

AGENDA
LAWRENCE COUNTY COMMISSIONERS
April 08, 2014

I. OPENING EXERCISES

- A. Call to Order
- B. Pledge of Allegiance & Moment of Silence
- C. Roll Call
- D. Explanation of Procedures to Audience

II. ROW OFFICER REPORTS AND COMMENTS

- A. Mr. Dan Cessna, District Executive, PA Department of Transportation, Engineering District 11-0, Bridgeville, PA

III. PUBLIC COMMENTS

IV. MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
 - 1. Tuesday, April 1, 2014
- B. Presentation of Written Communications:
 - 1. Letter from...
 - a. Rettew, dated March 31, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP ESCGP-2 Permit for work to be done in Pulaski Township.
 - b. Entech, dated April 2, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for an ESCGP-2 Permit for work to be done at the Mahoning Hoffmaster Well Site.

V. PROCLAMATIONS AND CERTIFICATES: None

VI. REPORTS

- A. Staff Reports: None
- B. Personnel Report: None
- C. Commissioner Reports and Comments

VII. NEW BUSINESS:

A. FOR DISCUSSION:

1. Planning

a. Greenways Update

2. Domestic Relations

a. Contract DSSC Solutions co.

3. Courts

a. Contract Aaron M. Cangey, Esq.(replacing Atty. DeRosa)

B. FOR POSSIBLE APPROVAL:

1. Liquid Fuels

a. North Street Bridge

2. Transfer of Funds (Administrative)

Domestic Relations (\$1,527.77)

VIII. RESOLUTIONS

A. Resolutions on the table

B. Resolutions to be taken off the table: None

C. New Resolutions:

- 1.** R-2014-040 Authorization to execute an addendum to the existing "Telecommunications Staff Holiday", at the Lawrence County Department of Public Safety
- 2.** R-2014-041 Authorization to execute an agreement on behalf of the cooperative extension office with Dennis Stich, an independent contractor to conduct mosquitoes surveillance for the West Nile Surveillance and Control Program for an amount not to exceed \$22,800.00 and \$.56 per documented mile for the period of May 1, 2014 through October 31, 2014
- 3.** R-2014-042 Authorization to execute an agreement on behalf of the cooperative extension office with Pamela Stich, an independent contractor to conduct mosquitoes surveillance for the West Nile Surveillance and Control Program for an amount not to exceed \$8,550.00 and \$.56 per documented mile for the period of May 1, 2014 through October 31, 2014.
- 4.** R-2014-043 Transfer of funds designated as T-1.

a.	Commissioners	\$1,200.00
b.	Commissioners	\$150,000.00
c.	Liquid Fuels	\$20,000.00

D. Motion to amend the agenda. (if necessary)

IX. ORDINANCES

- A. On the Table: None
- B. For introduction: None
- C. For final action: None

X. FISCAL AND CONTRACTUAL

- A. Advertise for bids/proposals: None
- B. Receipt of bids/proposals: None
- C. Fiscal Reports: None
- D. Report on Quotes: None
- E. Warrant Register:
 - 1. March 31, 2014
 - 2. April 2, 2014
 - 3. April 3, 2014

XI. ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, April 15, 2014 at 10:00 a.m. in the Commissioners' Meeting Room.

XII. PUBLIC COMMENTS

XIII. ADJOURNMENT

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, April 8, 2014

The Lawrence County Commissioners' Meeting was opened with the Pledge of Allegiance to the Flag followed by a Moment of Silence.

The Lawrence County Commissioners' Meeting of Tuesday April 8, 2014 was called to order by Commissioner Dan Vogler, at 10:00 a.m. in the Commissioners' Public Meeting Room. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Dan Vogler, Robert Del Signore, Sr., Steve Craig,; Dan Cessna, Scott Collins, Mike McCart, Sandie Egley, Bob Vilella, John Todorich, Karen King, and Debbie Morris, New Castle News, Eric Poole, Ellwood City Ledger.** It was stated for the record that the meeting is being taped. Those wishing to speak shall be given five minutes. If they need more time, they are to see the Chief Clerk at another time and he will arrange for them to meet with the Commissioners. Those speaking are to state for the record their names, addresses and the nature of their business.

