

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REORGANIZATION/REGULAR BUSINESS MEETING
8 JANUARY 2015**

PRESENT:

ROY GROSS	-BOROUGH OF MOUNT POCONO	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
FRED COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

CALL TO ORDER:

The Reorganization Meeting of the Pocono Mountain Regional Police Commission was held at the ~~Pocono Mountain Regional Police~~ Tobyhanna Township Municipal Building (noted 2/10/15 meeting) and called to order at 7:00 p.m. by Chief Chris Wagner with the Pledge of Allegiance.

Chief Wagner introduced and welcomed 2 new commission members from Coolbaugh Township: Dave Pope and Peter Volpe.

REORGANIZATION:

Nominations for Chairman:

The Chief opened the floor for nominations for the position of Chairman of the Pocono Mountain Regional Police Commission for 2015.

Dave Moyer made a motion to nominate Roy Gross for Chairman, seconded by Francis DePiano. With no additional nominations for Chairman, Francis DePiano made a motion to close the nominations. The motion to appoint Roy Gross Chairman passed unanimously.

Chairman Gross was appreciative for the vote of confidence. He stated he was going to try to get everything back on track the way it was about 5 yrs or so ago. Chairman Gross stated he wants to, "Move things forward, forget what has happened in the past, and do things that we need to do to make our department appreciated and recognized as an excellent department like it was at one time."

Mr. Volpe made a suggestion stating, "I think it would be a good idea, since we have four townships, to fill each position with one person from each township, to show more transparency." Roy Gross stated, "That always how it's been pretty much." That's pretty much the normal for the last 21 years almost." He continued, "That's an excellent suggestion, and that's what we're going to try to do."

Nomination for Vice – Chairman:

Chairman Roy Gross requested nominations for Vice – Chairman.

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

Nominations for Treasurer:

Chairman Roy Gross opened the nominations for Treasurer.

Dave Moyer made a motion to nominate Francis DePiano for Treasurer, seconded by Brandon Igdalsky. With no additional nominations for Treasurer Dave Moyer made a motion to close the nominations, seconded by Donald Moyer. The motion to re-appoint Francis DePiano passed unanimously.

Nominations for Secretary:

Chairman Roy Gross requested nominations for Secretary.

Francis DePiano made a motion to nominate Phyllis Haase for Secretary, seconded by Dave Moyer.

Peter Volpe made a motion to nominate John Adams for Secretary, seconded by Dave Pope.

Chairman Gross stated, "We have Phyllis Haase and John Adams, do we want to do an open vote?"

Chairman Gross took a vote for Phyllis Haase. With Don Moyer voting in favor, Brendan Igdalsky in favor, Francis DePiano in favor, Dave Moyer in favor, and Phyllis Haase in favor. The motion to appoint Phyllis Haase for Secretary passed with the vote of 5-4.

Lynn Kelly asked, "Mr. Gross did you vote?" Chairman Gross stated no, I did not vote, but I vote for Phyllis that would be 6 to 4.

Appointment for Solicitor:

Chairman Roy Gross requested appointments for Solicitor.

Francis DePiano made a motion to retain Harry Coleman as Solicitor, seconded by Dave Moyer. 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 Roy Gross requested appointments for the Police Pension and Non-Uniform Pension Representatives.

Phyllis Haase made a motion to appoint Francis DePiano as the Police Pension & Non-Uniform Pension Representative, seconded by Dave Moyer. With no additional nominations for Police Pension & Non-Uniform

Pension Representative. The motion closed. The motion passed unanimously to appoint Francis DePiano as representative for the Police Pension & Non Uniform Pension.

Nominations Non-Uniform Pension Plan Trustees:

Chief Wagner stated that the James Frutchey was a Trustee as Chairman, therefore Roy Gross as Chairman now replaces James Frutchey.

Chairman Roy Gross stated reorganization portion of the meeting was complete.

Phyllis Haase made a motion to adjourn the reorganization meeting; adjournment was seconded by Fredrick Courtright. 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 Roy Gross.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 9 December 2014 Regular Business Meeting, seconded by Frederick Court. The motion passed unanimously.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 8 January 2015 in the amount of \$522,378.36 seconded by Brandon Igdalsky. The motion passed unanimously.

DECEMBER POLICE REPORT:

Total calls for the month of December were 823 total calls consisting of 742 Complaints and 81 Accidents. There were a total of 98 Criminal Arrests, 89 Traffic Arrests, 65 Traffic Warnings and 5 Ordinance Arrests.

Chief Wagner went over the monthly and year to date activity numbers as well as the UCR Crime Stats.

Chief Wagner provided a graph for comparison of Type I and Type II UCR offenses, indicating Type I offenses had a spike in rapes, thefts and motor vehicle thefts and a decrease in homicide, robbery, assault, burglary and arson. Regarding the Type II offences, the spike was in weapons offences, crimes against family and vagrancy all other forgery, white collar crimes dropped.

Chief Wagner also included the quarterly report from Cedar Crest College covering July thru September 2014. Chief Wagner stated that the burglar alarms continue to be a problem. Stating in the 3rd quarter there were 415 alarms. Chief stated we may want to consider our municipal ordinance involving the alarms.

Francis DePiano commented on the large number of False alarms for 3 quarters almost reaching 1200, agreeing with the Chief that this need to be re-addressed with the municipalities. Phyllis Haase stated that the former Chief,

approached Tobyhanna Township advising that the municipalities change their ordinances. At that time Tobyhanna Township proposed that the Police Department fully handle the alarms, because it is excess work for the municipalities, due to the back and forth of the current process between the municipalities and the police department. It was then discussed that the police department take over the process, change the current ordinance and the police department would then re coupe the fines.

Frederick Courtright questioned the traffic arrests down, and the ordinance arrests. Chief Wagner stated that it is probably due to the loss of officers stating that a lot of traffic and ordinance arrests are generated out of free time. If the call volume is up and the officer time is down there is not much free time and that is where you start to see the traffic arrests and the ordinance arrests drop.

Motion:

Francis DePiano made a motion to accept the December Police Report, seconded by Dave Moyer.

Lynn Kelly asked if it would be possible to present each municipality with a copy of the Cedar Crest Report. It was stated that each municipality does have one. Ms. Kelly asked, "Not each member got one?" Francis DePiano stated, "One per municipality."

The motion passed unanimously.

VEHICLE REPORT:

Chief Wagner went over the vehicle report. Stating car #15 had a problem with the heater. It is now fixed and should be back on the road. Chief Wagner stated, "Tunkhannock car has been transferred." Chief continued, "We do have a request from Rainbow Automotive asking to purchase one of our decommissioned cars." Car 8 is currently out of commission and has been stripped down. The engine needs to be rebuilt. The NADA value of the vehicle is \$5,775 with a working engine. PMRPD currently owes Rainbow Automotive \$2,503.81 for rebuilding car # 17 engine. If we could find a fair market value for Rainbow to pay the difference of what we feel that vehicle is worth, they would deduct the money we owe them they would rebuild the engine and own the vehicle.

Motion:

Juan Adams stated he would make a motion to find a fair market value for Rainbow pay the difference and they deduct the amount we owe them. Motion was seconded by Dave Pope. Chief Wagner interjected stating that we would have to have the value stated in the motion.

Motion:

Brandon Idalsky made a motion trade the vehicle for the amount owed as an even swap. The motion was seconded by Phyllis Haase.

Lynn Kelly stated there were two motions and two seconds on the floor.

Chairman Gross stated, "We didn't even set a price yet." Ms. Kelly continued, "But you still have a motion and second."

Juan Adams rescinded his motion and the second was rescinded by David Pope.

Brandon Igdalsky reaffirmed his motion to trade the vehicle for the amount owed \$2,503.81. Motion was seconded by Phyllis Haase. The motion passed unanimously.

Chief Wagner stated the he has also reached out to New Holland Group to get pricing on three new vehicles for 2015.

Motion:

Francis DePiano made a motion to accept the December Vehicle Report, seconded by Dave Moyer. The motion passed unanimously.

UPDATE:

• **Member Municipality Concerns –**

Coolbaugh- Juan Adams stated, "I feel the commission is wasting their money on the lawsuit." He continued, "There was no indication that Coolbaugh was going to take any legal action against this commission or anyone else. The report that was given to this commission was basically given for informational purposes and that was the extent of it."

Dave Moyer stated, "In the report it stated there could be a lawsuit filed; and pages 52 to 62, I believe were missing out of that report. It seemed like there was a possibility of that to happen." Mr. Adams stated, "We're going to act on possibilities? There is no factual evidence, did we receive any paperwork that we were being sued." Mr. Moyer stated it seemed like enough of a threat to me that the pages were missing out of the report." Mr. Adams asked, "How much is this going to cost?"

Mr. Coleman stated, "I would be happy to answer that." It was \$127.00 to file the suit. We tried to get Coolbaugh to accept service and I was informed by your solicitor that he's been advised not to accept service, so now I have to go to the Monroe County Sherriff's Department either Monday or Tuesday of next week, pay additional costs to have it properly served." Mr. Coleman continued, "In terms of legal fees, and I would like the minutes to reflect this, there will be absolutely no legal fees to the PMRPD Commission with regard to this suit." He continued to state, "Also I don't think it's appropriate to discuss litigation in public, but I'm going to make an exception on this one. Make no mistake the Morris report had nothing to do with the reason for the Declaratory Judgment action. It's a series of comments, opinions and a belief by some members and former members that somehow this commission is an extension of a municipality. And it's not. And we've gone over that and beat that horse dead, year after year after year and it keeps rearing its ugly head." He continued, "The only way to put an end to that, in my opinion, shared by a majority of this Commission is to file that Declaratory Judgment action and have a final judicial determination on the issue, which hopefully will bring an end to it." Coleman stated, "Hope that answers all your questions."

Juan Adams stated most of the things on the law suit are not really issues. Mr. Coleman asked Mr. Adams, "Have you received the suit?" Juan Adams stated, from what I saw on the email, I don't think a lot of those things were issues." Harry Coleman stated "I recommend this commission that litigation issues are handled privately the way they should be, not publically."

Mr. Adams asked, "So if you have to go to court and present this you're not going to charge any fees?"

Mr. Coleman stated, "Not a penny." "You can quote me, and I would like the minutes to reflect that."

Mr. Adams, "You're not going to charge nothing for your service?"

Mr. Coleman, "Not a penny and that's the second time I said it, and I'd like the minutes to reflect that I said it a second time." "Not a penny."

Mr. Volpe requested a copy of the 2015 budget for himself and Mr. Pope along with a copy of the by-laws.

Chairman Gross stated Kathy or Phyllis could get them a copy.

Mr. Volpe asked Mr. Coleman if he and Mr. Pope were entitled to a copy of the lawsuit? Mr. Coleman stated, "I would be happy to e mail it to you in your capacity as a commissioner."

Francis DePiano suggested that any and all request should go through the Chief in reference to copies of the budget. And he would have the appropriate person get them to you.

Mt. Pocono Borough- None

Tunkhannock Township- None

Tobyhanna Township- None

- **Committees –**

Headquarters-

Strunk Albert Engineering-Chief Wagner stated there is a motion needed for a change order for time extension for D & M Construction for 120 days moving the completion date from November 24th 2014 to March 25, 2015

- **Motion:**

Francis DePiano made a motion to approve Change Order # 6 moving the date from November 24th 2014 to March 25th 2015, seconded by Brandon Igdalsky.

Open discussion on the delays.

Motion passed unanimously.

Frederick Courtright asked about the pricing on the fence slots. Chief Wagner stated he did get in touch with three companies with two no responses and one quote for materials only so we had to go back to them for delivery and installation. We should have that quote within the next couple weeks.

- **Pension-** Chief Wagner stated that there was a quarterly pension meeting in November. The pension did drop from \$13,885,726 to \$13,614,387 a drop of \$271,000. There is another quarterly meeting in about two months.
- **Community Events/Letters of Support-** Chief Wagner there were no community events to report however there was a letter of support from a member of the community that wanted to extend thanks to one of our officers who helped a family member a few years ago with a drug addiction problem. The officer was able to intervene with the family and get the family member into a court mandated rehabilitation program. Their daughter is now drug free for three years and has greatly improved her quality of life.
- **NEW BUSINESS:**

2015 Hiring- Chief Wagner stated, "It has been put into the budget to start the hiring process and establish a new list." He stated, "We are currently down 3 officers that we are budgeted for with the departure of Detective Petrucci, Chief Lewis and the lateral transfer of Officer VanNote to SRO." Chief Wagner stated that he would like to get started by advertising and starting the process.

Motion:

Francis DePiano made a motion to start the process of creating a hiring list for 2015. The motion was seconded by Donald Moyer.

Brandon Idgalsky asked if and when the Barrett Township decision comes through, how will that effect bringing those officers over. Would we then have to abandon this hiring process? Chief Wagner stated this hiring process would be in addition to Barrett. We would be filling two of our currently open spots with Barrett's extra officers, but we would still be down one. Barrett had a part timer who accepted a position in Pocono Township. Chief stated there would still be one open spot.

The motion passed unanimously.

Set the 2015 Meeting Dates-

Motion:

Fredrick Courtright made a motion to advertise the 2015 Meeting Schedule as presented. The motion was seconded by Donald Moyer. The motion passed unanimously.

David Pope asked is he to understand that Barrett is coming on board. Chief Wagner stated he did not believe there has been any official decision on that, it's still in the working process.

- Francis DePiano stated that tomorrow January 9th is National Law Enforcement Appreciation Day stating:
"It is not often enough that we, the citizens you protect day in and day out, get to say thank you for all that you do to ensure the safety of us all. Today and every day, we want you, our men and women in blue, to know how grateful we as citizens are for your service and dedication in keeping our communities safe so that we can all live the American Dream. Thank You."
- Francis DePiano also thanked Jim Frutchey for his job as 2014 Chairman.

