

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday , August 11, 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 August 11, 2015 was called to order by Commissioner Dan Vogler, at 12:00 p.m. in the Lawrence County 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, Tracy Hromyak, Megan Gahring, Brian Melcer, Artishia Foster, Eric Poole, Ellwood City Ledger and Debbie Wachter, 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. Vogler announced that the three commissioners and Attorney Tom Leslie, will be going to Harrisburg on August 13, 2015 to talk to Mr. James A. Donahue III, Executive Deputy Attorney General, regarding the UPMC and Jameson Hospital merger.

GENERAL PUBLIC

None

APPROVAL OF MINUTES

1. The minutes of Tuesday, July 28, 2015.

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

WRITTEN CORRESPONDENCE

1. Civil & Environmental Consultants, Inc., dated July 28, 2015, giving Act 14 notification for an NPDES Permit for the Ellwood Quality Steels Company located in the city of New Castle.
2. Gannett Fleming, dated July 31, 2015, giving Act 14 notification for the renewal of a surface water withdrawal from the Slippery Rock Creek in Wayne and Perry Townships.
3. Clearwater Construction, dated July 30, 2015, giving notification of the closing of Croton Ave. between East Washington St. and Cascade Street for the period of August 24, 2015 through October 23, 2015 for total reconstruction. Pedestrian access will be maintained through the project.
4. RETTEW, dated August 4, 2015, giving Act 14 notification on behalf of Hilcorp Energy Company, for a GP-4 Permit, GP5 Permit and GP-8 permit for work to be done in Mahoning and North Beaver Townships.
5. Frank B. Taylor engineering, dated August 5, 2015 giving Act 14 notification form an NPDES permit on behalf of Cunningham, Inc. for work to be done at the Cedar Acres Mobile Home Park in Scott Township.
6. R.A.R engineering group, inc., dated August 5, 2015, giving Act 14 notification for a General Permit for Utility Stream Crossings, for work to be done in Shenango Township.
7. Wallace & Pancher, Inc., dated August 7, 2015, giving Act 14 on behalf of Hilcorp Energy Company, for an ESCGP-2 permit for work to be done in Pulaski Township.

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

Proclamations and Certificates

1. Proclamation congratulating Austin E. McClelland on his receiving the Eagle Scout Award.
2. Proclamation congratulating the Ebenezer Church of God in Christ on their eighty-ninth year of serving the community.

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

Staff Report

None

COMMISSIONERS' COMMENTS

Mr. Del Signore had no comments.

Mr. Craig had no comments.

Mr. Vogler stated he attended the Harness Racing Commission on August 1, 2015 at the Meadows. Mr. Vogler stated the commission is in the need of two new commissioners.

Resolutions to be taken off the table: None

RESOLUTION R-2015-138

WHEREAS, the Act of June 29, 2015 (P.L.36, No.12), amending Chapter 53 (911 Emergency Communications Services) of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, provides for the establishment, administration, and funding of 911 systems in the Commonwealth; and

WHEREAS, 35 Pa.C.S. §5306.1 establishes a fund in the State Treasury to be known as the “911 Fund,” consisting of fees and consumer charges collected by providers of 911 communications services and sellers of prepaid wireless telecommunications services; and

WHEREAS, 35 Pa.C.S. §5306.1 at subsection (h), requires the governing body of each county adopt a resolution authorizing acceptance of the funds in order to be eligible to receive funds from the 911 Fund; and

WHEREAS, the Board of Commissioners has determined that it wishes to receive funds from the 911 Fund established pursuant to 35 Pa.C.S. §5306.1 and hereby presents the following Resolution No. **R-2015-138** for approval; and

WHEREAS, public notice has been provided, as required, by 35 Pa.C.S. §5306.1(h);

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

1. it is in the best interest of the citizens of Lawrence County to receive funds from the 911 Fund established pursuant to 35 Pa.C.S. §5306.1 and the County is hereby authorized to receive such funds;
2. the fees collected pursuant to this Resolution shall be used by Lawrence County for the provision of 911 services in the County, as described in Chapter 53 (911 Emergency Communications Services) of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes;
3. the County Administrator is directed to notify the Pennsylvania Emergency Management Agency of the enactment of this Resolution, as required by 35 Pa.C.S. §5306.1(h).