Mr. Gagliano on vacation.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC

Mr. Dan Cessna, PennDOT, Bridgeville, Mr. Scott Collins and Mr. Mike McCart, PennDOT New Castle, gave a report on upcoming road and bridge work to be done in 2014 in Lawrence County.

APPROVAL OF MINUTES

1. Minutes of Tuesday, April 1, 2014

Moved by **Mr. Del Signore** seconded by Mr. Craig to accept and file the minutes. Motion carried 3-0.

WRITTEN CORRESPONDENCE

- a. Rettew, dated March 31, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP ESCGP-2 Permit for work to be done in Pulaski Township.
- b. Entech, dated April 2, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for an ESCGP-2 Permit for work to be done at the Mahoning Hoffmaster Well Site.

Moved by Mr. Del Signore seconded by Mr. Craig to accept and file the written correspondence. Motion carried 3-0.

Proclamations and Certificates

None

Staff Report

None

Personnel Report

None

COMMISSIONERS' COMMENTS

Mr. Craig had no comments.

Mr. Vogler stated there is a gaming control meeting tomorrow.

Mr. Del Signore had no comments.

Resolutions to be taken off the table: None

RESOLUTION R-2014-040

Whereas, The Lawrence County Department of Public Safety operates the Lawrence County 911 Center on a 24-7, 365 day a year basis; and

Whereas, the 911 telecommunications staff are granted the many of the same holiday affordances that non-union and management personnel of Lawrence County are. However, since the 9-1-1 center does not close and needs to be staffed properly, telecommunications staff must work holidays if scheduled to do so; and

Whereas, it is necessary for some amendments to be considered to "Lawrence County Personnel Policy #302Holidays" (herein referred to as "Policy #302") for the 24 hour telecommunications staff at the 911 center due to the different nature of their work; and

Whereas, these amendments serve as written documentation of past practices that have been already followed regarding holidays for 24 hour telecommunications (911) staff since the County assumed operation of the Lawrence Emergency

Operations Center (LEOC), and provisions have been included in the budget for the Lawrence County Department of Public Safety.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY COMMISSIONERS, that Lawrence County Department of Public Safety Policy #GE-018 "Telecommunications Staff Holiday Addendum" be amended to the existing Lawrence County Personnel Policy #302 and applicable to 24 hour telecommunications (911) staff.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-041

WHEREAS, the County submitted an application to the Department of Environmental Protection for funding the West Nile Surveillance Program; and

WHEREAS, the County desires to enter into an agreement with an independent contractor to conduct mosquitoes surveillance in Lawrence County in order to find the West Nile Virus and if found to control the virus; and

WHEREAS, Dennis Stich desires to provide the necessary services under the terms and conditions of said grant.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to execute an agreement between the County and Dennis. Stich, an independent contractor, to conduct mosquitoes surveillance in Lawrence County for the West Nile Surveillance and Control Program for an amount not to exceed \$22,800.00 and \$.56 per documented mile. This agreement shall cover the period May 1, 2014 through October, 31, 2014.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-042

WHEREAS, the County submitted an application to the Department of Environmental Protection for funding the West Nile Surveillance Program; and

WHEREAS, the County desires to enter into an agreement with an independent contractor to conduct mosquitoes surveillance in Lawrence County in order to find the West Nile Virus and if found to control the virus; and

WHEREAS, Pamela Stich desires to provide the necessary services under the terms and conditions of said grant.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to execute an agreement between the County and Pamela Stich, an independent contractor, to conduct mosquitoes surveillance in Lawrence County for the West Nile Surveillance and Control Program for an amount not to exceed \$8,550.00 and \$.56 per documented mile. This agreement shall cover the period May 1, 2014 through October, 31, 2014.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-043

Whereas, budgets cannot always anticipate every extraordinary, ordinary, or contingency situation which arises throughout the fiscal year; and

