

**POCONO MOUNTAIN REGIONAL POLICE COMMISSION
REGULAR BUSINESS MEETING
29 MARCH 2017**

PRESENT:

DAVID W MOYER	-TOBYHANNA TOWNSHIP	-CHAIRMAN
FRANCIS DePIANO	-TUNKHANNOCK TOWNSHIP	-VICE CHAIRMAN
FREDERICK COURTRIGHT	-BOROUGH OF MOUNT POCONO	-TREASURER
JUAN ADAMS	-COOLBAUGH TOWNSHIP	-SECRETARY
ANNE LAMBERTON	-TOBYHANNA TOWNSHIP	-MEMBER
BRANDON IGDALSKY	-TUNKHANNOCK TOWNSHIP	-MEMBER
MICHAEL OSER	-BOROUGH OF MOUNT POCONO	-MEMBER
RALPH MEGLIOLA	-BARRETT TOWNSHIP	-MEMBER
LYNN KELLY	-COOLBAUGH TOWNSHIP	-MEMBER
ALMA RUIZ-SMITH	-COOLBAUGH TOWNSHIP	-MEMBER
CHRIS WAGNER		-CHIEF OF POLICE
HARRY COLEMAN		-SOLICITOR

ABSENT:

JOHN JABLOWSKI	-TOBYHANNA TOWNSHIP	-MEMBER
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EXECUTIVE SESSION: There was an Executive Session prior to the Regular Meeting to discuss potential litigation. The Executive Session began approximately 6:05 p.m. and ended approximately 7:10 p.m.

CALL TO ORDER:

The Regular Business Meeting of the Pocono Mountain Regional Police Commission was held at the Pocono Mountain Regional Police Building and called to order at 7:15 p.m. by Chairman Moyer with the Pledge of Allegiance.

Dave Moyer stated that there was an Executive Session prior to the Regular Meeting. Mr. Coleman noted that the board discussed potential litigation as well as strategy and some direction issues for the litigation should it ever occur.

APPROVE MINUTES:

Motion:

Francis DePiano made a motion to approve the Minutes of 22 February 2017 Regular Business Meeting as presented. The motion was seconded by Juan Adams. Alma Ruiz-Smith stated that her response to Mr. Jones concerning Coolbaugh Township meeting attendance in the past 12 months was not recorded and wants it to be included as part of the record.

With no additional comments or questions, the motion passed with the noted amendment.

APPROVE BILLS:

Motion:

Francis DePiano made a motion to approve the Bill-pack of 29 March 2017 in the amount of \$187,700.91. The motion was seconded by Juan Adams.

Alma Ruiz-Smith stated there are several items indicating staffs individual names but there is no reason or purpose for why these individual checks were written out and she would like to know at least in parenthesis why these individuals received these checks. She stated that she sees a secretary's name for several checks and would like to know why they were written to her, there are also several other individuals that received checks. Numerous Commission members stated that the Memo is on the right next to the check amount such as 2017 Benecon reimbursement mileage, per diem PELRAS. She then stated that there are 2 different figures, you have check amount then you have amount, the figures just don't add up. Brandon Igdalsky indicted they do add up – if there is more than one thing it is broken out into two or three, like check number 14906 you have a Sympathy Dish Garden for \$55.00 and a Congrats/Baby for \$50.00 that equals \$105.00 and that is the total check amount. Alma Ruiz-Smith thanked him.

With no additional questions or comments, the motion passed unanimously.

FEBRUARY POLICE REPORT:

Total calls for the month of February were 971 total calls consisting of 898 Complaints and 73 Accidents. There were a total of 81 Criminal Arrests, 309 Traffic Arrests, 183 Traffic Warnings and 53 Ordinance Arrests.

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

Motion:

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

VEHICLE REPORT:

Chief Wagner reviewed the vehicle report, indicating the high mileage and high service cost of the vehicles. Chief also indicated that the new vehicles have been ordered. We did get rates from different banks and Susquehanna still came in lowest, they dropped from 4.9 to 3.89. Mike Oser asked if the high mileage vehicles numbers 3, 7 and 12 will be taken out of service when the new vehicles come in. Chief replied that best practice is total mileage but we also look at overall cumulative costs when determining which vehicles will be replaced.

