

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, March 28, 2023

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, March 28, 2023, was called to order by **Commissioner Dan 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 Loretta Spielvogel, Amy McKinney, Mike Grippo, Chad Strobel, Lois Winter-McElvery, Lori Sniezek, Dan Kennedy, Wilmington Township Supervisor, Leslie Bucci, Neshannock Township Supervisor, Tim Germani, 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 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

Leslie Bucci, Neshannock Township Supervisor thanked the Commissioners for their allocation to Neshannock Township from the ARPA funds. She further stated the township supervisors are not in favor of the Commissioners rescinding the Ordinance for the \$5 Vehicle Registration Fee. She stated that money is very useful to the municipalities that receive those dollars to help complete work on the local roads. She also stated that the Neshannock Township Supervisors would like to have a seat on the Economic Development Board moving forward.

Dan Kennedy, Wilmington Township Supervisor stated that they also are not in favor of the Ordinance being rescinded. Those dollars also help with roads in New Wilmington. He asked if the Commissioners could present this at the League of Municipalities meeting that is scheduled for April 19th. Wilmington Township also agreed with Neshannock and would like to have a seat on the Economic Development Board.

Lois Winter-McElvery, Humane Society, stated she was here today with Lori Sniezek to request funding for the Humane Society. Since 1953 the Humane Society has serviced animals. She stated they receive no federal, state or national funding. They need a new shelter, as the original from 1953 is still in use today. They have bought property across from Flaherty Field and would like to build a new shelter.

Mr. Vogler stated that once Mr. Burick is sworn in as Commissioner, the Commissioners

will review the funding requests received to date.

FISCAL/CONTRACTUAL

- A. Repository Properties: None
- B. Advertise for Bids/Proposals: None
- C. Receipt of Bids/Proposals: None
- D. Warrant Registers:
 - 1. March 24, 2023
 - 2. March 22, 2023
 - 3. March 21, 2023
 - 4. March 15, 2023

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve and file said warrant register(s). Motion carried 2-0.

MINUTES AND CORRESPONDENCE

- A. Approval of Minutes:
 - a. Thursday, March 14, 2023

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said minutes. Motion carried 2-0.

- B. Presentation of Written Communications: None

REPORTS

- A. Staff Reports None
- B. Commissioner Reports

Ms. Spielvogel read the Oneness citation, with the event being scheduled for April 30, 2023 at The Cathedral. April is "Oneness Month". She further discussed the United Way is having a COVID-19 Hero Nomination event where gift cards, etc. will be given out to nominees for anyone that hand in assisting those needing it during COVID-19. The United Way is also hosting an event in the spring to honor those that lost family members due to COVID-19. More information can be found on their website at uwlawcty.org.

Mr. Vogler stated he has served as Chairman of the Commissioners in prior years. He reiterated the Chairman does not have any more authority than the other two (2) Commissioners and that it always takes two (2) Commissioners to get approval to do anything at this level.

**NEW BUSINESS
RESOLUTIONS**

RESOLUTION R-2023-96

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 City Mission – Living Stones, Inc. shall be in effect for the period of July 01, 2022, through June 30, 2023.
2. That the contract for City Mission – Living Stones, Inc. was approved on 8/16/2022, request to be amended to include the HOPE House Youth Shelter
3. Authorization is hereby given to execute an Agreement with the following service provider:

**City Mission – Living Stones, Inc.
155 North Gallatin Avenue
Uniontown, PA. 15401**

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-97

WHEREAS, in the Township of Neshannock, District 3, the polling place was located at First Baptist Church, 984 W. Maitland Lane, New Castle, PA 16105; and

WHEREAS, First Baptist Church will no longer be available as a polling site due to security issues; and

WHEREAS, The County Board of Elections has received permission to vote at First Alliance Church, located at 111 Mission Meade Drive, New Castle, PA 16105; and

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

1. A Lease Agreement is entered into for the polling place for the Township of Neshannock, District 3, for First Alliance Church, 111 Mission Meade Drive, New Castle, PA 16105, for the May 16, 2023 Primary Election and ongoing; and
 2. The Lease Agreement shall be from March 23, 2023 through March 23, 2024; and
 3. The County shall pay \$80.00 for said Lease
- Moved by Ms. Spielvogel, seconded by Ms. Spielvogel to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-98

WHEREAS, the Pennsylvania Municipalities Planning Code, Section 203 (e) allows for the governing body to appoint by resolution at least one but more than three residents of the County as alternate members of the Lawrence County Planning Commission, and

WHEREAS, the term of office of an alternate member shall be four years, and

WHEREAS, the alternate shall be entitled to participate in all proceedings and discussions of the commission to the same and full extent as provided for by law for commission members, including, specifically, the right to cast a vote as a voting member during the proceedings, and

WHEREAS, it is recommended by the Lawrence County Department of Planning and Community Development that the Lawrence County Board of Commissioners appoint Hygeia Moss-Eggleston as an alternate to the Lawrence County Planning Commission; and

NOW, THEREFORE IT BE RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS that the following shall be appointed to the Lawrence County Planning Commission for the term listed:

