,000. Mr. Pope asked if that money is returned. Chief Lewis stated, "No, it is an "ebb and flow system."

Open discussion.

Peggy Cooney - Coolbaugh Township- asked how you come up with the percentage.

Chief Lewis explained "PPU" stating it is a mathematical equation which is Price Per Unit which is worth 10 hours of service. The townships determine how many hours they want to purchase.

Open discussion.

Ginny Heckman- stated she was in agreement with Mt Pocono that the contract should not be for 3 years and should not have been voted on when they weren't allowed to read the contract, continuing that it should not be in the same alignment as the union.

Ed Tutrone-stated that other contracts were not signed until September and another not until June. He continued that it should have waited another month when there was a full board, stating that Tobyhanna and Tunkhannock should have extended that courtesy to Mt Pocono and Coolbaugh.

Lynn Kelly- stated Item # 20 is a new item to the contract that was discussed in length yesterday in executive session. She continued, "A number of us left that session thinking that was taken out and now we get to the floor and find out it was never taken out." "You have a commission that has two different opinions of how we left that meeting yesterday." "Maybe when we sit down behind closed doors, we need to take notes."

Someone asked what is # 20.

Lynn Kelly answered, "Investigations." Ms. Kelly continued to read # 20.

Chief Lewis stated, "It is the same language that is in the officer's contract."

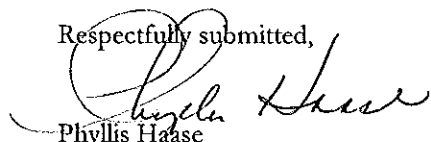
### **ADJOURNMENT:**

#### **Motion:**

Phyllis Haase made a motion to adjourn the meeting, seconded by Brandon Igdalsky. The motion passed unanimously.

The meeting adjourned approximately 8:41 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
11 MARCH 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**TRIBUTE TO DECEASED K-9 KANE:** Kane was an expert in patrol, and narcotics and had an outstanding career with PMRPD. Chief Lewis stated that the success of these dogs relies on the trainer. The Chief presented Corp. Nero with a plaque from the PMRPF in memory of Kane. The Chief read a poem written by Corp. Nero in honor of Kane. Kane passed December 24, 2013.

Chief Lewis presented Dr. Andrew Church and Blakeslee Animal Clinic for their support of PMRPD.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 11 February 2014 Regular Business Meeting, seconded by Brandon Igdalsky. The motion passed with Roy Gross and Juan Adams abstaining.

**APPROVE BILLS:**

**Motion:**

Juan Adams made a motion to approve the Bill-pack of 11 March 2014 in the amount of \$179,591.51 seconded by Roy Gross. Motion passed unanimously.

**FEBRUARY POLICE REPORT:**

Total calls for the month of February were 900 total calls consisting of 813 Complaints and 87 Accidents. There were a total of 67 Criminal Arrests, 93 Traffic Arrests, 61 Traffic Warnings and 14 Ordinance Arrests.

**Motion:**

Francis DePiano made a motion to accept the February Police Report, seconded by Donald Moyer. The motion passed unanimously.

Chief Lewis referred to a search warrant in Coolbaugh Township, with a significant find of over \$700,000 worth of marijuana with the help of Detective Sciarillo, the DEA and State Police. He also mentioned an incident that led to a stop of a vehicle, which contained 400 bags of heroin.

**VEHICLE REPORT:**

Dave Moyer stated that he spoke with Representative Mario Scavello regarding the LSA grant. Mr. Moyer stated that it looks very positive that the department should be receiving approval on the LSA grant within the next two to three weeks in the amount of \$126,332.00 to replace four of our cars.

**Motion:**

Francis DePiano made a motion to accept the February Vehicle Report as presented, seconded by David Moyer. The motion passed unanimously.

Lynn Kelly asked what vehicles were to be replaced. Dave Moyer stated they would start with the highest mileage vehicles first.

**UPDATE:**

- **Member Municipality Concerns** – Chairman Frutchey stated that he knew Coolbaugh had one about the GPS.

Coolbaugh- Lynn Kelly asked to make a statement regarding Coolbaugh's concerns. Lynn Kelly stated, "Coolbaugh has many concerns; and at this time I will be discussing the one concern, that you just mentioned; the GPS, when it comes up on the agenda." She continued, "In the future, when people read the minutes, I don't want a silence at this point to be interpreted as we have no concerns."

Phyllis Haase stated she has requested the list of Coolbaugh's concerns for herself and Brandon Idgalsky. Lynn Kelly stated, "It is so noted, and we are working on it and updating it to have concerns at this point in time."

- **Committees** –

Headquarters-

Chief Lewis explained the bids went out at the end of last week for the mold remediation project.

We will be waiting for the bids to come in and move on from there.

Ordinance -

Phyllis Haase stated last month she distributed the draft for the alarm ordinance. She stated she understood that Mt. Pocono has sent it to their solicitor for review. Tobyhanna Township is pending approval at their next supervisors meeting. We were hoping to get some comments on any changes the municipalities wish to see.

Chairman Frutchey stated, "I believe that Coolbaugh tabled it."

Lynn Kelly stated "at this point of time Coolbaugh does not wish to entertain an ordinance change."

Phyllis Haase, asked, "Chief, how would you propose moving forward then?" she continued, "initially you wanted to have the same ordinance adopted across the board; it appears that's not going to happen."

Chief Lewis explained the process and time involved in answering a false alarm. He explained that he is looking to minimize the time responding to false alarms and increase the proactive patrolling.

Harry Coleman stated that 4 consistent ordinances for the municipalities are key for the officers, he continued, that he would be willing to work with the solicitor from Coolbaugh if there were concerns.

Ms. Kelly stated, "The ordinance would change the process of where the application is placed and where the funding is placed. She continued, "at this point in time, Coolbaugh does not see a reason to entertain changing that ordinance; when we do not have decisions on our staying with the Regional Police Department."

#### Bargaining Unit –

Francis DePiano stated everything has been sent to the union as of last night.

- **Pocono Mountain Regional Police Commission By-Laws-**

Chairman James Frutchey stated, "We will be meeting after this meeting to see if we can get that hammered out."

- **Fleetmatics-**

Chief Lewis reported that the GPS are in every car and operational.

Lynn Kelly asked if Coolbaugh could get copies of the work orders for the installation of units.

- **Pension-**

Chairman Frutchey named the companies that sent back responses to the RFP

1. ASCO Financial Group Inc- Jerry Mc Kale, 575 Pierce Street, Suite 301, Kingston Pa 18704
2. Univest Corp of PA- Susan Swepe 14 North Main Street, Sotherton PA
3. Unified Trust Co-800 Corporate Drive, Lexington KY
4. Wells Fargo Wealth and Retirement- 333 Market Street, San Francisco Ca
5. B.W. Consulting LLC-612 Millers Farm Rd., Milford Conn
6. TGS Incorporated-6899 Beach Drive South, West Ocean Isle Beach, N.C.
7. RJ Hall Company-Hampton Commons 5850 Carlisle Place, Mechanicsburg Pa
8. Conrad Siegel-501 Corporate Circle, Harrisburg Pa
9. PFM Asset Management LLC- 2 Lovely Square Suite 1600, Philadelphia Pa
10. Bidder "X"

Lynn Kelly asked if the bids would be opened tonight.

Harry Coleman stated, since the bids were identified tonight, the commission should plan a special meeting to take the time to deliberate through the bids. He explained, once the top three bids are selected, the non-successful bidders need to be notified. He continued that he would work with the Administrative Assistant to make sure this process takes place.

Phyllis Haase asked Chairman Frutchev if a special meeting should be scheduled at this point.

A Special Meeting was scheduled for March 25, 2014 at 7:00 p.m. at Headquarters to go over the bids.

Phyllis Haase comment on a question she received from a resident regarding the police commission study formed by Coolbaugh. Referring to the advertisement referencing no one that was affiliated with the commission should be appointed to that committee. She continued to state that Mr. Smith was appointed by the commission to serve on the pension committee. Ms. Haase advised this resident to go to the Coolbaugh Township meeting to address that concern.

Ms. Haase stated she has issue that we have a member on our pension that is not a member of the commission. Ms. Haase stated she would like to have the board consider removing Mr. Smith from the Pension as a member at large do to the fact that he is not a seated member.

Lynn Kelly stated that she spoke with Mr. Smith and he did not receive a letter that he was appointed to the pension from the commission and that he did not respond excepting the appointment.

Phyllis Haase stated that from what Commissioner Kelly stated, Mr. Smith does not wish to be a member on the committee. Therefore the move is to remove Mr. Smith.

**Motion:**

David Moyer made a motion to rescind the previous appointment made in January to appoint Harry Smith to the pension committee. The motion was seconded by Phyllis Haase. The motion passed with Roy Gross and Juan Adams voting no and Lynn Kelly abstaining.

Chief Lewis stated the municipalities have their asset allocations from PFM.

Francis DePiano stated that the pension increased 15.3% for the year. He also stated that the fee schedule was included in the packet.

- **Community Events/Letters of Support-** None

**NEW BUSINESS:**

- **20<sup>th</sup> Anniversary PMRPD-**

Chief Lewis stated that the department will be celebrating 20 years of service, which started with 14 officers in 1994. Chief Lewis stated because of the Regional Department we have assets, of specialized groups that by themselves the municipalities would not be able to afford. He stated, "If we did not have a Regional department we would not have two K9 units. We would not have a very respected and decorated SWAT Team." He continued, "We would not have a seven crew investigators team, a person assigned to the DEA, and people that are specialized in all aspects of police work. We have experts in certain fields that could not be measured unless you see the work that is done day in and day out." Chief Lewis stated, "We provide a level of service that would not exist if we were not regional in the first place." He stated, "As a group, the municipalities benefit greatly. He continued for 20 years to be in existence is a tremendous accomplishment."

He continued, "The statics are impressive, we are respected all over the United States, people know who we are."

Chief Lewis stated that there will be an event in June to mark the 20<sup>th</sup> anniversary. He indicated that throughout the year we are going to celebrate what has been accomplished and what will be done moving forward.

- **PMRPF-**

Chief Lewis asked former Chief Lamberton to address the commission on what the foundation has done to support the officers, the community as well as assisting the commission on the budget.

Former Chief Lamberton read a statement referring to the contributions of the PMRPF to the K9 Unit, Bike Unit, grant writing and community outreach. He explained how since inception the foundation has raised over \$175,000 in three years which included a gracious donation from the Mattioli Foundation.

The foundation had reimbursed the department approximately \$11,350.00 in 2013 for expenses towards the K-9 and Bike Units for training, equipment, and supplies. PMRPF has paid a grant writer and related application fees of \$900 related to the LSA grant for (4) police vehicles. The Foundation also funded awards and community services such as National Night Out on August 2 2013.

Former Chief Lamberton presented Pocono Mountain Regional Police Department with a check form PMRPF in the amount of \$ 9,850.00.

Chief Lewis addressed the commission stating that one of the biggest crimes is burglary we would like the people to be better prepared which is why the foundation had created and will pass out flyers to the public to make them better aware.

Brandon Igdalsky spoke of his family's contribution to the PMRPF stating that it was money well spent.

- **2013 Annual Report-**

Chief Lewis explained that Scott Hoke prepared a 63 page book on our crime, data and mapping, statistics. That information will be presented with the regular annual report once it is received back from printing.

Chief Lewis stated that he will deliver the annual report from Cedar Crest College and the Police Department Annual report to the municipalities asking that they take the month to review. He will then ask Dr. Hoke and some of his students to come to the April meeting to address any questions.

Chief Lewis discussed a monthly publication called Tactical Edge, which is it is a complete professional journal of the Law Enforcement Special Operations community.

He explained it is sponsored and written by the National Tactical Officers Association. Chief Lewis referred to the magazines 2014 Winter edition, which features an article written by Lt. Christopher Wagner called Merging SWAT and K-9 for Wooded Terrain Operations. The Chief congratulated Lt. Wagner for his work on the article which also resulted in a cover spot on the magazine featuring Pocono Mountain Regional SWAT members.

Chief Lewis introduced Pastor Dave Crosby Jr., of Pocono Community Church, of who will serve as Pocono Mountain Regional Police Department as Chaplain.

**PUBLIC PARTICIPATION:**

Mike Gillen – Tunkhannock Township-asked if the contactor in law suit involving the roof had anything to do with the mold issue.

Harry Coleman stated that mold was not part of that law suit. There was no evidence to connect it. The problem became more pronounced recently.

Chairman James Frutchey stated that the meeting would be moved to Executive Session to discuss By-Laws.

Meeting reconvened at 9:40

Chairman Frutchey announced there was an Executive Session tonight at 6:30 – 6:55 and the other Executive Session tonight was from 8:15 to 9:40.

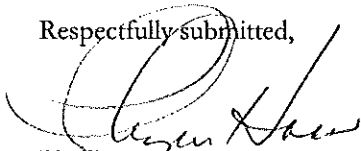
**ADJOURNMENT:**

**Motion:**

Lynn Kelly made a motion to adjourn the meeting, seconded by Donald Moyer. The motion passed unanimously.

The meeting adjourned approximately 9:42 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
SPECIAL MEETING  
25 MARCH 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:00 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**UPDATE THE FOLLOWING:**

- **Pocono Mountain Regional Police Commission By-Laws-**

Chairman Frutchey stated there was one item to complete on the By-Laws.

Fred Courtright stated there were a number of small changes.

Lynn Kelly asked if they were starting with the changes or a motion.

Deletions:

Lynn Kelly: Stated she would like to see the last line removed on 1<sup>st</sup> Page, Sec# 3 Membership, paragraph C, last line which states 'a municipality may not substitute a commissioner during a sitting commissioners term of office as removal of the commissioner is the sole and exclusive responsibility of the commission.'

Kelly stated the authority to retain or remove a municipal appointment is not given to the commission in the agreement on Pocono Mountain Regional Police. Kelly stated making the appointment or removing the appointment is the sole responsibility of the municipality.

Harry Coleman stated, "The original three municipalities, and now by extension the four municipalities decided to create an additional municipal entity, being the Pocono Mountain Regional Police Department. He stated, "There is no question that the municipal authorities make appointments to this body." He



continued, "That once the appointment is made and the body is constituted at this level the other levels have no say in it."

It was asked if Dillon's Rule would apply.

Harry Coleman stated it did not apply. Giving examples.

Mr. Coleman stated, "The authority of the municipalities to withdraw members at their whim does not exist."

Lynn Kelly stated, "Yes it does."

Mr. Coleman continued, "Members are placed by different municipalities and that is where it ends."

Open discussion.

Mr. Coleman stated, "The issue is, does this body have the right to remove a member?" "Yes" "Does this body have the right to reappoint or decide who sits on the membership?" "No" He continued, "Does the other body have the authority to come in and pluck one of your members out because they feel that that member isn't living up to their standards? The answer there is no."

Roy Gross made the point that in the past if a member was absent 3 or more times with unexcused absence it would be brought to the attention of the municipality that representative comes from, and it would be handled there.

Harry Coleman stated he agreed; however the process starts here. You remove here and go to the member municipality to replace.

Mr. Gross then stated "we need to spell out what those conditions are, this does not do that."

Brandon Idgalsky suggested they need "to spell out" what the reasons would be for removal.

Mr. Coleman stated, "if there is this much debate over that sentence, revisit it or put it to a vote, whatever the commissions pleasure."

Phyllis Haase suggested moving to the next deletion.

Next deletion:

Lynn Kelly- Page 5 of 7, Section 11, Executive Committee second sentence. Ms. Kelly stated, "I would like to see it removed." She continued it states, "Any action by the Executive Committee shall be ratified at the next scheduled meeting of the entire commission." She stated that her problem is with "any action" and "shall be"

Open discussion

Chairman Frutchey stated "ratified" to be changed to "conveyed"

Additions:

Phyllis Haase referred to Page 6 Section 16 Ms. Haase stated after reviewing multiple By-Laws where it speaks to the by-law of the commission to be amended on affirmative vote of majority of members, she stated, "everyone I have speaks to 2/3 members."

Ms. Hasse requested to add the background checks back into the By-Laws. With the suggestion that each municipality have the background checks.

Fred Courtright stated he would like to give the municipalities a chance to require background checks. He requests that the background check section of the By-Laws to be added later. Stating, "it is not an argument about doing background checks, it's about who should require them."

Chief Lewis stated that there are different terminologies on what a background check consists of, referring to Criminal History, Polygraph, Physiological etc.

Lynn Kelly stated there are some issues and standards to be set; she suggested passing the By-Laws without section 14 and rewriting section 14 as an amendment.

Harry Coleman suggested if the municipalities do the background check that would take care of the first step. Then all current commission members would also have to do a background check.

Phyllis Hasse addressed her concern that a municipality could either amend the motion or just not do the background.

Open discussion.

Juan Adams voiced his opinion that the check should be done through an outside agency not PMRPD.

Chief Lewis explained that the fingerprints would actually be done through Central Booking and then sent to State Police.

Phyllis Haase suggested putting language in the municipalities' agreement; that should the municipalities fail to do the background checks, the commission has the ability to do the check.

Lynn Kelly suggested she wanted to see the verbiage in print before passing.

Harry Coleman stated he was writing as they were speaking; verifying that the wording could be, "if the appointing municipality fails to perform a background check on an appointee, the check will be performed by the PMRPD Commission."

Open discussion.

Harry Coleman stated:

Section II would be authority to request background checks, examination and costs.

Section III will become disqualification of service.

Section I will read, " If the appointing municipality fails to perform a background check on a appointee, the check will be performed by the PMRPD commission and the Chief of Police is hereby authorized to require criminal background."

Chairman Frutchey stated, "if every agrees to this, the only other thing we have is Membership "C"

Harry Coleman stated section III C, last sentence.

Brandon Igdalsky stated, "We just add a subsection that talks about reasonable reasons why somebody would be excused." Reiterating that "reasonable reasons" need to be added.

Lynn Kelly continued by stating, "You do not have the authority to do it."

Brandon Igdalsky continued to state that "Harry Coleman has already established that it is in our authority to do that."

Open discussion.

Lynn Kelly discussed the opinions of other attorneys she has contacted.

Harry Coleman stated, "In the court that Ms. Kelly is referring to, there is a rule that applies called hearsay". He explained; it prevents someone from coming in and stating the opinion of someone who is stating differently. Coleman stated, "I'm sitting here in front of you, looking you all right in the eye and giving you my personal opinion." He continued, "I am comfortable with the opinion I'm sharing with this commission."

