



REPORT ON MCCD

December 2018

By Paula Heeschen for Brodhead Watershed Association

MCCD's Moyer fined for ethics violations

A state ethics board has ordered Monroe County Conservation District Director David W. Moyer to pay the commonwealth \$8,372 for violating sections of the Public Official and Employee Ethics Act.

Pennsylvania's State Ethics Commission concluded after investigating that Moyer wrongly voted as a district board member to disburse grant funding to Tobyhanna Township, under the Dirt, Gravel, and Low Volume Road Maintenance Program, when he had outstanding invoices with the township for road work.

The SEC also found that Moyer violated another section of the Ethics Act by failing to file a 2012 calendar year Statement of Financial Interests to the district. Moyer was an associate director of the district from March 15-Dec. 31, 2012. On that Dec. 31, he began serving as a director.

But the SEC found that Moyer did not violate the Ethics Act when he voted originally as a district director to approve the overall grant to the township. The commission said, "Insufficient evidence exists that Moyer reasonably knew at the time that Tobyhanna Township would use the business with which he is associated due to Tobyhanna Township's original intent to use Township resources on the grant project."

Moyer is an excavator, owner of Papillon & Moyer Excavating & Paving in Stroudsburg, and has a long working relationship with Tobyhanna Township.

The commission's investigation found that he has had a "contractual business relationship with the township, including Papillon & Moyer serving from 2009 through July 2017 as the township's exclusive equipment rental provider for road repair and construction equipment for projects it couldn't complete with its own resources.

The commission also found that the township accepted, in December 2015, a Papillon & Moyer bid for quarry stone and construction materials, as well as equipment, for the 2016 calendar year.

Moyer has entered into a Consent Agreement with the SEC, agreeing to pay the commonwealth \$8,382.13 within 30 days after the order was mailed, and to pay a further \$500 to the commission within the same 30 days to cover the costs of the investigation and enforcement action.

Under the agreement, Moyer agrees he will not accept any compensation from the district as full or partial reimbursement. And he agrees to file a "complete and accurate Statement of Financial Interests" for the 2012 calendar year.

The district board's next meeting is at 10 a.m. Thursday, Dec. 13, 2018, at Stroudsmoor Country Inn, Stroudsburg. A holiday luncheon follows.