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

RESOLUTION R-2015-139

WHEREAS, the County of Lawrence released bids in the form of sealed proposals for the LAWRENCE COUNTY DEPARTMENT OF PUBLIC SAFETY FACILITY, 1451 County Line Road, New Castle, Lawrence County, Pennsylvania, for the following Prime Contracts:

<i>Contract No</i>	<i>Type of Contract</i>
14005.000-01	General Construction
14005.000-02	Plumbing/Fire Suppression Construction
14005.000-03	HVAC Construction
14005.000-04	Electrical Construction

WHEREAS, bids for the above contracts were awarded to the following contractors, in amounts not to exceed the values specified for the base bid and chosen alternates, unless hereby lawfully amended by this

<i>14005.000-01 General Construction</i>	
Awarded to RIEN CONSTRUCTION of Brookfield, OH, for:	
Base Bid	\$3,894,000
Alt G5	\$21,500
<i>14005.000-02</i>	<i>Plumbing/Fire Suppression Construction</i>
Awarded to RABE ENVIRONMENTAL SYSTEMS of Erie, PA for:	
Base Bid	\$573,800
<i>14005.000-03</i>	<i>1-1VAC Construction</i>
Awarded to GUYS MECHANICAL SYSTEMS of Rochester, PA for:	
Base Bid	\$848,000
<i>14005.000-04</i>	<i>Electrical Construction</i>
Awarded to MCCURLEY HOUSTON ELECTRIC of New Castle, PA for:	
Base Bid	\$1,020,000

WHEREAS, changes from the initial base bid and chosen alternates are necessary, requiring the board to amend the following contract in the following specified amounts:

<i>Contract</i>	<i>Contractor</i>	<i>Amount to Add/Delete</i>	<i>Description / Reason</i>
GC 14005.000-001	Rien Construction	\$2,900.00(Decrease)	GC-005-Eliminate Septic Holding Tank from project
GC 14005.000-001	Rien Construction	\$3,600.00(Decrease)	GC-006-Eliminate handrail at east end of EMA garage (unnecessary per code)

NOW, LET IT BE RESOLVED that the Chair of this Board shall be authorized to sign the above change orders to amend the referenced contracts.

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-2015-140

WHEREAS, the County of Lawrence (County) is eligible to apply to the Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) for Act 13 funds; and

WHEREAS, the County, in partnership with the local municipalities, will use these funds to assist municipalities with neighborhood stabilization efforts, site preparation and blighted or vacant property demolition to ensure resources are used in an effective and efficient manner to meet the housing needs of communities impacted by Marcellus Shale; and

WHEREAS, if awarded the above mentioned funds, the Chairman of the Lawrence County Board of Commissioners will sign off on all related documents.

NOW, THEREFORE IT BE RESOLVED, that the Lawrence County Board of Commissioners agrees to apply to PHARE for targeted neighborhood stabilization efforts, site preparation and blighted or vacant property demolition to ensure resources are used in an effective and efficient manner to meet the housing needs of communities impacted by Marcellus Shale.

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

RESOLUTION R-2015-141

Whereas, Lawrence County and Beaver County entered into an Intergovernmental agreement on September 13, 200 to share the use and services of a shared greenways and environmental planner; and

Whereas, the above mentioned intergovernmental agreement is set to expire on September 13, 2015; and

Whereas, the Lawrence County Board of Commissioners and the Beaver County Board of Commissioners have agreed to amend the above mentioned intergovernmental agreement.

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Board of Commissioners that the intergovernmental agreement is amended as follows, pursuant to paragraph 14 of the Agreement made on the 13th day of September, 200, the above mentioned parties agree to extend the agreement to September 13, 2020.

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-2015-142

Whereas, the county desires to hire an independent assessment contractor to perform assessment services for the County; and

Whereas, the County desires to hire Charles (JR) Hardester as an independent contractor to perform said postings; and

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

1. Charles Hardester, Jr., d/b/a J.R.'s Posting Co. of 190 Erie Drive, Edinburg, A 16116 to be hired as an independent contractor to perform posting of properties.