Motion:

Francis DePiano made the motion to accept the February Vehicle Report. The motion was seconded by Brandon Igdalsky. The motion passed unanimously.

UPDATE:

- **Member Municipality Concerns –**

Mount Pocono – Chief replied to Mike Oser's question last month about the accident on January 28th. Chief stated he pulled the accident report, pulled the tape and pulled the officers logs. There were four cars on duty. He went on to explain how the zones generally work. He stated the first car, zoned to Eastern Tobyhanna Township and Mount Pocono, was in Mount Pocono following up on a felony drug crime. The officer got seven pounds of marijuana out of the car, and because it is a felony drug crime he needed backup so one of the Coolbaugh/Barrett cars came down to assist him. At the same time the third car was up on 423 in Coolbaugh Township on a disabled vehicle in the middle of the roadway State Route 423 at the State Park and unable to leave that call due to the hazard there. The fourth car was assigned to Western Tobyhanna Township/Tunkhannock Township was on a felony burglary investigation 12 miles away in lower Tunkhannock Township. Chief stated that he reviewed the recording and it was dispatched as non injury accident off the roadway at the Wendy's. Going by that dispatch it is a non reportable accident that is not in

the roadway so there were no officer's to break free at that point. He noted that at that time fifty percent of the available manpower was actually in Mount Pocono on a felony crime and Mount Pocono actually needed seventy-five percent of the manpower. So he reiterated what he stated last month "if there are five calls pending and four cars something is going to have to wait" and on that date and time the call that was going to wait was the non injury accident off the roadway. Alma Ruiz-Smith asked if the Fairview speed chase had anything to do with the drug case? Chief replied no. Dave Moyer asked Mike Oser if he had anything else on that. He stated "Yes I do". He went on to stated there was a report in the Pocono Plateau based on what the Chief had said that next time it comes around to budget time to look at that. Mike Oser read a letter from the Borough of Mount Pocono, Vice-President of Council Jeff Woehrle.

Mike Oser stated that they are quite upset with the comment we should remember this at budget time. He also said "You as the Pocono Mountain Regional Police are here to protect and serve and even though you have explanations as to where four cars were and that we needed three or four cars in the Borough of Mount Pocono at that time, you are charged with protecting and serving and at that instance you failed. And then when you bring up that we should remember this incident at budget time was the icing on the cake for the Borough of Mount Pocono Council, the distain right now is noticeable for the Pocono Mountain Regional Police. Ralph Megliola asked "Mike, how did he fail?" He went on that with the reports that he had on the call for that accident. He reiterated the Chief's explanation of the situation. He continued that when Barrett Township had their own police there were many times our officers were on duty on another call and we had an accident in the middle of the road and Pocono or State Police would respond. Mr. Oser again asked "why didn't we have a response? That's the thing that accident was not off the road it was in the middle of the road." Ralph Megliola stated it is how the call came in. Discussion continued. Mr. Oser then asked the Chief "As manager of the Police where were you?" Chief replied "it was a Saturday, I was off duty." Mr. Oser then asked "so you only work nine to five Monday through Friday?" Chief stated that's correct. There were numerous comments from the commission about Mr. Oser's comment. Mr. Megliola then asked Mr. Oser if he expects the chief to be on duty to show up for every call? Mr. Oser replied just when there is an accident. Mr. Megliola stated it is truly a numbers game, this is why we regionalized, Barrett wanted to have 24 hour coverage, have a car sitting there all the time, we couldn't afford that anymore. Chairman Moyer stated that that is where we are at, they're 160 hours over and were 200 hours over for a long time, they had 150 calls last month, Chief has been trying to pull their hours down to get them back in line. The rest of the townships are carrying Mount Pocono because they are usually 200 hours over with only 12% of the service. Chairman Moyer also stated that in 2000 Mount Pocono purchased 168 hours of service and in 2015 they purchased 169 hours. Mount Pocono may have to take a hard look at how they can buy more service if they want more service. Vice-Chairman DePiano stated that they were at 210 hours in 2010. Mr. Oser then stated "Gentlemen again, now you've just brought it back to what I just stated here in reference to 'I find that comment wildly offensive' we had to raise taxes in the Borough of Mount Pocono our employees did not get raises and yet here in this staff you had three of your staff including Chief that got raises this year". Chairman Moyer asked Mr. Oser "with this incident and everything happening at one time, was every road cleaned in that Borough during the snow storm? I drove through there ... it was pretty bad. Mr. Oser stated "you are mixing apples with oranges." Chairman Moyer said "no absolutely not... did you have enough maintenance to do every road in that Borough at the same time, I didn't see that, same difference". Mr. Oser said "I'm sorry that you think of it that way". Juan Adams asked Mr. Oser how he can blame someone when the Borough is using up fifty percent of the services when they are only paying for twelve percent. Mr. Oser stated we have a Chief and two Lieutenants. Mr. Adams stated they cannot be here twenty-four hours per day, we have twenty-four hour coverage but it is limited resources and when you were receiving half of the resources available when that call happened, how can you sit here and blame somebody when you have fifty percent of the services. Alma Ruiz-Smith suggested inviting the director of Control Center to address how they prioritize their calls. Discussion continued. Anne Lambertson stated as was said with the Borough having their cutbacks and only being able to afford so much is the same as the department. We can only afford so many officers and this is how the hours are split. If there are only four officers out there they have to triage and take the most serious calls first and that is what we pay for. Dave Moyer requested the Chief extend an invite to Gary Hoffman to attend a meeting.

