

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday October 11, 2016

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 October 11, 2016, was called to order by Commissioner Dan Vogler, at 10:00 am 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, Helen Morgan, Kate Fee-Baird, Melissa Hamilton, Amy Stapleton, Amy McKinney , Lonnie McFall, and Mary Grebieniak, New Castle News, 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.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC

None

APPROVAL OF MINUTES

1. The minutes of Tuesday, October 4, 2016

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

WRITTEN CORRESPONDENCE

1. Pennsylvania Department of Environmental Protection, dated October 5, 2016, giving a response to comments regarding the permit application to operate a residual waste transfer station at the existing Alaron Nuclear Services (ANS) facility located in New Beaver Borough

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

Proclamations and Certificates

None

Staff Report

None

COMMISSIONERS' COMMENTS

Mr. Craig had none

Mr. Vogler read a letter from Senator Casey and Kelly regarding the Iron Mountain Mine in Boyers Pa wanting to relocate and build a new office in designated area.

Mr. Del Signore had no comments.

Resolutions to be taken off the table: None

RESOLUTION R-2016-231

WHEREAS, Lawrence County is required to complete a Financial Statement of its' fiscal program each year and a Single Audit of its financial statements due to the receipt of federal funds; and

WHEREAS, Zelenkofske Axelrod LLC, of 3800 McKnight E. Drive, Suite 3805, Pittsburgh Pa. 15237 has provided the auditing services to the County for the 2011 through 2015 Fiscal Years, through Resolutions **R-2011-170** and **R-2014-172**; and

WHEREAS, the Lawrence County Board of Commissioners desires to extend the current agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to extend the agreement for the provision of professional auditing services for the years 2017 through 2019 with Zelenkofske Axelrod, LLC for the completion of the services and compensation amounts listed in the attached document.

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

RESOLUTION R-2016-232

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, 2015 through June 30, 2016.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
3. Authorization is hereby given to execute an Agreement with the following service provider:

Children's Center For Treatment & Education, Inc.
800 East Main Street
Bradford, PA 16701

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

RESOLUTION R-2016-233

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, 2015 through June 30, 2016.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
3. Authorization is hereby given to execute an Agreement with the following service provider:

Children's Aid Society of Mercer County

350 West Market Street
P. O. Box 167
Mercer, PA 16137

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

RESOLUTION R-2016-234

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, 2015 through June 30, 2016.
2. Costs are incurred only if the provider or service is being used by Lawrence County per the Agreement.
3. Authorization is hereby given to execute an Agreement with the following service provider:

Children's Aid Society in Clearfield County
1008 South 2nd Street
Clearfield, PA 16830

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-2016-235

Whereas, the Pennsylvania Commission on Crime and Delinquency (PCCD) has applied for and received grant funds to implement a SAVIN program in Pennsylvania; and

Whereas, PDAI (Pennsylvania District Attorneys Institute) has been selected a sub-grantee by PCCD to provide contract administration and maintenance fee collections; and

Whereas, Lawrence County has committed to implementing and using the PA SAVIN system to meet and enhance its responsibilities for victim notification as well as provide additional notification services to county residents; and

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

1. An agreement is made and entered into by and between PCCD, (Pennsylvania Commission on Crime and Delinquency, PDAI, (Pennsylvania District Attorneys Institute), and Lawrence County to implement a SAVIN program.
2. Effective for the period of January 1, 2017 through December 31, 2017 for an amount not to exceed \$3,099.50.

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

RESOLUTION R-2016-236

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

Wherease these cases shall be assigned by and at the sole discretion of the count of Common Pleas of Lawrence County and shall include all juvenile matters assigned by the Court; and

Whereas, a vacancy has occurred and 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 an agreement with an unlimited number of juveniles on an as need basis as assigned by the Count to Attorney Nora DiBuono (replacing Attorney Deanna Nocera) for professional legal services in juvenile cases.
2. The agreement shall contain the following provisions
 - a. The agreement shall be effective November 1, 2016 through December 31, 2016 unless terminated sooner by either party.
 - b. The compensation for such services shall be \$24,000 per contract year to be paid in twelve (12) equal monthly payments on or about the 10th day of each month. Compensation for this contract period will be pro-rated effective as of November 1, 2016 to December 31, 2016.
 - c. All payments made by the County will be by electronic transfer.

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

RESOLUTION R-2016-237

WHEREAS, the Lawrence County Planning Commission (Planning Commission) prepared the current comprehensive plan for the County, which was adopted by the Board of Commissioners in 2004; and,

WHEREAS, the Planning Commission, with assistance from staff of the Lawrence County Department of Planning and Community Development, has the duty of preparing a new Comprehensive Plan for Lawrence County; and,

WHEREAS, the Planning Commission has prepared a new County Comprehensive Plan in accordance with Section 209.1 and 301 of the Pennsylvania Municipalities Planning Code, with said plan titled "Focus Lawrence County", dated 2016; and,

WHEREAS, the Planning Commission adopted a resolution on August 10, 2016 certifying that is has prepared a plan consistent with the requirements of the planning code, and has recommended that the Board of Commissioners begin the process stated in the Pennsylvania Municipalities Planning Code to adopt Focus Lawrence County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that in accordance with the Section 302 of the Pennsylvania Municipalities Planning Code, the Board of Commissioners of Lawrence County accept and adopt "Focus Lawrence County."

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

RESOLUTION R-2016-238

WHEREAS, the Board of Commissioners has determined it necessary to improve the parking area of the Almira Home Building parking lot; and

WHEREAS, East Coast Paving and Sealcoating, Inc. submitted a proposal to complete the paving of the parking lot at the Almira Home Building, such proposal being reviewed and recommended by the County Engineer;

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

1. East Coast Paving and Sealcoating, Inc., of 208 3rd St New Castle, PA 16102, is authorized to complete the paving of the Almira Home Building parking lot as specified in the attached Construction Agreement.
2. The contracted amount is \$44,186.10.

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

RESOLUTION R-2016-239

WHEREAS, the Board of Commissioners have executed a Settlement and Release Agreement pertaining to the Whittaker/Hamilton lawsuit; and

WHEREAS, the Settlement and Release Agreement also releases the Lawrence County Economic Development Corporation and the Redevelopment Authority of Lawrence County from the lawsuit; and

WHEREAS, the total payments to be made to resolve the dispute is \$800,000, to be paid by the County; and

WHEREAS, the parties hereto agree to establish payment obligations, as set forth in the Settlement Agreement and General Release; and

WHEREAS, the Redevelopment Authority of Lawrence County and the Lawrence County Economic Development Corporation have taken separate actions to approve the Release;

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that authorization is given to the Chairman to execute the attached Settlement Agreement and General Release.

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. October 6, 2016

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, October 18, 2016 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, October 11, 2016 at 11:00 a.m. Motion carried 3-0.