

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, February 17, 2015

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 February 17, 2015 was called to order by Commissioner Dan Vogler, at 12:00 p.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, Brian Melcer, Cindy Scarmazza, Tom Mooney 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

None

GENERAL PUBLIC

Mr. Nelson asked about First Merit moving out.

Mr. Mooney, WesBanco, introduced himself.

APPROVAL OF MINUTES

1. The minutes of Tuesday, February 10, 2015.

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

WRITTEN CORRESPONDENCE

- a. Pennsylvania Department of Transportation, dated February 9, 2015, notifying the Lawrence County Board of Commissioners of the bridges owned by the county that have become a part of the Local Bridge Bundling Program.
- b. Court of Common Pleas, dated February 10, 2015, giving the Lawrence County Board of Commissioners notification that John R. Seltzer, Esq., Frank Piccari, and J.R. Hardester have been appointed to serve as the three(3) members of the Lawrence County Board of Elections for the May 2015 municipal Primary Election and the November 2015 Municipal General Election due to the three current County Commissioners are running for re-election.

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

COMMISSIONERS' COMMENTS

Mr. Craig answered Mr. Nelson's question.

Mr. Vogler had no comments

Mr. Del Signore, had no comments.

Resolutions to be taken off the table: None

RESOLUTION R-2015-032

Whereas, Lawrence County Children and Youth Services is required by the Pennsylvania code to maintain an Advisory Committee; and

Whereas, the Committee members are appointed by the County Commissioners upon recommendation from the current membership of the Committee; and

Whereas, members are permitted to serve two consecutive three year terms, the following individuals have agreed to serve for a three year term on the Committee:

Marilyn Lockwood
119 Frew Mill Road
New Castle, PA 16101

Cindy Cusick
810 Whitetail Drive
New Castle, PA 16101

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

1. Authorization is hereby given to appoint the above listed individuals to the Lawrence County Children and Youth Advisory Committee.

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

RESOLUTION R-2015-033

Whereas, Lawrence County is required by the FHWA to provide safety inspections for all of its bridge structures greater than 20 feet in length/ and

Whereas, bridge safety inspections must be current to maintain federal-aid funding eligibility if rehabilitation or replacement is intended; and

Whereas, all highways bridges must be inspected on at least a two-year cycle with posted bridges inspected more often.

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

1. The Chairman is authorized to execute on behalf of the County the Bridge Inventory and Inspection Activity Reimbursement Agreement for Federal-Aid Highway Projects and any related documents pertaining to said request.

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

Moved by Mr. Del Signore seconded by Mr. Craig to amend the agenda. Motion carried. 3-0

RESOLUTION R-2015-034

Whereas, the Lawrence County Department of Public Safety has entered a license agreement by and between Pennsylvania RSA No. 6 (1) Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless with its principal office at One Verizon Way, Mail Stop 4AW100, Basking Ridge, new Jersey 07920, hereinafter call "Licensor", and the Lawrence County Department of Public safety, with its principal office at 110 East Lincoln Avenue, New Castle, Pennsylvania 16101, hereinafter called "Licensee"; and

Whereas, Licensor does hereby license to Licensee a portion of that certain parcel or property (hereinafter called ("Property") located at the New Castle-Mercer Road, New Wilmington, Mercer County, Pennsylvania (together with the non-exclusive right for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over under, or along a right-of-way extending from the nearest public right-of-way, to the demised premises. Licensor grants to Licensee a License to place antennas on Licensor's communications facility and to place equipment cabinet(s) outside Licensor's building and made a part hereof, hereinafter called the "Premises"; and

Whereas, the License Agreement shall be for a term of five (5) years commencing on the first (1st) day of the month in which the Agreement's executed by both parties ("Commencement date"). License shall pay Licensor an annual fee of \$24,375.24 to be paid in equal monthly installments on the first (1st) day of each month commencing with the Commencement Date in advance to Verizon Wireless, PO Box 64498, Baltimore, Maryland 21264-4498 or to such person, firm or place as the Licensor may, from time to time, designate in writing at least thirty (30) days in advance of any payment date.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that, authorization is given to execute on behalf of the Lawrence County Department of Public Safety, all documents related to the License Agreement.

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

RESOLUTION R-2015-035

Whereas, the Lawrence County Department of Public Safety has entered a license agreement by and between Pennsylvania RSA No. 6 (1) Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless with its principal office at One Verizon Way, Mail Stop 4AW100, Basking Ridge, new Jersey 07920, hereinafter call "Licensor", and the Lawrence County Department of Public safety, with its principal office at 110 East Lincoln Avenue, New Castle, Pennsylvania 16101, hereinafter called "Licensee"; and

Whereas, Licensor does hereby license to Licensee a portion of that certain parcel or property (hereinafter called ("Property") located at the common address of 1238 Matilda Avenue, New Castle, Lawrence County, PA 16101(the "Premises"), and described as the Mahoningtown, telecommunications site as further described as the in the Prime Lease (as hereinafter defined in Section 33 of the License Agreement), (together with the non-exclusive right to install, maintain, operate and remove radio communications equipment and appurtenances on Licensor's tower. Licensor also grants to Licensee a non-exclusive easement during the term of this License agreement for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks, over and along a right-of-way extending from the nearest public right-of-way to the demised premises, and for the installation of utility wires, cables, and the transmission of utilities to the Premises as granted to Licensor.

Whereas, the License Agreement shall be for a term of five (5) years commencing on the first (1st) day of the month in which the Agreement's executed by both parties ("Commencement date"). License shall pay Licensor an annual fee of \$24,447.24 to be paid in equal monthly installments on the first (1st) day of each month commencing with the Commencement Date in advance to Verizon Wireless, PO Box 64498, Baltimore, Maryland 21264-4498 or to such person, firm or place as the Licensor may, from time to time, designate in writing at least thirty (30) days in advance of any payment date.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that, authorization is given to execute on behalf of the Lawrence County Department of Public Safety, all documents related to the License Agreement.

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

RESOLUTION R-2015-036

Whereas, District Justice Jennifer Nicholson (3-2) relocated her office to 4834 State Route 18, New Castle, PA 16102; and

Whereas, DJ Nicholson's office is in need of internet access; and

Whereas, Windstream is willing and able to provide such service.

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

1. Windstream, 2996 Centre Point Drive, Roseville MN 55113 will provide Internet bandwidth and Transport T1 service to DJ Nicholson's office located in New Castle for a three year period for a monthly recurring amount of \$340.60.
2. Said agreement will automatically renew for successive one year terms until terminated or cancelled pursuant to all terms and conditions, unless written notice of the County's intent to not renew services.

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:

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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, January 7, 2015 at 12:00 p.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, January 6, 2015 at 11:20 a.m. Motion carried 3-0.