

**AGENDA**  
**LAWRENCE COUNTY COMMISSIONERS**  
**May 6, 2014**  
**10:00 a.m.**

**I. OPENING EXERCISES**

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

First announcements of Board and Authority Seats:

- 1. Lawrence County Housing (1) (seat available 12/31/14)
- 2. Lawrence County Airport Authority (1)
- 3. Redevelopment Authority (3)
- 4. Municipal Authority (2)
- 5. Industrial Development (2) (1 seat available now, one 12/31/14)

Open seats on Boards

- 1. Federated Library Board (3)
- 2. Northwest Regional Planning (2)
- 3. Southwestern PA Commission (1)
- 4. Ag Land Preservation (1) (available 12/31/14)
- 5. CYS Advisory Board (1) (available 12/31/14)

**II. ROW OFFICER REPORTS AND COMMENTS**

**III. PUBLIC COMMENTS**

**IV. MINUTES AND CORRESPONDENCE**

**A. Approval of Minutes:**

- 1. Tuesday, April 29, 2014

**B. Presentation of Written Communications:**

- 1. Letter from...
  - a. GAI Consultants, dated April 23, 2014, giving Act 14 notification for a GP-5 General Permit for work to be done in the City of New Castle and Taylor Township.
  - b. T Square Associates, dated April 29, 2014, giving Act 14 notification for an NPDES General Permit for work to be done at Universal Refractories,

Wampum, PA.

- c. RETTEW, dated April 30, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP General Permit for work to be done in Pulaski Township.
- d. RETTEW, dated April 30, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP General Permit for work to be done in Mahoning Township.

2. Request from...

**V. PROCLAMATIONS AND CERTIFICATES:**

1. Proclamation congratulating Local Union 712, IBEW on their 100<sup>th</sup> anniversary.
2. Proclamation congratulating the Cooperative Extension of Pennsylvania State University on their 100th Anniversary.

**VI. REPORTS**

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

**VII. NEW BUSINESS:**

1. Jail
  - a. Lease of dish washing machine
2. Commissioners
  - a. Contract-Robert Fisher
3. Liquid Fuels
  - a. North Street Right Of Way Contract-Chiappetta Agency
4. Treasurers
  - a. Intern Contract-Erie Business School
5. Cray Youth
  - a. Contract
6. Transfer of Funds (administrative)

- a. Jail (\$228.50)
- b. Liquid Fuels (\$50,000.00)
- c. DA (\$2,423.00)
- d. Public Defender (\$650.00)
- e. Courts (\$8,161.00)

7. Transfer of Funds (non-administrative)

- a. Department of Public Safety (\$12,000.00)

**VIII. RESOLUTIONS**

**A.** Resolutions on the table:

**B.** Resolutions to be taken off the table: None

**C.** New Resolutions:

- 1. R-2014-054 Authorization to Lawrence County Social Services to make application for and administrate funds from DCED under Title II of the National Affordable Housing Act. And authorizing the chairman to sign all documentation.
- 2. R-2014-055 Authorization to Lawrence County Social Services to administrate funds from a grant from the Section 1011 Residential Lead-Based Paint Hazard Reduction Act of 1992 and authorizing the chairman to sign all documentation.
- 3. R-2014-056 Authorization to enter into an agreement between the City of New Castle and the County of Lawrence for the Edward Byrne Memorial Justice Assistance Grant (JAG).
- 4. R-2014-057 Authorization to execute funding assistance from ACT 13 Marcellus Shale Impact Fee Fund to Perry Township in the amount of \$53,500.00 to provide for the local share of the replacement of the Barkley Road Bridge No. 2.

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

**IX. ORDINANCES**

**A.** On the Table: None

**B.** For introduction: None

**C.** For final action:

**X. FISCAL AND CONTRACTUAL**

- A. Advertise for bids/proposals: None
- B. Receipt of bids/proposals:
  - 1. Opening bid for Almira Home
- C. Fiscal Reports: None
- D. Report on Quotes: None
- E. Warrant Register:
  - 1. April 30, 2014
  - 2. May 2, 2014

**XI. ANNOUNCEMENTS**

- A. The next Commissioners' Public Meeting will be held on Tuesday, May 13, 2014 at 10:00 a.m. in the Commissioners' Meeting Room.
- B. There will be a Retirement Board meeting today following the Commissioners' Public Meeting.
- C. There will not be a Commissioners' Public Meeting held on Tuesday, May 20, 2014 as that is Primary Election Day.
- D. The next Noon Commissioners' Public Meeting will be held on Tuesday, May 27, 2014 at the Enon Valley Fire Department.

