

**LAWRENCE COUNTY COMMISSIONERS' MEETING**  
**PUBLIC MEETING**  
**MINUTES OF Tuesday, January 9, 2024**

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, January 9, 2024, was called to order by **Commissioner Daniel Vogler**, at 10:00 AM at the Lawrence County Commissioners Meeting Room. Deputy Chief Clerk, Vanessa Bayless, called the roll. Those in attendance were **Commissioner Dan Kennedy, Commissioner Chris Sainato, County Administrator Joe Venasco, JR Hardester, Michael Occhibone, Jerry Zona, Meghan Gahring, Mike Grippo, John Bout, Noone from the 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 Deputy Chief Clerk at another time, and she 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 COMMENTS**

None

**FISCAL/CONTRACTUAL**

- A. Repository Properties: None
- B. Advertise for bids/proposals: None
- C. Receipt for bids/proposals: None
- D. Warrant Registers:
  - 1. January 5, 2024
  - 2. December 29, 2023

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve and file said warrant register(s). Motion carried 3-0.

**MINUTES AND CORRESPONDENCE**

- A. Approval of Minutes:
  - a. Tuesday, January 2, 2024

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said minutes. Motion carried 3-0.

- B. Presentation of Written Communications: None

**REPORTS**

A. Staff Reports:

None

B. Commissioner Reports

Mr. Kennedy stated his first week in office has been very interesting. Everyday he reads the New Castle News and there recently was an article about Pyrtotechnico and Steve Vitale. Mr. Kennedy stated there are good businesses in Lawrence County and there are positive attributes and well paying jobs to keep young people here in our County.

Mr. Vogler stated he agrees with Mr. Kennedy in promoting our County. Last week two (2) new Commissioners met with Department Heads and Elected Officials. All three (3) Commissioners attended Conservation's Annual Meeting. At this meeting three (3) school districts in the County were represented to review their presentations for the FFA Farm Show being held in Harrisburg this week.

Mr. Sainato stated his first week in office has also been interesting. In the coming weeks, he and Mr. Kennedy will be meeting with the Department Heads and Elected Officials to review their respective offices and learn what they do. He wished the students at the FFA show good luck. He also mentioned he played a small role in the movie Crossing Paths 2 No Way Out that played at the Boardman, OH movie theater Sunday evening. He said the movie is all local actors and locations in Lawrence County. The talent we have in Lawrence County is wonderful. The production company is Smokey Bear Productions.

Mr. Vogler stated that the two (2) new Commissioners have been very busy in their first week and have hit the ground running.

**NEW BUSINESS**  
**RESOLUTIONS**

**R E S O L U T I O N**

**R-2024-06**

**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. **Michael Bonner**
- D. **Joseph Kearney**
- E. **Kevin Lorello**

2. a. The compensation for such services shall be \$28,000 per contract year to be paid in twelve (12) equal monthly payments on or about the 10<sup>th</sup> day of each month.

All payments will be by electronic transfer.

b. Each agreement shall be in effect for the period:

**January 1, 2024 through December 31, 2024**

unless terminated sooner by either party.

c. Murder cases shall not be covered by this agreement.

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve said Resolution. Motion carried 3-0.

## R E S O L U T I O N

**R-2024- 07**

**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 four separate agreements each with an unlimited number of juvenile cases, as assigned by the Court,1 to the following attorneys for professional legal services in juvenile cases:

- A. **Paula Cialella**
- B. **Larry J. Puntureri**
- C. **Carolyn Flannery**

**D. Gene Tempesta**

2. Each Agreement shall contain the following provisions:

a. The compensation for such services shall be \$28,000 per contract year to be paid in twelve (12) equal monthly payments on or about the 10<sup>th</sup> day of each month. All payments will be by electronic transfer.

b. Each agreement shall be in effect for the period **January 1, 2024, through December 31, 2024** unless terminated sooner by either party.

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said Resolution. Motion carried 3-0.

**RESOLUTION R-2024-08**

**WHEREAS**, 53 P.S. Section 8851 states that each county shall Appoint a “Board of Assessment Appeals”; and

**WHEREAS**, said Board of Assessment Appeals/Revisions consists of the three county commissioners in each county unless the county commissioners appoint a board consisting of **three members to serve a term not exceeding two (2) or four (4) years**; and

**WHEREAS**, the Lawrence County Commissioners Appointed members of the Lawrence County Board of Assessment Appeals on January 2<sup>nd</sup>, 2024 by Resolution R-2024-001;

**WHEREAS**, the Lawrence County Board of Commissioners will amend R-2024-001 to state “the Lawrence County Board of Commissioners will appoint Three (3) Lawrence County Residents to the Lawrence County Board of Assessment Appeals for a term not exceeding four (4) years:

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, will amend R-2024-001 to state “the Lawrence County Board of Commissioners will appoint Three (3) Lawrence County Residents to the Lawrence County Board of Assessment Appeals for a term not exceeding four (4) years:

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve said Resolution. Motion carried 3-0.