PUBLIC PARTICIPATION: N/A

Lynn Kelly asked when and how it was decided to change the reorganization meeting to tonight. Chairman Gross stated by email and telephone calls because of a conflict with other meetings the public notice was in the paper.

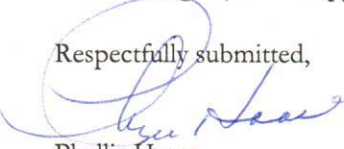
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 7:56 p.m.

Respectfully submitted,


Phyllis Haase
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
10 FEBRUARY 2015**

PRESENT:

ROY GROSS	-BOROUGH OF MOUNT POCONO	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

FREDRICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
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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 7:00 p.m. by Chairman Roy Gross with the Pledge of Allegiance.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 8 January 2015 Regular Business Meeting, seconded by David Moyer. A member of the public pointed out that the minutes reflected the meeting was held at Pocono Mountain Regional Police Building. Chairman Gross stated that will be changed to Tobyhanna Township Municipal Building. With no further comments, the motion passed unanimously.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 10 February 2015 in the amount of \$177,558.73 seconded by Donald Moyer. Lynn Kelly questioned check # 13299, special labor council. Chief Wagner stated that was the labor attorney, stating Dave Schmidt appealed his decision and there is also an arbitration issue. The motion passed unanimously.

JANUARY POLICE REPORT:

Total calls for the month of January were 924 total calls consisting of 818 Complaints and 106 Accidents. There were a total of 78 Criminal Arrests, 225 Traffic Arrests, 129 Traffic Warnings and 38 Ordinance Arrests.

Chief Wagner went over the monthly and year to date activity numbers as well as the UCR Crime Stats and hours.

Motion:

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

VEHICLE REPORT:

Chief Wagner stated the three new vehicles have been ordered. Susquehanna Bank offered the best rate of 4.71 in financing for a 24 month lease. Chief stated hopefully we will receive these vehicles in the next two months to replace some of the higher mileage vehicles.

Motion:

Phyllis Haase made a motion to accept the January Vehicle Report, seconded by Francis De Piano. The motion passed unanimously.

UPDATE:

- **Member Municipality Concerns –**

Coolbaugh- Juan Adams stated he wanted to commend the Chief, stating the he feels the morale of the officers is up in the short period of time Chief Wagner is serving as Chief. Mr. Adams stated, "With a new Chief everything is turning around." he continued, "I want to commend you for that."

Mr. Adams asked if the Executive Committee had any meetings last month. Francis DePiano stated, "Not official, we were invited to one meeting in Barrett that was for information, they asked us to come in." He continued, "It wasn't an Executive Session it was strictly informational."

Chairman Gross asked if Coolbaugh had any other concerns.

Mr. Adams stated, "I am concerned with the Executive Committee, since there is no representative from Coolbaugh on the Executive Committee."

Chairman Gross stated, "We will keep you informed." Mr. Adams asked Chairman Gross if there was any objection to a Coolbaugh member attending the Executive Sessions of Executive meetings.

Phyllis Haase stated, "The issue is you're not on the Executive Committee." She continued, "The Executive Committee was voted on by the commission at the January meeting."

Mr. Adams stated, "I'm asking the chairman if he has any objection to..."

Chairman Gross interjected, "I don't think it would be appropriate unless you were the Secretary, Vice President, President or the Treasurer. Those are the ones that are on the Executive Committee." Chairman Gross stated, "We'll keep you informed."

Mr. Adams stated I'm not saying that the member will be participating, but as far as attending...to see what transpires."

Chairman Gross stated, "Well, I think we should just keep it as, the rules as they are." He continued, "We will keep you informed."

Mr. Adams continued to state there was an Executive Session in the prior month with Paradise that Coolbaugh was not informed about.

Francis DePiano stated, "You mean Barrett? It was not an Executive Session. What I said was, Barrett invited us to a meeting all the Executive Commission members were not there."

Phyllis stated that the by-laws stated that an Executive Session meeting would be announced to the other members at the next commission meeting.

Harry Coleman stated, "That is absolutely correct." Mr. Coleman continued, "If the Executive Committee is meeting on an issue that the Executive Committee believes is of such significance, that the entire commission should know of it, they would call a special meeting. The Executive Committee by definition in your By-Laws is just for those rare occurrences in which it's not feasible to get the entire board together, that's what it's for."

Chairman Gross asked if there were any other comments from Coolbaugh-

Peter Volpe asked if there was a 1st and 2nd quarter of the Cedar Crest Report, or an entire report for 2014. Chief Wagner stated the report will be done quarterly starting this year. He stated another report just came in and was not ready for this meeting. Chief stated it will be ready for the next meeting.

Mr. Volpe asked in regard to the budget; if the SRO's are paid by the school? Chief Wagner stated that they are paid by the school as part of what they are billed. That figure includes their medical benefits. Chief stated pension is not part of that figure; it is paid for by the department through the MMO's.

Tobyhanna Township- Phyllis Haase stated she had an announcement for the commission and residents in attendance. Ms. Haase stated that State Representative Jack Rader has opened an office in Tobyhanna Township. Office hours are Monday thru Friday 9:00-4:00.

Tunkhannock Township- Francis DePiano thanked the Commission for the vehicle that was donated to Tunkhannock Township.

Mt. Pocono Borough- Chairman Roy Gross stated, "There are still concerns from Coolbaugh and we need to overcome some of those and we will work hard to do that."

- **Committees** –

Headquarters-

Chief Wagner reported that E.F. Possinger is complete with the exterior work. A walk thru will be done on the 17th of February. Strunk Albert Engineering-will be here for the walk thru and they should be moving on with the interior work.

- **Pension**-

Resolution 2015-001 Non Uniform Pension 2014 Compliance Amendment

Resolution 2015-002 Police Pension 2014 Compliance Amendment

Chief Wagner explained that the resolutions will bring us in compliance with the new definition of "Spouse" for the purpose of benefits.

Motion:

Phyllis Haase made a motion to adopt Resolution 2015-001 Non Uniform Pension 2014 Compliance Amendment and Resolution 2015-002 Police Pension 2014 Compliance; the motion was seconded by Juan Adams and passed unanimously.

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

January 15 - Detective Chris Boheim-Spoke to the Pocono Mountain Rotary Club regarding "Concealed Carry in PA".

January 22 - Chief Wagner along with commission members Juan Adams and Peter Volpe attended "10-13 Club" Breakfast. The Chief spoke of Law enforcement issues and our department.

Chief Wagner read two letters of support- one directed to Officer Apgar and one to Officer Bashore.

Chief Wagner wanted to address the commission on a large and ongoing investigation regarding juveniles and face book. Chief Wagner wanted to explain that the case actually broke through the SRO Officer and the one juvenile's confidence to go to the SRO, bringing this case to light. Chief Wagner stated that the SRO's are a great advantage to our Police Department, the community and our children.

- **2015 Hiring-** Chief Wagner stated we have advertized and set dates to administer the test on March 28th 2015. Approximately 4 weeks later we will administer our physical test April 25th. The deadline for long applications who have passed the written and PT will be May 8th. Interviews should take place late May early June.

Chairman Gross discussed the hiring and interview process.

Juan Adams asked how the registration for taking the exam is handled.

Chief Wagner explained that the application can be downloaded from the website or can be picked at headquarters. The application is then submitted with the application fee. He continued to state that we will be looking to use MuniPay for future testing.

Mr. Pope asked "how many people will be hired."

Chief Wagner stated, "depending on what happens with Barrett," He continued, "we currently have three spots open."

Open discussion regarding the current number of officers.

• **NEW BUSINESS:**

Grant Applications-

1. Pennsylvania Liquor Control Board combating dangerous and underage drinking which can provide up to \$20,000 in grant money.
2. Grant to form New Regional Police Departments or for an existing Regional Police Department to take on another municipality.

Mr. Pope asked if Barrett has a time frame to get back to the Chief regarding their position on joining PMRPD. The Chief stated the last he had heard they were looking to do it as soon as possible.

3. Grant for PMRPD Range Project- Open discussion took place regarding researching the possibility of acquiring a piece of property for a range for PMRPD.

Chief Wagner stated that he was advised by the Justice Department that Asset Forfeiture funds can be used for this type of a project. He also stated that there is an NRA course for Range Development that Officer David Posluszny will be attending. Once Officer Posluszny has completed the course the department can apply for a grant through the NRA for Range Development.

Chief Wagner asked if the commission would be interested in forming a new committee to look further into acquiring and building our own range.

Chairman Roy Gross addressed the commission on his knowledge of previous concerns regarding current range accommodations.

A new committee for the Range project was formed including: Roy Gross, Francis DePiano, David Pope, Donald Moyer, David Moyer, Chief Wagner, Sgt. Vogt and Officer Posluszny.

David Moyer thanked Chairman Roy Gross for coming back to the helm, he stated Mr. Gross always has the department and public at best interest.

PUBLIC PARTICIPATION:

Lynn Kelly requested if when the Executive Committee meets to please identify when they meet, who meets and put it in the minutes? Chairman Gross stated, "We can do that."

Ms. Kelly also asked, "Who met with Barrett?" Mr. De Piano stated, "Just myself, at their invitation."

Ms. Kelly stated the budget that was passed in November was Draft 3 and stated that there were 32 officers and no new officers plus three replacements. She stated she was unclear as to what the budget was funding.

Chief Wagner stated the 32 is the officers in the mix. There are 6 officers not in the mix. The three SRO's and the three Administrators are not in the mix.

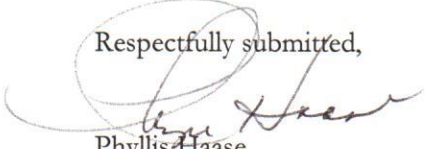
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 7:57 p.m.

Respectfully submitted,


Phyllis Haase
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
SPECIAL MEETING
24 FEBRUARY 2015**

PRESENT:

ROY GROSS	-BOROUGH OF MOUNT POCONO	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FREDRICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
DAVID POPE	-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 7:00 p.m. by Chairman Roy Gross with the Pledge of Allegiance.

NEW BUSINESS:

Harry Coleman addressed the commission giving a synopsis of the procedure of Barrett Police Department becoming part of Pocono Mountain Regional Police Department.

Mr. Coleman proceeded to go over the Draft Memorandum of Understanding between Barrett Township and Pocono Mountain Regional Police Commission that was drafted by Barrett's solicitor Todd Weitzman.

Atty. Coleman explained that the first step would be to have the member municipalities vote on whether Barrett Township is accepted into the commission.

He continued to explain the second step would be for the commission to pass a resolution agreeing to have Barrett Township come on board; Barrett would then have to pass certain ordinances and disband their Police Department at a certain date and time. At the date established at 12:00 a.m. Barrett would then become part of Pocono Mountain Regional Police Department.

The draft was reviewed and discussed with minor changes recommended.

One item discussed by Attorney Coleman referred to Article III, suggesting that a sentence should be added to Article III stating that Barrett will be appointing one member to this commission.

Atty. Coleman stated that Barrett will provide a list of personal property and Chief Wagner would determine in his judgment, if it is usable or not. If the items are not usable Barrett may sell them. If the items are usable they then become the property of Pocono Mountain Regional Police Department.

Headquarters will remain at Pocono Mountain Regional Police Department Headquarters.

Atty. Coleman touched on litigation issues stating that up until the specific date decided at 11:59, if Barrett does anything that result in litigation it would be under Barrett and their insurance policies. After midnight on the next day once they become PMRPD it is under our watch.

Open Discussion took place on various topics. Mr. Volpe asked “are they going be responsible for part of the mortgage on the building?” Mr. Adams requested some clarification on The Addendum to Pocono Mountain Regional Police Agreement– when Tunk joined and they got their additional representative – the last sentence says “No other changes to the total number or composition (i.e., the total number or representatives from each municipality) shall be made without the unanimous approval of all parties to the Agreement.” (noted 3/10/15 meeting)

Atty. Coleman suggested reviewing a copy of the minutes of 3/30/2001 to view the Amendment to Agreement.

Fredrick Courtright pointed out a typo for correction on Article VII Property states “PRMPC” should state “PMRPC”

Question was asked of Chief Wagner, “When Barrett comes aboard how will the seniority work.” The Chief stated, “They will bring over their seniority, they will bring over their original hire date.”

Chairman Gross asked if Barrett passed this Memorandum of Understanding at their meeting this morning.

Chief Wagner stated, “My understanding from Chief Williams was that it they put it out for public comment.”

Atty. Coleman went over the sequence of events that should take place:

He explained that Barrett will ask if the PMRPC will have them; the municipalities will then vote if they agree to have Barrett come on. Barrett will then put in place the necessary ordinances to dissolve their Police Department and we will put in place a resolution allowing them to come on board.

Harry Coleman reiterated that the draft agreement was drafted by Barrett solicitor and there have been no meetings or decisions. Information has been between the respective Chief’s.

PUBLIC PARTICIPATION:

Donna Casole (noted 3/10/15 meeting)–Mt. Pocono Boro Council

Asked about the Declaratory Judgment filed by the Police Commission and the counterclaim filed by Coolbaugh Township how that would effect the acquisition of Barrett Township. Atty. Coleman stated it would have no bearing on Barrett. Atty. Coleman also stated he apprised Barrett’s solicitor of the judgment and has been provided a copy.

Mike Gillian- asked about the status of the salaries of the Barrett employees. Chief Wagner stated that these employees will fall right into our contract. They will be on par with the salaries of our officers.

Bill Byron- asked what will happen to their Chief. Chief Wagner stated he would step into the Administrative Lt. position.

Harry Coleman commented that he believed that discussion should take place as to what Barrett believes is going to happen with the mortgage. He continued that the four municipalities need to discuss if they want Barrett to help pay the mortgage.