**XII. PUBLIC COMMENTS**

**XIII. ADJOURNMENT**

**LAWRENCE COUNTY COMMISSIONERS' MEETING**  
**PUBLIC MEETING**  
**MINUTES OF Tuesday, May 6, 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 May 6, 2014 was called to order by Commissioner Dan Vogler, at 10:00 a.m. in the Commissioners' Meeting Room. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Dan Vogler, Robert Del Signore, Sr., Steve Craig,**; **Chief Clerk/County Administrator James Gagliano, Clarence Nelson, Dave Gettings, Don Dougherty, Richard Rapone, Kathleen Krepski, Darlene Sansone, Penny Kercher, Deb Wichter, Janice Hasson, Bryan Dickman, Jane Lynd, Calvin Ray, Calvin Sammons, Debbie Boyd, Sharen Eisenhuth, Raymond Frazier, Marilyn Lockwood, Carlo DiNardo, John Carran, Luke Vogel, Dick Craig, Cindy Morabito, John Santoro, Lilly Santoro, Mrs. Santoro, Rachel Telesz, Ju-Ju DiLillo, Kathy Cooper, Amy Stapleton and Debbie Morris, New Castle News.** 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.

**ROW OFFICERS' REPORTS AND COMMENTS**

Mr. Rapone, Treasurer gave a report.

Mr. Gettings, Controller, gave a report

First announcement of openings on the following Boards and Authorities:

1. Lawrence County Housing
2. Lawrence County Airport Authority
3. Redevelopment Authority
4. Municipal Authority
5. Industrial Development

**GENERAL PUBLIC**

None

**APPROVAL OF MINUTES**

1. Minutes of Tuesday, April 29, 2014

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

Mr. Craig left the meeting.

**WRITTEN CORRESPONDENCE**

- a. GAI Consultants, dated April 23, 2014, giving Act 14 notification for a GP-5 General Permit for work to be done in the City of New Castle and Taylor Township.
- b. T Square Associates, dated April 29, 2014, giving Act 14 notification for an NPDES General Permit for work to be done at Universal Refractories, Wampum, PA.
- c. RETTEW, dated April 30, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP General Permit for work to be done in Pulaski Township.
- d. RETTEW, dated April 30, 2014, giving Act 14 notification on behalf of Hilcorp Energy Company for a PADEP General Permit for work to be done in Mahoning Township.

Moved by Mr. Del Signore seconded by Mr. Vogler to accept and file the written correspondence. Motion carried 2-0.

Mr. Craig returned to the meeting.

**Proclamations and Certificates**

1. Proclamation congratulating Local Union 712, IBEW on their 100<sup>th</sup> anniversary.

Moved by Mr. Del Signore seconded by Mr. Craig to accept the proclamation. Motion carried 3-0.

2. Proclamation congratulating the Cooperative Extension of Pennsylvania State University on their 100th Anniversary.

Several members of the Cooperative Extension and board members were introduced. Janice Hasson, Director gave a brief presentation and introduced John and Lilly Santoro, student members. Rachel Telesz, a former 4-H member who now attends Penn State gave a brief presentation and announced her upcoming travels to Korea.

Moved by Mr. Del Signore seconded by Mr. Craig to accept the proclamation. Motion carried 3-0.

**Staff Report**

None

**Personnel Report**

None

**COMMISSIONERS' COMMENTS**

None

Resolutions to be taken off the table: None

**RESOLUTION R-2014-054**

Whereas, the County of Lawrence is desirous of obtaining funds in the amount of \$800,000 from the department of Community & Economic Development for the provision of affordable housing activities fundable under Title II of the National Affordable Housing Act of 1990 (42 U.S.C. 12701 through 12839) and the implementing regulations at 24 CFR part 92; and

Whereas, Lawrence County Social Services, Inc. is desirous to provide affordable housing activities fundable under Title II of the National Affordable Housing Act of 1990 (42 U.S.C. 12701 through 12839) and the implementing regulations at 24 CFR part 92: and

Whereas, the PA Regional Consortium has indicated through support letters their desire to partner with the County of Lawrence for the provision of said services.

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

1. A housing need exists that has been identified in the local or state Consolidated Plan and the proposed housing activity addresses this need.
2. the County has conducted the required citizen participation process.
3. The county has granted Lawrence County Social Services, Inc. to make application for and administrate such funds in the amount of \$500,000.
4. The county will assure the provision of \$2,480,000 in Lead Hazard Control Funds for the provision of Lead Safe Services throughout the PA Regional Consortium.
5. The County will reimburse the Commonwealth for any expenditures found by DCED to be ineligible.
6. The Chairman Commissioner shall be directed to execute a certificate to the adoption of this resolution, furnish a copy to the Department of Community and Economic Development.
7. The Chairman Commissioner is hereby authorized to execute any and all documents pertaining to the application for or administration of these funds.