**RESOLUTION R-2024- 09**

**WHEREAS**, 53 P.S. Section 8851 states that each county shall Appoint a “Board of Assessment Appeals”; and

**WHEREAS**, said Board of Assessment Appeals/Revisions consists of the three county commissioners in each county unless the county commissioners appoint a board consisting of **three members to serve a term not exceeding two (2) or four (4) years**; and

**WHEREAS**, the Lawrence County Board of Commissioners amended R-2024-001 to state “the Lawrence County Board of Commissioners will appoint Three (3) Lawrence County Residents to the Lawrence County Board of Assessment Appeals for a term not exceeding four (4) years:

**WHEREAS**, the Lawrence County Board of Commissioners will amend R-2024-002 to adjust the term of the Chairman of the Board of Assessment Appeals to run concurrent with the four (4) year term of the Lawrence County Board of Assessment Appeals;

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that Charles “Tom” Dean shall serve as Chairman of the Lawrence County Board of Assessment Appeals for the current term of 2024 through 2027.

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said Resolution. Motion carried 3-0.

#### **RESOLUTION R-2024-10**

Resolution of the Board of Commissioners of Lawrence County to have the Recycling/Solid Waste Department develop an educational program for the proper end-of-life management of unwanted electronics, household hazardous wastes, and tires.

**WHEREAS**, the Commonwealth of Pennsylvania Department of Environmental Protection has provided for funds available under Section 901 the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988 for educational purposes related to electronics recycling and household hazardous waste education and program advertising, and

**WHEREAS**, education is the key component of any recycling program, and

**WHEREAS**, the county desires to have the citizens of Lawrence County aware of programs available to them for the recycling of their electronics and household hazardous waste, and

**NOW, THEREFORE BE IT BE RESOLVED** by the Lawrence County Board of Commissioners that an application for funding an Act 101, Section 901B County Planning Grant for household hazardous waste education be submitted to the Pennsylvania Department of Environmental Protection.

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve said Resolution. Motion carried 3-0

#### **RESOLUTION R-2024-11**

Resolution of the Board of Commissioners of Lawrence County to enter into agreement with the Pennsylvania Resources Council (PRC) to provide glass recycling services; and

**WHEREAS**, many residents of Lawrence County no longer have access to container glass recycling through the county-wide drop off recycling program and curbside recycling, and

**WHEREAS**, the County is tasked to develop programs that advance recycling by its Solid Waste Management Plan, and

**WHEREAS**, the County desires to offer its residents access to the recycling of container glass, and

**WHEREAS**, PRC has designed a drop-off collection program for recycling container glass, also known as the travelling glass bin, and

**WHEREAS**, the County desires to engage the services of PRC to pilot two container glass drop off collection events for residents, and

**WHEREAS**, the contracted services with PRC for travelling glass bin collection events during 2024 shall not exceed the amount of \$3,200.

**NOW, THEREFORE, BE IT RESOLVED**, that Lawrence County enters into Agreement with PRC for drop-off container glass collection events, and that Dan Vogler, Chairman, be authorized to sign such agreement.

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said Resolution. Motion carried 3-0.

## **RESOLUTION**

**R-2024-12**

**WHEREAS**, Lawrence County, through its Children and Youth Department, 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 (DHS) and the Juvenile Code:

**NOW, THEREFORE**, be it resolved by the Lawrence County Board of Commissioners, that:

1. The Purchase of Service Agreement under the provider Avanco International, Inc. for Child Accounting and Profile System (CAPS) Adoption and Foster Care Analysis and Reporting System (AFCARS) Upgrade and Maintenance shall be in effect for the period of January 01, 2024, through June 30, 2024.

2. The fixed cost to Lawrence County is \$1,726.34. The cost has been proportionally allocated across the 56 counties that utilize CAPS.
3. Authorization is hereby given to execute an Agreement with the following service provider:

**Avanco International, Inc.  
12685 Wiltonshire Drive  
Clifton, Virginia 20124**

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve said Resolution Motion carried 3-0.