Whereas, Section 1784 of the County code permits the Commissioners by resolution to authorize budget transfers from any encumbered balance; and

Whereas, the need to provide additional appropriations to certain accounts now exists.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to the appropriate administrative officials to transfer a total of \$171,200.00 described in detail on the attachment(s) designated as T-2014-1

Commissioners
Amount: \$1,200.00
From: 01.411100.509000
Commissioners Contingency
To: 01.411100.201100
Office Minor

Commissioners
Amount: \$150,000.00
From: 03.431300.405000.13703
Liquid Fuels-Mill St. Bridge Const.
To: 03.431300.450100
Liquid Fuels-County Aid

Liquid Fuels
Amount: \$20,000.00
From: 03.431300.405000-13703
Mill Street Const.
To: 03.431300.450400.96622
Wallace Run

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-044

WHEREAS, the County of Lawrence has adopted the Lawrence County Greenways and Trails Plan (Plan); and

WHEREAS, the Plan recommendations have been ninety-five percent completed and the County is in need of an update, the update will show the benefits of the greenway development to the economy and environment by showcasing recreation, cultural, and historical areas; and

WHEREAS, County of Lawrence offered to all 27 municipalities the ability to join with our planning grant to complete more detailed master park plans for the individual communities with the understanding the County will submit an application to DCNR for funding; and

WHEREAS, nine communities responded and three communities have determined to proceed with partnering with the County on the master plans and Greenways Update; and

WHEREAS, those communities that will be partnering with the County are Union Township Spring Valley Park Master Plan, Borough of Ellwood City Ewing Park and Steifel Park Master Plans, and the City of New Castle for consolidation and Master Plan for Cascade, Gaston, and Deshon Parks; and

WHEREAS each community has passed a resolution of support and agreed to match the application with a cash donation to the County for their portion of the project costs; and

WHEREAS, the cost of the total project has been estimated at \$239,600; and

WHEREAS, grant funding to support the undertaking and completion of the plans from the Pennsylvania Department of Conservation and Natural Resources (DCNR) is being sought; and

WHEREAS, any DCNR grant funds received will require fifty percent (50%) matching funds and/or match via in-kind services; and

WHEREAS, County of Lawrence will use the \$30,000 from the Unconventional Gas well Fund Allocation as part of the required match; and

WHEREAS, Lawrence County has secured \$89,800, the remaining required match from:

- City of New Castle \$25,500,
- Ellwood City Borough \$30,000,
- Union Township \$22,500,
- County Planning Department \$11,800 (in-kind); and

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNTY OF LAWRENCE HEREBY SUPPORTS COUNTY GREENWAYS PLAN UPDATE AND SUPPORTS THE SUBMITTAL OF AN APPLICATION TO DCNR FOR FUNDS TO UNDERTAKE THE PROJECT, AND COMMITS MATCHING FUND IN THE AMOUNT OF \$30,000 DOLLARS IN SUPPORT OF THE PROJECT FROM THE ANNUAL UNCONVENTIONAL WELL FUND ALLOCATION.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-045

Whereas, the Lawrence County Domestic Relations is in need of a maintenance agreement to cover the F114 Fax Machine; and

Whereas, the Lawrence County Domestic Relations currently uses the services of DSSC Solutions Company, and they are agreeable to provide maintenance to the F114 Fax Machine.

NOW, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. DSSC Solutions Company, 3257 West Liberty Avenue, Pittsburgh, PA 15216 will provide a maintenance agreement for the Lawrence County Domestic Relations Department's fax machine..
2. Costs will not exceed \$411.00 for a one year time period.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2014-046

Whereas, the County desires to enter into an agreement for professional legal services and representation to indigent defendants who are in need of court-appointed counsel for criminal cases; and

Whereas, these cases shall be assigned by and at the sole discretion of the Court of Common Pleas of Lawrence County and shall include matters excluding murder cases assigned by the Court; and

Whereas, a vacancy has occurred due to the resignation of Attorney David DeRosa, and as such, vacancy has been filled by court-appointment of Attorney Aaron M. Cangey, Esquire.