Phyllis Haase read an example of removal of a commission member from office from a Wisconsin police commission which stated specific reasons for removal.

Fred Courtright stated his concern with the portion stating 'as removal of the commission is the sole and exclusive responsibility of the commission.' Mr. Courtright agreed with Francis DePiano stating that "this would get engaged in pretty extreme cases."

Harry Coleman suggested the statement to read. "The Municipality may not substitute a commissioner during a sitting commissioner's term of office."

Commissioner Kelly did not agree with that statement.

Open discussion.

**Motion:**

David Moyer made a motion to approve the By-Laws of the Pocono Mountain Regional Police Commission with the changes as discussed, seconded by Francis DePiano.

Fred Courtright asked for each of the changes to be read.

Harry Coleman read the changes as follows:

Section 3 Membership- the last sentence shall read "a municipality may not substitute a commissioner during a sitting commissioner's term of office.

The next one- Section 11, second sentence- any action taken by the executive committee "shall" be conveyed at the next scheduled meeting "to" the entire commission.

The third change- Section 16 the amendment of By-Laws- the By-Laws of the commission maybe amended upon the affirmative vote of 2/3 of the members of the commission.

Section 14 if accepted- will read #1 If the appointing municipality fails to perform a background check on an appointee, the check will be performed by the PMRPD Commission through the Chief of Police, who is hereby authorized to require....

New sentence will be added – The Commission’s shall sign all paperwork necessary to accomplish the check. And the results of the check shall be held in confidence by the Chief of Police until the next scheduled municipal meeting.

Open discussion-

Additional wording added- Section 14, 1 C -The Chief of Police shall ensure through contact with the municipality that a criminal background check has been conducted and the results of same shall be forwarded to the Chief, who shall hold same in confidence and advise the commission as the suitability of the appointee.

The Acknowledgement of Confidentiality has been changed which is consistent with the entire By-Laws.

The motion passed 8-2, with Lynn Kelly and Juan Adams opposing.

- **Pension-RFP-**

Francis DePiano explained the process that went into reviewing the RFP’s. Mr. DePiano stated the results proved that the company we currently have is charging us the least in fees. He also stated that in 2013 we averaged 15.3% interest.

Open discussion on liability insurance and fees.

**Motion:**

Phyllis Haase made a motion to retain PFM as the management of the pension. The motion was seconded by Fred Courtright.

Phyllis Haase disclosed at the last meeting it was announced that there was 10 bids, however one of the bids, TGS Incorporated was not a bid, it was a GPS.

Motion passed. Lynn Kelly opposed the motion.

- **New Business-**

Chairman Frutchey reviewed a letter from PMREMS requesting the donation of a retired PMRPD vehicle. Chief Lewis stated that the first vehicle the department will be replacing with the LSA Grant will be an Expedition.

**Motion:**

Fred Courtright made a motion to donate the Expedition to PMREMS. The motion was seconded by Phyllis Haase. The motion passed unanimously.

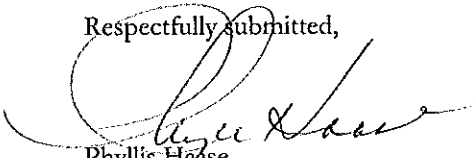
- **Public Participation-**

A question was asked if the background check included a drug test. Fred Courtright explained that the minimum will be the criminal background check. He suggested that it will be discussed at the municipality level.

**Motion:**

Phyllis Haase made a motion to adjourn; seconded by Francis DePiano. The motion passed unanimously. Meeting adjourned at 9:00

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Phyllis Haase".

Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
8 April 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 11 March 2014 Regular Business Meeting, seconded by Roy Gross. The motion passed unanimously.

**Motion:**

Francis DePiano made a motion to approve the Minutes of 25 March 2014 Special Meeting, seconded by Lynn Kelly. The motion passed unanimously.

**APPROVE BILLS:**

**Motion:**

Juan Adams made a motion to approve the Bill-pack of 8 April 2014 in the amount of \$203,550.67 seconded by Fred Courtright.

Lynn Kelly asked if the bank account balances could be provided when approving the bills.

Motion passed unanimously.

**MARCH POLICE REPORT:**

Total calls for the month of March were 935 total calls consisting of 886 Complaints and 49 Accidents. There were a total of 85 Criminal Arrests, 280 Traffic Arrests, 182 Traffic Warnings and 23 Ordinance Arrests.

**Motion:**

Juan Adams made a motion to accept the March Police Report, seconded by Francis DePiano.

Chief Lewis addressed a question from Lynn Kelly regarding administration hours on page three of police report.

The motion passed unanimously.

**VEHICLE REPORT:**

Dave Moyer discussed which vehicles will be replaced with the grant, mentioning cars 2, 6, 9, and 11.

Fred Courtright asked what is done with the old cars. Chief Lewis explained that the department had been dealing with PA surplus online.

Chief also explained that the new vehicles will be all wheel drive which is an additional \$800.00 per vehicle. This option was not available when applying for the Grant. This upgrade will come out of the drug forfeiture account. The new vehicles that were ordered are three Charges with all wheel drive, and a Tahoe.

**Motion:**

Juan Adams made a motion to accept the March Vehicle Report as presented, seconded by Phyllis Haase. The motion passed unanimously.

**UPDATE:**

- **2013 Annual Report** – Dr. Scott Hoke Cedar Crest College

Dr. Hoke presented the Cedar Crest College Criminal Justice Project 2013 Yearly Report.

- **Member Municipality Concerns** –

Coolbaugh – Lynn Kelly thanked the Chief for the copies of the FleetMatics invoices.

Tobyhanna – Phyllis Haase stated that Tobyhanna Township has adopted the background checks at their last meeting. She continued that to state that Donald Moyer, David Moyer and she will be submitting to the background check this month. She continued that drug testing is being addressed by her township and they will probably be moving forward next month.

Tunkhannock – Francis DePiano stated his meeting was tomorrow night and background checks will be discussed. They have not yet discussed drug testing.

Mt Pocono – Fred Courtright stated that Boro Council did pass the background check requirement. He continued that if a yearly background would be required that it should be discussed as a commission.

Harry Coleman addressed Chairman Frutchey stating that he was handing out the final adoptive form of the by-law as per the most recent meeting.

Brandon Igdalsky stated that he has been asking for the list of concerns from Coolbaugh and has not yet received them.

Lynn Kelly stated that she has compiled information that she would like to go before her board of supervisors first.

- **Committees –**

Headquarters-

Strunk –Albert Engineering

Chairman Frutchey read the names of the bidders (see attached list from Strunk Albert Engineering).

**Motion:**

Fred Courtright made a motion to award the bid to D & M Construction Unlimited Inc. in the amount of \$115,853.00 with the possible addition of the dehumidification unit in the amount of \$40,765.00. The motion was seconded by Francis DePiano and passed unanimously.

Roy Gross asked about the start up time. Chief Lewis stated that after the contract was signed; start up should be the second week in May.

Chief Lewis asked Chairman Frutchey for a moment to discuss the fence project. Chief stated that measurements will be taken and he should have information together to be put out for the bidding process in the next two weeks.

Bargaining Unit –

Francis DePiano stated contract is signed.

- **Pension-**

Roy Gross mentioned that the commission voted to remove Mr. Smith off the pension board but did not move to appoint anyone in his place. Phyllis Haase stated that Francis DePiano was appointed at the February Meeting.

- **Community Events/Letters of Support-**

March 21, Officer Jason Wile conducted a presentation/fingerprinting for Cub Scout Pack 115 at CREC.

Chief Lewis stated that another report accompanied the report from Dr. Hoke, which was the Pocono Mountain Regional Police Department Annual Report. This report states the time the hours and money and distribution between the municipalities. This report can be reviewed by the public on our website.

Lynn Kelly had a question on Annual Report asking if the admin time and the assist time were switched in error. The Chief said he would look into it.

**NEW BUSINESS:**

None



**PUBLIC PARTICIPATION:**

Dave Pope – Coolbaugh Township-questioned January investigation hours stating they were high. Chief stated there was more time investigated in Coolbaugh than anywhere else.

Ed Tutrone – Tobyhanna Township-asked if the lawn maintenance bids were put out yet. Chairman Frutchey stated by next month.

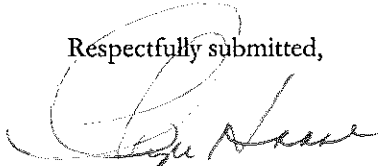
**ADJOURNMENT:**

**Motion:**

Francis DePiano made a motion to adjourn the meeting, seconded by Brandon Igdalsky. The motion passed unanimously.

The meeting adjourned approximately 7:45 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, from 6:30 – 7:02 p.m. regarding workers compensation claims with presentation by the workers compensation broker.

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
13 MAY 2014**

PRESENT:

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

ABSENT:

FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**APPROVE MINUTES:**

**Motion:**

Fred Courtright made a motion to approve the Minutes of 8 April 2014 Regular Business Meeting, seconded by Dave Moyer. The motion passed unanimously.

**APPROVE BILLS:**

**Motion:**

Roy Gross made a motion to approve the Bill-pack of 13 May 2014 in the amount of \$151,191.11 seconded by Juan Adams.

Lynn Kelly questioned check # 12868, asking if it was for the 2013 the Annual Report. Chief Lewis stated it was for the Annual Report with additional copies for the commission. Ms. Kelly asked about the presentation packs. Chief Lewis stated that was Cedar Crest College information.

Ms. Kelly also questioned check #'s 12876, 12877, 12878, asking, "What is the per diem for?" Chief Lewis stated that it is a meal per diem for officers attending an overnight training. The motion passed unanimously.

**APRIL POLICE REPORT:**

Total calls for the month of April were 994 total calls consisting of 927 Complaints and 67 Accidents. There were a total of 100 Criminal Arrests, 105 Traffic Arrests, 80 Traffic Warnings and 7 Ordinance Arrests.

Chief Lewis discussed two cases from 2 years ago, which occurred in the month of August; where the “hours of service” was debated by the municipality where they occurred. He continued, explaining that these two cases just received resolution now. Chief Lewis stated, “That particular municipality had 554 calls that month, in addition to the two homicides and regular calls for service.” Chief Lewis stated, “calls dictate the time that is spent in a particular jurisdiction.”

Chief Lewis mentioned that awards for these two cases will be handed out at the June Meeting.

Referring to the current April police report; Chief Lewis stated, “It was a busy month. We assisted in the Tough Mudder at Pocono Raceway and will be assisting in the Run for the Red this upcoming week.”

**Motion:**

Roy Gross made a motion to accept the April Police Report, seconded by Fred Courtright.

Lynn Kelly asked for clarification on the monthly hours, “assigned time” asking if administrative assigned time is all officers. Chief Lewis stated that it was all officers.

The motion passed unanimously.

**VEHICLE REPORT:**

Chief Lewis stated we should be receiving the Tahoe in 4 weeks and the (3) Charger’s should be here in June. He continued stating these vehicles will be replacing cars 2, 6, 9 and 11.

**Motion:**

Juan Adams made a motion to accept the April Vehicle Report as presented; the motion was seconded by Phyllis Haase. The motion passed unanimously.

**UPDATE:**

- **Member Municipality Concerns –**

Tobyhanna – none

Tunkhannock – none

Mt Pocono – none

Coolbaugh – Lynn Kelly stated she had the list of concerns from Coolbaugh Township, which included some personnel concerns.

She continued stating, that the list of concerns are in envelopes for the members of the commission.

Chairman Frutchey suggested that the concern should be looked at and then discussed at the next meeting.

- **Committees –**

Headquarters-

Strunk –Albert Engineering

Chief Lewis stated that contracts are signed for mold remediation. Chief stated that he is waiting for a time table from the contractor. He continued to state, “Hopefully it will be started in the next couple weeks.”

- **Policy Revisions**–

Mock Assessment- Chief Lewis addressed the commission stating that this June marks the 3 year anniversary of being an Accredited Agency. A mock assessment by the assessors of PA Chief of Police is scheduled for May 28. The actual assessment is scheduled for June 11 and 12<sup>th</sup>.

10-3 Temporary Holding Cell Area –

13-6 Mandatory Fingerprinting Requirements-

Lt. Wagner addressed the commission on the changes to these current policies dealing with the monitoring of non problematic prisoners, alleviating bring prisoners into the interior of the building other than the holding cells area. The change would raise the amount of prisoners in a cell from one to three.

The Mandatory Fingerprinting requirements- Lt. Wagner explained, with the Central Booking system, we currently do not process many fingerprints. A prisoner is now taken to an arraignment or central booking. The change in the policy will reflect the fact that we do not bring the prisoner back to the department for processing any longer.

**Motion:**

Roy Gross made a motion to approve the policy revisions on 10-3 Temporary Holding Cell Area and 13-6 Mandatory Fingerprinting Requirements, motion was seconded by Juan Adams. The motion passed unanimously.

- **Pension**-Chief Lewis mentioned that he received a letter from PFM who recently went under a restructuring of their company; however it does not affect our account.
- **Community Events/Letters of Support**-

April 3<sup>rd</sup> - Law Enforcement Partnership Day, presentation by Lt. Wagner

April 26<sup>th</sup>- National Prescription Take Back Day

Letter of thanks received from a Ms. Solomon to Detective Robert Miller for a recent investigation.

Letter of thanks was received by Bloomsburg Police Department for assisting at the Bloomsburg Block Party event April 12, 2014.

Phyllis Haase commented that Tobyhanna Township had their business meeting at Tobyhanna Elementary School and Lt. Laverty did an excellent presentation with the children.

**NEW BUSINESS:**

- **1<sup>st</sup> Quarter 2014 Budget Review**– Chief Lewis stated that we should be at 25% and we are currently at 21% of 1<sup>st</sup> quarter budget.

Lynn Kelly requested a balance sheet showing assets, liabilities and equity.

- **1st Quarter 2014 Treasurer Report**–
- **Resolution 2014-001 –Destruction of Records**–
- **Resolution 2014-002 Records for Destruction**– Chief Lewis stated that with the mold remediation project getting underway, room needs to be made for the repairs. Last destruction of records was 2007. A shredding truck should be here within the next week or two.

**Motion:**

Phyllis Haase made a motion to approve Resolution 2014-001 Destruction of Records; motion was seconded by Fred Courtright. The motion passed unanimously.

**Motion:**

Phyllis Haase made a motion to approve Resolution 2014-002 Records for Destruction; motion was seconded by Fred Courtright. The motion passed unanimously.

Lynn Kelly asked to refer back to 2014 Treasurer Report, as it was skipped over.

Ms. Kelly questioned, “There are 8 funds on the Treasurers Report, are these funds accounting funds or bank accounts?” Kathy Matisak stated that they are separate bank accounts as well as separate funds.

Chairman Frutche referred to a resolution that was handed out by Mr. Courtright in support of Senate Bill 1314 and House Bill 1272 in reference to enabling all municipal police departments to use the same motor vehicle speed timing equipment as the Pennsylvania State Police.

Mr. Courtright briefed the commission on the Bill and asked the commission to consider making a motion to move toward this Bill.

**Motion:**

Phyllis Haase made a motion to approve Resolution 2014-003 referring to Senate Bill 1314, House Bill 1272, the motion was seconded by Roy Gross. The motion passed unanimously.

**PUBLIC PARTICIPATION:**

Vincent Massaro asked if the radar could be used in private communities. Chief Lewis stated signage would have to be up to Penn DOT specs and at this point it is not.

Juan Adams asked if the Community could ask Penn DOT to evaluate their signage to make sure it was up to Penn DOT standards. Chief Lewis stated he believed it was possible. He was going to discuss this with one of the communities this week.

Ginny Heckman- Tunkhannock Township- asked where do you stand on the drug testing for the commission?

Phyllis Haase stated that was up to each municipality to do that. She continued to state that the background checks are also up to each municipality.

Juan Adams stated that Coolbaugh Township approved the background checks of all appointees. Phyllis Haase stated that each municipality has now approved the background checks. She continued that Tobyhanna Township will be adopting the drug testing at their next meeting.

Ginny Heckman also asked if public participation could take place on motions. Chairman Frutchev stated that could be done starting next month.

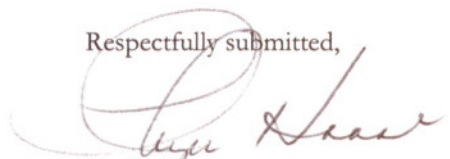
**ADJOURNMENT:**

**Motion:**

Fred Courtright made a motion to adjourn the meeting, the motion was seconded by Brandon Igdalsky. The motion passed unanimously.

The meeting adjourned approximately 7:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Phyllis Haase", written in dark ink.

Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 7: 50 and ending approximately 8:20 p.m. regarding Personnel Issues.

POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
10 JUNE 2014

PRESENT:

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:00 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

Chairman James Frutchey read a letter from Coolbaugh Township to the Pocono Mountain Police Commission, which stated at the June 3<sup>rd</sup>, Coolbaugh Township regular meeting; Coolbaugh Township board of supervisors voted to remove Lynn Kelly as supervisor representative to the Pocono Mountain Regional Police Commission. Effective immediately supervisor William Weimer will be replacing Ms. Kelly as one of Coolbaugh Township representatives for PMRPC.

**Motion:**

Dave Moyer made a motion to remove Lynn Kelly as representative for Coolbaugh Township on the PMRPC. The motion was seconded by Phyllis Haase. The motion passed unanimously.

**Motion:**

Phyllis Haase made a motion to appoint William Weimer as representative for Coolbaugh Township on the PMRPC. The motion was seconded by Dave Moyer. The motion passed unanimously.

Mr. Frutchey welcomed Mr. Weimer.

**AWARD PRESENTATION:**

Chief Lewis spoke of the 2012 homicide in Coolbaugh Township

Det. Sgt. Ken Lenning, Officer Dan Jones, Corp. Lucas Bray, Retired Det. Rich Luthcke, Det. John Bohrman, Det. Chris Boheim, Lt. Chris Wagner were presented with plaques for their effort in building a strong case which lead to the arrest of Luis Vasquez who was charged with two counts of criminal homicide. The case built was so strong, he pled guilty on a capital murder case. On May 5<sup>th</sup> 2014 he was sentenced to 30 to 80 years in prison.