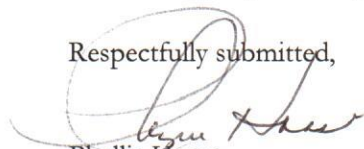
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 7:40 p.m.

Respectfully submitted,



Phyllis Haase
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
10 MARCH 2015**

PRESENT:

ROY GROSS	-BOROUGH OF MOUNT POCONO	-CHAIRMAN
DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
FREDRICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
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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 Roy Gross with the Pledge of Allegiance.

PLAQUE PRESENTATION: Sgt. Charles Larue presented a plaque to Chief Wagner on behalf of the PMRPD SWAT team for his 18 years of service and contributions to the SWAT team. Sgt. Larue referred to the work that was done through the Northeast Terrorism Task Force where Chief Wagner helped secure an armor vehicle for the department.

Chairman Gross stated there would be a brief Executive Session after the regular meeting for personnel issues.

Chairman Gross also announced that there was an Executive meeting on March 9th to discuss items that were going to be placed on this agenda including mold remediation, and Barrett Township.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 10 February 2015 Regular Business Meeting, seconded by Donald Moyer. With no further comments, the motion passed unanimously.

Motion:

Francis DePiano made a motion to approve the Minutes of 24 February 2015 Special Meeting, seconded by Donald Moyer.

Frederick Courtright had two suggested changes to the Special Meeting minutes. He stated under Public Participation Donna Casole is the Mount Pocono Council member her last name should be entered in the minutes 'CASOLE'.

Mr. Courtright also stated just above that under 'Open discussion took place on various topics'; referring to Atty. Coleman's mention to suggest reviewing a copy of the minutes of 3/30/2001 to view the Amendment to Agreement- Mr. Courtright suggested that it should state- in response to a question from Commissioner Adams with regard to the difference between the number of municipalities that can approve changes in the agreement vs. the number of commissioners who need to make an agreement to change the number of commissioners on this body. Mr. Courtright continued to state this was in response to a question and the question should be included in the minutes, for the purpose of clarity.

Mr. Adams requested some clarification on The Addendum to Pocono Mountain Regional Police Agreement- when Tunk joined and they got their additional representative - the last sentence says "No other changes to the total number or composition (i.e., the total number or representatives from each municipality) shall be made without the unanimous approval of all parties to the Agreement."

Atty. Coleman stated in recalling the discussion, Commissioner Adams brought to the attention an amendment that had to do with the number of commissioners and the distinction between the number of commissioners, (member commissioners) such as the 10 in this body; vs. the number of member municipalities.

Juan Adams stated that Mr. Volpe asked a question regarding the mortgage and the mortgage contribution of Barrett; during public participation part of last month's meeting. Mr. Adams stated the answer from Atty. Coleman was in the minutes and he would like Mr. Volpe's question inserted as well in the minutes.

Mr. Volpe asked "are they going be responsible for part of the mortgage on the building?"

Chairman Gross stated he recognized the amendments to the minutes.

Francis DePiano changed his motion to reflect to recognize the amendments to the minutes. Donald Moyer changed his second to recognize the amendments. Motion passed with Mr. Pope abstaining.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 10 March 2015 in the amount of \$190,923.11 seconded by Juan Adams.

Lynn Kelly asked if bank account balances could be part of the bill pack. Chairman Gross stated he did not think it was necessary. Kelly asked when the new set of financials will be prepared. Chairman Gross stated usually it's every quarter. Kelly asked if there were fourth quarter financials. Chairman Gross stated I think there was.

The motion passed unanimously.

FEBRUARY POLICE REPORT:

Total calls for the month of February were 848 total calls consisting of 760 Complaints and 88 Accidents. There were a total of 76 Criminal Arrests, ¹⁵⁰367 Traffic Arrests, ⁸⁴213 Traffic Warnings and ⁴⁰78 Ordinance Arrests.

Chief Wagner went over the monthly and year to date activity numbers as well as the UCR crime stats and hours.

Chief Wagner gave a synopsis of the fourth quarter report from Cedar Crest College stating that the report was included in the commission packets.

Chief Wagner stated one of the notable stats was with Mt. Pocono Boro with Walmart, which takes resources that some of our higher end communities are taking as population.

Frederick Courtright asked if a breakdown was possible for commercial vs. non commercial. Chief Wagner stated he would get in touch with Scott Hoke to check possibility of the breakdown of commercial vs. non commercial crimes. The only issue may be how our records management system categorizes it.

Peter Volpe asked if the burglary were down due to the weather.

Chief Wagner stated that the report of burglaries may not have been accurate due to foreclosure issues. A better look needed to be taken regarding if these were actually burglaries or civil issues between the bank and the former owners. He continued to state that foreclosures, weather, and people that have been arrested could account for the fact that burglaries are down.

After viewing the Cedar Crest report it was decided that the breakdown of commercial vs. non commercial crimes were stated in the Cedar Crest report. Mr. Courtright stated he would like to see the breakdown in our monthly reporting.

Motion:

Juan Adams made a motion to accept the February Police Report, seconded by Frederick Courtright. The motion passed unanimously.

VEHICLE REPORT:

Chief Wagner stated the three new vehicles are set to come in next month. Chief Wagner stated that he is looking at replacing Car # 2, Car # 15 and Car # 17. Chief stated car # 10 was in an accident; damage came in at \$2,800.00 which will come from the insurance settlement with the other vehicle.

Motion:

Francis De Piano made a motion to accept the February Vehicle Report, seconded by David Pope. The motion passed unanimously.

- **New Vehicles-Lessee Resolution-2015-003**

Motion:

Francis De Piano made a motion to approve Lessee Resolution 2015-003, seconded by Donald Moyer.

David Pope asked if this was a lease purchase. Chief referred to Kathy Matisak who stated yes it was. Juan Adams asked if it was for one vehicle. Chief Wagner stated it was for three. The motion passed unanimously.

UPDATE:

- **Member Municipality Concerns –**

Coolbaugh- Juan Adams stated, "Other than the on-going concerns; I don't have anything else."

Tunkhannock Township- Francis DePiano complimented the department on a big drug bust in Tunkhannock. He stated some local neighbors were glad these people were off the street.

Tobyhanna Township- None

Mt. Pocono Borough- Frederick Courtright stated not at this time. Chairman Roy Gross stated, "There are still concerns from Coolbaugh and we need to overcome them."

- **Committees** –

Headquarters-

Chief Wagner reported that the contractor raised some concerns that the moisture in the basement block is still not to acceptable levels.

The Chief stated he did contact John Stephens; a meeting was set up with Stephens, Dustin Rudolphi and the spray foam sub-contractor. Mr. Rudolphi had concern that moisture level is still too high and pointed out a specific area in the basement that was damp.

Chief Wagner stated that he along with John Stephens; believes that the dampness was due to being the last area dug by EF Possinger. The area was open during a snow storm; the drains were then placed above the snow; and the area was then filled. A fan was placed on the area and it has been monitored for a week and it is dry.

One other concern is the spray foam may not fill the expansion joints where the cinder blocks meet the concrete foundation. The Chief stated hydrostatic water pressure has never been an issue in the building therefore, Mr. Stephens as the engineer, feels that is not a concern.

Stephens contacted the spray foam manufacturer as well as the spray foam contractor. They stated when the block is a little damp; it will help adhere the foam. Mr. Stephens's recommendation was to move forward with the spray foam.

There will be a change order to frame under the stairwell. Once the change orders come through they will be presented to the commission.

Fredrick Courtright asked if this was going to change the overall timing, "we were talking about moving our meetings back in April."

Chief Wagner stated it was the opinion that no further time extension will be granted at this point.

Phyllis Haase asked if a special meeting needs to be held for the change orders. Chief Wagner stated he did not believe so. He continued that the April meeting will probably still be at Tobyhanna Township. Chief expects the change orders in the next week or two and they can be covered at the April meeting.

David Pope asked, "What's their drop dead date?" Chief Wagner stated he would have to check. He believed it was the end of March to the middle of April.

A final walk thru will take place after the thaw. KCE must sign off on project. Also they will be installing a vertical pipe so ground water can be monitored.

- **2015 Hiring-**

Chief Wagner stated we are in the process of taking applications with 51 total applicants. He stated we are taking applications for three more days. MuniPay has been set up through our website so payments can

now be taken on line. Chief stated after the physical testing and interview process is complete hopefully the list will be set by the middle of June.

Mr. Pope asked “with Barrett coming on how many folks are coming from there?” Chief stated, “They will be bringing all five; which will still leave us with one open spot. He continued, “With this list we are looking at hiring one and we are looking at a retirement in January.”

- **Grant Applications-**

Chief Wagner stated we are working with PA Commission on Crime and Delinquency Agency for the Barrett Township regionalization. If that grant goes through we can get up to \$20,000.00 in costs. The Grant is for the formation of a new regional department or a current regional department taking on a new municipality. The grant paperwork is due on March 13th. This would help offset the costs of regionalization.

We are looking at the integration of our records management system, Barrett Township has a Visual Alert System we have a Cody System. Uniforms, car striping and restriping and the addition of computers for work stations.

Liquor Control Enforcement Grant- has been submitted further efforts for under age and dangerous drinking.

- **PMRPD Range Project-**

Chief Wagner stated we are currently looking at two properties one of which is not for sale, but the owners may look at entertaining an offer. Solicitor Coleman has sent out a letter but has not received a response as of yet. Chief Wagner stated once the weather breaks the committee will look further into possible properties.

Officer Posluszny is going through a course through the NRA for range development once the course is complete we can look at a grant through the NRA for range development.

- **Barrett Township-**

Chairman Gross read a letter from Barrett Township informing the PMRPD Commission of its interest in becoming a member of and receiving police services from the Pocono Mountain Regional Police Commission. Along with this letter Barrett Township forwarded a Memorandum of Understanding for approval by this commission.

Motion:

Francis De Piano made a motion to accept the letter of interest and forward it on to the four municipalities for approval along with the Memorandum of Understanding. The motion was seconded by David Moyer.

Phyllis Haase asked Mr. Coleman if he could explain the process now –the MOU is going to the member municipalities....

Atty. Coleman explained that the Memorandum of Understanding is Barrett’s understanding that they put together.

He stated, “If you read it from our prospective, there was nothing negotiated, it’s a statement of fact.” He continued, “The MOU, if accepted; is an agreement between Barrett and the commission to consider Barrett’s application and membership into the commission.

Atty. Coleman stated, "The first step will be at the level of the four municipalities. They will vote either by resolution or ordinance whatever their pleasure. They will vote either to accept Barrett into PMRPD and recommend that the commission accept them as a member or not." He continued, "depending on how that process goes, assuming that it is accepted, it will then come back to the commission. PMRPD will then prepare a resolution that will go to Barrett and Barrett will sign that resolution agreeing to be bound by the terms and provisions of the 1996 agreement and amendments. That resolution will then become another amendment to the 1996 agreement."

Phyllis Haase asked if the municipalities are approving the MOU.

Atty. Coleman stated, "No, the MOU is being circulated to the municipalities so that those members with the good guidance of you folks, who are all appointed or elected officials, can answer any questions that those member municipalities may have about what's expected of Barrett and what's expected of the commission."

Phyllis Haase clarified the motion stating, "So the letter is going to the municipalities and the MOU is just for information."

Atty. Coleman "Correct." He continued, "Once Barrett is accepted, assuming that they are, as the fifth member municipality; the MOU will be trumped by their agreement to be bound by the 1996 agreement."

Fredrick Courtright stated, "So if I understand the MOU will be essentially dissolved it will be part of the legislative history; but will be bound by the final document not anything in that MOU. He continued, "So does that mean whatever our final document is which would be a resolution initiated by Barrett, does that itself have to be approved by the members of the municipalities as well as an amendment to the contract?"

Atty. Coleman stated, "The way I read the 1996 agreement, the approval is to allow another municipality to come in."

Atty. Coleman referred to a question Mr. Volpe raised last month asking if Barrett will have any equity interest in the property. Coleman stated it was his understanding that Barrett was not seeking equity interest. Although he continued he would rather have that in the resolution so it is crystal clear.

The 1996 agreement indicates that all that is required of the other municipalities is 2/3 have to approve the addition of the additional member coming on as the fifth member municipality.

Chairman Gross spoke of the amendments referring to the number of members Barrett would have seated on the commission.

Atty. Coleman stated Barrett decided on 1 member based on the amount of services that they will be purchasing.

Chairman Gross asked if that would be part of that amendment. Coleman stated, "Absolutely."

David Pope asked the Chief if the grant was not received; how would they pay to paint the cars. The Chief stated it was already included in the 2015 budget. (Referring to the Barrett Draft should they join PMRPD)

Mr. Pope asked about the Pension- asking if Barrett received 75%. The Chief stated that was not true, they will come over with 50%.

Mr. Pope asked of the MOU- What about the Barrett's current assets; will they be negotiated.

Atty. Coleman stated Chief Wagner made an assessment, as to what assets have benefit to PMRPD.

Peter Volpe asked, "When Coolbaugh joined PMRPD, did they bring cars and everything." Chief Wagner stated "Yes" He continued to ask if it was fair that Coolbaugh had to put up \$25,000, but Barrett wasn't putting any money up.

Mr. DePiano stated Barrett is bringing assets and they are a very small township. He continued to state that when Tunkhannock came over they were not asked to contribute, that was negotiated between Coolbaugh and the commission.

Mr. Coleman stated the answer to that the \$25,000.00 should be in the minutes and he would look into it.

Mr. Volpe asked the Chief; referring to Mr. Pope's question on the pension-"What do our members get now when they retire?"

Chairman Gross stated all that were hired prior to January 1, 2014 receive 65% of their last three years average wages." He continued anyone hired after that receives 50%."

Mr. Volpe asked what Barrett's pension is – Chairman Gross stated they are at 50%, and they come over with their seniority.