1. Hygeia Moss-Eggleston, 210 Smithfield Street, New Castle, PA 16101 (City of New Castle) be appointed as an alternate to the Lawrence County Planning Commission with a term to expire on December 31, 2027

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-99

WHEREAS, the Lawrence County Department of Planning and Community Development would like to renew the annual maintenance for County owned parks and boat launches, and

WHEREAS, the Lawrence County Department of Planning and Community Development reviewed the proposal from Piatt's Landscaping LLC and requests to renew our contract with Piatt's Landscaping LLC, 3374 West Pittsburg Road, New Castle, PA 16101, and

WHEREAS, the contract amount includes the following:

- a. Monthly mowing for 2023 beginning in April and ending in October.
 - i. Tentative schedule is:
 1. April 1 time – get area prepared for season
 2. May 2 times a month (or as needed)
 3. June 2 times a month (or as needed)
 4. July 2 times a month
 5. August 1 time
 6. September 1 time
 7. October 1 time
- b. The above schedule is subject to change.

WHEREAS, the contract amount will not exceed \$64,190.00 as described in Piatt's Landscaping LLC attached proposal.

NOW, THEREFORE BE IT RESOLVED that the Commissioners approve the contract for the Annual Maintenance of all county owned parks and boat launches with Piatt's Landscaping, LLC, 3374 West Pittsburg Road, New Castle, PA 16101 for an amount not to exceed \$64,190.00.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-100

WHEREAS, the County of Lawrence wishes to revise the modified contract allocation for projects eligible under the Community Development Block Grant (CDBG) for FFY 2020; and

WHEREAS, the County, On Behalf of Ellwood City, had allocated \$107,781.00 for Street Improvements in the Borough; and

WHEREAS, the Street Improvement project in the Borough of Ellwood City came in under budget; and

WHEREAS, the County, On Behalf of Ellwood City, would like to reallocate said funds to Ellwood City Borough Housing Rehabilitation project; and

WHEREAS, the County conducted a Public Hearing, which was advertised, on Wednesday, March 15, 2023, at 8:00 a.m. at the Lawrence County Government Center as required by the CDBG regulations, to obtain citizens views and comments concerning the proposed modification of these funds.

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

1. The County shall prepare and submit a FFY 2020 Modification Request #1, to the Department of Community and Economic Development; and
2. The original allocation for the Street Improvement project will decrease by \$6,296.05; and
3. The modification request will create the project activity and financial request of \$6,296.05 for the Ellwood City Housing Rehabilitation Project.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0

RESOLUTION R-2023-101

WHEREAS, the County of Lawrence wishes to revise the modified contract allocation for projects eligible under the Community Development Block Grant CARES (CDBG-CV1) for FFY 2020; and

WHEREAS, the County, On Behalf of Ellwood City, had allocated \$57,011.32 for the Temporary Emergency Assistance to Meals Program; and

WHEREAS, the County, On Behalf of Ellwood City, would like to reallocate \$16,000.00 to Ellwood City Borough Housing Rehabilitation project; and

WHEREAS, the County conducted a Public Hearing, which was advertised, on Wednesday, March 15, 2023, at 8:00 a.m. at the Lawrence County Government Center as required by the CDBG regulations, to obtain citizens views and comments concerning the proposed modification of these funds.

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

1. The County shall prepare and submit a FFY 2020 Modification Request #2, to the Department of Community and Economic Development; and
2. The original allocation for the TEAMS program will decrease by \$16,000.00 for a total project cost of \$41,011.32; and
3. The modification request will create the project activity and financial request of \$16,000.00 for the Ellwood City Housing Rehabilitation Project.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-102

WHEREAS, the County of Lawrence is using a Grant from the Pennsylvania Department of Community and Economic Development's Keystone Communities Program;

WHEREAS, the funds are to be used for the Ellwood City Façade Program;

WHEREAS, eligible applicants can apply and receive up to \$5,000 dollars towards Façade improvement;

WHEREAS, the County has received and application from Posies by Patti and the Ellwood City Façade Steering Committee has reviewed and approved the application for funding.

NOW, THEREFORE IT BE RESOLVED by the Lawrence County Board Commissioners that the Commissioners hereby enters into and agreement with the attached businesses for an Ellwood City Façade Grant.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-103

WHEREAS, the County of Lawrence on the 28th day of January 2020, entered into a Contract (USC000007628) by Resolution R2020-22 with Armstrong County, Butler County, Cambria County, Fayette County, Indiana County, Mercer County, Somerset County and Westmoreland County pertaining to the maintenance of a Regional Public Safety Radio System Controller Switch for the Inter-County Regional Radio System (ICORRS) and the agreement with Motorola Solutions, Inc.

WHEREAS, the ICORRS and the Contractor are desirous of amending Contract# USC000007628 that Motorola Solutions will provide the following changes: to adopt negotiated changes on Terms and Conditions; to add Third party Nokia Service; and to add RSUS Reboot Service, as referenced in the attached Motorola Solutions Change Order as Exhibit "A".