**APPROVE MINUTES:**

**Motion:**

Roy Gross made a motion to approve the Minutes of 13 May 2014 Regular Business Meeting, seconded by Juan Adams. The motion passed with Francis DePiano and Donald Moyer abstaining.

**APPROVE BILLS:**

**Motion:**

Francis DePiano made a motion to approve the Bill-pack of 10 June 2014 in the amount of \$225,468.56 seconded by Phyllis Haase.

Fred Courtright asked about the \$1,703.00 bill for special labor counsel asking, "Is it an old invoice?" The Chief responded stating it is a firm we deal with regarding personnel issues. Mr. Courtright continued to explain that he believed after the union contract negotiations we would be looking at other firms. Francis DePiano stated, "There are some current personnel issues we are dealing with." Phyllis Haase explained that she believed we were going to interview other firms. The motion passed with William Weimer abstaining.

**MAY POLICE REPORT:**

Total calls for the month of May were 1032 total calls consisting of 969 Complaints and 63 Accidents. There were a total of 154 Criminal Arrests, 148 Traffic Arrests, 129 Traffic Warnings and 13 Ordinance Arrests.

Phyllis Haase stated she noticed from Jan to May there is 100% increase in criminal arrests. Chief Lewis stated May was the busiest month as far as calls. He continued, stating, "I believe in June the arrests will increase even more."

**Motion:**

Francis DePiano made a motion to accept the May Police Report, seconded by Fred Courtright. The motion passed with William Weimer abstaining.

**VEHICLE REPORT:**

Chief Lewis stated we are waiting for the arrival of the new cars. Chief stated that these vehicles are all from the LSA Grant and do not affect the budget.

**Motion:**

Phyllis Haase made a motion to accept the May Vehicle Report as presented; the motion was seconded by Francis DePiano.



Chief Lewis stated that the bill report shows payment for items purchased for repairs. He continued to explain that some repairs are done in house by our mechanic and others need to be sent out.

David Moyer explained that the purpose of the vehicle report was to get an idea of how the vehicle models Chevy vs. Ford vs. Dodge were holding up. Moyer continued by stating "it was started as a guide to determine at what mileage we start putting too much money into a vehicle."

Chief Lewis explained everything that we spend is accountable in the bill pack. Everything that is done to the cars is accountable on the expense report.

Chief Lewis stated that he wished there were this many comments on the crime issues as there are on the vehicle reports. We want to make sure we are not putting too much money in a car that we would potentially be getting rid of shortly. Chief Lewis stated, "Everything that is spent is documented in our bills."

The motion passed with William Weimer abstaining.

#### UPDATE:

- Member Municipality Concerns –

Coolbaugh – Chairman James Frutche reviewed the list of concerns from Coolbaugh Township that was submitted in May 2014 to the Police Commission. The list of concerns were read aloud and addressed as follows:

#### PMRPC RESPONSES TO COOLBAUGH TOWNSHIP'S LIST OF CONCERNS:

- **Concern:** Paragraph 7 states that the Pocono Mountain Regional Police Commission prepares the annual budget which shall be submitted to the participants (municipalities) for consideration and approval. In actual practice the PMRPC approves the budget and forwards it to the municipalities. Final budget approval should be voted on by the municipalities.

**Response:** A budget will be prepared and forwarded to the municipalities in the month of September. Municipality shall submit their level of service required by August 1, 2014. Municipalities must then have the budget back to the commission by October 15<sup>th</sup> for final Commission approval.

- **Concern:** The addendum which changed the makeup of the commission to ten (10) members from nine (9) is problematic, due to both the size and even number of members. Alternative options should be looked at.

**Response:** Points were raised indicating that there is not a problem with keeping the 10 member board. There have been a very few issues in the past but all in all since 1997 when the board was increased to 10 there has been success. It forces us all to work together.

- **Concern:** New policies or changes to existing policies set by the Commission, that will affect the rights of the municipalities should be forwarded to the municipalities for approval before passed.

**Response:** Policies are set forth to govern the Police Department which has not been changed the rights of the municipalities. The Commission is asserting the rights currently

established. A dangerous prescient to seed the argument to the municipalities on questions they might feel differently about.

### **FINANCIAL ACCOUNTABILITY AND DOCUMENTATION**

- **Concern:** Commissioners should have access to any department information that pertains to the financial and administrative functions of the police department; that is all non-criminal documents.

**Response:** The Commissioners have access to information. The process is that the Commissioner(s) request the information from the Chief and an appointment is scheduled to review the information.

- **Concern:** Improve accountability on fuel usage and mileage of department vehicles. Mileage records of each vehicle should be kept and checked against fuel usage.

**Response:** The vehicles refuel at Tobyhanna Township and the reports are generated from their software program "Gas Boy". The reports reflect each department i.e. Ambulance, Fire, Police, etc. and states user, date and usage per vehicle.

- **Concern:** Improve accountability of billed hours to the municipalities by providing historical data from GPS units that verify patrol time.

**Response:** Chief Lewis stated that the data from the GPS will not reconcile to Patrol Time as discussed from the inception. The GPS units do for us is tells us where the officer is not what the officer is doing.

- **Concern:** Accountability for services rendered. Coolbaugh purchases a large chunk of police hours to patrol and provide protection to our residents, but receive no objective documentation to verify billed hours.

**Response:** The Department changed the format of the daily logs, changed the format for the information presented at the monthly meetings to address the concerns brought forth in 2013 by Coolbaugh Township. Coolbaugh representative conducted an audit on the activities of the Department and the documentation of those activities and concluded there were no issues. There is also an independent Financial Audit conducted on a yearly basis which as noted no concerns. The Foundation is audited annually. The Department does not lack in accountability of their services to the members of the Regional group.

### **PERSONNEL CONCERNS**

- **Concern:** An annual list of all employees should be distributed to the PMRPC. This list should show name, job title, salary and active or inactive status.

**Response:** The list is being prepared and will be distributed to the Commission

- **Concern:** PMRPD has high personnel turn over. Terminations should be taken seriously. The Commission should be the final determinant in the discipline and termination process.

**Response:** Since 2008 -3 Offices failed to successfully complete their probationary period, 3 Members retired, 1 terminated due to medical, 1 Officer layoff by the commission, 3 members resigned. Commission did not authorize the replace of the officers that left so no turnover has occurred. Commission is involved in the termination and or disciplinary process.

- **Concern:** Officer should have an open door policy to speak with the Commissioners about work related issues, without being penalized.

**Response:** The Department has a specific policy through the Accreditation process that states that they must follow the Chain of Command. The Commission has the final determination so we should not interfere with the Chain of Command that has been approved.

- **Concern:** All salaried employees should work on site or in the field for a minimum of 40 hours in a given work week.

**Response:** Currently takes place.

- **Concern:** Personal use of company equipment/vehicles should not be acceptable under any circumstances.

**Response:** There is currently a policy in place regarding this.

- **Concern:** Only union representatives and commission representatives should participate in union contract negotiations. Management level of the police department should not be allowed to be present or participate. These negotiations are between the commission and the union. The presence of management poses an unfair influence on negotiations and has caused distrust in the past.

**Response:** The input of management assists the commission as they enforce the contract.

Coolbaugh Resident question: Will the concerns and responses to the concerns will be available to the public to view?"

Phyllis Haase addressed the public explaining that when she was appointed to the PMRPC she went through the Police Commission Minutes explaining that she did not know what the concerns were. She continued to state, "In the Feb 2013 Minutes of the PMRPC it was asked if the concerns were met and stated they were addressed." Ms. Haase then assumed it ended the issue on the concerns. She also stated she then went back and read the minutes of Coolbaugh Township meetings to see if there were any concerns brought to light at their meetings. Ms. Haase stated she was not finding any discussion of the concerns. She continued, "Since January I have asked the representatives of Coolbaugh for the list of their concerns, so that they could be addressed and fixed." Ms. Haase continued to state, "It took five months to get this list, that I find nothing in here, so devastating that warrants threatening pulling out of the police commission."

Peggy Coonan- Coolbaugh Resident stated her opinion on the list of concerns stating that they are petty. Ms. Coonan continued to state that she along with others have asked residents about the services of regional police and has not received one complaint. She continued to state, "now that I have read the concerns, I feel that this petty and personal."

Chief Lewis explained that when a municipality threatens their withdrawal it will affect officers and their families he does not want their families to suffer or the community to suffer.

Chairman Frutchey stated a letter will be drafted and sent to the commission members within a week or so, stating the answers to the concerns.

Phyllis Haase suggested circulating an e mail tomorrow with some dates for a special meeting to be set to move forward with a meeting with Coolbaugh regarding the response.

- **Committees** –

Headquarters-

Strunk –Albert Engineering

Chief Lewis stated that contractors began work but it has been put on a two week delay due to the meeting tonight and the onsite accreditation taking place tomorrow. Chief stated he will be meeting with Strunk Albert next week they will be back within two weeks. Chief suggested moving the location of the July meeting.

Phyllis Haase offered the use of the Tobyhanna Township Building for July 8<sup>th</sup> at 7:00 P.M. All agreed.

Kathy Matisak will advertise the change of location for the July 8<sup>th</sup> meeting.

Fence Project– Chief reported that the site plan is done and products have been selected. He explained the project does not have to be put out for bid because the labor and product are on Co-Stars, he stated he will be meeting with the contractor next week and will report back to the commission.

Pension-

Chief Lewis stated there was a pension meeting a few weeks ago, he was not present but Francis DePiano attended. Chief Lewis reported the pension year to date gained \$275,000. Chief stated, “It is on solid ground and we continue to move forward with PFM.”

Accreditation Policies-Minor Revisions

Chief Lewis reported that the mock assessment went very well. He continued stating the actual assessment will be tomorrow and Thursday; with investigators conducting their tour and individual interviews. Chief continued that there are some minor changes to be addressed from the mock assessment. Lt. Wagner addressed the changes in wording to the following policies:

- 1-5 Written Regulations-
- 6-1 Use of Force-
- 6-3 Weapons Qualifications-
- 10-3 Temporary Holding Cell Area-
- 13-2 Child Protective Services-
- 13-4 Pennsylvania Crime Victims Act-

**Motion:**

Roy Gross made a motion to approve the minor revisions to Policy numbers 1-5, 6-1, 6-3, 10-3, 13-2, 13-4 as presented by Lt. Wagner; the motion was seconded by Francis DePiano.

Dave Moyer asked if everyone realized how this process of accreditation protects the municipalities; and what it means to be accredited.

Chief Lewis stated that the goal is to protect the officers and the people we come in contact with. It also helps not to expose the commission or the officers to any unnecessary liability.

Community Events/Letters of Support-

May 18- Run for the Red- assisted traffic control

May 26-Rotary fly in Breakfast the Mt. Pocono Airport-SWAT and K9 Demo's

Chairman Frutchey read two letters of appreciation he received on the department's behalf.

The first regarding an attempted suicide which involved a SWAT call out where Sgt Bowman negotiated the surrender of an individual. The second letter was in reference to an ongoing situation that Pocono Farms tried to resolve without success; and was resolved by Sgt Vogt in a few days.

#### **NEW BUSINESS:**

- **PMRPF ANNUAL FUNDRAISER-**

September 20, 2014- Pinecrest Lake

Chief Lewis asked for support of the annual fundraiser. He explained how the foundation supports the K-9 program, Mountain Bike Patrol, the grant writer in addition to the awards for recognition.

#### **PUBLIC PARTICIPATION:**

Vincent Massaro – Pocono Country Place- voiced his views concerning the need for more officers; suggesting a surcharge or increase in taxes.

Chairman Frutchey explained the only way to be heard is to make the individual municipalities understand they need to buy more time.

Chief Lewis stated, "We are at the same staffing level that we were at in 2007-2008, if taxes have gone up in the municipalities "0" of it has come back to the police department." He continued, "I want that to be heard."

Joseph Rougan- Coolbaugh Township-stated "the feet on the street do absolutely the best they can with the limited amount of resources their getting." He continued to state his concerns regarding hearing the need of backup from another department because there are not enough officers on the street.

Brian Sanford- Coolbaugh Township- asked if the by-laws were accessible to the public.

Chairman Frutchey stated "Yes." Phyllis Haase offered a copy of the by-laws to Mr. Sanford.

Chairman Frutchey stated there would be a brief Executive Session after the meeting.

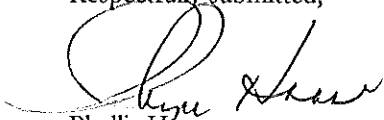
#### **ADJOURNMENT:**

**Motion:**

Francis DePiano made a motion to adjourn the meeting; the motion was seconded by Phyllis Haase. The motion passed unanimously.

The meeting adjourned approximately 8:58 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 7:50 p.m. and ending approximately 8:20 p.m. regarding Personnel Issues.

POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
SPECIAL MEETING  
18 JUNE 2014

PRESENT:

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

ABSENT:

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 6:30 and ending approximately 7:00 p.m. regarding Personnel Issues.

Chairman Frutchey addressed the commission regarding a letter of retirement submitted by Chief Harry W. Lewis.

**Motion:**

Roy Gross made a motion to accept the retirement of Chief Harry Lewis as of August 8, 2014; the motion was seconded by William Weimer.

Public question- How many years was the Chief on the force? Chief Lewis answered "21."

Peggy Coonan thanked Chief Lewis for his good work.

The motion passed unanimously.

**Motion:**

Phyllis Haase made a motion to advertise for the position of Chief of Police; the motion was seconded by Donald Moyer.

Mike Gillian- stated that he served on the commission under Chief Lamberton and Chief Lewis. He commented that the position should be filled from inside the department. He continued stating, "To hire from the outside of the ranks would be a slap in the face as to all their hard work in trying to improve themselves." Chief Lewis agreed with Mr. Gillian.

The motion passed unanimously.

Phyllis Haase suggested if a candidate is not chosen by the July meeting, an interim Chief should be selected.

Chairman Frutchev agreed.

Chairman Frutchev stated, "We will go back into Executive Session after this meeting."

Ed Tutrone asked if there will be a residency restriction on the new Chief.

Chairman Frutchev said "we are looking into that."

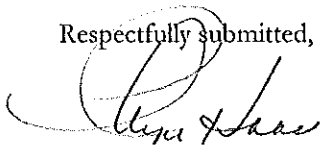
Resident from Coolbaugh Township stated he would like to thank the Chief for his service, stating "I think he's done an outstanding job, especially with all the jabs and bull that's been going on for the last two years."

Chief Lewis thanked him for his comments.

**Motion:**

Fred Courtright made a motion to adjourn; seconded by Roy Gross. The motion passed unanimously. Meeting adjourned at 7:20 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary



**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
SPECIAL MEETING  
24 JUNE 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER

**ABSENT:**

HARRY COLEMAN	-SOLICITOR
HARRY W LEWIS	-CHIEF OF POLICE

**CALL TO ORDER:**

The Special Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:00 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 6:00 and ending approximately 7:00 p.m. regarding Personnel Issues.

Chairman Frutchey stated that "We have decided that we will be interviewing several candidates for interim Chief. We will possibly have a decision by our July meeting."

Phyllis Haase stated that she would like to rescind the motion that was seconded by Dave Moyer, by stating, "we will not advertise at this time; with the uncertainty of Coolbaugh Township and the proposal of what we are doing going forward."

**Motion:**

Phyllis Haase made a motion to rescind her motion of the July 18 Special Meeting to advertise for applicant for Chief; the motion was seconded by David Moyer. The motion passed with Roy Gross, William Weimer and Juan Adams objecting.

Lynn Kelly asked how the total vote went. Chairman Frutchey stated "7 to 3." He continued to state that the interviews will take place July 30<sup>th</sup> at the place discussed.

Phyllis Haase reminded the commission and the public that the next commission meeting will take place at the Tobyhanna Township Building at regular date and time.

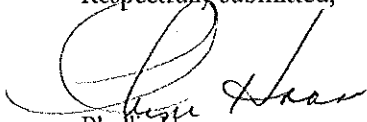
Chairman Frutchey reiterated that the interviews that are being conducted will be from within the department.

Lynn Kelly asked why the meeting location was changed for July. Fred Courtright stated that the mold remediation was resuming at Headquarters.

**Motion:**

Francis DePiano made a motion to adjourn; seconded by Phyllis Haase. The motion passed unanimously. Meeting adjourned at 7:14 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
8 JULY 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
HARRY W LEWIS		-CHIEF OF POLICE

**ABSENT:**

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
------------	---------------------	---------

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:10 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 10 June 2014 Regular Business Meeting, seconded by Roy Gross. The motion passed with one correction. On the motion made by Roy Gross and seconded by Francis DePiano to approve the minor revisions to policies 1-5,6-1,6-3, 10-3, 13-2, and 13-4 as presented by Lt. Wagner should state "motion passed unanimously."

**Motion:**

Francis DePiano made a motion to approve the Minutes of 18 June 2014 Special Meeting, seconded by Roy Gross. The motion passed unanimously.

**Motion:**

Francis DePiano made a motion to approve the Minutes of 24 June 2014 Special Meeting, seconded by Roy Gross. The motion passed unanimously.

## **APPROVE BILLS:**

### **Motion:**

Francis DePiano made a motion to approve the Bill-pack of 8 July 2014 in the amount of \$195,379.57 seconded by Phyllis Haase. The motion passed unanimously.

## **JUNE POLICE REPORT:**

Total calls for the month of June were 1088 total calls consisting of 1019 Complaints and 69 Accidents. There were a total of 127 Criminal Arrests, 124 Traffic Arrests, 108 Traffic Warnings and 5 Ordinance Arrests.

### **Motion:**

Fred Courtright made a motion to accept the June Police Report, seconded by Francis DePiano. The motion passed unanimously.

Chief Lewis stated that in addition to the normal statics reported we have added another UCR breakdown, which documents all the UCR crimes in each municipality.

Lynn Kelly asked, "What does UCR stand for?"

Chief Lewis stated, "Uniform Crime Report."

## **VEHICLE REPORT:**

Dave Moyer asked when the new cars would be delivered. Chief Lewis stated, "The SUV 4wheel drive should be here in the next 2 weeks. The other three are here; the only thing that is not done is the "up fit" for lights and sirens. That outfit is a little delayed, but we should have them all within the next month and a half."

Dave Moyer asked, "What happens with the cars that will be taken off the road?"