Next Mr. Oser presented the Chairman with the list of what he would like to see, as was requested last month, and he would meet with the Chief or his administrator when it is available.

Mr. Oser then stated taking a comment from what the solicitor Harry Coleman said last month in reference to who can authorize and who can terminate any member of this commission from the municipalities. A motion was passed by Borough of Mount Pocono Council and it will be revised at the next Council Meeting that the Borough of Mount Pocono Council is the only entity that has the power to appoint and dismiss from the Pocono Mountain Regional Police their appointed Commissioners.

Dave Moyer stated he noticed some personnel issues on the list from Mr. Oser and called for an Executive Session after the meeting to vet out each item with the Commission.

Tobyhanna Township – Anne Lamberton stated there are no new concerns but stressed that they are extremely pleased with all the hard work from the department.

Tunkhannock Township – Francis DePiano echoed the same.

Coolbaugh – Lynn Kelly asked if the Chief had the location of the Arson that is listed in Coolbaugh Township. Chief stated he will look into it.

Alma Ruiz-Smith had a personal comment for the officers that were there during a very difficult situation. They were extremely accommodating, extremely compassionate and she commends their bedside manner. Chief thanked her for her comments and the Commission expressed their sympathies.

Barrett Township – Ralph Megliola thanked the Chief for the drug bust.

- **2018 Hiring**

Chief stated Ryan King started employment and that we are currently working with MPOETC to get the required certifications for Amanda Healy. She was a law enforcement officer from another state and there are sometimes some connection problems between states.

Chief then stated that our current hiring list expires in August and the process takes a several months to get a new list in place. He requested a motion to start the 2017/2018 Hiring Process.

MOTION

Fred Courtright made a motion to start 2017/2018 Hiring Process, seconded by Juan Adams. The motion passed unanimously.

- **Flooring Project**

Chief provided three quotes for the flooring project. He stated we are looking to replace the Kitchen, Patrol Room and the Arms Room flooring.

1. The Floor Store - \$8,770.00
2. Sunshine Flooring - \$12,094.70
3. The Floor Source - \$12,058.77

Francis DePiano asked if anyone knew of The Floor Store. Kris Vogt indicated that they have done work here in the department previously. Anne Lamberton stated it looks to be a fair comparison. Kris Vogt stated

that they all had the same square footage and same material. Alma Ruiz-Smith asked if any the vendors were given a specific list or just the square footage. Kris Vogt stated that each vendor came in was shown the damage and took their own measurements and quoted on the same material. Discussion continued on the work that was included in the bids.

MOTION

Francis DePiano made a motion to award the bid to the Floor Store at a cost of \$8,770.00, seconded by Brandon Igdalsky.

Fred Courtright asked if there was any problem with the floors that they have previously installed. Kris Vogt stated there have not, other than the general wear and tear.

With not additional questions or comments the motion passed unanimously.