Chief Wagner stated Barrett officer pension is currently at 50% with a cost of living increase, which cannot be changed by law. Chief Stated that Barrett's pension is overfunded.

Chairman Gross recalled "when Coolbaugh came over; their pension was underfunded. So they put up \$120,000 towards the pension fund".

Chairman Gross reiterated the motion is to accept this letter of request from Barrett Township and forward on to the municipalities along with the MOU, so they can look at some of the facts.

Juan Adams asked, as far as the MOU, "I was under the impression it was a draft...Is that the finalized copy or a draft?"

Atty. Coleman stated he asked Barrett's solicitor if the agreement presented last month was the agreement that they voted on yesterday. Atty. Coleman stated, "I was told it was, the exact same no changes."

Adams stated, "This MOU was drafted without any contribution at all or any advice from us at our end."

Coleman stated, "Advice no, contribution, there had to be. I believe information was sought out from the Chief, from your more senior commissioners, advice none."

Juan Adams asked why we were not just doing an addendum as has been done in the past when other members have joined rather than the MOU.

Atty. Coleman explained that the process will ultimately end with an addendum to the 1996 agreement. Explaining Barrett's resolution will be used as the addendum to the 1996 agreement. An addendum should never conflict with a document of which it amends it should supplement it or expand upon it.

Juan Adams stated that the pension was mentioned but it was not mentioned if Barrett will be making contributions going forward.

Chairman Gross stated that they will be assessed with their MMO's every year as everyone else.

Fredrick Courtright asked if Chief Wagner or Chief Williams would try to be available for questions either before or after municipal meetings. Chief Wagner agreed.

Dan Broxmauer- Coolbaugh Township commented on the services that Barrett will be using that they currently do not have a SWAT, K9 and detective services. Chairman Gross stated that was part of the advantage of Barrett coming here.

Mr. Broxmauer continued to state, 'but Coolbaugh paid to get up to speed.' Chairman Gross stated that was because they were underfunded in their pension.

Discussion took place on the assets that Barrett is bringing.

Brian Sanford- Coolbaugh Township-asked if the current working agreement with the officers agreed with the seniority intermingling, also does it agree with Barrett's existing chief being put in as Lieutenant? Did anyone consider what effect that will have on officers looking to become Lieutenant?

Chief Wagner explained that the discussion with the union was the Barrett officers will bring over their seniority in exchange for the reduction in force clause. He explained if there is a reduction in force then it starts with the last appointed officer. Should layoff occur it would start with the last appointed officer not by the seniority that Barrett brings over.

Chief Wager stated we are trying to keep salaries the same; for Chief Williams not to take a reduction in salary we had to find something comparable as well as keeping up with his experience and training.

Discussion of the possibility of passing up promotions took place.

Atty. Coleman stated that Chief Wagner had discussions with the union of the 'blending of Barrett.'

Mr. DePiano referred to Coolbaugh joining PMRPD stating that Coolbaugh's officers came in with the same seniority. Some of Coolbaugh's officers came in with greater seniority.

Lynn Kelly- Coolbaugh- asked Chief Wagner "You just mentioned about a change in the reduction of force clause-whose CBA contract was that from that is changing?" Chief Wagner stated "it's not changing." "I didn't say anything is changing." Kelly continued to ask, "What was the context of the comment with Barrett officers coming on and the concession of reduction of force."

Chief Wagner explained, "There are two clauses that deal with seniority- 1st clause – seniority is based on the amount of time that you are in the bargaining unit. Barrett officers currently do not have any time in the bargaining unit – so in order for them to keep their seniority the officers would have to waive that clause." He continued, "There is a following clause dealing with reduction of force- 'if there is a reduction of force it goes by seniority.' Chief Wagner stated, "To be fair in the give and take, the Barrett officers then agreed, (because they are going to be part of this contract when they come over); they will not be bound by that as far as seniority goes. So if there are layoffs it will go by the appointment date not the seniority date as stated in the contract." He continued, "So it goes by the letter of the contract." "But there's no change in that."

Kelly stated "so the agreement between the Barrett officers and the PMRPD officers is regarding the CBA contract and the clauses for the reduction in force and the seniority." Chief stated, "Correct."

Kelly asked, "So if they agreed to conceptual changes in the CBA, doesn't the commission also vote on that?" Chief Wagner stated, "Again there is not going to be changes in the CBA. Because the CBA talks about appointment date, which is different than the hire date from Barrett. They are being appointed to the PMRPD at the execution date. For purpose of seniority they are bringing over their hire date from Barrett. So the difference is hire date vs. appointment date."

Kelly asked is it a date for payroll records? Chief Wagner stated, "That is part of it but it also is for shift bids and things of that nature."

Kelly stated that the commission has not asked for any financial consideration from Barrett, yet it's been noted that there are going to be records integration, painting graphics on the cars and the cost to outfit each officer; why will Barrett not bear the brunt of that? Francis DePiano stated it's already in Barrett's budget.

Frederick Courtright stated Barrett has agreed to bare those costs.

Francis DePiano called for motion on distribution of letter of interest to the four municipalities. The motion was passed.

- **Pension-**

Chief Wagner went over the quarterly pension report for December 2014. Return of investment for the quarter of \$224,273.00, Chief stated the final market value of the plan as \$14,367,269.00. With a year of date return on investment of \$717,103.00. The pension fund is 98% funded.

Motion:

Francis DePiano made a motion to approve the pension report as presented. The motion was seconded by David Pope and passed unanimously.

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

Chief Wagner read a letter from the Lehigh County Sherriff's Office thanking Sgt. Bowman and officers responsible for taking an individual into custody on a warrant from their office.

Chief Wagner mentioned the article that he wrote for Tactical Edge magazine was republished in Police K9 Magazine; making the cover of a nationally published police magazine.

NEW BUSINESS:

- **Set April Meeting Location-**

Chairman Gross suggested that the meetings should take place at the Tobyhanna Township Building until we are certain that Headquarters is ready for April.

PUBLIC PARTICIPATION:

John Lamberton- gave input on Coolbaugh joining in 1997; explaining that Coolbaugh came over with three Sergeants. and the officers on this department agreed to that for the better of the department. Lamberton continued to explain that Chris Wagner, Jeff Bowman and Will Lavery could not take a Sergeants test for many years because of the placement of those three Sergeants from Coolbaugh.

ADJOURNMENT:

Motion:

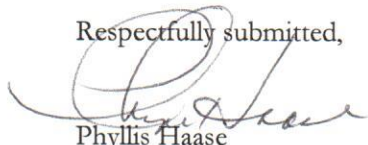
Francis DePiano made a motion to adjourn the meeting, seconded by Frederick Courtright. The motion passed unanimously.

The meeting adjourned approximately 8:30 p.m.

EXECUTIVE SESSION:

There was an Executive Session on personnel issues from 8:40 to 8:53.

Respectfully submitted,

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

Phyllis Haase
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
SPECIAL MEETING
6 APRIL 2015**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	-VICE-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-TREASURER
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-SECRETARY
FREDRICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
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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 7:00 p.m. by Vice-Chairman Dave Moyer with the Pledge of Allegiance.

A moment of silence was observed for Chairman Roy Gross

ROY GROSS	-BOROUGH OF MOUNT POCONO	-CHAIRMAN
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Dave Moyer and other members spoke of their relationship with Chairman Roy Gross, stating Mr. Gross will be missed.

UPDATE:

• **Mold Remediation**

Chief Wagner stated there was an Executive meeting on March 27th addressing the mold remediation issue. The meeting was to get more of the commission involved to get a better understanding of the problem. Chief Wagner stated John Stevens prepared the minutes and they are included in tonight's packet.

The Chief explained there is still a moisture issue in the cinderblocks. This has not improved to where the contractor D & M Construction is comfortable putting on the spray foam. Additionally, the existing framing is right up against the cinderblock and the spray foam to insulate that needs to expand two inches. His concern is that the spray foam won't get behind the framing and get into the foundation of the building to seal it properly. So he's been reluctant to warrantee his product; which we don't want to move forward on if he is not going to warrantee that."

In an earlier meeting with the foam sub-contractor, he did not seem to have the same concerns as the main contractor did. He stated as long as there was not running water on the block he was comfortable with installing the foam.

The meeting on the 27th focused on moving the existing framing out to the 2 inches and get the spray foam behind it then and the change orders were requested.

The following change orders were discussed:

Change order # 9, (which will actually be change order #10) has been made to move the framing an additional two inches to the cost of \$27, 855.33.

Change order number # 9 extends the substantial completion date 60 days.

Dave Moyer went over the process to move the framing two inches explaining why it was so costly.

Chief Wagner stated, "A meeting will be set up with the spray foam manufacturer and the subcontractor, to find out are you going to warrantee this or not?" He continued, "It is their product they would be the one backing the warrantee."

Francis DePiano stated they are not using any existing studding. Chief stated, "other than the base plate we wanted him to reuse the existing studding."

David Pope stated his concern in the moisture in the current studs and if it was treated wood. Mr. Volpe suggested using new studding. After discussion it was agreed to use new treated studding.

After much discussion it was agreed to approve on the change order with a lock in of 60 days completion, with a penalty after the 60 days.

Donald Moyer suggested a conditional guarantee from the spray foam company.

Frederick Courtright asked if the work order required them coming back for any testing.

Chief Wagner stated he would have to check. Chief stated we do have Alicon coming in to retest for mold after the completion.

David Pope suggested a moisture sensor outside the wall. Francis DePiano stated the dehumidifier should correct that problem.

Lynn Kelly asked, "Did the original contract have a time frame that he was expected to be finished in; and is that why change order #9 gave him an extension?"

Chief Wagner stated the original contract was for 112 days, but during that time was when the exterior problem was discovered.

Lynn Kelly asked if the original contract impose anything in there for liquated damages? Chief Wagner stated he was not sure.

Kelly continued if you have given him extension through change orders, your original contract has liquated damages that will take effect after you no longer give extensions.

Phyllis Haase noted that Change Order # 9 would be the single page document that you received; it references a figure of \$164,102.00. The new contract sum will change to \$191,957.33. Change Order #10 is the 2 page document.

Motion

David Pope made a motion to approve the Change Order # 9 to extend 60 days to May 25, 2015 for completion. The motion was seconded by Peter Volpe. Motion was approved unanimously.

Motion

Phyllis Haase made a motion to approve the Change Order # 10 dated April 2, 2015 conditional upon a schedule being provided to the commission; reference of a warrantee minimum of one year, and advising the contractor of a penalty of \$200.00 per day beyond May 25, 2015 will be imposed on his firm. The motion was seconded by Frederick Courtright and approved unanimously.

NEW BUSINESS:

Chief Wagner referred the vacant seat in the Chairmanship with the passing of Roy Gross. The Chief asked if the commission would like to take action tonight or wait until the next Tuesday's meeting or a future meeting.

Phyllis Haase stated that it should wait until our next regular meeting to see who the Mt. Pocono representative will be.

Frederick Courtright stated he was not sure that Mt. Pocono will have another person by their next scheduled meeting. Mr. Courtright stated that Dave Moyer should assume the Chairmanship in the mean time; he also stated that he would not have any problem with Dave Moyer becoming the permanent Chair for the duration of this term and choose someone else next term.

Phyllis Haase suggested waiting until the next Mt. Pocono meeting on Monday. It was agreed by all to wait for next meeting.

Discussion took place on the arrangements for the funeral of Chairman Roy Gross.

PUBLIC PARTICIPATION

Lynn Kelly asked Kathy Matisak when the announcement for this special meeting was published. Kathy stated Friday.

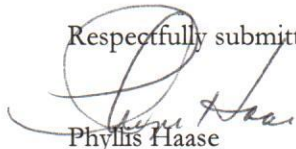
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 4:45 p.m.

Respectfully submitted,



Phyllis Haase
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
14 APRIL 2015**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-TREASURER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
FREDERICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
CLAUDETTE WILLIAMS	-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 7:05 p.m. by Vice Chairman David W. Moyer with the Pledge of Allegiance followed by a moment of silence for Roy Gross. There were comments and memories of Roy.

REORGANIZATION:

Nomination for Chairman:

Chief Wagner opened the floor for the nominations of Chairman given the vacancy left by Mr. Gross.

Francis DePiano made a motion to nominate David Moyer as Chairman, seconded by Phyllis Haase. With no additional nominations for Chairman, Francis DePiano made a motion to close nominations; the motion was seconded by Frederick Courtright. The Motion to appoint David Moyer Chairman passed unanimously.

Nomination for Vice-Chairman:

Chairman David Moyer requested nominations for Vice-Chairman.

Phyllis Haase made a motion to nominate Francis DePiano as Vice Chairman, seconded by Frederick Courtright. With no additional nominations; the motion passed unanimously.

Nomination for Treasurer:

Chairman David Moyer requested nominations for Treasurer.

Francis DePiano made a motion to nominate Phyllis Haase as Treasurer, seconded by Brandon Igdalsky (noted 5/12/15 meeting). With no additional nominations; the motion passed unanimously.

Nomination for Secretary:

Chairman David Moyer requested nominations for Secretary.

Francis DePiano made a motion for Peter Volpe as Secretary, seconded by David Pope. With no additional nominations; the motion passed unanimously.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 10 March 2015 Regular Business Meeting as presented. The motion was seconded by Donald Moyer. The motion passed with Brandon Igdalsky abstaining.

Motion:

Francis DePiano made a motion to approve the Minutes of 6 April 2015 Special Meeting as presented. The motion was seconded by David Pope. The motion passed with Brandon Igdalsky abstaining.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 14 April 2015 in the amount of \$218,456.75 seconded by Phyllis Haase.

David Pope questioned check # 13472 Love Court Reporting. Atty. Coleman stated it was for a stenographer for a deposition. The motion passed unanimously.

APRIL POLICE REPORT:

Total calls for the month of March were 866 total calls consisting of 782 Complaints and 84 Accidents. There were a total of 96 Criminal Arrests, 152 Traffic Arrests, 116 Traffic Warnings and 17 Ordinance Arrests.