Chief Lewis explained one vehicle will be donated to Pocono Mountain EMS, and the other three will be put on Police Surplus on line so the department could receive some money for the sales of these vehicles.

### **Motion:**

Phyllis Haase made a motion to accept the July Vehicle Report as presented; the motion was seconded by Brandon Igdalsky. The motion passed unanimously.

## **UPDATE:**

- **Appoint Interim Officer In Charge –**

### **Motion:**

Francis DePiano made a motion to appoint Lt. Christopher Wagner Interim Chief in Charge; the motion was seconded by Phyllis Haase. Motion passed with the opposition of William Weimer.

Fred Courtright stated that three candidates were interviewed stating, "all interviewed very well. Each did this department proud on how they presented themselves."

Lynn Kelly asked for clarification if this was an "Officer in Charge" or "Interim Chief."

Chairman Frutchey stated, "Interim Chief."

- **Member Municipality Concerns –**

Coolbaugh – Chairman James Frutchey referred to the Coolbaugh Township List of Concerns-Report. Stating that the report was in the commission packet. Phyllis Haase stated it is listed in the June 10<sup>th</sup> minutes starting on page three.

Chairman James Frutchey read the list of concerns of Coolbaugh Township and the Response of the Commission to the concerns. (Chairman Frutchey started reading the list; Phyllis Haase continued the reading for Chairman Frutchey).

After the list was read Phyllis Haase addressed Vice Chairman Dave Moyer, stating, "These were the responses to Coolbaugh Township's Concerns." Ms. Haase continued by stating, "at the last PMRPC meeting; we would consider having a special meeting inviting Coolbaugh Township Supervisors to meet with the commission to see if we could work this out."

Vice Chairman addressed Mr. Weimer asking if that was something Coolbaugh would like to do.

William Weimer stated he would bring that back to Coolbaugh and see if they want to do. He continued to state "I've already kind of talked to the board, in our executive sessions to see what their feelings were with this, and some were hesitant and reserved so..." He continued, "I will let you know on how that goes."

Fred Courtright added "as a commissioner, more talking is better. Even if they don't feel there is any forward progress that could be made; you guys spend a heck of a lot of money here and it's probably in your best interest to talk anyway even if they don't feel that were going to get resolution on anything. I think we could surprise ourselves if we continue talking."

Vice Chairman David Moyer asked if that was something Coolbaugh would like to do. Mr. Weimer stated, "I'll let you know on that."

Vice Chairman Moyer asked if there were any current Coolbaugh concerns.

Mr. Weimer congratulated Lt. Wagner on his placement as Interim Chief and asked the Lieutenant not to take his, (Mr. Weimer's) objection personally.

Asking for his time and spotlight to address the commission; Mr. Weimer the read the following from a prepared list:

*On being asked about Coolbaugh's concerns, I think what concerns the Township may have and how we hold our police department accountable for the tasks that they do.*

*I want to have justification on spending over 2 million dollars and what services it provides, whether it's patrol or investigation etc.*

*All of this to where we are right now has stems from the double homicide and the amount of hours Coolbaugh was charged. Still to this day, I have asked the Board of Supervisors, because I was not involved in it at the time, have they received the details regarding the justification of the hours and the answer to from the board has been no.*

*I think we as a commission, have forgotten why we are here. I think we represent our municipalities. It is not personal feelings that drive decision making here. It should be what municipality views and expectations are.*

*I do not see open communication from the commission members to all. What I've seen in my short time here, which has been a month; 4 meetings in a month. I don't see open communications at all.*

*What I've seen in my short time is what's Coolbaugh's problem now? Instead of how can we fix the issues that you may have?*

*I'm concerned with the fact that the commission members have already made the decision to push Coolbaugh out.*

*And here's some examples:*

*Coolbaugh called an executive session to discuss a serious matter that was in violation of the municipal agreement; and was blown off by the members that didn't even stay for the discussion stating "I've heard enough of this I'm leaving" or "I made a mistake shoot me." This does not take care of the serious issue at hand, and further a conversation to Dave Moyer from a Judge, and yet we've not discussed or come to terms with anything in that matter.*

*There were two executive sessions, the conversation was revolved around whether or not Coolbaugh is leaving and how do we plan for if they do.*

*The commission members speak to each other and do not address the representatives from Coolbaugh. This gives me the impression of pushing us out is easier than talking to us. The current issue is hiring a new Police Chief from outside the organization.*

*Prior to the start of last meeting I watched Phyllis go around to several commission members nods were had, and a motion to rescind a motion looking for a Chief from outside that was made in the past. Myself, John or Roy were not spoken about this I'm not sure about Fred.*

*I understand how politics work, but I feel again, that decisions were made without being spoken to. The decision was based on whether or not Coolbaugh would stay or not. Remember, there's no deadline when Coolbaugh has to leave. A municipality can leave whenever it wants. Terminating the agreement has a time limit but the ability to leave is open to tomorrow, December, January 14, August 6th, 2015, 2016, 2025 or even if it's decided.*

*So, at this point I'm sure you're tired of hearing me talk, but I'm not done.*

*After last meeting, I have a concern that 50% of the commission met at Donnie's place. The impression that Dave, Donnie, Jim, Brandon and Fran meeting after our commission meeting again that decisions were already made prior to an official meeting making our existence pointless. I cannot confirm what was discussed at the meeting, nor do I care at this point.*

*But I can imagine, that it was already decided that a certain person will be put in place as the interim Chief and no discussion or compromise was going to change that.*

*I'd like to be a fly on the wall during private or business meetings or whatever it is at the airport; between Chief Lewis, Jim and Dave, the other day. I understand that there's business to be conducted between meetings; but I know I'm not informed via email of what was discussed or what's going on. Not sure about anybody else that's on the commission.*

*Remember we represent the municipalities' best interest not our own personal interest and gains.*

*Now I appreciate the hard work that the Police Department does on a daily basis and congrats to all involved in the accreditation. But realize this, Coolbaugh Township does not have an issue with the police officers and the job that they do. We have an issue with the commission and the inability to compromise with the largest paycheck.*

*So far all decisions have been based on what Coolbaugh is going to do. So here's my challenge to all of you. That we sit down, take a good hard look at how to communicate, open up our minds to different ideas put the greater good of our communities ahead*

*of the secretive meetings, cover up violations of our municipal agreement and pushing out the largest contributor to the Police Department.*

*My first suggestion is to go back to each municipality and re-write and pass an addendum to the 1996 municipal agreement that we reduce the amount of members that is on the police commission from 10 that serve now to 7. Based on the money involved the breakout would be 3 from Coolbaugh 2 from Tobyhanna 1 from Mt Pocono 1 from Tunkhannock. Also, when and if this is agreed upon by all current members other than Mt. Pocono, because of the laws written, must leave the position, and appoint new and different members. I believe this will give the commission and the police department a chance to revitalize with new ideas and a fresh direction.*

*And by the way, I expect a copy of the 60 page plus report completed by Neil Morris that Mr. Coleman has available for my township to review by next meeting.*

*I also do not be surprised if we remove our commission members and replace them in effort to show that we are bringing a new energy to the table. If you bring anything up about the commission by-laws, our lawyer will be contesting the legality of that.*

*As it stands Coolbaugh will not recognize the commission by-laws and will exercise its right to take off or put on any commission member it wants to ensure that we are getting the proper representation. That is our concerns.*

Chief Lewis addressed Mr. Weimer about the double homicide- stating he wrote a detailed e-mail to Coolbaugh's manager explaining the issue of hours. The Chief then received a response to his e-mail thanking him for his well done explanation.

Mr. Weimer asked, "By the Board of Supervisors?" Chief Lewis stated, "I sent it to your Business Manager, who sent me the request. The response was sent the next day. The Business Manager then answered the e-mail stating "this was a great explanation, and the information has been forwarded."

Chief Lewis stated in numerous meetings he explained the breakdown of these hours and why these hours happen the way they had. Mr. Weimer stated "I will bring that information back to my Board of Supervisors."

Chief Lewis stated, "Your Board of Supervisors already has this information and they should convey it to you." He continued by stating he received a receipt from Coolbaugh and they had thanked him for the explanation. He added, "The monthly reports that were for the month of August also reflects why there were so many hours."

Chief Lewis continued, "There is no time limit in how many hours are spent to solve a double murder." Mr. Weimer stated, "I'm not asking you to justify that, Chief." Chief Lewis stated, "Yes you are, that's exactly what you're doing!" "And I explained it, we don't put investigation caps. A municipality is billed per hour. It's not for patrol or investigation. I don't drive those numbers, the officers who do their daily logs on a daily basis drive those numbers." Chief Lewis reiterated, "Everything they do is documented." He continued, "I have said this over and over and over again." Mr. Weimer stated, "Okay, so we'll move on."

Chief Lewis explained the reason Coolbaugh pays more is because of the large population and that is why more police coverage is needed. The Chief continued by stating, "Because you pay more, that doesn't give you the right to have more power." He continued, "It gives you the right to have more service."

Chief Lewis continued to address the commission and the public on his concerns and frustrations for the better of the department.

Phyllis Haase addressed Mr. Weimer stating that when she finished reading the list of concerns she said the commission would like to sit down with Coolbaugh Township and discuss this. She stated "your response to us in front of everybody here was, "you've discussed this in executive," she continued, "Which that's an

issue". She continued to quote, "but some of them are reluctant to do that." Ms. Haase stated "so you just said yourself, in front of us that some are reluctant to sit with us. So what else could we possibly do, when you say that there is no communication?" She continued, "We have tried every single month, asking what your concerns are. Let us fix your concerns. I appreciate and thanked everybody from Coolbaugh when you sent the concerns to us; you were not on the commission at that time. But you yourself said some are reluctant to meet with us; so what more could we possibly do for you?"

Vice Chairman Dave Moyer addressed William Weimer and Lynn Kelly stating; he has a problem understanding after twenty years of Roy at the helm, we had one night that the vote wasn't unanimous. He continued, "So Roy steps down, and we have a big issue here. How can it be unanimous for twenty years, Roy steps down and we run into problems?"

Open discussion took place on the fact that budgets need to be done and decisions need to be made.

Fred Courtright stated open dialogue was need and Francis DePiano stated it is very important to meet with Coolbaugh and get this out in the open and show unity.

Mr. Weimer stated, "I will get the supervisors together, we will get with the Chair to set a date. We'll have a special meeting and get this all out on the table."

Chairman James Frutchey addressed other Coolbaugh concerns:

Letter from Coolbaugh Township dated June 23, 2014, asking about the Uniform Crime Report System and a better report. Chairman Frutchey explained that everyone was given their own municipalities report. If anyone wants all the reports just let the commission know and they will be emailed to you.

Letter received from Coolbaugh Township dated July 7, 2014, thanked Lt. Will Lavery for the insight he shared at the July 1<sup>st</sup> meeting regarding the concerns with the dangers associated with abuse of trucks parking along state route 611. Since the proper signage was put up, it now can be enforced. This letter also referred to the new UCR report. Chairman Frutchey asked members to decide if they liked the new report and were interested in receiving it as part of the monthly stats.

Chief Lewis took this opportunity to explain that getting these concerns out immediately can help to rectify situations quickly. He referred to recent incidents that were brought to his attention one complaint of prostitution in Mt Pocono and a dog complaint in Tobyhanna Township stating both were addressed immediately.

Mt Pocono – Fred Courtright mentioned Lt. Lavery attended the Borough council meeting, and answered quite a few questions from residents. He followed up on the Chiefs comment stating if you have a problem call the Police. He stated some people have go to the council meeting hoping their problems can be solved at council meetings, where they really should be notifying the Police.

Mr. Courtright referred to a letter sent to the Chief regarding Cedar Crest College and the Wal-Mart procedure. Chief Lewis referred to "the Wal-Mart intervention": which is questioner for Wal-Mart personnel to complete to help them identify their own issues; and how we may be able to help them solve them.

Roy Gross stated his concern that, "it obvious that the commission is split right down the middle." He suggested getting over that chapter and getting back to doing business; by getting the service to the people, and continue to work together as a commission.

Tobyhanna -Phyllis Haase voiced her concern for the need of multiple officers especially with several officers approaching of age for retirement. Ms. Haase asked what the realistic amount of officer need would be needed for replacement.



Chief Lewis stated we really need to carry 40 at a minimum we are currently at 36. He continued to explain that normally the municipalities are given several budgets- Option A is replace "0" officers, Option B replace "one " officer etc. The municipalities then decide what they can afford.

Francis DePiano asked, "How many officers will be ready for retirement in the next two-three years?"

Open discussion took place on the departure of seasoned officers and the need to train new officers before the departure of the experience officers.

Chief Lewis suggested for the municipalities refer to the Budget Projection Analysis that was provided by PFM in preparation of their new budgets as well as the commission budget.

Francis DePiano thanked the department and Sgt. Vogt who handled a recent situation regarding terroristic threats in Tunkhannock Township.

- **Committees –**

Headquarters-

Strunk –Albert Engineering

Chief Lewis stated that we are in the process of the mold remediation at the headquarters building there has been some question on additional testing needed due to another leak. Chief stated that we were waiting for PPL to come in and take a look at the problem which may be fixed by them.

Fence Project– Chief reported that he spoke with ABE Fence they are waiting on the finalized prices from their manufacturer. Chief stated by next meeting he hoped to have the number for approval by the commission.

- **Pension-** Chief stated nothing to report.

- **Accreditation Policies-Minor Revisions**

Lt. Wagner addressed the changes in wording to the following policies:

9-3 Transporting Prisoners to Medical Facilities  
15-1 Cash Fund Accounts Maintenance

Vice Chairman David Moyer read a letter from the on-site Team Leader Chief of Police of Carnegie Mellon University, Chief Tom Ogden praising the department on the successful completion of the on-site accreditation process.

**Motion:**

Roy Gross made a motion to approve the minor revisions to Policy numbers 9-3, and 15-1 as presented by Lt. Wagner; the motion was seconded by Francis DePiano. The motion passed unanimously.

- **Community Events/Letters of Support-**

Chairman Frutchey read two letters of appreciation he received on the department's behalf.

## NEW BUSINESS:

Roy Gross asked if Headquarters will be available for the August 12, PMRPC meeting.

Chief Lewis suggested rescheduling the location. It was decided that the August 12 meeting will take place at Tobyhanna Township Municipal Building at 7:00 p.m. due to the mold remediation at Headquarters and the convenience of location to all municipalities.

Phyllis Haase also asked the commission to think about setting the date for the November meeting due to Veterans' Day.

## PUBLIC PARTICIPATION:

Ginny Heckman – asked about Coolbaugh's personnel concerns –concerning the open door policy. Ms. Heckman stated –what was not responded to was; if the officers spoke to commission members they would not be penalized. Ms. Heckman also asked if it was true that commission members met after a commission meeting.

Open discussion took place regarding the commission members having dinner together occasionally along with other members of their families present. It was discussed that there was no meeting.

Fred Courtright stated we need to avoid that appearance. Phyllis Haase suggested it is strictly socialization.

Ms. Haase also stated that the personnel matter was addressed to policy in place with the Chain of Command, should something be appealed or go to arbitration, the commission cannot be involved. "Therefore," she stated, "it is not appropriate for the officers to come to us with their concerns without going through the proper channels."

Dave Pope- Coolbaugh Township- insisted that management does not go to union meetings. Chief Lewis stated that when there are training sessions for police every year it is stated that management is a part of negotiations. Dave Pope stated that the investigation hours seem to be more than any other municipality. He continued to ask "Where are these investigations taking place." Chief Lewis stated that the crime is "throughout the jurisdiction." Mr. Pope continued to challenge the Chief for specific developments involved stating, "Evidently, Coolbaugh Township has a lot of bad apples." Chief Lewis stated, "You're saying that. I'm saying you have crime that needs to be investigated."

Fred Courtright pointed out that Coolbaugh's numbers were actually down. Chief Lewis reiterated, "The crime dictates were we patrol and investigate."

Open discussion took place among several members of the audience in disagreement with Mr. Popes opinion.

Ryan Sanford- Coolbaugh Township asked the commission if the By-Laws were approved and adopted by the Townships, Phyllis Haase stated "their approved by the commission." Mr. Sanford stated, "So the commission can set a bylaw that supersedes the authority of the townships who appoint them?" Ms. Haase stated there are five separate entities they are lateral across the board; one is not over the other."

Mr. Sanford referred to Section III item C. Membership of the By-Laws. Stating, "The Municipality may not substitute the commissioner during seated commissioner's term of office." He continued, "You're appointed by this township to serve on this commission. Mr. Sanford stated, "If I read this correctly, you wrote a bylaw that supersedes their authority; and they're the ones that put you there."

Chairman Frutchey stated, "We'll take it to our solicitor."

Mr. Sanford asked if the commission has addressed the issue state ethics commission regarding the supervisor involved.

Phyllis Haase stated, "It is not a matter of the township or this commission, it's between that supervisor and the state."

Lynn Kelly- Coolbaugh Township – directed her comment to Chief Lewis stating that every meeting, Coolbaugh is pulling out. Ms. Kelly wanted to clarify that Coolbaugh Township has not stated that they made a decision to pull out. They stated in January we would investigate our ability to look into other options and work with the commission.

Phyllis Haase stated the commission asked a Coolbaugh representative last month at the meeting, and the response was, "We don't know if we're pulling out this year, next year or the year after."

Ms. Haase stated, "I represent Tobyhanna Township on the commission, I am a taxpayer and reside in Coolbaugh Township, and I also am on a Board that represents 13,000 people in A Pocono Country Place. So I don't want to see Coolbaugh pull out." She continued to state, "The bottom line is commission wants to resolve the issues."

Bill Byron-Tunkhannock-voiced his opinion to Coolbaugh Township; to form their own Police Department so it can be micro managed by Coolbaugh.

Francis DePiano spoke of the importance this plays in the budgeting process for the other municipalities and the effect on additional officers that may or may not be needed therefore affecting the police budget.

Chief Lewis spoke of the rules stated by Coolbaugh that know one could be affiliated with the Police Commission or Police Department in association with the research committee. However, Lynn Kelly ran the first two meetings and had no intention of telling the commission that she was doing both.

