

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, December 23, 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 December 23, 2014 was called to order by Commissioner Del Signore, at 10:00 a.m. in the Commissioners' Meeting Room. Office Manager Carol MacDonald called the Roll. Those in attendance were, Commissioners, **Robert Del Signore, Sr., Steve Craig,; Chief Clerk/County Administrator James Gagliano, Clarence Nelson, Don Dougherty, and 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. Vogler was absent from the meeting.

ROW OFFICERS' REPORTS AND COMMENTS

GENERAL PUBLIC

APPROVAL OF MINUTES

1. Minutes of Tuesday, December 6, 2014

Moved by **Mr. Del Signore** seconded by Mr. Craig to accept and file the minutes. Motion carried 2-0.

WRITTEN CORRESPONDENCE

- a. Pennsylvania Department of Transportation, dated December 12, 2014 giving Act 14 notification, for the replacement of the corrugated metal pipe culvert over a tributary to Big Run (Gardner Center Road Bridge.)
- b. RETTEW, dated December 16, 2014, giving Act 14 notification for a PADEP ESCGP-2 permit for work to be done in Neshannock Township

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

Proclamations and Certificates

None

Staff Report

None

COMMISSIONERS' COMMENTS

Mr. Del Signore had no comments.

Mr. Craig had no comments

Resolutions to be taken off the table: None

R E S O L U T I O N R-2014-294

Whereas, the County desires to enter into an agreement for professional legal services for a court appointed Mental health Review Officer; and

Whereas, Augustine Leon, Jr. Esquire desires to provide such services to the County.

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

1. Authorization is hereby given to execute an agreement with Augustine Leone Jr., Esquire, an attorney at law, with offices at 203 Central Building, New Castle, PA 16101 for the provision of Mental Health Review Officer for involuntary commitments pursuant to the Mental Health Procedures Act.
2. Resolution R-2013-293 provides for compensation of \$1,875.00 per month.
3. Effective July 1, 2014 compensation shall increase to \$2,000.00 per month for the balance of 2014. All payments made by the county will be by electronic transfer

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

R E S O L U T I O N R-2014-295

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 Juvenile 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 all juvenile matters assigned by the Court; and

WHEREAS, three agreements to provide such services to the County shall be authorized and executed.

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

1. Authorization is hereby given to execute three separate agreements each with an unlimited number of juvenile cases, as assigned by the Court, to the following attorneys for professional legal services in juvenile cases:
 - A. **Robert J. DiBuono**
 - B. **Larry J. Puntureri**
 - C. **Deborah A. Shaw**
2. Resolution R-2013-292 provides for compensation of \$1,875.00 per month.
 - a. The compensation for such services shall increase to \$2,000 per month to be paid in six (6) equal monthly payments on or about the 10th day of each month. All payments will be my electronic transfer
 - b. Each agreement shall be in effect for the period **July 1, 2014, through December 31, 2014** unless terminated sooner by either party.

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

RESOLUTION R-2014-296

WHEREAS, the County desires to enter into an agreement for professional legal services for a court appointed Custody Master and;

WHEREAS, **David E. Henderson, Esquire** desires to provide such services to the County .

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

1. Authorization is hereby given to execute an agreement with David E. Henderson, Esquire, an attorney at law with offices at 2109 Wilmington Road, New Castle, PA 16105 for the provision of custody conferences as assigned by the Lawrence County Court of Common Pleas pursuant to Local Rule L. 1915.3.
2. This agreement shall be effective for the period **January 1, 2015 through December 31, 2015** unless terminated sooner by either party.
3. The compensation for such services shall be \$85.00 per hour to be paid on a monthly basis.

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

RESOLUTION R-2014-297

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, five agreements to provide such services to the County shall be authorized and executed.

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

1. Authorization is hereby given to execute five separate agreements each with an unlimited number of criminal cases, excluding murder cases, as assigned by the Court to the following attorneys for professional legal services in criminal cases:
 - A. **Robert Barletta**
 - B. **John Bongivengo**
 - C. **Aaron M. Cangey**
 - D. **Joseph Kearney**
 - E. **William Panella**
2. Each agreement shall contain the following provisions:
 - a. The compensation for such services shall be \$2,000 per month to be paid in six (6) monthly payments. All payments will be by electronic transfer.
 - b. Each agreement shall be in effect for the period:
July 1, 2015 through December 31, 2015
unless terminated sooner by either party.
 - c. Murder cases shall not be covered by this agreement.

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

RESOLUTION R-2014-298

Whereas, the County desires to enter into an agreement for professional legal services for a court appointed Truancy Master and;

Whereas, Susan M. Pap, Esquire desires to provide such services to the County.

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

1. Authorization is hereby given to execute an agreement with Susan M. Papa, Esquire an attorney at law with offices at 439 Court Street, New Castle, Pa 16101 for the provision of Truancy Court as assigned by the Lawrence County Court of Common Pleas.
2. the agreement shall be effective for the period January 1, 2015 through December 31, 2015 unless terminated sooner by either party.
3. The compensation for such services shall be \$85.00 per hour to be paid on a monthly basis. All payments will be made by electronic transfer.

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

RESOLUTION R-2014-299

WHEREAS, the Lawrence County Department of Public Safety has entered into a Customer Service Agreement with Shred-It. This agreement is for a five (5) year period beginning January 1, 2015 thru December 31, 2020.