### RESOLUTION R-2024-13

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LAWRENCE COUNTY, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2024 AND APPROPRIATING SPECIFIC SUMS, ESTIMATED TO BE REQUIRED, FOR THE SPECIFIC PURPOSES OF COUNTY GOVERNMENT, HEREINAFTER SET FORTH.**

**WHEREAS**, the Board of the Lawrence County Commissioners passed Resolution R-2023-450 on December 5, 2023 that needs amended and corrected to read as follows:

**BE IT RESOLVED AND ENACTED, AND IT IS HEREBY RESOLVED AN ENACTED BY THE BOARD OF COMMISISONERS OF THE COUNTY OF LAWRENCE, COMMONWELATH OF PENNSYLVANIA, that:**

**SECTION 1:** a tax be, and is hereby levied, on all real property within the County subject to taxation for County purposes for the Fiscal Year 2024. The tax rate for County purposes shall be as follows:

- a. For ***General Purposes***, the sum of seven and six hundred, three-thousandths and three hundredths (**7.603 mills**) and on each dollar of assessed valuation (or the sum of seventy-six and sixty thousandths and three hundredths cents [76.03¢] per each one hundred dollars [\$100.00] of assessed value.)
- b. For ***Debt Purposes***, the sum of five hundredths and fifty-seven thousandths (**.571 mills**) on each dollar of assessed valuation (or the sum of five and fifty seven hundredths cents (5.71¢) per each one hundred dollars [\$100.00] of assessed value.)
- c. For ***Special Purposes*** (libraries), the sum of one hundred and thirty-five thousandths (**.135 mills**) on each dollar of assessed valuation [or the sum

of one and thirty-five hundredths cents [1.35¢] per each one hundred dollars [\$100.00] of assessed value.)

The **total millage** for all County purposes shall be eight and three hundred and nine thousandths **(8.309) mills** (or the sum of eighty three and nine hundredths cents [83.09¢] per each one hundred dollars [\$100.00] of assessed value.)

**SECTION 2:** for the expenses of the County for the **Fiscal Year 2024**, the amounts are hereby appropriated from the revenues available for the specific purposes set forth above, which amounts are more fully itemized in the **County Budget** on file in the office of the Commissioners.

**SECTION 3:** any resolution, or parts thereof, conflicting with this Resolution shall be repealed, insofar as the same affects this Resolution.

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said Resolution.  
Motion carried 3-0.

## RESOLUTION

R-2024-14

**WHEREAS**, the Lawrence County Board of Commissioners applied for membership to the Southwestern Pennsylvania Commission and was accepted; and

**WHEREAS**, Article 7 of the Southwestern Pennsylvania Commission Bylaws authorizes each member county to have the right to appoint five (5) individuals of which two shall be County Commissioners of the member governing body, two of which shall be private citizens residing in the appointing member county, and one shall be an elected official from a local government located in the member county. (This appointment may be a county commissioner.)

**WHEREAS**, Article 9 states that the terms shall be for four years, however, the members shall endeavor to stagger terms to avoid simultaneous termination.

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS**, that: the following individuals shall be appointed to serve as a Lawrence County representative to the Southwestern Pennsylvania Commission:



## County Commissioners

1. Dan Kennedy (Executive & Nominating Committees) December 31, 2027
2. Chris Sainato December 31, 2027

## Elected Official

1. Daniel J. Vogler December 31, 2027

Mr. Kennedy stated it will be an honor to serve on this Board.

Mr. Vogler thanked both Mr. Kennedy and Mr. Sainato for serving on this Board.

Mr. Sainato stated he looks forward to serving on this Board.

Moved by Mr. Sainato, seconded by Mr. Kennedy to approve said Resolution.  
Motion carried 3-0.

## TRANSFERS (Administrative)

- A. DJ Nicholson from Staples to Materials & Supplies for \$5,000.00

Moved by Mr. Kennedy, seconded by Mr. Sainato to approve said transfer.  
Motion carried 3-0.

## ORDINANCES

- |                      |      |
|----------------------|------|
| B. Discussion:       | None |
| C. On the Table:     | None |
| D. For Introduction: | None |
| E. For Final Action: | None |

## ANNOUNCEMENTS

- A. The next Commissioners' Public Meeting will be held on January 16, 2024 at 10:00 a.m. in the Commissioners' Meeting Room, 430 Court Street.
- B. There will be a West Central Job Partnership Meeting today at 1:30 p.m. in the Commissioners' Meeting Room, 430 Court Street.
- C. The Planning Commission Meeting on Wednesday, January 10, 2023 at 12:00 Noon has been **CANCELLED**.
- D. The Prison Board meeting originally scheduled for Wednesday, January 17, 2024 has been **RESCHEDULED** for Tuesday, January 16, 2024 at 12:00 Noon.
- E. The Courthouse will be closed on Monday, January 15, 2024 in observance of Martin Luther King, Jr. Day.

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

Moved by Mr. Kennedy, seconded by Mr. Sainato to adjourn the Lawrence County Commissioners meeting dated Tuesday, January 9, 2024, at 11:05 AM.