Chief Wagner went over the monthly and year to date activity numbers as well as the UCR Crime Stats and hours.

Chief presented the year-end report from Cedar Crest College and the 2014 Annual PMRPD Report.

Motion:

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

Brandon Igdalsky commended Cedar Crest College for their report. Phyllis Haase suggested sending a letter of thanks for their service to the Commission.

VEHICLE REPORT:

Chief Wagner stated the two new cars are scheduled to be delivered Thursday and they will be replacing Cars 2 and 15.

Chairman Moyer asked the Chief what happens with the old vehicles. Chief stated, it has not been decided if the vehicles will be place on public surplus or donated.

Motion:

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

UPDATE:

- **Member Municipality Concerns** –

Coolbaugh- Juan Adams passed out a copy of a letter from Coolbaugh's special council regarding Coolbaugh's present concerns about Barrett joining PMRPC.

Chairman Moyer asked if Mr. Adams wanted to address the concerns. Mr. Adams stated, "No, It just addresses the concerns that were brought up by our special counsel." Mr. Adams continued stating, "We don't have to address it now."

Chairman Moyer continued stating that looking at the letter; some of the concerns were addressed in previous meetings. The Chairman asked Atty. Coleman if he would like to comment. Mr. Coleman stated he had no comment and that he would discuss any questions at the portion of the meeting referring to Barrett Township.

Chairman Moyer asked Mr. Adams what Coolbaugh was looking for.

Mr. Adams referred to the letter stating, "Number 1 there was no mention of a separate vote for member municipalities." He continued, "Number 2 full evaluation and analysis of the impact of the proposed admission of Barrett on the member municipalities"...we don't know anything about that how it's going to affect each municipality." Mr. Adams stated, "So those two are really the main concerns that we have regarding that."

Chairman Moyer asked Atty. Coleman to comment when we get to that section of the meeting.

Mt Pocono- Chairman Moyer welcomed Claudette Williams, who was appointed to take Roy Gross' place on the commission.

Frederick Courtright stated there were no particular concerns. Mr. Courtright thanked the commission, and members of the department, for the support in the passing of Roy Gross.

Tobyhanna- No Concerns

Tunkhannock- Francis DePiano wished to thank officers who were involved in the recent accident on Route 115. Their help was appreciated.

- **Committees** –

Headquarters- Strunk – Albert Engineering -Chief Wagner reported there was a special meeting on April 6th regarding the mold remediation. Chief Wagner stated an additional meeting was held this morning with John Stevens, D & M Construction, the spray foam contractor and the spray foam manufacture along with Mr. Moyer, Ms. Haase and Mr. DePiano. D&M Construction does not feel that the moisture is at acceptable levels to do the spray foam. Chief Wagner explained the Spray Foam is needed to complete the job. Chief stated that today they tested the walls with 95% of the walls showing no moisture. However, he stated, "there are pockets of moisture that is measuring over 28%. The Spray foam manufacturer stated if there are any spots over 28% they cannot warrantee it." Chief continued that it was recommended to start on the framing while using fans to dry out any remaining moisture in the block.

Chief Wagner asked if the Commission would like to move forward on the framing, while ventilation is put on the remaining spots.

Motion:

Francis DePiano made a motion to have them go forward and start the framing of the wall,

Pete Volpe asked if the framing will be treated wood. Fran DePiano stated that just the plate will be treated because pressure treated wood has moisture in it. Discussion continued about the details on the framing work and warrantee issues. Dave Pope asked how long the warranty is for. It was stated the warranty is for 1 year.

Phyllis Haase indicated there was a motion on the floor and she should have seconded before discussion. She indicated that the motion may need to be amended. Phyllis stated at the last meeting there was talk about reusing the product and it was brought to their attention today for clarification.

Francis DePiano amended the motion to include all new studs will be installed, not pressure treated except for the plate, seconded by Juan Adams. The motion passed unanimously.

Chief Wagner clarified that there was a one year warrantee on the workmanship and a life time warrantee on the spray foam.

E.F. Possinger- Chief Wagner stated was here today to put in some extra stone and cleanup. Chief stated that they would like to put in a vertical test pipe to check for ground water. Chief stated, "That was not in the original contract, but it was recommended after the fact. The cost of the test pipe is \$ 1,500.00.

Motion:

Phyllis Haase made a motion to have E.P. Possinger install the test pipe to check for ground water. The motion was seconded by Frederick Courtright.

Discussion was had on the installation process and the cost. It was suggested by Chairman Moyer that the pipe should be large enough that a sump pump can be placed in the pipe for removal of water.

Motion passed unanimously.

- **2015 Hiring**- Chief Wagner reported there were 76 applicants to take the written test on March 28; 67 showed up for the test of which 38 passed. The physical ability test for those 38 will be on April 25.
- **Grant Applications**- Pennsylvania Liquor Control Board combating dangerous and underage drinking is still in the hands of the PLCB. Chief stated we should find out about the award sometime in June.

The Grant to form New Regional Police Departments or for an existing Regional Police Department to take on another municipality. Chief stated an award date should be June 10 at the PCCD Commission Meeting. If awarded that project start date is July 1.

- **PMRPD Range Project**- Chief Wagner stated a letter was sent to owners of a property across from Pocono Raceway, but he has not received a response as of yet. Chief Wagner stated there is another piece of property the committee is looking at in Tunkhannock Township. Chief Wagner asked Mr. Adams to look into any properties that he and the committee feel would be suitable. A meeting will take place next week to look at property in Long Pond.

- **Barrett Township-** Atty. Coleman explained the present status of the process of Barrett, who has expressed an interest in joining PMRPD. Atty. Coleman stated it was his understanding that the four municipalities have given their “approval” with certain exceptions and questions. The next step would be for us to prepare the amendment to the 1996 Agreement as requested by some of the municipalities. Atty. Coleman stated he has spoken with local solicitors and they have agreed to some concerns. Atty. Coleman stated he expected to come up with an amendment that will be shared with all member municipalities. Atty. Coleman stated, “If the amendment meets with the member municipalities’ approval then the municipalities will act on it formally by the way of ordinance. Once that process is complete it will then come back to this body, to act on in terms of passing a Resolution, being a final say for Barrett to come on board.” Coleman continued, “Most of the process has to be done by Barrett. The disbanding their Police Department, winding up their affairs” he continued, “from our prospective; other than the member municipality approval, it is mostly administrative.” Coleman explained there have been long term discussions, in terms of pensions, the ultimate merging of the pensions, bringing the officers on to our health insurance and the personal property that Barrett Township may have of “value” to our department. Coleman stated all these issues will be detailed in the amendment. Coleman explained three previous amendments have all been done with resolutions. Coleman stated it has been a concern of some member municipalities that want to see a level of detail. He stated that request will be met and hopefully have the amendment out to the various local solicitors in the next several days. Atty. Coleman stated he is hoping to have the amendment before the four member municipalities at their next meeting in May, so it may come back to this board for the May 12th meeting.

Chairman Moyer then referred to the questions in a letter from Neil Morris, which was handed out by Mr. Adams; asking Atty Coleman if he will answer these questions. Atty. Coleman stated that he has not yet read it with any detail. He did state however, that “Every one of the municipalities, are all represented by very competent local legal counsel and I have had discussion with them.” Coleman stressed that he believes that the process is being done appropriately, and he will answer all reasonable questions being voiced. Coleman stated he has read the minutes from Coolbaugh’s meeting which has set some concerns and they will be addressed.

Peter Volpe asked Atty. Coleman what he meant by stating the ‘Townships have agreed on certain things.’ Atty. Coleman stated, “it is my understanding that a letter from your manager, I believe, and in your members said at your March meeting; that you are for Barrett joining. That is not to say that the final stamp of approval was placed on Barrett joining PMRPD. That’s going to go back to the four municipalities.” Mr. Volpe asked if the letter said. Mr. Coleman indicated that he would need to ask his board. Mr. Pope stated, “what you said is right we agreed that yes, we want them in there but the final details have to all be ironed out.” Phyllis Haase and Francis DePiano both indicated they would provide him with a copy of the letter if he did not receive it.

Frederick Courtright stated, “All the details are being worked out. We are doing an inventory of what Barrett has, ~~were-we’re~~ (noted 5/12/15 meeting) doing evaluations when necessary, following up with them making sure all their “t’s” are crossed and “I’s” are dotted... he continued to ask “who is doing that?” I know the Chief is involved. But if there is a question, do we ask the Chief? Do we ask you? Where are the questions getting funneled to?” Atty. Coleman stated, “The question should be directed to Chief Wagner who has been working with Chief Williams over at Barrett, who in turn has been working with their professionals, by way of example, (their pension administrators).” Frederick Courtright stated his concern is that while much of the work that the Chiefs are doing together is clerical in nature some are not, stating some are policy. He continued stating, “A big policy issue has to do with the nature of Barrett and the mortgage on the building.” Mr. Courtright believes this is a policy question that should be set or addressed directed by the commission. Mr. Courtright stated in his belief that “Barrett should agree to rent or buy into and do some kind of equity thing when it comes to the mortgage.” He stated “it seems to be intentionally left open, and in my opinion that’s borrowing trouble.” He continued, “We got to decide what we want them to do. Get them to agree to it and have it included as part of the overall bargaining that’s going on to get Barrett in here.”

Discussion took place on if Barrett will be paying part of the mortgage payment.

Francis DePiano referred back to a question raised by Mr. Volpe at the last meeting – where Mr. Volpe asked if Barrett would have any equity interest in the property. Mr. DePiano stated Atty. Coleman had then stated that his understanding was that Barrett was not seeking any equity interest. Mr. DePiano stated, “And they are not.”

DePiano continued so the interest that they are concerned with is our building, which is the one asset that we the four municipalities have equity in. Barrett would have no equity in it whatsoever. But they will be paying for the heat the electric- every other thing other than the mortgage.

Atty. Coleman stated, “That needs to be stated in the amendment; so that Barrett will be aware that should the building be sold they are not getting any piece of the block.”

Lynn Kelly stated the property is deeded to the Pocono Mountain Regional Police Commission. The Bond obligation is divided into four parts to the municipalities through ESSA Bank. Kelly stated, “ESSA will hold the municipalities responsible for that debt, but the Deed is in the Police Commissions name.” she continued, “a point that was brought up by our solicitor was that, the 1996 agreement states that ‘should there be dissolution of the PMRPC, that everybody shares in the assets.’ She continued stating this is a big issue that needs to be resolved.

Additionally, Kelly referred to a statement by Mr. Coleman stating all municipalities have agreed to Barrett joining. Atty. Coleman stated “I never said that, what I said was...is that all four municipalities have said they are for it. They did not vote.” Mr. Coleman suggested that we wait until we get the amendment, which will have all these issues set forth and hopefully to everyone’s satisfaction.

Kelly stated Tobyhanna and Tunkhannock have voted on the resolution, however Coolbaugh has not voted on a resolution, because some major issues have not been addressed. Kelly stated another issued that needs to be addressed is the makeup of the commission stating, “The 1996 agreement has an amendment to it that states that commission make up cannot be changed without a unanimous vote from the municipalities; and that still has not been addressed.” Atty. Coleman stated that the minutes from either January or February reflect that very issue was discussed; and it was resolved. Ms. Kelly asked how it was resolved. From memory Mr. Coleman stated he believed it was not so much expanding the members all 10, but it had to do with expanding the members of a member municipality. Ms. Kelly stated the argument is that the 1996 agreement has an amendment to it that states that the commissions make up cannot be changed without a unanimous vote from the member municipalities. Chairman Moyer asked why that was an argument. Ms. Kelly stated it was not an argument; it’s an issue that has not been dealt with.

Discussion continued.

Atty. Coleman referred to the Addendum signed by James Frutchey, Chairman Coolbaugh Township, and Linda Frutchey, Secretary Coolbaugh Township (Paragraph #2)

“Agreement of the Pocono Mountain Regional Police dated November 19, 1996, is hereby amended to provide for Tunkhannock Township’s delegation to the commission to consist of one supervisor and one citizen to be chosen by the board of supervisors of Tunkhannock Township. The total number of members on the commission is hereby raised to ten (10), by virtue of this addendum. No other changes to the total number or composition i.e. (the total numbers or representatives from each municipality) shall be named without unanimous approval of all the parties.”

Coleman stated, “It has to do with the expanding of the members from the municipality, not to the total or aggregate members of this board.” “That’s my read on it.”

- **Pension** - Nothing new to report.

NEW BUSINESS:

- **Set May Meeting Location** - Chairman Moyer set the May meeting to Tobyhanna Township Building.
- Chief Wagner stated an invoice from ESSA for the refinance fees was received. Chief discussed at a prior meeting that the fee would be divided according to the current percentage rates to the different municipalities. The fees came out to \$3436.00. Atty. Coleman noted, "It was questioned a couple months ago, privately by a local commissioner, who called the bank ... your solicitor didn't take a penny from the refinance." Atty. Coleman was thanked by members of the commission.
- Frederick Courtright questioned the status of the damaged sign. Chief Wagner stated we just paid the company 55% was required to start the work and is part of this bill pack. Chief stated we will be reimbursed by the insurance company.
- David Pope asked about the incident at school. Chief Wagner stated it was a bad day but is all under control.
- Juan Adams asked if the Executive committee met today. Chairman Moyer stated, "Yes, on the mold." Juan Adams asked if there were any other meeting in the last 30 days. Phyllis Haase, stated, "There were two. After the last meeting we called a special meeting for the commission to come in to vote on the change orders. So in the last 30 days there have been two meetings."

Francis DePiano stated, we send out these minutes, we hope everybody has a chance to review them. But many of the questions that are being asked, there in the minutes already." He continued, "So I say to all the commissioners...Please read your minutes."