The Independent Contractor shall further provide:

- a. Liability Insurance acceptable to the Controller
 - b. No equipment be provided by the County
 - c. Services not be provided on County time unless vacation time is used.
 - d. Other provisions as stated in the bidding instructions apply.
2. The effective date of this Independent Contractor Agreement is July 25, 2015 through July 25, 2016.
 3. Charles Hardester, Jr. shall be paid the rate of \$9.00/per property posting.

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

RESOLUTION R-2015-143

Whereas, the county desires to hire an independent assessment contractor to perform assessment services for the County; and

Whereas, the County desires to hire Bruce Peterson as an independent contractor to perform said postings; and

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

1. Bruce Peterson., d/b/a Bruce Peterson's Appraisals, 1905 Jackson Avenue, New Castle, PA 16101 to be hired as an independent contractor to perform posting of properties.

The Independent Contractor shall further provide:

- a. Liability Insurance acceptable to the Controller
- b. No equipment be provided by the County
- c. Services not be provided on County time unless vacation time is used.
- d. Other provisions as stated in the bidding instructions apply.

2. The effective date of this Independent Contractor Agreement is July 25, 2015 through July 25, 2016.

3. Bruce Peterson. shall be paid the rate of \$9.00/per property posting.

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

RESOLUTION R-2015-144

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 2015 budget must be adjusted to account for the additional income.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS; that the 2015 Lawrence County General Fund Budget shall be amended by increasing the following accounts:

Revenue

Impact Fees	01.334077.334134	\$108,757.60
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Expenditures

Miscellaneous Allocation	01.457700.999900	\$108,757.60
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Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2015-145

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 2015 budget must be adjusted to account for the additional income.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS; that the 2015 Lawrence County General Fund Budget shall be amended by increasing the following accounts:

Revenue

Misc. Co. Sold Items	01.341092.341900	\$1,700.00
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Expenditures

Sheriff-Vehicle Expense	01.419700.403100	\$1,700.00
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Moved by **Mr. Del Signore** seconded by Mr. Craig to approve said resolution. Motion carried 3-0.

RESOLUTION R-2015-146

WHEREAS, the County desires to seek service providers for local and long-distance telephone service; and

WHEREAS, the County has received proposals for such service; and

WHEREAS, the County has determined that the Windstream Business-grade service proposal best addressed the County's needs; and

WHEREAS, a letter of authorization for a Business Class Trunks Service Order Agreement is necessary; and

WHEREAS, it is recommended that Windstream

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

- 1. a letter of authorization be provided to authorize Windstream to gather service information from the County's current telcom provider.
- 2. the attached agreement with Windstream of 4001 Rodney Parham Road, Little Rock, AR 72212, for the provision of telephone service, is approved.
- 3. appropriate County Officials are authorized to sign the necessary agreement forms.

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

RESOLUTION R-2015-147

WHEREAS, the Lawrence County Government Center is in need of professional services for the replacement of the fire alarm warning system; and

WHEREAS, Tyco/Simplex Grinnell provides the required services and submitted a cost estimate for those services;

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

1. Tyco/SimplexGrinnell, with offices located at 220 W. Kensinger Dr., Suite 400, Cranberry Twp., PA, 16066, will replace the fire alarm warning bells with horn units for the Government Center.
2. the cost for the replacement service will not exceed \$4,345.00.
3. all work shall be completed within the terms identified in the attached agreement.
4. The Chairman, or his designee, is authorized to sign all documentation.

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

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RESOLUTION R-2015-148

Whereas, the Board of Commissioners of Lawrence County Commonwealth of Pennsylvania has determined that it is necessary to seek professional services to assist the County in the operation and maintenance of all printers housed in the Government Center Complex; and

Whereas, Direct Image Copy Systems, Inc. provides the required services.

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

1. An agreement for the operation and maintenance of printers within the Government Center Complex, as attached is hereby approved.
2. The monthly fee shall be \$2,740,00 with any excess copies reconciled on an annual basis.
3. The term of the agreement shall be from August 1, 2015 through June 30, 2016.

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 July 28, 2015 through August 6, 2015

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, August 18 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, August 11, 2015 at 1:12 p.m. Motion carried 3-0.