- **Re-Paving Project**

Dave Moyer and Ralph Megliola are waiting for the snow to clear to start working up the specs for the bidding process.

- **Computer Lease**

Chief stated that we are still working on the details from the vendors, still need to look at the printers and also waiting to see what happens with the LSA Grant. If we are fortunate enough to get the Grant then we can do both projects together. There is a meeting tonight but unsure if the grant is on the agenda.

- **Accreditation**

- 1) **Policy Revision 9-6 Prisoner Restraining Devices**

- 2) **New Policy 13-10 Protection of Victims of Sexual Violence or Intimidation**

Chief explained the change to Policy 9-6 and the new Policy 13-10 to the Commission.

MOTION

Juan Adams made a motion to adopt the revision for Policy 9-6 and the new Policy 13-10, seconded by Alma Ruiz-Smith.

Carl Davis from Mount Pocono asked if he can get a copy of Policy 13-10. Chief indicated he can.

Mike Oser asked who orders the PSVI Order. Chief stated that can either be done by the on duty District Magistrate or the Court of Common Pleas. He then asked if it can be initiated by the Police Officer and Chief responded yes.

With no additional comments or questions, the motion passed unanimously.

- **Pension**

Chief stated the difference between the US Bank and the PFM Report was due to lag in obtaining updated market value from EQUIS. EQUIS is the private real estate investment.

- **Community Events/Letters of Support**

Officer Smelas – Sit Back It's Elementary Program for second and third graders at Tobyhanna Elementary Center for approximately 200 children.

Officer Vaccaro received a thank you card for a theft case he handled.

Officers conducted extra duty at Kalahari for Project Inspire and an email was received thanking the officers for being there and that they were very professional and very polite.

- Alma Ruiz-Smith asked the Chief if he's ever been invited by the Mountain Center or if any of the officers have contact with the teachers or other of the non profits that have been moving in there for the purpose of safety or security or anything of that nature? Chief stated we've been up there for the Monroe County United Meetings but as far as being called in to present programs he does not believe we have had any requests to go up there. She then requested if she can, with the Chiefs permission, ask Tim Lee if he would welcome the idea of having one of our officers do presentations. Chief stated she can have Tim Lee reach out to him.

New Business:

- **LCB Grant**

Chief indicated that our two year grant through the Liquor Control Board (LCB) is expiring this year. It is a grant to combat underage drinking and we are reapplying for another two year grant. He stated that he did request letters of support from the municipalities and is requesting them if they have not already done so the submission deadline is Friday. He stated that he was also invited to speak at one of the breakout sessions with the Chief of Derry Township in Hershey at the LCB Annual Conference in Gettysburg. The topic covered was how small agencies deal with large gatherings and the underage drinking and underage drinking problems.

- Dave Moyer stated that he hopes next month we can all lighten up a bit, we got a great group of guys and girls and he is proud of them. There have been a lot of positives and some negatives tonight but hopefully the positives will outweigh the negatives.
- Alma Ruiz-Smith asked the Chief if he found out what size the propane tanks were. He said 3000 gallons.

PUBLIC PARTICIPATION:

Logan Evans asked how many 911 calls came in on that accident in Mount Pocono. Chief stated that we only received one.

Andrew Scott, Pocono Record asked for clarification on the motion made by the Borough of Mount Pocono Council concerning appointing and dismissing Commission members, asking if that is for Mount Pocono members only or the whole Commission. Mike Oser stated just Mount Pocono Borough.

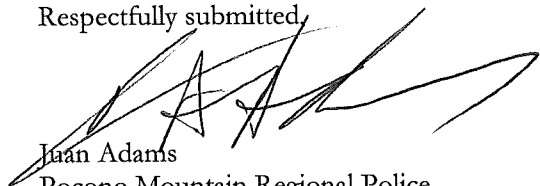
ADJOURNMENT:

Motion:

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

The meeting adjourned approximately 8:10 p.m.

Respectfully submitted,



Juan Adams
Pocono Mountain Regional Police
Commission Secretary

EXECUTIVE SESSION: There was an Executive Session following the Regular Meeting to discuss personnel as it relates to Mike Oser document viewing request. The Executive Session began approximately 8:20 p.m. and ended approximately 8:40.