Phyllis Haase added that there seems to be an issue with the Executive Committee. Ms. Haase stated, "we have not made motions, we have not made those decisions. What we have done is when there is an issue we have brought it in front of the entire commission as we did last time, when we did the change order. We immediately requested a special meeting. Chairman Gross scheduled the meeting; and we brought it forth for everyone to act on. She continued, we don't make motions, but there is sometime's Chris needs direction and that's what occurs. But we bring it back to the entire commission so that ... I'm misunderstanding what the confusion is about this."

Juan Adams stated, "There's no confusion, I just want to know when..." Ms. Haase interjected, "But it's in your minutes."

PUBLIC PARTICIPATION:

Charles Santiago- Tobyhanna asked if the meetings are ever held in Coolbaugh Township. It was explained that they are held at Police Headquarters however due to the mold remediation they have been at Tobyhanna Township. Mr. Santiago voiced his opinion on community policing.

Ginny Heckman- asked if the meetings can be posted on the website. It was stated that meetings could be posted on the website.

Peter Volpe asked if there is a community relations officer. Chief Wagner stated if a community is looking for an officer to speak on crime watch we have officers certified in that, there are other officers that are certified in child safety seats. Although they are not titled as community relations, if there is a request from a community to do a presentation, we will fill that slot with the most appropriate person. Juan Adams asked if there were any initiatives as

far as down time asking stating, "When the officers are not busy to participate in a walk and talk; to build up a rapport with the community." Phyllis Haase spoke of the success of the Bike patrols.

Vincent Massaro- Pocono Country Place- Commended the department for doing a great job this winter.

Lynn Kelly asked if PFM did an evaluation of the effect of Barrett joining, asking if an actuary was done. Chief Wagner stated there were three meeting with PFM and they have been in contact with PMRS and they all have been in contact with Tom Zimmerman of Conrad Seigel. The Chief stated the actuary is well versed with all the organizations involved. Ms. Kelly asked if they have given any evaluations, or anything in print. Chief Wagner stated they are waiting to see if it's going to happen.

B. Sanford-Coolbaugh Township- asked if Barrett does join without being part and parcel to the current mortgage would that be precedent setting to any future undertakings. Atty. Coleman stated he did not think it would. Mr. Sanford referred to the Range project wondering if Barrett did not want to participate would that be possible. Atty. Coleman stated they would have to. The mortgage is a separate issue. Francis DePiano gave an example of putting and addition on building, the building would have to be remortgaged and Barrett would become a part of it.

Chairman Moyer asked the Chief how many officers the department was presently short. Chief Wagner stated, "Without Barrett we were down three. He continued, "Barrett would be bringing on five." Chairman Moyer stated all municipalities get together and work this out, along with Atty. Coleman doing what he needs to do to get this done.

ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 8:25 p.m.

Respectfully submitted,



Peter Volpe
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
12 MAY 2015**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-TREASURER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
FREDERICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
CLAUDETTE WILLIAMS	-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 7:00 p.m. by Chairman David W. Moyer with the Pledge of Allegiance.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 14 April 2015 Regular Business Meeting, seconded by Donald Moyer

Brandon requested the spelling of his name be corrected under Nomination for Treasurer

Frederick Courtright stated there is a typo on page 5 under Barrett Township paragraph 4 line 2 should be "we're" not "were".

Motion passed with corrections.

APPROVE BILLS:

Motion:

Brandon Igdalsky made a motion to approve the Bill-pack of 12 May 2015 in the amount of \$142,445.16 seconded by Francis DePiano. Motion passed unanimously.

APRIL POLICE REPORT:

Total calls for the month of April were 877 total calls consisting of 811 Complaints and 66 Accidents. There were a total of 94 Criminal Arrests, 222 Traffic Arrests, 124 Traffic Warnings and 16 Ordinance Arrests.

Chief Wagner stated it was a good month for traffic stating, we had Smooth Operator/Aggressive Driving from the end of March to last week. The department was reimbursed \$1252.00 from the State which paid for 23 hours of extra patrols and a total of 44 traffic citations, 1 non traffic citation and 4 warnings were issued.

Chief Wagner went over the individual municipal monthly and year to date activity numbers as well as the UCR Crime Stats and hours.

Motion:

Francis DePiano made a motion to accept the April Police Report, seconded by Phyllis Haase.

Frederick Courtright asked how special detail such as Smooth Operator assigned to the municipalities. Chief Wagner stated that PENDOT designates certain roadways, usually main thoroughfares.

Juan Adams asked if there was a pattern in the 7 burglaries in Coolbaugh Township. Chief stated you will see are pockets but generally you will see them scattered. He doubted that all seven were in one area but he would have to take a look at it.

Juan Adams questioned the 200 hours under investigation; asking if it was a particular incident. Chief stated usually it's a combination of the amount of 911 calls depending on how serious the calls are some take longer than others. Chief continued to state as far as major investigations he would have to take a look back.

The motion passed unanimously.

VEHICLE REPORT:

2015 Dodge Chargers are in and have replaced car # 2 and car # 15. Chief stated we are still waiting for the third vehicle to come in it is in the process of being up fitted; and should be available in the next week or two. Chief Wagner reported car 14 and car 28 had a higher maintenance with car 14 drawing \$330.00 and car 28 drawing \$454.00 for the month; both with general maintenance.

Chairman Moyer asked if car # 28; is replaced with the drug forfeiture money. Chief stated no we are running two vehicles on the drug forfeiture money; we pay the maintenance on them. Chairman Moyer continued to ask, "But if they are replaced how would we replace them." Chief stated, "We just turn them back into the county."

David Pope asked the Chief what other cars need to be replaced. Chief stated either car # 4 or # 11. He continued to explain that car 4 ran some high maintenance costs up to \$3, 000.00 and car #11 is up at \$4,900.00. He continued to state he tries to balance the mileage with what the costs have been. Additionally car # 17 ran \$6,600 in maintenance costs with lower mileage. Chief stated that Lt. Laverty has a better handle on which vehicles are starting to become a problem.

Motion:

Frederick Courtright made a motion to accept the April Vehicle Report as presented, seconded by David Pope. The motion passed unanimously.

FINANCIAL AUDIT:

Todd Bushta gave a synopsis of the financial audit to the commission; and offered to come back should any questions arise after their review.

INSURANCE RENEWAL:

Bob Knowles presented the Commission with the 2015 insurance renewal proposal referring to the premium comparison for each policy. Mr. Knowles stated, "Looking at the cost projection for this year the workers compensation premium is up about 27%". He also stated 76% of all insurance costs are tied to workers compensation, continuing that if we did an assessment over the last four years the workers compensation premiums increased 235%. Mr. Knowles suggested and explained how to implement some changes that could give control over safety and costs such as having an approved physician's panel, a state certified safety committee or having a deductible option.

Chairman Moyer suggested the Executive committee meeting with union to discuss these options. Atty. Coleman suggested having a meeting before the expiration date to talk thru these issues. Francis DePiano stated he would to set up a meeting with the executive committee and the union.

UPDATE:

- **Member Municipality Concerns** –

Coolbaugh- Juan Adams stated there were still some concerns about Barrett but he will discuss at that point on the agenda.

Mt Pocono- Frederick Courtright thanked the department, stating he saw Lt. Lavery and others catching speeders on Rt. 611.

Tobyhanna- Phyllis Haase's concern is that the jointure between PMRPD and Barrett should happen as quickly and friendly as possible. Haase stated she will save her comments to the end of the agenda.

Tunkhannock- Francis DePiano had the same concern to get the Barrett jointure moving.

- **Committees** –

E.F. Possinger – Chief Wagner reported the exterior drainage project has been completed. Chairman Moyer asked, "What is the depth of the pipe." Chief Wagner stated, "I believe 15 feet."

Headquarters - Strunk Albert – Chief Wagner stated a question was posed whether D&M would move forward if we waived the warrantee on the spray foam; due to the pockets that cannot get below the 19% moisture level. Chief Wagner stated he painted the walls with dry lock, caulked with polyurethane to try to keep the moisture off the face of the block; he has also monitored the moisture level with a meter, some areas have improved and others have not. D & M stated they would go ahead with the spray foam but with reluctance; and they keep throwing it back to Strunk Albert to give us direction. Chief had a discussion with John Stephens who in turn would get in contact with D & M to have them apply a heat gun to the problem areas and when dry apply the spray foam immediately. David Pope asked about getting another spray foam contractor. The Chief stated that problem lies in the contract, where the spray foam is a subcontractor of the contractor under the bid.

Open discussion.

Chairman Moyer asked Atty. Coleman, "If that process doesn't work and we want to waive the warrantee; what process do we take?" Atty. Coleman stated, "We have certain options we can pursue, it may be time to cut the cord." Chairman Moyer suggested moving forward with the heat guns. If unsuccessful, have another meeting with the executive committee, report back to the board and possibly look into another product.

- **2015 Hiring**- Chief Wagner reported we are moving forward with the hiring process. He reported 37 candidates moved on to the PT phase that was held April 25th with only 25 in attendance; resulting in 5 failures and 20 moving forward. May 8th the long applications were due only 16 of the 20 came back. Chief continued we will be interviewing the 16 at the end of the month.
- **Grant Applications**- Grants will be awarded in June and executed in July.
- **PMRPD Range Project**- Chief Wagner stated a property was viewed on Clearview Road in Tunkhannock Township which originally looked suitable; with further inspection it proved to be very wet. The Range Committee is actively looking into properties and we are waiting for some fair market values.
- **Barrett Township**- Chairman Moyer asked John Adams to state his concerns; Mr. Adams asked if he could turn the floor over to Frank Noyes for a better explanation of the concern. Chairman Moyer agreed.

Frank Noyes referred to himself as special counsel for Coolbaugh. He stated there were four points he wanted to raise in connection to a new proposed amendment that Mr. Coleman prepared. Atty. Coleman corrected Mr. Noyes stating, "I haven't prepared an amendment." "I prepared a resolution for this Commission to act on once the four municipalities act. Mr. Coleman indicated he provided it to the four solicitors to use as a guide for their presentation of an ordinance or resolution."

Concern #1 – Barrett Township Representation on the Commission - Noyes stated "when Barrett is admitted, the proposed amendment says that they get a seat; they get a representative, but the 1996 agreement specifically says that there are 10 members." He continued, "So Barrett is either going to replace someone or more likely they are going to be the 11th seat." He stated, "Section 2 of the 1996 agreement specifically says there are 9 members, there is an addendum that says the 10 members is added; and so as a drafting question; I think you need to clarify that when Barrett joins and gets a representative on the commission, that's commission seat # 11."

Concern #2 – "the 1996 agreement, which already has several amendments attached to it, one of the amendments says going forward no further changes to the composition or allocation of the commissioners will be approved without a unanimous consent of the four member municipalities." He continues to state that was different to what the 1996 amendment says originally about amendments in general, to the agreement. He continued to state, "As it stands in order for Barrett to be approved all four member municipalities have to approve it." Noyes stated, "If the board was to go forward on assumption that is the normal 2/3rd's approval that's required, and then Barrett is seated; now there is ambiguity because of the addendum language. You can either add into this new amendment saying we're going back to the 2/3rd's requirement or you just comply with the current language which is unanimous approval with the four member municipalities." He continued, "But if you do go forward and you do not get a unanimous approval then there is that ambiguity and it could create a challenge. So once again it's just a drafting issue."

Concern #3 – Ownership of the building and participation in the Mortgage - Atty Noyes states that in this new amendment it states that Barrett is not going to be an owner and not going to participate in the mortgage." Noyes stated the problem with that "means that they are not paying the same amount to participate in this enterprise as the other four members." He continued, "The amendment says that when the building is sold, they don't get a share of the proceeds; but that doesn't really address it."

Francis DePiano stated, "They will not have ownership of the building but they will pay all costs involved with the building." Mr. DePiano stated, "they are bringing in a lot of assets and they are going to have every other cost based on the percentage that they are contributing with the electric and heat insurances and everything else." Mr. DePiano continued, "if at the end of the 7 or 8 years they MAY accumulate something like 1.2% of equity in the building." Frederick Courtright interjected stating, "The costs of the mortgage and the costs of the police services are broken up. Each of the member municipalities pays for the police services

depending on their percentages and they pay a different fee for the mortgage. And the reason we pay the mortgage is strictly to obtain equity interest in that building. But the cost of the police services, the costs of running and the overhead costs of providing police services to Barrett are completely assumed in the costs that Barrett will be paying us." There are no additional costs that we are going to assume because Barrett is or is not having equity interest."

Frederick Courtright asked Mr. Noyes, "What additional cost will the other municipalities be assuming when Barrett comes in that they are not paying through the purchase of those policing units?" Courtright stated, "What you're saying is we are passing up an opportunity to get more money from them for rent as opposed to because they are not purchasing an equity interest through a mortgage contribution." Noyes stated, "I would say the total costs that each of the four municipality members pay to be a part of this enterprise, one of the cost is having bought the building. They're not sharing in that but they are sharing in the use of the building.

Concern #4 – Pension – Noyes stated, "It states that Barrett's pension advisor and your pension advisor have looked at this." It's clearly a complicated process of merging with their existing liabilities their existing assets. There was a reference to theirs being fully funded." Mr. Noyes stated he did not see an analysis by the pension advisors as to how that plays out. He stated, "Either it's a perfect match and Barrett's contribution is going to equal its share of the total pension liability exactly or their underpaying or their over paying." Noyes stated, also on pension as mentioned in the MOU; there are two independent things that have to happen for the pension to be merging. The PMRS has to approve it and 75% of their pension participants have to approve it. Phyllis Haase stated this has happened.