Chief Lewis addressed the commission and the audience on the reasons why a regional department was better for the municipalities and the advantages and resources that became available with going regional. He recalled "We didn't have detectives, SWAT, DARE, a drug unit, crime scene investigators, and accident re-constructionists. This is why you went regional, "More cops are coming with more resources that's going to save lives. He concluded stating, "Lives are why we're here, not egos."

Fred Courtright stated his views on Coolbaugh doing their homework on whether they want to be part of this body or not. He stated that so long as Coolbaugh's actively looking at its options including pulling out; this body is going to react to that by focusing its questions to Coolbaugh.

Chief Lewis stated that Coolbaugh needs to decide what level of service they want and not throw darts in the process.

Roy Gross - commended Officer Scarfo on a job well done concerning a spill on Rt. 80.

Rachael Shickling – Tunkhannock asked about the number of hours spent on the June race. Stating that she was at the race and there was a lot of police presence.

Chief Lewis- mentioned that we have actually decreased our attendance at the races; and the amounts of problems have significantly decreased at the races. He continued that Tunkhannock does not bill us, we handle as we see fit.

Francis DePiano stated that the Chief and Lieutenants presence is not accounted in the hours.

Someone asked Phyllis Haase if it was a conflict of interest being on the Tobyhanna Township Board, while being a resident and serving on a Coolbaugh Board. Ms. Haase indicated no.

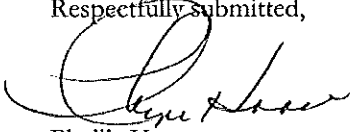
**ADJOURNMENT:**

**Motion:**

Francis DePiano made a motion to adjourn the meeting; the motion was seconded by Brandon Igdalsky. The motion passed unanimously.

The meeting adjourned approximately 8:42 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 6:00 p.m. and ending approximately 7:05 p.m. regarding Personnel Issues.

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
SPECIAL MEETING  
29 JULY 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
CHRISTOPHER WAGNER		-LIEUTENANT
HARRY COLEMAN		-SOLICITOR

**ABSENT:**

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY W LEWIS		-CHIEF OF POLICE

**CALL TO ORDER:**

The Special Meeting of the Pocono Mountain Regional Police Commission regarding the Mold Remediation Project was held at the Pocono Mountain Regional Police Building and called to order at 7:10 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

- 1) Evidence Room was not included on the initial estimate.
- 2) Temporary dehumidifier
- 3) Independent mold testing

John Stevens from Strunk Albert was present for the meeting to explain the above requested change orders. He began by explaining that the humidity needs to be brought down so that the spray foam will adhere. The rental for this unit is \$1,587 per week. He indicated that this was a necessary step explaining that the moisture block must be below 19%; for the spray foam to make a good seal.

Open discussion concerning settling that some of the piping has settled and sunk and pulled away from the downspouts which dumps all that water down the foundation which could be contributing to the problem. Discussion continued concerning dropping a camera down through the spouts and drains around the building to see if there are any other pipes or elbows that have disconnected. Discussion continued concerning all areas outside the building that should be looked at to help resolve the problem of the water entry.

**Motion:**

Phyllis Haase made a motion to engage in the services of a company to televise the pipe and drains of the building. The motion was seconded by David Moyer.

Roy Gross questioned the cost stating there should be a cost factor stated. Phyllis Haase suggested that Lt. Wagner reach out to obtain three quotes.

Discussion continued concerning the next steps for the project and diverting the water away from the building. Mr. Stevens stated that a Change order was submitted to put the Drain Pipe Extensions on in the amount of \$800 and some odd dollars if the Commission would like to do that in the meantime for every time it rains to at least get the water in the pipe. This is a temporary fix that would have to get fixed properly at a later date. Suggestion also made to put the downspouts into the parking lot.

Motion passed unanimously.

Dave Moyer suggested looking at redesigning the planter area since the sidewalks are higher and the water is just sitting there. Mr. Stevens will work on getting something together on that to have back for our next Commission meeting on the 12<sup>th</sup>.

Mr. Stevens stated that the Evidence Room was not included in the initial estimate because the room was inaccessible at the time of quote. The Evidence Room is located between the file room and the gym so it was assumed that the ceiling was the same but when they actually got in there it was noticed that it was actually sheet rocked. The additional cost to remediate the evidence room is \$3,850.00.

**Motion:**

Chairman Frutchey made a motion to remediate the evidence room for the cost of \$3,850.00. The motion was seconded by Fred Courtright. Motion passed unanimously.

Chairman Frutchey re-addressed renting of the dehumidifier mentioned earlier.

**Motion:**

Chairman Frutchey made a motion to rent the temporary dehumidifier at a cost of \$1587.00 per week for up to 4 weeks. The motion was seconded by Phyllis Haase.

Fred Courtright added the dehumidifier only be rented should the contractor need it after the televised process.

Motion passed unanimously.

Independent mold testing -\$4650. The mold testing quote consists of pre testing and final testing of the remediation project. It was determined that at least one additional quote for the testing be obtained prior to beginning the testing.

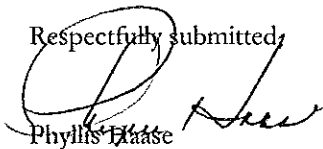
**Motion:**

Brandon Igdalsky made a motion accept the lowest quote up to \$4,650.00 for independent mold testing. The motion was seconded by Donald Moyer. The motion passed unanimously.

**Motion:**

Francis DePiano made a motion to adjourn; seconded by Brandon Igdalsky. The motion passed unanimously. Meeting adjourned at 7:53 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
12 AUGUST 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 8 July 2014 Regular Business Meeting, seconded by Brandon Igdalsky. The motion passed unanimously with Juan Adams abstaining.

**Motion:**

Francis DePiano made a motion to approve the Minutes of 29 July 2014 Special Meeting, seconded by Fred Courtright. The motion passed unanimously with Juan Adams and William Weimer abstaining.

**APPROVE BILLS:**

**Motion:**

Roy Gross made a motion to approve the Bill-pack of 12 August 2014 in the amount of \$147,945.62 seconded by Francis DePiano.

Brandon Igdalsky referred to a question he had on the file cabinets that was addressed to Chief Wagner prior to the meeting.

Juan Adams questioned check #'s 12992 and 13046 payable to American Life Insurance Group asking why they were two different amounts. Kathy Matisak stated that it was adjustments for the employees currently on disability.

Fred Courtright questioned the department using PenTeledata. He stated that municipalities, including Mt Pocono and Coolbaugh have an agreement with Blue Ridge for internet service with free hook up. Mr. Courtright asked if there was a reason (security wise), why we are not taking advantage of that service. Chief Wagner stated, "We will have to look in to that."

With no further discussion, the motion passed unanimously.

### **JULY POLICE REPORT:**

Total calls for the month of July were 1096 total calls consisting of 1031 Complaints and 65 Accidents. There were a total of 105 Criminal Arrests, 113 Traffic Arrests, 90 Traffic Warnings and 8 Ordinance Arrests.

Chief Wagner stated that the August race went very smooth in Tunkhannock Township. He continued to state, "It was typical kind of ebb and flow month."

### **Motion:**

Francis DePiano made a motion to accept the July Police Report, seconded by Phyllis Haase. The motion passed unanimously.

Chief Wagner made note that we included the municipality breakdown for UCR statistics at the request of Coolbaugh Township.

### **VEHICLE REPORT:**

Phyllis Haase asked for an update on the new vehicles.

Chief Wagner stated that we did receive car # 9 (Tahoe). It is getting ready to be put into service. One of the other three vehicles is set to be delivered any day. All vehicles should be here within the next couple of weeks.

Phyllis Haase asked if the old unit # 9 was the vehicle that would be donated to PMEMS. Chief Wagner confirmed that it was.

Dave Moyer asked what will be done with the other three vehicles to be replaced. Chief stated that they will be put on Police Surplus and see what kinds of bids are received.

### **Motion:**

Phyllis Haase made a motion to accept the July Vehicle Report as presented; the motion was seconded by Brandon Igdalsky. The motion passed unanimously.

### **UPDATE:**

- **Police Chief Position**– compensation for the Acting Chief

### **Motion:**

Phyllis Haase made a motion to increase Chief Wagner's by-weekly salary by \$300.00 effective August 8<sup>th</sup> 2014-through his term of Interim Chief. The motion was seconded by Fred Courtright.

Lynn Kelly asked, "What is the current salary?" and "what is the salary being increased to?"

Phyllis Haase stated she believed the current salary was \$83,000 (and change).

The motion passed unanimously.



- **Search Committee**– Chairman Frutchey stated he would like to form a search committee to look for a new Chief of Police.

Francis DePiano stated his concern with the process of forming a committee for a new Chief. Stating that until we have confirmation as to whether Coolbaugh was going to be part of Regional it would not be beneficial at this time.

Phyllis Haase stated she was not opposed to forming the search committee, however she did agree with Mr. DePiano; stating that she would hate to have to pay the expense of someone driving or flying here until we know where we are going. She continued to state that forming a committee may be premature right now.

Fred Courtright stated, “Coolbaugh is in until they are out; and we should proceed with the understanding that tomorrow is going to be just like today.”

Open discussion.

Roy Gross stated that the committee should be formed to do some ground work and move forward. Regardless of what Coolbaugh is going to do and adjust when that time comes.

Chairman Frutchey asked for one name from each municipality for the next meeting to form this search committee.

Dave Moyer asked why we would want to add someone else to the payroll when we may have to layoff someone else at the bottom of the chain.

Juan Adams stated that he has not voted to pull out from the PMRPD. He continued to state that he has always supported the Police Department and will continue to do that. He said, “I don’t see any indication from Coolbaugh as far as pulling out.”

Dave Moyer stated we received a letter in 2013. He asked, “Isn’t there a committee that has been formed to investigate pulling out?”

Mr. Adams, stated, “It was not to investigate pulling out it was more to look at different options and not make any recommendations as to whether to pull out or not.”

Chairman Frutchey stated, “We go forward as we have always done. The budget will be made up with Mt. Pocono, Coolbaugh, Tobyhanna and Tunkhannock. That is the only way to move forward.”

Francis DePiano asked if Chairman Frutchey wanted a name for the committee by the next meeting. Chairman Frutchey stated, “Yes.”

- **Member Municipality Concerns**–

Coolbaugh – William Weimer thanked Chief Wagner for participating in the concerns and needs of Coolbaugh. He stated, “In regard to the UCR crime stats could we get a more detailed area stating village of or community of...?”

Juan Adams commented that Chief Wagner was a breath of fresh air.

Mt Pocono – Fred Courtright welcomed Chief Wagner and stated he will send Chief Wagner an e mail inviting him to the next Borough Council meeting on September 2<sup>nd</sup>. Mr. Courtright mentioned Lt. Laverty attended several Borough council meetings and has done a great job being very responsive.

Tobyhanna-Phyllis Haase stated her concern is where we are with the budget, and the commitment of the other municipalities.

Tunkhannock-Francis DePiano stated that Tunkhannock welcomes Chief Wagner and invites him to the September meeting.

Phyllis Haase stated that it was appreciated that Chief Wagner came back from a vacation to attend the meeting tonight. Ms. Haase stated, "That shows dedication."

- **Committees –**

Headquarters-

Strunk –Albert Engineering

Chief Wagner stated that televising of the lines took place today. It revealed that the drains are in good condition the only concern they had was where the drain pipe had pulled away on the front side of the building facing 940. That was a problem already identified by Strunk Albert. He stated, "The good news is we do not have to do any digging of the drains at this point."

He continued to state, "We sent out a couple request for bids for the mold testing, we got one response. Which they were looking at one testing, and we were looking at one before and a final testing. So we will have to re address that bidder."

**Motion:**

Francis DePiano made a motion for the contractor to extend the lines into the drain pipes. The motion was seconded by Donald Moyer. Roy Gross questioned the price of \$830.00, stating he felt it was too much for the amount of pipe needed.

Discussion took place to table the motion for clarification of the dollar amount and how many lines need to be extended. Francis DePiano tabled his motion for clarification.

Fence Project-

**Motion:**

Francis DePiano made a motion accept the bid from ABE Fence Inc., in the amount of \$109,099. 82. The motion was seconded by Phyllis Haase. The motion passed unanimously.

- **Pension-** Chief Wagner stated there is a pension meeting next Tuesday at 8:00 a.m. he will provide an update at the next meeting.

- **Community Events/Letters of Support-**

July 12<sup>th</sup> Corp. Nero and Officer Dave Posluszny attended Tobyhanna Township Community Day where they did a K-9 and SWAT demonstration.

July 20 - July 25 Corporal Nero and K9 Niko along with Officer Wile attended Camp Cadet with the PA State Police in Hazelton. Officer Posluszny did a demonstration with the Bear Cat.

Pocono Country Place – National Night Out- Officer Posluszny demonstrated the SWAT equipment along with the SWAT robot. Detectives Bohrman and Petrucci did some crime prevention discussion with residents of Coolbaugh Township.

Pa SPCA Outreach in Delaware Water Gap- Corporal Nero and K-9 Niko

Chief Wagner mentioned a letter from the PA Law Enforcement Accreditation Commission- congratulating PMRPD on the July 16<sup>th</sup> Accreditation.

Chief Wagner mentioned a letter received from Pa Commission on Crime and Delinquency-thanking Chief Lewis for his years of service.

### **NEW BUSINESS:**

Chairman Frutchey asked the Chief and Kathy if it was possible to have a draft budget by the next meeting.

Chief Wagner stated it is a work in process.

- **2013 Financial Audit-**

Todd Bushta addressed the commission with a synopsis of the 2013 Financial Audit.

Phyllis Haase asked if Kathy would distribute the pdf of the audit to the commission members.

- **2<sup>nd</sup> Quarter Budget Review-**

Chief Wagner reported that we are at 46% of the budget.

Phyllis Haase questioned the capital lease of the vehicles questioning the Grant money for the vehicles. Kathy Matisak explained that at the time the budget was prepared we did not know if we would receive the Grant.

- **2<sup>nd</sup> Quarter Treasurers Report-**

Francis DePiano read the balances of accounts.

Phyllis Haase mentioned that new signature cards need to be filled out for the accounts, stating that there are multiple addresses that are incorrect. Kathy Matisak stated they would be changed.

### **PUBLIC PARTICIPATION:**

Lynn Kelly- Coolbaugh Township – asked which account the fence project would be funding. Francis DePiano stated it would be the Capital Reserve Fund.

David Pope- Coolbaugh Township- Asked “since the old Chief is gone, the external investigation, will that be privy to the municipalities?”

Chairman Frutchey referred to Atty. Harry Coleman. Mr. Coleman stated, “Simple answer, no.”

David Pope asked, "Why?" Attorney Coleman stated, "for the reasons I've shared with the commission, it's a personnel matter, it was handled by the commission, however it has been subject to several right to know requests and the billing regarding that has been disseminated." He continued, "But the report will not be."

Lynn Kelly asked about Pansey vs. the Borough of Stroudsburg. Coleman stated that the Pansy case had to do with the dissemination of a private settlement in litigation. He continued, "This was a personnel issue."

George Bernardin – Timber Trails President- read from the prepared statement-

*"Over the past few years the Coolbaugh Township supervisors have been very critical of the PMRPD. There has been a constant threat to pull out and form their own department or turn it over to the State Police. They have not once been concerned about how we residents feel. This uncertainty has led to poor police morale and added expenses due to the alternatives that have to be looked at.*

*Not once have I heard a complaint about the quality of work, increase in crimes, lack of police response, or things that can be done to improve the safety of our business and residential communities. All we hear are character dispersions about the Chief or the other Police Commission members not being responsive to Coolbaugh Supervisors needs. We need to get past this petty bickering and let the PMRPD do their job. It took over a year for the Coolbaugh Supervisors to put their concerns in writing and it was like pulling teeth for the public to view them. It is not the supervisor's job to run the everyday operation. All the accusations about where time is spent in each township has been audited and found to be accurate.*

*Because the truth does not get to the Public and Coolbaugh Supervisors refuse to put out a referendum for the residents to vote on withdrawing from PMRPD it was necessary for six communities to take out a \$2,500 ad showing that the Pennsylvania Law Enforcement Accreditation Commission found "The Pocono Mountain Regional Police Department is a model for success relative to regionalization and delivery of efficient and effective police services. This Agency ranks among the most professionally managed departments this assessor has seen in the Commonwealth of Pennsylvania."*

*There are only 96 of 1,295 police departments that have attained accreditation.*

*Too bad the Pocono Record didn't put this in the paper July 10<sup>th</sup> instead of a headline "\$50,000 report no one can read" on Chief Lewis that is old news. We could have used the \$2,500 to donate to the Police Foundation.*

*With the development that is coming to our area, it is time for the supervisors to get over their egos and help make PMRPD the best in PA. When will you pledge to do that?"*

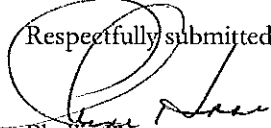
#### **ADJOURNMENT:**

#### **Motion:**

Francis DePiano made a motion to adjourn the meeting; the motion was seconded by Donald Moyer. The motion passed unanimously.

The meeting adjourned approximately 7:55 p.m.

Respectfully submitted,

  
Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 6:10 p.m. and ending approximately 6:47 p.m. regarding Personnel Issues.

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
SPECIAL MEETING  
26 AUGUST 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
CHRISTOPHER WAGNER		-CHIEF OF POICE
HARRY COLEMAN		-SOLICITOR

**ABSENT:**

FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER

**CALL TO ORDER:**

The Special Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 6:00 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**NEW BUSINESS:**

- **SRO – Pocono Mountain School District** – Chariman Frutchey introduced Steve Ferraioli from Pocono Mountain School District. Mr. Ferraioli stated that PSP notified the School District in July that they would no longer provide an SRO for the East Campus and the School District is requesting the services from Pocono Mountain Regional Police Department under the same term and conditions as the current SRO's in the West Campus. There is a new law that allows the School District to enter into a Police Services Agreement with an adjacent Municipal Police Department. The School District would like to have this officer starting the first day of school which is September 2, 2014.

Roy Gross raised concerns about the training of the officers and liability insurance because we are going outside of our jurisdiction.

Mr. Ferraioli indicated that there is recent legislation giving us the authority to enter this agreement. Chief Wagner stated that it is Senate Bill 1194 and it was signed into law July 9, 2014.

Discussion continued concerning the

**Motion:**

Francis DePiano made a motion to place an SRO at the Pocono Mountain East Campus seconded by David Moyer,

Roy Gross stated to make sure that all the agreements and liability insurances are in place.