WHEREAS, Shred-It agrees to provide on-site document destruction; and

WHEREAS, The Lawrence County Department of Public Safety will provide payment in the amount of Sixty-Three Dollars and Seventy-Five Cents (\$63.75) per month for on-site document shredding; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that the Chairman, Commissioners is authorized to sign the Customer Service Agreement on behalf of the Lawrence County Department of Public Safety.

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

RESOLUTION R-2014-300

Whereas, the Lawrence County Industrial Development Authority is in need of members to be added to their board; and

Whereas, the Lawrence County Board of Commissioners wishes to make appointments to the Lawrence County Industrial Development Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that: the following name be re-appointed to the Lawrence County Industrial Development Authority.

1. Nancy Bonk, 3769 North Point Drive, New Castle, Pa 16105 (Neshannock Twp.)

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

RESOLUTION R-2014-301

WHEREAS, Section 1784 of the County Code, *Supplemental Appropriations Transfer of Fund; Appropriation Limits* authorizes the Board of Commissioners, by resolution, to make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated; and

WHEREAS, various County departments have realized unanticipated income; and

WHEREAS, the adopted 2014 budget must be adjusted to account for the additional income.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS; that the 2014 Lawrence County General Fund Budget shall be amended by increasing the following accounts:

| | | |
|----------------------------|------------------|-------------|
| <u>Revenue</u> | | |
| Planning-Grants/Programs | 01.341013.331000 | \$20,000.00 |
| <u>Expenditures</u> | | |
| Planning-Grants/Programs | 01.418000.802500 | \$20,000.00 |

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

RESOLUTION R-2014-302

WHEREAS, the County administers a County Surplus Food Program for the residents of Lawrence County; and

WHEREAS, the Greater Pittsburgh Community Food Bank has been designated as the County's lead agency for the Surplus Food Program.

Whereas, from time to time it becomes necessary to amend said agreements.

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

1. Authorization is given to amend the Agreement of Understanding with the Greater Pittsburgh Community Food Bank acting as the County's lead agency for the Distribution of Temporary Emergency Assistance Food Program (TEFAP) from January 1, 2014 through December 31, 2015 to include certain provisions that are required by federal regulations..

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

Moved by Mr. Craig seconded by Mr. Del Signore to amend the agenda. Motion carried 2-0.

RESOLUTION R-2014-303

WHEREAS, several municipalities have requested the County's financial assistance for their Liquid Fuels eligible projects; and

WHEREAS, the County Liquid Fuels Tax Act of 1931 and the Liquid Fuels Tax Act 655 dated 1956 and as amended provides that the County may allocate money from this fund to political subdivisions within the county for road and bridge maintenance, construction and equipment purchases.

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

| <u>Municipality</u> | <u>Project</u> | <u>Amount</u> |
|---------------------|---|---------------|
| City of New Castle | Emergency repairs-Pool Access Rd. Over Big Run | \$30,000.00 |

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

RESOLUTION R-2014-304

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 \$13,166.00 described in detail on the attachment(s) designated as T-2014-17.

OUTSTANDING BILLS

| | |
|---------|---|
| Amount: | \$1,050.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.421500.404100 EM-Rent/Storage |
| Amount: | \$2.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.423600.404100 JPO-Rent/Storage |
| Amount: | \$920.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.412600.404100 R & R Rent Storage |
| Amount: | \$6.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.419100.404100 PD-Rent Storage |
| Amount: | \$773.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.417000.402100 Maint-Hauling Refuse |
| Amount: | \$53.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.418660.201005 Cent. Court-Staples |
| Amount: | \$117.00 |
| From: | 01.411100.509000 Commissioners Contingency |
| To: | 01.418400.403000 Courts-Maint & Repairs |

Amount: \$428.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.419400.403000
 DA-Maint & Repairs
 Amount: \$182.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.418400.508000
 Courts-Travel
 Amount: \$1,943.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.423500.404100
 APO-Rent-Storage
 Amount: \$84.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.415500.401000
 HR-Telephone
 Amount: \$882.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.419400.403100
 DA-Vehicle Expense
 Amount: \$50.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.411100.404100
 Comm.-Rent-Storage
 Amount: \$2,227.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.4125600.304000
 R & R-Computer Index
 Amount: \$753.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.417000.401500
 Maint-Electric
 Amount: \$130.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.419400.404100
 DA-Rent-Storage
 Amount: \$2,564.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.419500.403000
 Proth-Maint & Repairs
 Amount: \$12.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 01.418660.403000
 C. Court-Maint & Repairs
 Amount: \$93.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 07.0447025.401400
 DA-Gas
 Amount: \$190.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 08.442161.401000
 CYS-Telephone
 Amount: \$571.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 08.442161.401400
 CYS-GA
 Amount: 136.00
 From: 01.411100.509000
 Commissioners Contingency
 To: 07.447025.4703000
 MHDS-Maint & Repairs

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

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 December 11, 2014 through December 19, 2014.

Moved by **Mr. Craig** seconded by Mr. Del Signore to accept and file the warrant register. Motion carried 2-0.

ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on Tuesday, December 30, 2014 at 10:00 a.m. in the Commissioners' Meeting Room.
- B. The courthouse will be closed on Wednesday, December 24, Thursday, December 25, and Friday December 26, 2014 in observance of Christmas.
- C. The Lawrence County Commissioners and staff wish everyone a very Merry Christmas.

PUBLIC COMMENTS

None

ADJOURNMENT

Moved by **Mr. Craig** seconded by Mr. Del Signore to adjourn the Lawrence County Commissioners meeting dated Tuesday, December 23, 2014 at 10:22 a.m. Motion carried 2-0.