Atty. Harry Coleman stated, "To be honest with this commission isn't the real issue of Coolbaugh to open up the agreement?" Mr. Noyes stated, "That's a different issue." Coleman stated, "No, No isn't that the real issue." Mr. Noyes stated the issue for tonight is the amendments to the agreement that accompanied the jointure of Barrett. Noyes stated there are other issues about the agreement. Brandon Igdalsky stated the agreement has worked in the past. Noyes then stated that PMRPD had to file a litigation to clarify the agreement. Atty. Coleman advised the commission not to discuss litigation.

Chairman Moyer asked Mr. Adams how to get this cleaned up and move forward with Barrett?. Mr. Adams stated further discussion is needed. Chairman Moyer asked if these issues could be resolved tonight; Mr. Adams stated the questions that we have need to be resolved by the municipalities involved and not by this body. We do not have the authority to solve these issues because each of the members are not elected officials of the municipalities. Phyllis Haase stated all the municipalities have discussed and made a decision and passed a resolution with the exception of Coolbaugh. Open discussion indicating that the information was presented in a letter from the Commission to the municipalities involving specifics of Barrett joining but was debated by Juan Adams; stating Coolbaugh did not receive a letter. Phyllis Haase and Francis DePiano voiced that each municipality received a letter.

Phyllis Haase asked Atty. Coleman how to move forward. Atty. Coleman stated, "The ball is in the municipalities' court." He then referred to the March 17th; Coolbaugh Township meeting referring to Mr. Pope's comment that Coolbaugh wants to move forward but had certain questions. Mr. Pope acknowledged Atty. Coleman statement. Coleman stated, "I thought all the information in that four page resolution was pretty thorough. A letter was also sent to all four solicitors stating if there were any questions call me. Coleman stated he heard from three of the solicitors."

Noyes suggested in the proposed 4 page amendment paragraph 4 which discusses if Barrett Township agrees and gets a seat, to add a sentence that says in substance; "*section 2 of the 1996 agreement is amended to provide that there are now 11 seats one of which is for the Barrett representative*" that would close that loop. Chairman Moyer interrupted asking "to close this loop does anyone have an issue with putting an 11th person on? Numerous members stated they did not have an issue. Chairman Moyer asked Mr. Adams "on your side? He's saying that's how to close it – are you willing to close it?" Mr. Adams indicated that he cannot decide for the other

it.” Chairman Moyer stated then that issue could not be closed. Noyes continued to state that remains an issue whether it is 10 or 11 members and needs to be addressed.

Noyes then referred to whether this amendment states unanimous consent is required for any further changes to the composition. He stated, “If that’s what the understanding is than that’s the understanding. Then you wait for all four of the municipalities to approve the admission of Barrett in change of composition to board. If there is a view on this board that it doesn’t require unanimous approval, it only requires 2/3 for approval then you need to put that in writing somewhere.”

Frederick Courtright stated that we want Coolbaugh to be on board asking Atty. Coleman if we could add clarifying language to the proposal regarding the 11th seat. Coleman stated that was possible.

Open discussion between Atty. Coleman and Atty. Noyes.

Juan Adams stated he wanted Barrett to come in, stating he thinks it is a great idea. Chairman Moyer asked, “How do we get to that point?” Juan Adams then referred to the current litigation issue.

Chairman Moyer then strongly stated that “we have to make a decision where we are going here. We’re affecting all the lives of these guys who work for us protecting us every day, putting their lives on the line.” He continued to stress this needs to be resolved for the people who are putting their lives on the line every day.

Open discussion.

Atty. Coleman stated, “Mr. Adams is wearing 2 hats, he is a Coolbaugh Supervisor, and I respect that, and he is also a member of this commission and I am AGAIN suggesting that that litigation be fought in the appropriate venue and that’s the Monroe County Court House; not here in a public dog and pony show.” Coleman stated, “The Declarative Judgment Action has nothing to do with Barrett.”

Atty. Coleman stated he would sit with Atty. Noyes to work on the amendment. Atty. Noyes stated he would take back this discussion to his client and either prepare a resolution for them or give them council regarding how they are to vote for their approval or whatever on the Barrett...they can either use a form that has already been prepared or write their own form. If other municipalities don’t resolve to amend the agreement to add the 11 seat for Barrett or reallocate the 10 seats (inaudible). Frederick Courtright suggested to Atty. Noyes to write the model he would like to be viewed by the municipalities. Atty. Noyes stated if his client authorizes he would be happy to do that. He will see if they were willing to pay the full freight for it.

George Bernard questioned Atty. Noyes credibility after several inconsistencies have been proven on the Investigative Report that is posted Coolbaugh’s website.

A member of the public asked to stay on topic-Barrett.

Peter Volpe stated, “It was his understanding that nothing could be voted on until we hear from Coolbaugh Township Supervisors, is that correct?” Chairman Moyer stated that was correct. Mr. Volpe continued by stating that he and ~~Davis-David~~ (noted 6/9/15 meeting) Pope are for Barrett joining PMRPD. Brandon Igdalsky stated that Mr. Volpe and Mr. Pope need to take that information back to Coolbaugh Township.

Phyllis Haase stated that Tobyhanna Township Board of Supervisors have authorized advertisement of the pending ordinance once received so a special meeting can be called and ordinance be adopted.

Chairman Moyer asked Juan Adams if he thought this could be resolved in the next few weeks; asking if Coolbaugh wants to resolve or come back and state they are not interested. Moyer asked if this could be accomplished by the next commission meeting. Adams stated he would do his best.

Chairman Moyer asked Juan Adams if he thought this could be resolved in the next few weeks; asking if Coolbaugh wants to resolve or come back and state they are not interested. Moyer asked if this could be accomplished by the next commission meeting. Adams stated he would do his best.

Chief Wagner cleared up #4 issue of the pension stating, himself, Chief Williams, PMRS, PFM and Conrad Siegel had multiple meetings on the pension. Conrad Siegel did not feel an actuarial study was needed because Barrett was over funded in their pension. Chief Wagner stated due to questions asked at last month's meeting the Chief contacted Conrad Siegel again asking if the actuarial was needed and they stated it will not affect the MMO's, we will still get the MMO's from Barrett and their state aid. Barrett's union has voted on it. PMRS also voted on it at their quarterly meeting.

- **Pension** - Nothing new to report.

Lynn Kelly asked if something from the actuarial company stating what the cost is today and what the expected cost would be after the merger. Chief Wagner stated he didn't see that to be a problem.

Ed Tutrone asked if three out of four municipalities decide to take on Barrett and the fourth does not will it still be able to go through? Atty. Coleman held his opinion stating that it is everyone's hope that Coolbaugh agrees. Frederick Courtright stated, "Every month that Barrett doesn't join is another month that the other municipalities don't enjoy the economical scale that is offered by them coming on board." He continued, "Every month that goes by we lose money because it hasn't happened." Chairman Moyer stated, "It is also a safety issue, which could be adding to our workman's comp because they are running so hard, there is more to this than just the money issue."

- **Community Events/Special Thanks** –

1. April 22- Sgt. Larue and Corp Nero K-9 Demo for ESU Criminal Justice Program
2. Letter of appreciation for Officer Michaels response to an alarm in Camelot Forest.
3. Detective Mike Sciarillo was awarded the Drug Task Force Officer of the Year.
4. Letter from State Police stating that Chief Wagner and Sgt. Larue were nominated for the PA State Police Commissioners commendation for action involving the Eric Frein incident.
5. Letter from Sgt. Larue to the Foundation Board thanking them for the purchase of a Tactical Electronics pole cam to help with the possible exposure of officers in high risk situations.
6. Letter from the Pike County Humane Society with thanks for a \$200.00 donation from PMRPF
7. Appreciation letter from Bloomsburg Police Department for the hours provided to Bloomsburg University "Block Party" weekend

NEW BUSINESS:

- **1st Quarter 2015 Treasurers Report-** Chief Wagner went over the balances as provided on the Treasurer's Report.

David Pope asked what the asset forfeiture fund is used for. Chief responded that it will be used for the Range Project. It has been used for other purchases, such as a recent ID machine. The fund supplements some department purchases with certain guidelines must be followed to make these purchases.

- **1st Quarter 2015 Budget to Actual-**

Chief Wagner stated in reviewing the report we are looking good. There are a couple areas that are over. But over all ok. One area the Chief stated needing to be looked at is the snow and ice removal.

- **Set June Meeting Location-**

Juan Adams made the suggestion to move the June meeting to Coolbaugh, with hopes that it could wrap up the Barrett subject. Everyone agreed.

Chief Wagner stated that the longer that Barrett drags on we are not able to fill the Administrative Lt. position, as well as detective position and patrol spots. Juan Adams stated he would like to see it happen by June. Chairman Moyer asked if any special meetings need to be scheduled to make this happen by June. Atty. Coleman stated, "Assuming all the municipalities agree and assuming Atty. Noyes prepares the amendment, at that June meeting it will be on that plate for this commission."

PUBLIC PARTICIPATION:

Vincent Massaro- Pocono Country Place- asked what the mortgage payment would be if Barrett had to make the payment. Phyllis Haase stated that the other municipalities have 12 years of equity in the building so to have them come on it would be difficult.

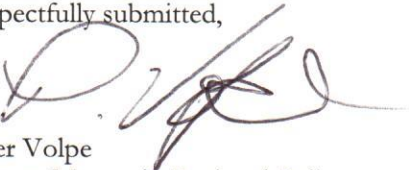
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 9:10 p.m.

Respectfully submitted,



Peter Volpe
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
9 JUNE 2015**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-VICE-CHAIRMAN
PETER VOLPE	-COOLBAUGH TOWNSHIP	-SECRETARY
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
CLAUDETTE WILLIAMS	-BOROUGH OF MOUNT POCONO	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-TREASURER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
FREDERICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER

CALL TO ORDER:

The Regular Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Public Library and called to order at 7:00 p.m. by Chairman David W. Moyer with the Pledge of Allegiance.

APPROVE MINUTES:

Motion:

Brandon Igdalsky made a motion to approve the Minutes of 12 May 2015 Regular Business Meeting, seconded by Donald Moyer

David Pope requested the spelling of his name be corrected on page 6

Motion passed with corrections.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 9 June 2015 in the amount of \$247,923.46 seconded by Brandon Igdalsky. Motion passed unanimously.

SCHOOL RESOURCE OFFICER:

Dr. Elizabeth Robison from Pocono Mountain School District requested the Commission consider placing an SRO in the Clear Run Elementary School next year and that the School District will pay the salary of that officer as they currently do for the other 3 current SRO's.

Discussion continued concerning the benefits of and additional SRO. Claudette Williams asked the Chief if the additional officer would be hired through this hiring process to replace the SRO? Chief Wagner stated yes it would.

Motion:

David Pope made a motion to place an SRO in the Clear Run Elementary School, seconded by Claudette Williams. The motion passed unanimously.

MAY POLICE REPORT:

Total calls for the month of May were 977 consisting of 909 Complaints and 68 Accidents. There were a total of 98 Criminal Arrests, 251 Traffic Arrests, 129 Traffic Warnings and 11 Ordinance Arrests.

Chief Wagner went over the individual municipal monthly and year to date activity numbers as well as the UCR Crime Stats and hours. In reviewing the hours; Chief referred to a question from Juan Adams last month of an increase of 200 hours for Coolbaugh Township. Chief stated those hours were from the Judith Marc arrest for homicide.

Chief Wagner supplied and went over a copy of the 1st Quarter Cedar Crest College report to the Commission. Noting that burglaries fell from the 3rd most frequent to the 7th most frequent compared to last year at this time.

Motion:

Francis DePiano made a motion to accept the May Police Report, seconded by David Pope. The motion passed unanimously.

VEHICLE REPORT:

Chief Wagner reported that the front end on car # 1 needed to be rebuilt at a cost of \$2,098. This vehicle is currently at 139,000 miles; with a total accumulated cost of repairs at over \$6000.00. Car 16 is over 170,000 miles with an accumulated cost of \$3,182.00. Car 11 will be replaced with the third new vehicle they just added to fleet. Chief stated, "Vehicle replacements are currently complete. Next month the LSA grants open up and we will once again apply for 2016 vehicles."

Motion:

David Pope made a motion to accept the May Vehicle Report as presented, seconded by Donald Moyer. The motion passed unanimously.

UPDATE:

- **Member Municipality Concerns –**

Coolbaugh- David Pope – stated an officer was spotted at the water treatment sewer plant for one to two hours on May 4th. Pope stated that "patrol" needs to be clarified as to what it means. Chief responded that he would have to look into it. He continued to explain that it could be the officer running speed, or more than likely the officer is doing their paper work in the vehicle as it is required that they should be in their zone. Chief stated that he would look into the date of May 4th.

Mr. Pope referred to a letter from Conrad Siegel regarding Merger of Barrett Pension Plan. Stating that the bottom line was that there would not be any changes until 2018 referring to the difference between state aid and the MMO's. Chief Wagner explained that if state aid doesn't cover municipalities MMO, that

municipality pays for it. So that would be the responsibility of Barrett Township. So it will not affect the MMO's

Mr. Pope stated when Coolbaugh came on they paid \$25,000.00 along with equipment; yet Barrett is paying nothing. Frances DePiano interjected stating "Coolbaugh's vehicles were old and we needed to immediately purchase vehicles. The vehicles that we are receiving from Barrett are one year old. They are bringing approximately \$175,000 in assets. So it was decided that what Barrett is bring was more than sufficient than when Coolbaugh came aboard."

Mr. Pope suggested that if they are coming on and not paying anything, they do not get a seat until the mortgage is paid.

Francis DePiano stated, "No." He continued, "you need to remember that bringing them in is reducing our overall costs. Mr. Igdalsky stated they are paying part of the electric part of ...we are dividing 5 way verses 4 ways. We're all paying less."

Chief Wagner stated he went to some people that were in command position when Coolbaugh came on; stating, "in 1996 Coolbaugh bought hours from Pocono Mountain Regional but was not a member; but were planning to join. In that year, because Coolbaugh knew they were coming over; they did not purchase any new vehicles. When they came over in 1997 they had vehicles that were in serious disrepair." Chief Wagner stated from what he understood the \$25,000 was for a new fully outfitted vehicle.