Lynn Kelly questioned the arrest powers outside our jurisdiction and who the 4 trained SRO's are.

Chief Wagner stated that the arrest powers would be the same – they would have full arrest powers with the school and the school grounds. Currently trained officers are Lt. Lavery, Officers Daniel Jones, Jim Apgar and Jason Wile.

Michael Gillen asked if we could afford to let another one of our officers go without hiring a replacement?

James Frutchey indicated that would be looked into.

The motion passed unanimously.

➤ **Application for Payment – Mold Remediation**

Chairman Frutchey indicated that Application #1 for payment was presented by D&M Construction for the Mold Remediation project in the amount of \$32,835.42 and it has been certified by the Architect.

**Motion:**

Phyllis Haase made a motion to approve Application #1 in the amount of \$32,835.42 for payment, seconded by Francis DePiano. The motion passed unanimously.

- Chairman Frutchey requested Chief Wagner look into refinancing the building mortgage. Interest is currently 4.9%.

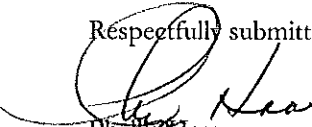
**PUBLIC PARTICIPATION**

Lynn Kelly asked why the Commission decided to hold a Special Meeting for an SRO position that could not wait until the regular meeting in 2 weeks? Chairman Frutchey stated that we needed a decision before school started. Mr. Ferraioli also stated that the school district wants an officer in the school on the first day of school which is before the next Commission meeting.

**Motion:**

Francis DePiano made a motion to adjourn; seconded by Donald Moyer. The motion passed unanimously. Meeting adjourned at 6:10 p.m.

Respectfully submitted,

  
Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 5:43 p.m. and ending approximately 6:00 p.m. regarding Legal Issues.

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
9 SEPTEMBER 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

**ABSENT:**

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:05 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**PUBLIC RECOGNITION:**

Chief Wagner presented Officer Donald Scarfo with a commendation for his performance during a hazardous material spill on June 26, 2014 on Interstate 80. On his way back from a court proceeding, Officer Scarfo witnessed the hazardous spill and took immediate action showing his professionalism and concern for public safety.

Chief Wagner also presented Detective Christopher Boheim with a commendation for his performance in the investigation and prosecution on the homicide case of July 9, 2012 of Matthew Stillwell.

**APPROVE MINUTES:**

**Motion:**

Phyllis Haase made a motion to approve the Minutes of 12 August 2014 Regular Business Meeting, seconded by Francis DePiano. The motion passed unanimously.

**Motion:**

Francis DePiano made a motion to approve the Minutes of 26 August 2014 Special Meeting, seconded by Roy Gross. The motion passed with Brandon Igdalsky and Fred Courtright abstaining.

**APPROVE BILLS:**

**Motion:**

Francis DePiano made a motion to approve the Bill-pack of 9 September 2014 in the amount of \$201,692.28 seconded by Brandon Igdalsky. The motion passed unanimously.

**AUGUST POLICE REPORT:**

Total calls for the month of August were 1141 total calls consisting of 1062 Complaints and 79 Accidents. There were a total of 116 Criminal Arrests, 262 Traffic Arrests, 124 Traffic Warnings and 13 Ordinance Arrests.

Chief Wagner mentioned that traffic arrests almost double due to the influx of Smooth Operator state monies.

**Motion:**

Francis DePiano made a motion to accept the August Police Report, seconded by Roy Gross. The motion passed unanimously.

**AUGUST VEHICLE REPORT:**

Chief Wagner stated that the new Tahoe is now operational as car # 9. EMS will be getting the old car # 9, on the motion made last month. Chief explained, however that we are waiting for all the new cars to come in to swap out the radios and GPS at the same time. One of the new 2014 Chargers is in and it will be replacing car # 8. The two final Chargers should be in within the next couple of weeks. We will be looking to replace car # 6 with one of those new cars and a decision will then be made on the final car to be replaced.

Chief Wagner stated that he had a letter from Tunkhannock Township asking for one of the decommissioned vehicles.

**Motion:**

Dave Moyer made a motion to donate the decommissioned vehicle to Tunkhannock Township; the motion was seconded by Roy Gross.

Lynn Kelly asked if there is a written policy in writing for items that are taken out of the asset value. Chairman Frutchey stated "No." Ms. Kelly asked if that would be something the commission would consider working on.

Chairman Frutchey stated the commission would get something started on that by November.

The motion passed with Francis DePiano and Brandon Igdalsky abstaining.

**Motion:**

Phyllis Haase made a motion to approve the August Vehicle Report as presented; the motion was seconded by Francis DePiano. The motion passed unanimously.



## UPDATE:

- Member Municipality Concerns –

Coolbaugh – Chairman Frutchey stated that Coolbaugh had a concern on the Crime Reports and referred to Chief Wagner for comment.

Chief Wagner stated, “In my discussion with Coolbaugh Township, what they really looking to see is the Type I - Type II UCR lines broken down by municipality.” He continued that “We have given that now for the past few months. Chief Wagner stated, “Last meeting Mr. Weimer voiced his concerns to see more of where the crimes are happening.” He continued to state that he reached out to Scott Hoke from Cedar Crest College whom conveyed that he wishes to continue our partnership. Mr. Hoke conveyed to Chief Wagner that he will continue to furnish us with monthly, quarterly, and yearly reports on where the crime is happening. Chief Wagner is hopeful by next month or the latest November we will have some mapped out data.

- Committees –

Headquarters-

Strunk –Albert Engineering

Dave Moyer stated that he had someone from Keystone Consulting Engineers view the issue. Upon the review it was then suggested that the landscaping would have to be removed, and put a clay liner or drain the water towards the “u” drain to catch it before it starts running down the walls.

Chief Wagner reiterated that the problem is coming from the outside from the flower beds.

Chief Wagner stated he received an e mail stating that the initial cite work to develop these plans would be about \$7,500.00 He continued stating that Keystone would then confer with Strunk Albert so the project could be coordinated by both parties. Chief Wagner stated that “the problem on the inside is stemming from the problem on the outside.” The Chief stated, “Because it is \$7,500 I would ask for a motion to at least let them begin to develop a plan for the exterior of the building.”

Open discussion.

Motion:

Francis DePiano made a motion to hire Keystone Consulting Engineers for the sum of \$7,500.00 to develop a plan for the outside draining. The motion was seconded by Fred Courtright.

Open discussion.

Roy Gross expressed that the \$7,500.00 was just to develop the plan not the actual work.

More open discussion.

Lynn Kelly suggested asking a few other engineers for their quotes.

Francis DePiano stated, “They are a very reputable firm and we are at a time constraint right now; with Strunk ready to finish the work downstairs and winter approaching.”

Lynn Kelly stated, "So one price, from one company is good enough for you."

Mr. DePiano stated, "In this case, I think yes."

The motion was passed unanimously.

Chief Wagner stated that additionally, we have a change order proposal from Strunk – Albert to extend their contract by 90 days because of the problems we are finding.

**Motion:**

Francis DePiano made a motion approve the 90 day extension of D & M Construction Unlimited Inc. from September 2, 2014 to November 24, 2014. The motion was seconded by Phyllis Haase. The motion passed unanimously.

**Fence Project-**

Chief Wagner stated that he will be meeting with ABE Fence this week and hopefully that project will get underway.

Phyllis Haase asked if we worked out the electric. Chief stated "Yes, ABE is going to contact our electrician to get that rolling as well." He continued, "I will have more information at the next commission meeting.

**Search Committee-**

Chairman Frutchey stated that each municipality is going to have a representative

Mt. Pocono- Roy Gross

Tobyhanna Township- David Moyer

Tunkhannock- Brandon Igdalsky

Coolbaugh-(not in attendance) - Chairman Frutchey stated he would get in touch with Coolbaugh to find out who will represent them.

Chairman Frutchey stated he would like to have a meeting before the next commission meeting to go over the Chief's job description.

• **Pension-**

Chief Wagner stated there was a pension meeting on August 19<sup>th</sup>. The market value of pension at the beginning of the year was \$12,996,000 current market value is \$13,885,000

• **Accreditation Policies-** Minor Revisions

6-2 Reporting Use of Force

9-4 Transporting Prisoners to Other Facilities

Chief Wagner explained in policy 6-2 the definition of Use of Force- Section IV Physical Force: to state "upon another person"

In policy 9-4 change in section III b. "at the time of transfer of custody"

**Motion:**

Roy Gross made a motion for the minor revisions in accreditation policies 6-2 and 9-4; as explained by Chief Wagner, the motion was seconded by Francis DePiano and passed unanimously

• **Community Events/Letters of Support-**

August 5, 2014- Det. John Bohrman, Det. Leo Petrucci and Officer Dave Posluszny attended Pocono Country Place – National Night Out

August 21, 2014- Det. Sgt. Kenny Lenning- spoke at the Rotary Club in Mt Pocono

August 27, 2014-Det. Chris Boheim-DEA Drug Take Back

Letter of Thanks-

1. Pocono Country Place Property Association for participating in their National Night Out.
2. Homeowner in Pocono Country Place thanking Officers Chaffee and Metzger in the handling of a recent break in at her home.

**NEW BUSINESS:**

- **LSA GRANT**-940 and Long Pond Intersection

**Motion:**

Chairman James Frutchey made a motion for a letter of support for the LSA Grant 950 and Long Pond Intersection, the motion was seconded by Francis DePiano.

Open discussion.

The motion passed unanimously.

- **2015 Budget Draft #1 -**

Chairman Frutchey stated the commission members received their copy of budget draft # 1 and asked when the commission would like to meet. He also asked when he could expect a response from the Townships and Boro.

Francis DePiano stated that he will set a date for the budget committee to meet. After the Budget Committee has met a commission meeting will be scheduled.

- 2015 MMO-

Chairman Frutchey went over the municipality breakdown for Police Pension and Non-Uniform Pension as follows:

Police Pension \$610,732.20

Tobyhanna- \$200,930.89, Mt Pocono- \$80,616.65, Tunkhannock- \$76,341.53 and Coolbaugh-\$252,843.13

Non-Uniform Pension \$8,197.86

Tobyhanna-\$2,697.10, Mt Pocono- \$1,082.12, Tunkhannock-\$1,024.73 and Coolbaugh-\$3,393.92

**PUBLIC PARTICIPATION:**

George Bernardin- Agreement between the municipalities and the Pocono Mountain Regional Police

Mr. Bernardin asked if a request for withdrawal from Pocono Mountain Regional Police Department should come from one of the municipalities, will any time spent or the costs be placed on that particular municipality. Chairman Frutchey referred to Harry Coleman.

Mr. Coleman explained-If a member municipality decided to withdraw or give their notice of intent to withdraw, a consultant or expert would be hired to value the pensions, the assets, and liabilities. The intent of that agreement is that the expenses would be borne by that municipality.

Mr. Bernardin continued to ask, "If a letter is submitted for withdrawal and the process is started, does the commission have the right by vote to say once you submit it we will not to allow that municipality to come back in."

Mr. Coleman stated, "If a municipality puts notice of their intent to withdraw; notice must not be taken lightly. He continued, "Actions are going to be taken upon. Therefore, if somewhere along that process the municipality wants to come back, I believe this commission has the discretion to either invite that strained municipality back, or to decline their return."

Mr. Bernardin then asked, "If you decided to take them back after the letter, then whatever costs were incurred up to that period of time from Dec15 through April, May, June, August, would also be charged to that particular municipality?"

Mr. Coleman stated, "Every penny."

Mr. Coleman stated that this agreement was done well however, it was made with an eye of making a regionalized department work. He continued to explain, that commission looked into studying or re constituting the original agreement to have an "escape clause." Which would state the rights and responsibilities of the municipalities or should a member municipality decide to pull out, what their rights and responsibilities would be.

Lynn Kelly asked who the members of the budget committee were.

Francis DePiano answered the members were: Fred Courtright, himself, Dave Moyer and Jim Frutchey.

John Davis-Coolbaugh Township, member of Pocono Mountain School Board

Mr. Davis publically thanked the Pocono Mountain Regional Police Commission for holding an emergency meeting in response to the district's request to supply an additional school resource officer to the district.

He read from a prepared statement:

*When the Pennsylvania State Police announced they would no longer be able to provide an officer in Pocono Mountain's School District's East High School Campus. The district's superintendent Liz Robison began discussions with Pocono Mountain Regional and quite simultaneously; the legislation in Harrisburg, allowed Regional to provide these types of services to schools and joining municipalities which had not been the case in the past.*

*With the finalization of Pennsylvania State Police removal of their officer at East High School only weeks away from the start of school; Pocono Mountain Regional Police Commission agreed to hold a special meeting to authorize a third SRO for that facility in Swiftwater.*

*Your affirmative answer must have raised a more than few concerns by saying yes, your saying you believe in our schools and the importance in protecting our children by having officers in our schools that can immediately respond to any emergency and who can also befriend students and personnel to get advanced notice of activity that might be intention.*

*On the other hand, everyone in the community knows how stretched Pocono Mountain Regional is on personnel and pulling an officer from the force and placing him in an SRO position is one less available officer.*

*As a member of the School Board and also a concerned community member, I would like to thank the commission for their affirmative answer and supply of an additional School Resource Officer to patrol the halls of Pocono Mountain East. That officer is Officer Kyle VanNote, I believe. I'd also like to recognize Officer Jason Wile at Pocono Mountain West Junior High and Officer James "Jimmy" Appgar, (who asked me the other day, 'If my parole officer caught up with me') at Pocono Mountain West High School.*

*The presence of the incredibly highly trained officers in our schools is not a deterrent to crime but their attributable personalities by their calm and reassuring presence to our students and staff. Thank you for working with Pocono Mountain School District, to help provide a safe learning environment for our students. We could not do it without you.*

Fred Courtright stated, "thank you to the Chief and the officers for their swift and excellent response to the guy with the machete. Mr. Courtright mentioned that he received many calls and e mails asking about the incident. Mr. Courtright stated, "That is exactly what the SWAT is for." "The police conducted themselves in a professional way that we could be proud of."

Chief Wagner stated he has been a proud member of the SWAT Team for 18 of 20 years. He mentioned that the mission of the SWAT team is to save lives. It looks like a military unit but they have a completely different mission. Military is to destroy enemy personnel and infrastructure. He continued, "Our mission is to save lives. We consider any injury or loss of life an unsuccessful mission." "The question is not why did you use the SWAT team? The question is, why wouldn't you use the SWAT team." Chief Wagner stated they did an excellent job.

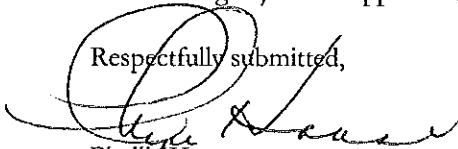
#### **ADJOURNMENT:**

#### **Motion:**

Phyllis Haase made a motion to adjourn the meeting; the motion was seconded by Francis DePiano. The motion passed unanimously.

The meeting adjourned approximately 8:00 p.m.

Respectfully submitted,

  
Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 6:10 p.m. and ending approximately 6:47 p.m. regarding Personnel Issues.

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
14 OCTOBER 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

**ABSENT:**

BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
------------------	-----------------------	---------

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:04 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

**PUBLIC RECOGNITATION:**

Chief Wagner presented Officer Gary Gaus with an appreciation plaque for his years of service to the Pocono Mountain Regional Police SWAT Team from 1996 to 2013.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 9 September 2014 Regular Business Meeting, seconded by Roy Gross. The motion passed with Juan Adams, William Weimer and Don Moyer abstaining.

**APPROVE BILLS:**

**Motion:**

Francis DePiano made a motion to approve the Bill-pack of 14 October 2014 in the amount of \$272,307.22 seconded by Phyllis Haase. The motion passed unanimously.

**SEPTEMBER POLICE REPORT:**

Total calls for the month of September were 1028 total calls consisting of 945 Complaints and 83 Accidents. There were a total of 101 Criminal Arrests, 116 Traffic Arrests, 69 Traffic Warnings and 13 Ordinance Arrests.

Chief Wagner mentioned that traffic arrests are back to their normal rates stating that inflated numbers were due to the state money for Smooth Operator and Aggressive Driving patrols. Chief Wagner referred to the new column on the report for SRO, giving a clearer picture of what is going on in the schools. Chief also reviewed the breakdown by municipalities.

Chief Wagner referred to the drop in complaints in Coolbaugh by 100. Referring to the patrol time jumping 60 hrs in the month stating that it reflects when complaints drop, there is more time for pro active patrolling.

Chief Wagner spoke of the time assists-referring to the Frein Manhunt explaining that when mutual aid is needed it must be sent.

In referring to the over/under hours, Chief Wagner stated, there are two officers not going into the mix with Officer VanNote in the new SRO position, and Jesse Bohrman who is still in the academy.

**Motion:**

Juan Adams made a motion to accept the September Police Report, seconded by Roy Gross.

Chief Wagner also stated he is in contact with Scott Hoke from Cedar Crest College, and he is working along with his students on the crime mapping project. He is expecting the second quarter March 1<sup>st</sup> –June 30<sup>th</sup> to be mailed out this week. The July 1<sup>st</sup>- September 30<sup>th</sup> will be sent by the end of the month. Chief also spoke of a report Hoke is working on for Coolbaugh township report that will compile data from 2006 -2014.

The motion passed unanimously.

**SEPTEMBER VEHICLE REPORT:**

Chief Wagner stated that the final two Dodge Chargers are in and reflected in the report as Car # 8 and Car # 18. Modems need to be moved from old cars and placed in the new vehicles before the department can give the older vehicle to PMREMS.

**Motion:**

Phyllis Haase made a motion to approve the September Vehicle Report as presented; the motion was seconded by Francis DePiano. The motion passed unanimously.

**UPDATE:**

• **Member Municipality Concerns –**

Tobyhanna – Phyllis Haase commented, “The Police Commission requested a joint meeting with Coolbaugh and we have yet to receive a response.” She continued, “And also Tobyhanna Townships Governing Body had also agreed to a joint meeting to discuss Coolbaughs concerns, as of this date we have not heard anything from Coolbaugh.” Ms. Haase asked, “Is this something you would rather just take off the table?”

William Weimer stated, “Well, I think the big game plan was we were going to meet with all the municipalities. Everybody.”