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

**RESOLUTION R-2014-055**

Whereas, the county of Lawrence is desirous of obtaining funds to complete a minimum of 3 projects at an average cost of \$9,520.00 per project from the Department of Health under their Housing and Urban Development's Office of Healthy Homes & Lead Hazard Control for the provision of making properties lead safe authorized by Section 1011 of Residential Lead-Based Paint Hazard Reduction Act of 1992; and

Whereas, the County of Lawrence, is desirous to provide lead-based paint hazard control activities fundable under Title X of the Housing & Community Development Act of 1992; and

Whereas, the County of Lawrence will enter into a subcontract with Lawrence County Social Services, Inc. as its administrative agency for the duration of the grant period; and

Whereas, the expected service areas will include at a minimum the following targeted areas; Lawrence County.

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

1. The County has granted Lawrence County Social Services, Inc. to enter into partnership for and administrate such funds.
2. The County of Lawrence will execute the adoption of this Resolution in preparation of furnishing a copy to the Department of Health.
3. The Chairman Commissioner is hereby authorized to execute any and all documents pertaining to the application for funds as well as the administration of these funds throughout the grant contract period.

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

**RESOLUTION R-2014-056**

This Agreement is made and entered into this 6<sup>TH</sup> day of May, 2014, by and between the County of Lawrence, acting by and through its governing body, the Commissioners County, hereinafter referred to as COUNTY, and the City of New

Castle, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Lawrence County, State of Pennsylvania, witnesseth:

**WHEREAS**, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

**WHEREAS**, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

**WHEREAS**, the CITY agrees to provide the COUNTY \$0.00 from the JAG award; and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

**NOW THEREFORE, the COUNTY and CITY agree as follows:**

**Section 1**

CITY agrees to pay COUNTY a total of \$0.00 of JAG funds.

**Section 2**

COUNTY agrees to use \$0.00 for the N/A Program until N/A (date).

**Section 3**

Nothing in the performance of this Agreement shall impose any liability for claims against the COUNTY other than claims for which liability may be imposed by the Pennsylvania Tort Claims Act.

**Section 4**

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY other than claims for which liability may be imposed by the Pennsylvania Tort Claims Act.

**Section 5**

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishings of the services by the other party.

**Section 6**

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

**Section 7**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

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

**RESOLUTION R-2014-057**

**WHEREAS**, Act 13 of 2013 established a Marcellus Legacy Fund that allocates a portion of the Marcellus Shale Impact Fee to the Highway Bridge Improvement Restricted Account in the Motor License Fund; and

**WHEREAS**, these funds are distributed to counties based upon population and are to be used to fund the replacement or repair of locally-owned, at-risk or deteriorated bridges; and

**WHEREAS**, a project must be on the State Transportation Improvement Plan (TIP) to be eligible to receive funding from this Account; and

**WHEREAS**, Perry Township has submitted a request for assistance from the Account to pay for the local share of the replacement of the Barkley Road (Camp Run) Bridge #2; and

**WHEREAS**, the Barkley Road Bridge #2 is on the State TIP (MPMS Project #: 78356).

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS** that the request of Perry Township for funding assistance in the amount of \$53,500.00, to provide for the local share of the replacement of the Barkley Road Bridge NO. 2, is hereby approved.

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

**RESOLUTION R-2014-058**

Whereas, The Erie Business Center South has a Business Management Major student who is the final term of their program; and

Whereas, The Erie Business Center South has asked requested that an Internship will be provided in the Lawrence County Treasurer's Office.

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

1. An unpaid internship will be provided for an Erie Business Center South Business Management student for approximately 170 hours with an approximated 85 hour mid-term evaluation.
2. Either party may terminated this agreement at any time by written or verbal notification.

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

### **RESOLUTION R-2014-059**

Whereas, Lawrence County, through its Children and Youth and Juvenile Probation Departments, desires to contract certain social services; and

Whereas, the County has the authority and duty to provide social services to children and youth subject to the regulations established by the Commonwealth of Pennsylvania (DPW) and the Juvenile Code.

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

1. the Purchase of Service Agreements listed in Attachment A shall be in effect for the period of July 1, 2013 through June 30, 2014.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement. A rate schedule for 2013-2014 is attached.
3. Authorization is hereby given to execute an Agreement with the following service provider:

Cray Youth and Family services  
332 Highland Avenue  
New Castle, PA 16101

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. April 30, 2014 through May 2, 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, May 6, 2014 at 10:00 a.m. in the Commissioners' Meeting Room.
- B. There will be Retirement Board meeting today following the Commissioners' Public Meeting.
- C. There will not be a Commissioners' Public Meeting held on Tuesday, May 20, 2014 as that is Primary Election Day.
- D. The next noon Commissioners' Public Meeting will be held on Tuesday, May 27, 2014 at the Enon Valley Fire Department.

### **PUBLIC COMMENTS**

None

### **ADJOURNMENT**

Moved by **Mr. Craig** seconded by Mr. Del Signore to adjourn the Lawrence County Commissioners meeting dated Tuesday, May 6, 2014 at 11:15 a.m. Motion carried 3-0.