WHEREAS, ICORRS and the Contractor agree to the changes to the Contract Price Adjustments (original Contract \$4,072,853.93; change Order \$267,001.96) for the New Contract Value to Four Million, Three Hundred Thirty-Nine Thousand, Eight Hundred Fifty-five dollars and eighty-nine (\$4,339,855.89) to be split evenly amongst the ICORRS counties, listed above, with a completion date of 12/31/2033.

NOW THEREFORE, BE IT RESOLVED AND ENACTED 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 attached Motorola Master Site Service Agreement. The Chairman of the Board of Commissioners is authorized to sign all documentation.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-104

WHEREAS, the Borough of Ellwood City is asking Lawrence County to exonerate taxes and fees owed on property 1127 Center Avenue, Ellwood City, PA 16117, with Parcel ID #11-003000 for the years 2019, 2020 and 2021; and

WHEREAS, the Borough of Ellwood City acquired this property in October 2021;

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2023 Lawrence County Budget as follows:

INCREASING Prior Year Balance Capital Expenditure Revenue Account: 80390000.342000 by \$108,800.00

INCREASING IT-Other Improvements Capital Expenditure Expense Account: 80416000.703000 by \$108,800.00 and;

Reason: Remainder of Horizon Contract

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-107

WHEREAS, Section 1784 of the County Code, *Supplemental Appropriations Transfer of Funds; 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, it the intent of the Board of Commissioners to adjust the existing FY2023 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2023 Lawrence County Budget as follows:

INCREASING TTP Grant General Revenue Account: 01334096.334142 by \$164,238.00; and

INCREASING Salaries of Staff-TTP General Expense Account: 01419496.110200 by \$144,957.00; and

INCREASING FICA Expense-TTP General Expense Account: 01419496.152000 by \$11,090.00; and

INCREASING Workers Comp-TTP General Expense Account: 01419496.156000 by \$8,191.00

Reason: TTP Grant

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-108

WHEREAS, Section 1784 of the County Code, *Supplemental Appropriations Transfer of Funds; 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, it the intent of the Board of Commissioners to adjust the existing FY2023 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2023 Lawrence County Budget as follows:

INCREASING Comm Develop Block Grant CDBG Revenue Account: 56331000.331000.14228 by \$1,367.61; and

INCREASING County Rehab 2019 Expense Account: 56418000.999900.52632 by \$1,367.61

Reason: Budget Error

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-109

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; and

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 \$9,012.37 described in detail on the attachment(s) designated as T-2023-13.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-110

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; and

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 \$3,900.00 described in detail on the attachment(s) designated as T-2023-14

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

RESOLUTION R-2023-111

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; and

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 \$42,005.00 described in detail on the attachment(s) designated as T-2023-15.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve said Resolution. Motion carried 2-0.

TRANSFERS (ADMINISTRATIVE)

- a. CYS from Purchase Services to Foster Parent Training for \$1,000.00
- b. DJ Russo from Contingency to Materials & Supplies for \$1,743.00
- c. Courts from Contingency to Materials/Supplies for \$10,157.32.
- d. Sheriff from Salary of Staff to Part Time/Temp Staff for \$15,000.00

Moved by Ms. Spielvogel, seconded by Mr. Vogler to approve administrative transfers. Motion carried 2-0.

RESOLUTIONS ON THE TABLE

1. Resolution for discussion and possible approval to designate Lawrence County Economic Development as the Industrial Development Organization of Lawrence County.

Mr. Vogler, Ms. Spielvogel, Ms. Bucci and Mr. Kennedy discussed. The Supervisors stated they would like to have a seat on the Economic Development Board. There is no municipality representation.

The resolution will stay on the table for further discussion.

ORDINANCES

FOR DISCUSSION

Rescinding Ordinance No. 4 of 2020-An Ordinance for the implementation of a fee for local use as provided by 75 Pa.C.S. §1935, allowing a County, in its discretion, to impose a county fee of \$5.00 for each nonexempt vehicle registered to an address located within its borders.

Mr. Vogler, Ms. Spielvogel, Ms. Bucci and Mr. Kennedy discussed the Ordinance. The Supervisors stated they would like the Ordinance to stay in effect. The Liquid Fuel dollars the municipalities receive have been reduced over the years and they don't want to raise taxes, so keeping the Ordinance in place greatly benefits the municipalities.

Moved by Ms. Spielvogel, seconded by Mr. Vogler to advertise for the introduction of Ordinance No. 1 of 2023, rescinding of Ordinance No. 4 of 2020 for later this week. Motion carried 2-0.

ANNOUNCEMENTS

- A. The next Commissioners' Meeting will be held on Tuesday, April 4, 2023 at 10:00 a.m. in the Commissioners' Meeting Room.
- B. There will be an Opioid Advisory Board meeting on Tuesday, April 4, 2023 at 12:00 Noon in the Commissioners' Meeting Room.
- C. The Courthouse will be closed on Friday, April 7, 2023 in observance of Good Friday.

PUBLIC COMMENTS

None

ADJOURNMENT

Mr. Vogler adjourned the meeting of the Lawrence County Commissioners meeting dated Tuesday, March 28, 2023, at 11:40 AM.