Phyllis Haase stated, “Correct that’s what we wanted to occur.” Mr. Weimer asked, “Lynn, (referring to Lynn Kelly), did we hear back from everybody?”

Lynn Kelly asked, “The meeting that we had requested from Coolbaugh?”Mr. Weimer, stated, “Yeah.”

Ms. Kelly continued to state, "We had requested representation from each of the municipal boards." She continued, "We got one letter, one verbal by phone, and one no response, and basically we got the answer out of the newspaper." Mr. Weimer stated, "So."

Ms. Haase stated, "So I guess my assumption is that we not moving forward then?" Mr. Weimer, "I would make that assumption."

Phyllis Haase stated she would take that message back to her board. Mr. DePiano stated we would do the same.

Tunkhannock – None

Mt Pocono – None

Coolbaugh – None

- **Committees** –

Headquarters-

**Strunk –Albert Engineering**

Chief Wagner stated Keystone Consultant Engineering completed their site and survey work. They are expecting to have the report to the Chief on Friday. Chief stated the he will ask them to prepare bid documents. The exterior work will have to be bid out. Chief Wagner asked if the commission will have to conduct a special meeting to look at the bids. He also requested a motion for the bidding process to take place once the report is received.

The Chief stated the dehumidifier is at the building and currently being installed.

Chief continued to state that he would expect that once the bidding is underway the project will pick up. The project is moving forward but the process is slow.

**Motion:**

Francis DePiano made a motion to authorize the bids be sent out when the report is received by the Chief. The motion was seconded by Dave Moyer.

Open discussion.

Francis DePiano asked if there would be a deadline to have the responses back on the bids.

Open discussion.

Francis DePiano stated pending any changes a meeting will be held on 11/3 at 10:00 a.m. to review the bids.

The motion passed unanimously.



### Fence Project-

Chief Wagner stated the fence line has been cleared they are ready to put in the posts. Chief stated a boulder and a couple of trees need to be removed, and communications have taken place to have that done.

Chief Wagner stated an additional quote will be obtained for privacy slats for the fence, and clearing some wood line for security purposes. (As suggested by Phyllis Haase, in light of current events)

- **Pension-** resolution 2014-005 Amendment # 3 to the Pocono Mountain Regional Pension Plan (read by Phyllis Haase)

Francis DePiano- requested the meeting go into Executive Session for questions.

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 7:26 p.m. and ending approximately 7:33 p.m. regarding Pension.

Meeting reconvened.

Chairman Frutchey stated on resolution 2014-005 is there a motion:

#### **Motion:**

Francis DePiano made a motion to table resolution 2014-005 for better clarification of the word compensation to make sure it includes overtime as it is in the existing contract. The motion was seconded by Fred Courtright and approved unanimously.

- **Accreditation Policies-** Minor Revisions

#### 11-1 Internal Affairs

Chief Wagner explained the two accreditation standards 2.3.2 and 2.3.3 both dealing with Internal Affairs Policy 11-1

2.3.2 mentions training -under subsection Procedures subsection B was added to state 'All agency members involved in conducting Internal affairs investigations shall receive training in a manner prescribed by the agency.'

2.3.3 Mandates a written directive describing the position assigned to the storage of internal affairs files and the method by which they are secured under Subsection C under subsection 3. Dealing with formal documentation stating where it is stored and who is responsible for that storage.

#### **Motion:**

Francis DePiano made a motion to approve policy number 11-1 with the additional changes that were explained by Chief Wagner. Phyllis Haase seconded the motion.

Fred Courtright referred to the word agency asking if it should state "department."

Chief Wagner stated he tries to keep the wording to the standard of the policy. If the policy refers to an agency, the word "agency" is used if it refers to department than "department" is used. Usually both words are interchanged.

Lynn Kelly asked what the purpose is of the internal affairs accreditation policy.

Chief Wagner stated the purpose of the policy is if there is a complaint against a department member a policy procedure is in place to follow in the best practices of the law enforcement community and what's expected.

Lynn Kelly asked, "Does the new policy take into consideration anything that the commission would be a part of?"

Chief Wagner stated, "That is not mandated by the accreditation standard."

Lynn Kelly asked, "So who is the ultimate decision maker according to this policy?"

Chief Wagner stated "the Chief."

Ms. Kelly asked, "Who would oversee the Chief?"

Chief Wagner stated, "That's a case by case basis."

Ms. Kelly stated, "So there is nothing in this policy to oversee the Chief?"

Mr. Coleman interjected, stating "that there is a certain level of issues, in internal affairs, where the Chief would kick it to the District Attorney's Office, the State Police or the FBI. The policy is for internal issues. He continued with the Chief's leadership he makes the decision if it should go elsewhere."

Chief Wagner stated the policy is broken down by serious offences and less serious offences. Giving an example of a less serious offence, Chief Wagner stated, "an officer being rude on a traffic stop. A sergeant would be able to handle that situation." He continued, "A more serious allegation such as excessive use of force; that would be something that we can go outside the agency to remove any sort of appearance of impropriety in the investigation."

Lynn Kelly asked, "What happens if the complaint is against the Chief of Police.

Wagner explained complaints made against the Chief of Police would go to an outside agency.

Ms. Kelly asked if that was in this policy. Chief Wagner stated "Yes."

Lynn Kelly, "all Complaints." Chief Wagner, "I don't understand what you mean by all complaints."

Ms. Kelly stated, "What I see here is the ability of the Chief of Police to squash something that he does not want out there; because there's no oversight. It is not being taken to the commission."

Mr. Coleman stated, "I understand, Ms. Kelly, the 'fox policing the hen house argument', and that's probably appropriate. But it's a question of what specifically is being discussed. The leadership of the Chief is such that if an issue in one of his officers is in his jurisdiction under this policy, he handles it. If it's a serious level that his partiality is being questioned or that the integrity of the entire department is being questioned then that's when you go to an outside agency." He continued, "If it's against the Chief again, I think that would go to a major issue and I think the Chief at some point hopefully earlier rather than later would bring it to the attention of the commission."

Lynn Kelly, "well it hasn't happened that way in the past."

Mr. Coleman stated, "Here's the thing, we could throw out scenario, after scenario after scenario, it's really the judgment of the Chief. There's no appellate right to this commission as there are in some instances. It's just a question as the best practices, pretty much; it's not perfect it's not fool proof. He continued, "Having trained internal affairs just strengthens the department."

Harry Coleman read from the Internal Affairs Policy as follows:

'Also the result of the investigation and the follow-up taken by the department must be communicated at least in general terms to the complainant and to the community at large. To ensure their confidence that complaints against the Police Department and its members are first taken seriously by the department, second, thoroughly investigated, third, followed up by the appropriate action by the department.'

The motion passed with the opposition on William Weimer.

- **2015 Budget –**

Chairman Frutchey asked if there was any communications from the municipalities regarding the budget.

Francis DePiano stated a meeting has been called for next Friday at 10:00 a.m. at headquarters.

Chief Wagner stated that we increased the insurance premiums by 5% due to not receiving the renewal premiums at the time the budget was prepared, we have since received the renewal premiums and it is actually an increase of 9.5%.

- **Community Events/Letters of Support-**

September 12, 2014-Detective Chris Boheim addressed vision impaired people at the Center for Vision Loss in Allentown on security, fraud, burglary, elder abuse, abuse of dependant persons and sexual assault.

September 27, 2014-Detective Mike Sciarillo-National Prescription Take Back Program- organized by DEA

### **NEW BUSINESS:**

- **Set November Meeting Date**

Discussion to set November meeting date

**Motion:**

Phyllis Haase made a motion to set the November PMRP Commission meeting to November 13, 2014 at 7:00 p.m. at the Tobyhanna Township building. The motion was seconded by Francis DePiano and approved.

### **PUBLIC PARTICIPATION:**

John Lamberton- Pocono Mountain Regional Police Foundation- meeting on October 15, 2014 there was a reorganization of the foundation board as follows:

Officers are John Lamberton-President, Brandon Igdalsky- Vice President, and Francis DePiano – Treasurer, Corp Matt Nero- Secretary. New members are- Officer Jim Apgar, Chief Chris Wagner, Robert Jones-Lake Naomi Club and Dave Moyer.

The 5th annual fund raiser has been postponed until 2015. There will be a 5K in the spring and golf tournament in the fall. The fund raiser from now until spring will be the sale of T-shirts for \$20.00

Roy Gross asked for a copy of the treasurer's report from PMRPF. John Lamberton said he would supply one from the October 15<sup>th</sup> meeting.

Lynn Kelly- Questioned the Monroe County Control Center Fees asking why Tunkhannock Control Center fees were not in the bill pack.

Kathy Matisak stated that Tunkhannock Township pays the control center fees directly and they bill us, we then reimburse Tunkhannock.

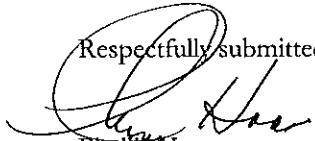
**ADJOURNMENT:**

**Motion:**

Phyllis Haase made a motion to adjourn the meeting; the motion was seconded by Francis DePiano. The motion passed unanimously.

The meeting adjourned approximately 8:00 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
13 NOVEMBER 2014**

PRESENT:

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
------------------	-----------------------	---------

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:10 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

Chairman Frutchey stated there was an Executive Session from 6:42 to 7:06 to discuss personnel issues.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 14 October 2014 Regular Business Meeting, seconded by Roy Gross.

There was a question about the member municipality concerns:

Mr. Bernidan made reference to a response by Phyllis Haase referring to no response to Coolbaugh Township letter. Mr. Bernidan stated that Bill Weimer asked Lynn Kelly, and Ms. Kelly responded about her letter going out to all municipalities regarding a joint meeting. Mr. Bernidan believed the answer Mr. Weimer and Lynn Kelly provided was about their letter that went out looking for the smaller meeting of only seven people.

Phyllis Haase stated, "The Township of Tobyhanna sent out a response to Coolbaugh's requesting all the municipalities and the police commission to meet. And with that we have not received a response."

Mr. Bernardin, stated "okay, you asked that question when Bill was addressing it he asked Lynn, and Lynn said, you mean the meeting we had requested? He continued, so she was referring to her letter going out, in turn quoting the Pocono Record in terms of responses of the municipalities. But that didn't address your letter which was going out to all four municipalities all members to attend a joint meeting. He continued, "So you had one question and it was answered with another letter."

Phyllis Haase stated she understood what Mr. Bernardin was referring to. Ms. Haase then asked if the minutes could be tabled to be reviewed. Mr. DePiano retracted his motion to approve the minutes.

**Motion:**

Dave Moyer made a motion to table the Minutes of 14 October 2014 Regular Business Meeting, seconded by Donald Moyer. The motion to table minutes passed unanimously.

**APPROVE BILLS:**

**Motion:**

Phyllis Haase made a motion to approve the Bill-pack of 13 November 2014 in the amount of \$420,526.90 seconded by Francis DePiano. The motion passed unanimously.

**OCTOBER POLICE REPORT:**

Total calls for the month of October were 1004 total calls consisting of 914 Complaints and 90 Accidents. There were a total of 77 Criminal Arrests, 86 Traffic Arrests, 48 Traffic Warnings and 5 Ordinance Arrests.

Chief Wagner went over the municipality stats. Chief Wagner stated that there was a spike in burglaries in Coolbaugh Township. The Chief stated that criminal complaints have been filed against 7 individuals for the burglary spree.

**Motion:**

Francis DePiano made a motion to accept the October Police Report, seconded by Roy Gross.

Juan Adams asked Chief Wagner if there was a certain location where the accidents were occurring in Coolbaugh Township. The Chief responded that he would have to look into that, however he stated the 196 corridor usually has a good accident rate.

Lynn Kelly asked the Chief if he was going to continue to provide the UCR stats for the municipalities. The Chief stated that it was included in the packet.

The motion passed unanimously.

**OCTOBER VEHICLE REPORT:**

Chief Wagner stated all the new vehicles are in operation. The two retired SUV's are ready for Tunkhannock and PMREMS just waiting for transfers to be complete.

**Motion:**

Phyllis Haase made a motion to approve the October Vehicle Report as presented; the motion was seconded by Fred Courtright. The motion passed unanimously.

**UPDATE:**

- **Member Municipality Concerns –**

Coolbaugh–William Weimer stated, “After one of our last meetings we are going to put back out a letter (verbiage to people) for the municipalities within the commission to have a meeting at a central location.” He

continued, "Please speak to your municipal leaders and... so far I've gotten almost everybody to agree that...bring everybody in for a meeting." He continued, "Phyllis had talked about putting a mediator in so this way we could progress with the meeting to identify the Coolbaugh concerns, some issues and things like that. So if you can let us know, and email Bob Zito, who is our Secretary, any of the dates that you're available, and he can compile getting everything together."

Phyllis Haase stated, "As you are aware Tobyhanna Township wanted all the municipalities plus the commission to meet in a central location so there is a large enough venue so all members can attend. We would have a stenographer there for transcripts. She continued, "So the point, we are going to have to agree on a date with our governing bodies." She suggested that the School District might be the best venue.

Francis DePiano stated he had a letter from Tunkhannock stating that we are agreeable to the meeting. Mr. DePiano asked what the time frame is that we are looking at. Mr. Weimer stated he would like to have the meeting soon.

Phyllis Haase asked the commission if we could ask former Chief Lamberton, to be the mediator.

Former Chief Lamberton stated "if it was the municipalities and the Commission wishes that would be fine."

Phyllis Haase asked if this meeting was going to be jointly advertised or if each municipality would be advertising. Mr. Coleman stated the Commission should advertise the meeting but could not speak for the municipalities.

After some discussion the joint Municipality/ Commission meeting was tentatively scheduled for Tuesday November 25, at 7:00 P.M. pending affirmative responses from all municipalities that that is a good date and time and that the location is confirmed.

Francis DePiano suggested that all questions be forwarded to the mediator, so the municipalities, the commission and Chief Wagner can be prepared to answer.

Mt Pocono – None

Tunkhannock – None

Tobyhanna – None

- **Committees** –

Search Committee- Tabled until the December meeting

Headquarters-

**Strunk –Albert Engineering**

Chief Wagner stated that the interior work is stalled until the exterior work commences. The dehumidifier is in, and is waiting to be activated. Since it's a custom unit the manufacturer has to come in and make sure it has been installed right to activate the warrantee.

Chairman Frutchey asked when this was expected to take place. The Chief stated he would have to check. He believed D&M was waiting to hear from the manufacturer.

Chief Wagner stated KCE submitted their proposal to oversee the exterior project; the proposal was not to exceed \$5,000.00. The Chief asked for a motion for KCE to oversee the exterior drainage issues.

**Motion:**

Phyllis Haase made a motion for KCE to oversee the exterior project not to exceed \$5,000.00 to deal with the drainage issues. The motion was seconded by Francis DePiano and passed unanimously.

**Fence Project**

Chief Wagner reported that the fence project was moving along.

**Bid Opening**

Chairman Frutchey stated there was a bid opening for the drainage improvements for the PMRPD building.

1. Coolbaugh Construction, Swiftwater Pa – \$29,950
2. EF Possinger and Sons- \$17,824.40
3. T. Brennon, Carbondale Pa-\$66,300.00

**Motion:**

Phyllis Haase made a motion to award the bid to EF Possinger and Sons for the amount of \$17,824.40, conditional upon Attorney Coleman reviewing it and all supporting documents. The motion was seconded by Francis DePiano.

Dave Moyer suggested there should be a starting date. Chief Wagner stated KCE will issue an order to commence.

The motion passed unanimously.

Chief Wagner asked to redirect back to the Fence Project stating he was asked to get a proposal from ABE Fence to include privacy slats. Chief stated the estimate came in at \$8,531.50.

**Motion:**

Francis DePiano made a motion to table privacy slats for the fence until next month, for additional quotes. The motion was seconded Dave Moyer.

Open discussion.

Francis DePiano changed the motion to get two phone quotes and the amount is not to exceed the original quote of \$8,531.50 quoted by ABE. These quotes will be coordinated by Chief Wagner, who will then make the decision to move forward with the project.

Chairman Frutchey asked if everyone understood the motion. All responded yes.

Revised motion passed unanimously.



- **Pension-**

Resolution 2014-006 – Appointment of Trustees for Non Uniform Pension Fund

**Motion:**

Francis DePiano made a motion to adopt Resolution 2014-006 Appointment of Trustees for Non-Uniform pension Fund to update signatures to new commission board members. Motion was seconded by Donald Moyer and approved unanimously.

Resolution 2014-005 – Police Pension Plan-Amendment 3

**Motion:**

Francis DePiano made a motion that Resolution 2014-005 be approved amending the Pocono Mountain Regional Police Pension Plan for post January 1 2014 new hires. The motion was seconded by Donald Moyer and approved unanimously.

Lynn Kelly asked that the resolution be read. Francis DePiano read resolution 2014-005. Lynn Kelly asked for more detailed information on what the amount was based on.

Fred Courtright read the pension benefit formula from the Amendment part C as follows: “Each eligible participant hired on or before January 1 2014 shall receive a monthly benefit payable at his normal retirement age equal to 65% of average monthly compensation. Each eligible participant hired after January 1<sup>st</sup> 2014 shall receive a monthly benefit payable at his normal retirement age equal to 50% of an average monthly compensation.”

- **Accreditation Policies-**

**New Policy** – 13-13 Criminal History Records Information Act-

Chief Wagner stated this is to make sure any intelligence information is stored and disseminated as dictated by stated law.

**Motion:**

Juan Adams made a motion to adopt the New Policy 13-13 Criminal History Records Information Act; motion was seconded by Francis DePiano. Motion was passed unanimously.

**Minor Revision** – 10-2 Temporary Holding Area

Chief Wagner stated under subsection G under training adding the language ‘all personnel with any responsibility for detainees in temporary custody will receive *initial training and in-service training, once every three years* on this general order.’

**Motion:**

Juan Adams made a motion to adopt changes in 10-2 Temporary Holding area as presented. Motion was seconded by Roy Gross and passed unanimously.

- **2015 Budget-**

Francis DePiano gave an explanation of the highlights of the budget.

**Motion:**

Francis DePiano made a motion to adopt the 2015 Budget Draft # 3. The motion was seconded by Phyllis Haase.

Lynn Kelly asked if all the municipalities are going to accept the increases.

Open discussion took place.