Mr. DePiano stated, "So now we will be getting 5 new vehicles. Which we do not have to purchase".

Open discussion on assets.

Mt Pocono- None

Tobyhanna- None

Tunkhannock- None

- **Committees** –

Headquarters - Strunk- Albert – Chief Wagner stated he received an email from D & M Construction who strongly did not recommend the waiver on the warrantee of the spray foam. Strunk -Albert suggested applying heat guns to the problem areas. Chief Wagner stated he tried applying the heat gun and did not see any effect. Chief Wagner stated we need to take a serious look at whether we are going to move ahead with the spray foam and disregard the warranty or if we want to look at some other remediation. Dave Pope suggested taking those blocks out and checking to see what's behind them. Chief stated he would talk to John Steven about this process. Chairman Moyer asked if we drill a hole in the block and there is no water where do we go from there? Chief stated that D & M is willing to do the spray foam as long as we do a change order and waive the warranty.

2015 Hiring – Chief Wagner reported that the first round of interviews were conducted May 18th and 19th with 16 candidates that have now been narrowed to the final 10. The second round of interviews with members of the Commission remains to be scheduled for June 15, 16, or 17. The Chief asked for volunteers from the commission to attend these interviews. Members Claudette Williams, Peter Volpe and David Pope volunteered to attend the interviews. Chief stated he will send out an e-mail advising of the date.

Grant Applications – Chief Wagner stated the PLCB grant for underage drinking is in the final stage of consideration, and is looking good for us. PCCD Grant for the regionalization with Barrett is going to be

presented to the board tomorrow for action (June 10th), and we should know the status later this week or early next week. That is up to \$20,000.00 for the integration of Barrett and the start date would be July 1st.

- **PMRPD Range Project** – Nothing new to report.
- **Barrett Township** – Atty. Harry Coleman stated, “The amendment is being worked on and will be presented to Mt Pocono, Tunkhannock, and Tobyhanna for their consideration. I think it’s then going to be shared with Coolbaugh and your special labor council as well as your solicitor. Then it will be presented to Barrett for their review.” Coleman continued to state, “the ball is in the municipalities’ court and I know that those three municipalities that I mentioned; their solicitors were looking at forming an amendment and I think that they are taking into consideration some of the issues that Atty. Noyes had addressed last month. From some emails I have circulated to those solicitors, I think Tunkhannock may have advertised, and I think it is going to be presented to Coolbaugh and Barrett in the next couple days. We’re looking at early June mid June.” Coleman continued to state, “There are some critical dates in July 1st with the pension.”

Chairman Moyer asked Coleman, “so if the municipalities approve it; then and it comes back to the commission to vote on it?”

Coleman stated, “If the municipalities approve it on a Tuesday, this commission can meet following proper notice as soon as possible. We do not pass ordinances we pass resolutions. I have a resolution ready to go; the only thing I have to do is change the date. So it’s just a question of the four member municipalities to pass an ordinance that they are comfortable with assenting to Barrett's jointure.”

Peter Volpe stated himself and Dave Pope went to the township meeting to express their concerns. He also stated that he spoke with Mr. Adams this evening and Atty. Noyes amendment is written and is going to be emailed back to the townships. Atty. Coleman stated, “Great! So there are two amendments, blended version or another version seems like we are there.” So if the four municipalities agree with the language of the agreement it can then be put to the vote, and we can move forward.”

Francis DePiano stated that Tunkhannock’s solicitor has put together an ordinance and he believed the announcement would be made tomorrow at their meeting. DePiano stated that he believed as a Commission a date should be set for the end of the month for everyone to get over ordinances/resolutions so the Commission can meet back to get approval; and look forward for Barrett to come on July 1st.

Chairman Moyer asked how long would Barrett need for this to take place. Atty. Coleman stated that he believed that Barrett has “all their ducks in a row,” and believes everything will fall into place.

Chief Wagner stated he has not been in contact with the Barrett Supervisors as far as where the township is in the process; but has been in contact with Chief Williams. Chief Wagner stated that there are some things that need to be done before the regionalization date and some things can be taken care of after the date.

Open discussion took place on the time frame to get this done using the July 1st as the target date.

Francis DePiano stressed his concerns due to the pension cutoff date of July 1st. Chief Wagner explained that PMRS moves their money quarterly because it has to be approved at their quarterly meetings. Therefore, if it doesn’t happen July 1st they may push the date to October 1st. Chief stated he does not know if those rules can be bent outside of the quarters.

Francis DePiano stated his concern of the extension of the date stating that the officers are being taxed and we will have to look at bringing officers on, where we have five officers that are ready to come on board now.

Chairman Moyer suggested moving back from July 1st to set a date; asking the Chief how long he would need. Chief Wagner stated he would look for a minimum of two weeks. Atty. Coleman suggested, "If there is an agreement on paper and Barrett is part of PMRPD as of July 1st and operationally take two weeks or so to make it happen." Chairman Moyer asked if that would affect the pension. Coleman stated as long as it was on paper... Chief Wagner stated as long as it was done on paper and we tell PMRS that July 1st is our date I would put it in their hands to have it done by July 1st." Our actuary would coordinate through PMRS and PFM. Uniforms being re-patched and cars being restriped if need to be after the date; than that's the way it will have to be.

Chairman Moyer asked if the commission wanted to set a meeting for June 23rd. Moyer continued to state, "If we are shooting for July 1st that would have to be the drop dead date."

Peter Volpe asked if the date was put on paper, and God forbid and officer got killed, where would we stand legally. Coleman stated, "It's us. It's us." Chief Wagner stated that operationally he feels the department will be fine. By July 1st the five officers would report to our headquarters, be assigned a zone and enforce the laws in that area as a member of PMRPD. Chief stressed where the hiccup would be is in transferring the records management system. The new officers would have to learn our system but the police presence and response would be there. The documentation would see a hiccup. Mr. Volpe asked the Chief if he was confident two weeks were enough. Chief Wagner stated, "we're police...we make it happen." Other than relying on outside vendors we would be fine.

Atty. Coleman stated he would send an e mail to all the solicitors, tomorrow morning, advising them that Atty. Noyes is going to be sending an amendment. He stated, "The amendment that Atty. Lyons, (who did an excellent job), the solicitors can quickly in a matter of a day or two, take the best from both and have a gold standard amendment. He continued, "circulate it to everybody have everybody in agreement...set the meeting for the 23rd and the municipalities between now and the 23rd can have a similar type meeting to advertize and to get it going."

Motion:

Francis DePiano made a motion schedule a special meeting for July 23 at 6:30 in the Tobyhanna Township Municipal Building. The motion was seconded by Brandon Igdalsky and passed unanimously.

Mr. Bernard - regarding the \$20,000.00 possible grant for bring in Barrett. What was the total savings for the existing townships? Francis DePiano stated for a year the four together would be roughly in the \$50,000 to \$60,000 range. Mr. Bernard asked if it was a onetime grant. Mr. DePiano stated, "Yes."

Atty. Coleman asked that the minutes reflect that there was an Executive Session prior to this meeting on litigation.

Pension – Chief Wagner stated he needed a Resolution for the departing and incoming trustee's of the Non-Uniform Pension.

Motion:

Francis DePiano made a motion to approve Resolution 215-003 to eliminate James Frutchey as a trustee and add David Moyer, Francis DePiano, Phyllis Haase, Peter Volpe and Chris Wagner as trustees. The motion was seconded by Donald Moyer and passed unanimously.

Chief Wagner reported the quarterly Police Pension meeting was held on May 19th. He reported at the start of the quarter the total pension fund was \$14,367,269.00 net flows were 73, 069. There was return on investment of \$359,689.00. At the end of the quarter the pension had a total market value of \$14,653,889.00

- **Community Events/Special Thanks** –

May 3rd-PMRPD participated in Blue Sunday at Community Church, for law enforcement recognition memorial week.

May 12th- Corp. Nero, Detective Boheim and Chief Wagner conducted a tour of Headquarters with students from School to Work program which is a special needs program at Pocono Mountain School District. Chief Wagner stated that group really launched out t-shirt campaign with PMRPF; which is selling T-shirts to help fund the K9 program, and bike program.

May 16th – Officer Lutz and Officer Lutkowski participated in a SWAT and K9 Demo at Pocono Plateau Camp in Coolbaugh Township

May 17th – We assisted with the Run for the Red Marathon

May 20th- Chief Wagner met with the DUI Services Staff in Stroudsburg and the family of Ethan Moyer, who was killed in 2010 in a DUI accident. Chief also met with the family of Jason Fry, who was killed in a 2013 DUI accident. The Department was presented with a new PBT.

May 28th- Officer Wile, Officer VanNote and the Chief participated in the Officer Phil Program, at the Tobyhanna Elementary Center, Clear Run and Swiftwater Elementary

May 29th- Sgt. Larue and Chief Wagner were awarded the PSP Commissioners Award in Harrisburg.

Letters of Support- Officer Donald Scarfo letter of praise was shared with the commission

East Stroudsburg University – for our support and participation in their Law Enforcement Partnership Day on April 22nd.

Chief Wagner received a letter of thanks and a \$50.00 donation check that will be presented to the PMRPF to go towards purchasing an additional PBT from the family of Ethan Moyer.

NEW BUSINESS:

- **Set July Meeting Location**- Tobyhanna Township Municipal Building

PUBLIC PARTICIPATION:

Bill Byron-gave his opinion on placing an SRO in the Clear Run Elementary School next year.

Brandon Igdalsky expressed his thanks to the department for their participation at Pocono Raceway.

Francis DePiano expressed his condolences to Dave Moyer in the passing of his brother.

Chief Wagner noted that former commission member Paul Wieand passed away yesterday.

ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 8:18 p.m.

EXECUTIVE SESSION:

There was an Executive Session from 6:30 to 6:50 to discuss litigation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Volpe', with a stylized flourish at the end.

Peter Volpe
Pocono Mountain Regional Police
Commission Secretary

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
SPECIAL MEETING
23 JUNE 2015**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	- CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-VICE-CHAIRMAN
PHYLLIS HAASE	-TOBYHANNA TOWNSHIP	-TREASURER
PETER VOLPE	-COOLBAUGH TOWNSHIP	-SECRETARY
FREDRICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
DONALD MOYER	-TOBYHANNA TOWNSHIP	-MEMBER
DAVID POPE	-COOLBAUGH TOWNSHIP	-MEMBER
HARRY COLEMAN		-SOLICITOR
CHRIS WAGNER		-CHIEF OF POLICE

ABSENT:

JUAN ADAMS	-COOLBAUGH TOWNSHIP	-MEMBER
CLAUDETTE WILLIAMS	-BOROUGH OF MOUNT POCONO	-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 6:30 p.m. by Vice-Chairman Dave Moyer with the Pledge of Allegiance.

UPDATE:

- **Mold Remediation**

Chief Wagner updated the Commission on the findings after drilling the recommended holes in the wet areas of the brick and applying the heat gun, indicating that it was not successful. We are now at a point that a decision needs to be made if we are going to waive the warranty and move forward to get this project done or if we are going to do excavation down to the footers to see what is going on.

Discussion continued. Chairman Moyer suggested one last try at having a water proofer see if we can totally seal the wall and put a membrane over it to seal the water out.

Motion

David Pope made a motion to Waive the Warranty on the Spray Foam if the sealing the wall and putting the membrane on does not work, seconded by Francis DePiano. Motion was approved unanimously.

- **Grant**

Chief Wagner informed the Commission that we were awarded the Grant for regionalization with Barrett Township from PCCD in the amount of \$19,086.00.

- **Barrett Township**

Chairman Moyer asked if all municipalities are on board with Barrett Township coming on board. Francis DePiano stated that Tunkhannock Township is on board. Donald Moyer indicated that Tobyhanna Township is on board. Fred Courtright stated that Mount Pocono is on board. Dave Pope stated that Coolbaugh has indicated that everything is alright they just need to have a meeting to vote on it, which Lynn Kelly confirmed. Dave Pope then stated that Coolbaugh has indicated they will call a Special Meeting.

Harry Coleman commended the Municipalities Solicitors, members of this Commission, the Chief of both departments, municipal board members for the tremendous cooperation everyone has given for the hard work to make this happen. He also stated that Barrett Township has a first class police department with outstanding leadership and professional hardworking officers and we are lucky to have them come on board. Everyone will benefit from this merger from the residents of Barrett Township to the officers of both departments.

Motion

Francis DePiano made a motion that Resolution #2015-004 Consenting to Barrett Township, Monroe County Pennsylvania becoming a member municipality of the Pocono Mountain Regional Police Commission, seconded by Phyllis Haase.

Peter Volpe asked if the date will be going in on the next to the last page, section 5. Attorney Coleman indicated that it will. He also stated that the signature page will also be changed to add all members names.

Ralph Megliola, Barrett Township Supervisor, asked if the municipalities can hold their special meetings in the morning of July 2nd and they will then be able to have their approval vote in the afternoon so that they don't lose timing of the holiday weekend.

Lynn Kelly raised the question of the MOU that is referenced on page 2 Section 5 of the Amendment. Discussion continued.

Motion passed unanimously.

Motion

Francis DePiano made a motion to approve the MOU with Barrett Township, seconded by Brandon Igdalsky. Motion passed unanimously.

- Fred Courtright mentioned concerns about traffic problems in Mount Pocono due to the detour.

NEW BUSINESS:

None

PUBLIC PARTICIPATION

None

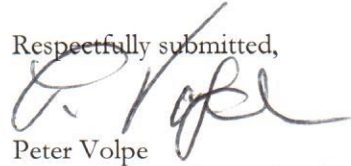
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 7:00 p.m.

Respectfully submitted,



Peter Volpe
Pocono Mountain Regional Police
Commission Secretary