Whereas, such services to the County shall be authorized and execute.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that:

1. Authorization is hereby given to execute an agreement with an unlimited number of criminal cases, excluding murder cases, as assigned by the Court to the following attorney for professional legal services in criminal cases:

Aaron M.Cangey, Esquire

2. The agreement shall contain the following provisions:
 - a. the compensation for such services shall be \$18,750.00 for the contract period to be paid in ten (10) equal monthly payments of \$1,875.00 per month. All payments will be made through electronic transfer.
 - b. this agreement shall be in effect for the period retroactive March 1, 2014 through December 31, 2014 unless terminated sooner by either party.
 - c. Murder cases shall not be covered by this agreement.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 1-2-0.

Moved by Mr. Del Signore seconded by Mr. Vogler to table said resolution R-2014-046. Motion carried 2-1-0.

RESOLUTION R-2014-047

WHEREAS, the Board of Commissioners of the COUNTY OF LAWRENCE is willing to acquire the right-of-way needed for the replacement of the North Street Bridge located within the City of New Castle and will utilize the same procedures used by the Pennsylvania Department of Transportation, including Eminent Domain; and

WHEREAS, the Board of Commissioners of the COUNTY OF LAWRENCE, desires to authorize, including retroactively, on behalf of the COUNTY OF LAWRENCE, Daniel J. Vogler, County Commissioner, Steve Craig, County Commissioner, Robert Del Signore, Sr., County Commissioner, Thomas W. Leslie, County Solicitor, and/or William Humphrey of Frank B. Taylor Engineering, County Engineer, the ability to execute documents; and William Humphrey of Frank B. Taylor Engineering, County Engineer, the ability to negotiate related to the acquisition of the needed right-of-way for the replacement of the North Street Bridge

NOW, THEREFORE, The Board of Commissioners of the COUNTY OF LAWRENCE hereby resolves as follows:

1. The LAWRENCE COUNTY Board of County Commissioners is hereby authorized to acquire the right-of-way needed for the replacement of the North Street Bridge. The right-of-way will be acquired utilizing the same procedures as those used by the Pennsylvania Department of Transportation, including Eminent Domain.
2. The LAWRENCE COUNTY Board of County Commissioners, Thomas W. Leslie, County Solicitor and/or William Humphrey of Frank B. Taylor Engineering, County Engineer, are hereby authorized to execute, including retroactively, on behalf of the COUNTY OF LAWRENCE, all correspondence and documents related to and required for the acquisition of right-of-way for the North Street Bridge Replacement Project in the City of New Castle, Lawrence County, Pennsylvania, as depicted on the approved construction drawings and right-of-way plans for the project.
3. William Humphrey of Frank B. Taylor Engineering, County Engineer, is hereby authorized, on behalf of the COUNTY OF LAWRENCE, to perform negotiations required for the acquisition of right-of-way for the North Street Bridge Replacement Project in the City of New Castle, Lawrence County, Pennsylvania, as depicted on the approved construction drawings and right-of-way plans for the project.
4. These authorizations will self expire upon the issuance, by PennDOT District 11-0 Right-of-Way Administrator, of a Certificate of Right-of-Way Clearance for the project.

Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

Ordinances

- A. On the Table: None
- B. Remove from Table: None
- C. For final action: None

Fiscal Reports

- A. Proposals: None
- B. Receipt of bids/proposals: None
- C. Fiscal report: None
- D. Report on Quotes: None
- E. Warrant Register:

1 March 31, 2014 through April 3, 2014

Moved by **Mr. Del Signore** seconded by Mr. Craig to accept and file the warrant register. Motion carried 3-0.

ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, April 15, 2014 at 10:00 a.m. in the Commissioners' Meeting Room.

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by **Mr. Craig** seconded by Mr. Del Signore to adjourn the Lawrence County Commissioners meeting dated Tuesday, April 8, 2014 at 11:10 a.m. Motion carried 3-0.