Francis DePiano mentioned that there has not been an increase for a number of years, stating “we have been trying to hold it as much as we can. At this point in time there is noting that we as a commission can hold. There are costs beyond our control.”

Lynn Kelly commented about hiring already Act 120 Certified Officers.

Comment was made that it was appreciated that there was no increase in the budget in the past but however it would be better if it was gradual rather than one lump. There was also discussion on refinancing of the building that would be a cost savings as well. Francis DePiano stated we signed a document last night that will decrease the mortgage interest rate from 4.9 to 3%.

Lynn Kelly asked, “You refinanced the mortgage?” Mr. DePiano stated we are in the process. Phyllis Haase mentioned that the refinance was discussed at quite a few meetings.

The motion passed unanimously.

- **Community Events/Letters of Support-**

October 28- Chief Wagner, Det. Boheim, Officer Dunlap conducted a presentation on forensic crime scene investigation at Cedar Crest College.

October 30- Det. Sgt. Lenning spoke at the Monroe County Bar Association Training –understanding Domestic Violence.

Chief Wagner referred to a letter from the school district thanking the department for their help during the recent manhunt incident.

- **3<sup>rd</sup> Quarter Budget Review-**

Chief Wagner stated, “We are where we expected to be, however we are seeing the vehicle service and maintenance is up. Hopefully, with the addition of the new vehicles we can slowly bring that down.” He continued, “We do have some aging vehicles that are starting to cost us a bit.”

**Motion:**

Fran DePiano made a motion to adopt the Preliminary 3<sup>rd</sup> Quarter Budget Report, seconded by Dave Moyer.

Lynn Kelly asked, “Did you include the 3<sup>rd</sup> quarter budget in the municipal packet?”

Chairman Frutchey stated, "Yes."

Motion passed unanimously.

• **3<sup>rd</sup> Quarter Treasurer Report-**

Chief Wagner went over the figures of the report.

Roy Gross asked Harry Coleman if we received all the money from the settlement of the roof.

Harry Coleman stated, "There were two payments left. One payment in December, the last in late January or February."

Mr. Gross asked if those funds go into Capital Reserve. Kathy Matisak stated, "Yes."

**Motion:**

Roy Gross made a motion to accept the 3<sup>rd</sup> Quarter Treasurer's Report as presented. The motion was seconded by Juan Adams and passed unanimously.

- Chief Wagner referred to the letter of resignation from Detective Leo Petrucci who has taken an offer with the Pennsylvania State Police.

**Motion:**

Fred Courtright made a motion to accept the resignation of Det. Leo Petrucci. The motion was seconded by Roy Gross who stated he was very sad to see Leo go as he was one of the departments shining stars. Chief Wagner agreed. The motion passed unanimously.

**PUBLIC PARTICIPATION:**

None

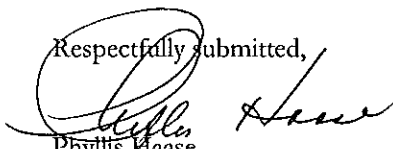
**ADJOURNMENT:**

**Motion:**

Francis DePiano made a motion to adjourn the meeting; the motion was seconded by Dave Moyer. The motion passed unanimously.

The meeting adjourned approximately 8:10 p.m.

Respectfully submitted,



Phyllis Haase  
Pocono Mountain Regional Police  
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION  
REGULAR BUSINESS MEETING  
9 DECEMBER 2014**

**PRESENT:**

JAMES H. FRUTCHEY JR.	-COOLBAUGH TOWNSHIP	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
WILLIAM WEIMER	-COOLBAUGH TOWNSHIP	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
FREDERICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
ROY J GROSS	-BOROUGH OF MOUNT POCONO	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

**CALL TO ORDER:**

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Tobyhanna Township Municipal Building and called to order at 7:10 p.m. by Chairman James H. Frutchey Jr. with the Pledge of Allegiance.

Chairman Frutchey stated there was an Executive Session from 6:30 to 6:55 to discuss personnel issues.

**APPROVE MINUTES:**

**Motion:**

Francis DePiano made a motion to approve the Minutes of 14 October 2014 Regular Business Meeting, seconded by William Weimer. Motion passed with Brandon Igdalsky abstaining.

**Motion:**

Francis DePiano made a motion to approve the Minutes of 13 November 2014 Regular Business Meeting, seconded by Donald Moyer. Motion passed with Brandon Igdalsky abstaining.

**APPROVE BILLS:**

**Motion:**

Frederick Courtright made a motion to approve the Bill-pack of 9 December 2014 in the amount of \$225,051.04 seconded by Francis DePiano. The motion passed unanimously.

**NOVEMBER POLICE REPORT:**

Total calls for the month of November were 903 total calls consisting of 825 Complaints and 78 Accidents. There were a total of 91 Criminal Arrests, 163 Traffic Arrests, 89 Traffic Warnings and 13 Ordinance Arrests.

Chief Wagner discussed special detail state money for Smooth Operator with the targeted areas on Route 196 and Route 611. 19 Traffic citations were written as well as 8 written warnings. Additionally, there was 17 hours of Buckle-Up Pa targeting the entire jurisdiction with 17 traffic citations and 9 warnings.

Chief Wagner was pleased to report that the burglaries from last month produced 7 arrests. The burglaries went from 53 last month to 17 this month. The Chief went over the monthly activity break down by municipality.

Chief Wagner announced the arrest of Kerey Cousar of Tobyhanna, Gregory Cousar of Whitehaven, and Ronnie Washington of Tobyhanna who are charged with the shoot out at the Copa Bar in Mt. Pocono in March of 2012.

**Motion:**

Francis DePiano made a motion to accept the November Police Report, seconded by Roy Gross.

Juan Adams questioned the Chief on the figures for Coolbaugh. Chief reiterated that the complaints dropped from 410 to 394. Overall calls dropped from 446 to 422. Mr. Adams asked, "What can you attribute that to?" Chief stated Coolbaugh got hit pretty hard with the burglaries. Chief Wagner stated patrol hours jumped from 358 to 404; he also stated that the decrease in investigation time would jump up patrol time, with a little more proactive time.

The motion passed unanimously.

**NOVEMBER VEHICLE REPORT:**

Chief Wagner stated a transfer was done and we did deliver the PMREMS vehicle.

The vehicle transfer for Tunkhannock is still pending.

Chief Wagner read a request from Mt Pocono Borough requesting a retired PMRPD SUV vehicle the next time one becomes available.

**Motion:**

Francis DePiano made a motion to approve the request of a retired SUV to Mt. Pocono Borough when one becomes available. The motion was seconded by Donald Moyer. The motion passed unanimously.

Chief Wagner stated all GPS's are operational, except for the two newest vehicles that are waiting for two new units to be installed.

**Motion:**

Phyllis Haase made a motion to accept the November Police Report as submitted; the motion was seconded by Roy Gross. The motion passed unanimously.

**UPDATE:**

• **Member Municipality Concerns --**

Mt. Pocono-Frederick Courtright stated, he received a call from The Struckle's from the Casino Theater, in reference to transit vehicles parking in their driveway. Since then there has been a problem with the "gypsy" "busses" stopping in their driveway. Mr. Courtright asked if an officer can meet with the Struckle's to come up with some sort of solution to this problem. Chief Wagner stated he would address this with the officers.

Coolbaugh – William Weimer thanked the commission for the meeting that was held to address Coolbaugh's concerns. He stated, "The meeting was a step in the right direction. He continued, "The municipal leaders got to hear what Coolbaugh had to say." Weimer stated, "whether people agreed or disagreed with the report, it came from a very well respected attorney, one that was hired by the commission." he continued, "so it was appreciated that you guys have taken that step, I have heard from Tobyhanna Township, didn't hear a whole lot from Tunkhannock Township supervisors to see any follow up or anything like that ...but... all in all I think it was a good day..It was a good night. There was some dialogue that was there..There was some that really sparked some ideas. And I think the commission itself, had the ability to listen to it, and unfortunately there were a couple that was taken some pot shots, you yourself Mr. Coleman...not exactly sure why you were even there or able to speak but..I did not appreciate what you were saying. The shot to Ms. Kelly, our Chairperson, really wasn't too impressed with that." "Other than that, I really think the municipal supervisors got to see what was going on." "Hopefully this moves forward, I'm going to say graciously this is the first step to making a better commitment to this organization." So I'd like to see sub-committees or at least a committee that comes together with the by-laws and start working on that, I haven't seen any dialogue yet... but I know that's coming, I'm sure."

John Adams added, "In regards to the meeting, there was a letter that was sent to the commission, dated December 4<sup>th</sup> 2014. Mr. Adams asked if he could read the letter. He continued as follows:

*Mr. James Frutchey  
Via e-mail: james.frutchey@yahoo.com*

*Dear Jim:*

*Pursuant to our joint meeting held on November 25, 2014, Coolbaugh Township respectfully Requests that the following actions be taken by the Pocono Mountain Regional Police Commission. We believe the discussion held on November 25th produced much general agreement and It is our hope that that the items listed below be addressed as soon as is practical:*

*1. 2014 Bylaws. The PMRPC Bylaws should be revoked in their entirety, or at a minimum should be amended as follows:*

- Section 3(C).*
- Section 4(F) Remove the last sentence.*
- Section 5.*
- Section 14.*

*THE ABOVE PROVISIONS SHOULD BE STRUCK IN THEIR ENTIRETY.*

*2. The "Acknowledgement of Confidentiality" should be removed.*

*3. We request that all future action / motions taken by PMRPC be approved by a minimum of six affirmative votes, regardless of the number of Commissioners present for quorum.*

*4. Any articles in the Bylaws that are in direct conflict with the inter-municipal agreement must be removed, since any changes in the inter-municipal agreement must be made only by a 2/3 vote of the participants (municipalities).*

*Going forward we look forward to engaging in debate on the following:*

*1. The Bylaws Section 10 and 11 must be modified to expressly provide that the Executive Committee shall operate subject to the provisions of the Sunshine Act, and shall not have independent authority to make binding decisions without the approval of the full Commission.*

*2. If the Bylaws are to be maintained, they should be amended to provide that any further amendment of the Bylaws requires approval of a majority of the member municipalities' governing bodies.*

3. Full access to PMRPC Documents. The 1996 Agreement shall be amended to provide that the governing bodies for each member municipality are entitled to copies of any and all documents available to the Commission.

4. Employment Contracts. There must be a policy adopted precluding any further use of multi-year employment contracts that limit the ability to terminate without cause, and provisions that limit the ability to investigate alleged wrongdoing. The 2014 Agreement given to former Chief Lewis was illegal and improper because it contained such provisions in Sections 3(a) and (b) and in Section 11.

Finally, we are pleased to inform you that the Coolbaugh Township Board of Supervisors, at our December 2nd meeting, approved a resolution granting the PMRP Commission authority to sign and execute all the necessary documents for the interest modification of the mortgage loan agreement with ESSA Bank.

Along with that approval we respectfully request that all closing costs and legal fees associated with this action be allocated to each of the four participants in the same percentage as the loan and not be based on the percentage of the PMRP operating budget that each member municipality contributes annually.

Thank you for your consideration.

Sincerely,  
ON BEHALF OF THE COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS

Robert M. Zito  
Supervisor / Secretary, Coolbaugh Township

Chairman Frutchey stated, "I might add, that letter was forwarded to the solicitor, he is looking it over and I'm sure the commission is looking at it sometime next year."

Tobyhanna – Dave Moyer stated, Hearing all that...that we are moving forward; we had the meeting that night we were there in good faith, and then we were handed the Neil Morris report after that. I'm not sure, Bill, with Coolbaugh, and John...how in good faith we left there in."

Mr. Moyer continued, "In section 8 it reads, Coolbaugh Township continued participation in the PMRPC its options. He continued, "Its first option, which concerns me states, procedure for suing PMRPC to correct past actions and prevent failure problems." And there is three more procedures and cause to withdraw under the agreement. Procedure and cost of seeking termination, and dissolution of the PMRPC under the agreement." Looking at those areas, my concern is... are we being sued as a commission and those 10 pages are missing from the report. So those are my concerns for Tobyhanna Township, and where we are going legally with this as a commission.

Tunkhannock – Francis DePiano confirmed Dave Moyer's statements. Stating our other supervisors had the same concerns, why the 10 pages were missing.

- **Committees** –

Headquarters-

**Strunk –Albert Engineering**

Chief Wagner stated he spoke with KCE to find out what the time table was for the EF Possinger starting on the exterior work. They were hoping for this Friday or early next week.

Chief Wagner stated he also spoke with John Stephens regarding the dehumidifier. The company needs to come in a make sure it is installed properly, to make sure the warrantee is valid. They are expected next week at which point D&M is waiting for the exterior work to get done so that they could time that.

### Fence Project

Chief stated the fence is complete. We are looking at Friday for it to be operational.

Chief Wagner stated he is still working on quotes for the slats.

### Search Committee

Francis DePiano stated there was a meeting held and a recommendation has been made to appoint Chris Wagner as permanent Chief for a two year term.

### Motion:

Francis DePiano made a motion to appoint Chris Wagner as permanent Chief for a two year term with the condition that the labor attorneys approve all the different aspects of the contract and violation of any state laws. The motion was seconded by Phyllis Haase.

Mr. DePiano stated that in the past there have been several times when a previous Chief did receive a three year contract. Continuing that John Lamberton and Bob Martz both received a three year contract, with Lamberton even receiving a 5 year contract. He continued to state the idea is to coordinate it so that the Chief and Lieutenant contracts come due when the officers contract is due so we only need to negotiate once with these people.

Mr. Weimer stated that he approved of the job Chris Wagner has been doing as Chief and has been satisfied with all information the Chief has provided.

Roy Gross stated one of the reasons he would like to give Chris Wagner the contract is that we have confidence in him and it is an opportunity to bring moral back to the department.

Lynn Kelly asked if Coolbaugh could receive a copy of the executed contract.

The motion passed unanimously.

- Pension-

Revision Resolution 2014-005-Amendment 3A Resolution PMRPC amending the PMRPC to pension plan in order to revise certain benefits Post January 1 2014 hires.

Mr. Frutchey read the amendment.

### Motion:

Francis DePiano made a motion to approve the Revision Resolution 2014-005 as stated. The motion was seconded by Fredrick Courtright and approved unanimously.

- Community Events/Letters of Support-



November 10th- Officer Dan Jones- held a round table discussion with residents of Limekiln Manor on Fraud.

November 18th- Chief Wagner and Lt. Lavery attended the "Pocono Proud" Community Service Award, and received a certificate of recognition.

Chief Wagner was asked to describe PMRPD role in the Blooming Grove incident. Chief Wagner went into some details from the time of arrival in the process of to evacuating the barracks; as first armor on scene, to the delivery of personnel back to the barracks to process the scene. He described the role of guarding the entrance to the building, the delivery of the coroner to the building, and the removal of the body of Corp Dickson. Chief Wagner stated it was an honor but devastating to be in that situation.

#### **NEW BUSINESS:**

- **Resolution 2014-007-** Transfer of Unencumbered Monies from one account to another.

#### **Motion:**

Phyllis Haase made a motion to accept resolution 2014-007 transferring monies in the amount of \$98,515.00 from one line item to another. The motion was seconded by Fredrick Courtright and approved unanimously.

- **Set Reorganizational Meeting-**

#### **Motion:**

Phyllis Haase made a motion to set the date of the reorganizational meeting to January 13<sup>th</sup> 2015 at 7:00 p.m. to be held at the Tobyhanna Township Municipal Building. The motion was seconded by Roy Gross and approved unanimously.

#### **PUBLIC PARTICIPATION:**

John Lamberton- regarding the Morris Report in reference to the Chief contracts- Lamberton read from page 32 of the Morris report, *"The 2013 employment contract for Chief Lewis a with all prior employment contracts for him and his predecessor, had always been for one year terms, specifying that the Chief was an "at will" employee. For 18 years when the Chief and his predecessors were believed to have done a good or satisfactory job running the Regional Police Department, the following year they were rewarded with another one year "at will" employment contract, which, as far as we know did not have any "just cause" or investigation limits imposed upon the Commission."* Mr. Lamberton stated, "With very little research, Mr. Morris could have made a phone call and got a copy of one of my three contracts, going back to 1999 where my first cont as Chief was for an initial term of 3 years. Where it states, 'Lamberton may only be terminated for cause'. My second contract in 2002 was also for a three year term, where it again says, 'Lamberton may only be terminated for cause'. He Continued, "My third and final contract was a five year contract, which once again stated, 'Lamberton may only be terminated for cause'. Lamberton stated, "So my concern is, that this is something that was not fact checked by Mr. Morris. If this one section in this 62 page report is not accurate, I question how much else in this report is not accurate".

Mr. Gross stated that he as well read a number of articles that are not totally accurate, there are some that are factual probably and a lot is speculation.

**EXECUTIVE SESSION:** There was an Executive Session, beginning approximately 7:45 p.m. and ending approximately 8:15.

Meeting reconvened.

**Motion:**

Francis DePiano made a motion based upon what our solicitor advised us in Executive Session that the solicitor author the letter he suggested to Attorney Morris who this Commission retained to the appearance of a conflict in his recent representation of Coolbaugh Township. The motion was seconded by Phyllis Haase and approved unanimously.

**Motion:**

Francis DePiano made a motion to authorize our solicitor to go forward with legal action for final judicial determination as to the specific role and duties of a member municipality. This litigation will solely be filed relative to one member municipality whose position over the past few years has created difficulty relative to the efficient operation of this Commission. Motion was seconded by Phyllis Haase.

Juan Adams asked who the solicitor would be taken legal action against. Who is the defendant?

Harry Coleman stated, "Coolbaugh Township."

Juan Adams asked, "What is the purpose?"

Mr. Coleman stated, "It would be a judicial determination as to the rights responsibilities and duties of a member municipality pursuant to the 1996 agreement and more importantly to the custom and operation of this department since 1996 to present."

Mr. Courtright asked if this was the intent to form a clarifying basis for this relationship.

The motion passed with William Weimer and Juan Adams opposing.

**ADJOURNMENT:**

**Motion:**

David Moyer made a motion to adjourn; seconded by Phyllis Haase. The motion passed unanimously.

The meeting adjourned approximately 8:20 p.m.

Respectfully submitted,

  
Phyllis Haase

Pocono Mountain Regional Police  
Commission Secretary