

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, October 1, 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, October 1, 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, Mary Glass, David Cumo, Bill Bordonaro, Michael Occhibone, Lindsay Bess, Carrie Hahn, Judy Martwinski, Lynne Ryan, Dan Callaghan, Anthony Repore, Dorothy Burchett, Bob Burchett, Michele Conti, Joan Conti and Debbie Wachter 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.

Mr. Vogler noted that Commissioner Sainato is out of town.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC COMMENTS

Carrie Hahn asked if the District Attorney's website is maintained by the County? The County does not maintain their website, as Sparq Designs does.

Lynne Ryan made a statement on behalf of the Republican Party, that a left wing liberal law firm (Babst Calland) is on the agenda as a proposed Resolution to retain for the election cases. The Republican Party feels this is very disheartening and could hire a Republican lawyer/law firm.

FISCAL/CONTRACTUAL

A. Repository Property:

RESOLUTION

R-2024-293

WHEREAS, all bids made to purchase property from the Lawrence County Tax Claim Bureau Repository must be approved by the taxing municipality; and

WHEREAS, Bible Way Church of God in Christ placed a bid of \$500.00 on property located at Cumberland Ave, Parcel ID No. 03-013300; and

WHEREAS, the County of Lawrence wishes to accept the above bid for property located at Cumberland Ave, with a Parcel ID No. 03-013300; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY COMMISSIONERS, that the Board is authorized to execute the Bid Acceptance Form accepting the bid made by Bible Way Church in Christ, in the amount of \$500.00 for Repository Property located at Cumberland Ave, and having a Parcel ID No. 03-013300, City of New Castle.

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

RESOLUTION

R-2024-294

WHEREAS, all bids made to purchase property from the Lawrence County Tax Claim Bureau Repository must be approved by the taxing municipality; and

WHEREAS, Marcia Hudson placed a bid of \$500.00 on property located at Hamilton Street, Parcel ID No. 05-113700; and

WHEREAS, the County of Lawrence wishes to accept the above bid for property located at Hamilton Street, with a Parcel ID No. 05-113700; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY COMMISSIONERS, that the Board is authorized to execute the Bid Acceptance Form accepting the bid made by Marcia Hudson, in the amount of \$500.00 for Repository Property located at Hamilton Street, and having a Parcel ID No. 05-113700, City of New Castle.

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

RESOLUTION

R-2024-295

WHEREAS, all bids made to purchase property from the Lawrence County Tax Claim Bureau Repository must be approved by the taxing municipality; and

WHEREAS, Richard McVay placed a bid of \$500.00 on property located at E. Main Street, Parcel ID No. 03-071400; and

WHEREAS, the County of Lawrence wishes to accept the above bid for property located at E. Main Street, with a Parcel ID No. 03-071400; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY COMMISSIONERS, that the Board is authorized to execute the Bid Acceptance Form accepting the bid made by Richard McVay, in the amount of \$500.00 for

Repository Property located at E. Main Street, and having a Parcel ID No. 03-071400, City of New Castle.

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

RESOLUTION

R-2024-296

WHEREAS, all bids made to purchase property from the Lawrence County Tax Claim Bureau Repository must be approved by the taxing municipality; and

WHEREAS, Jerrel Wolfe placed a bid of \$500.00 on property located at Pennsylvania Ave, Parcel ID No. 05-058100; and

WHEREAS, the County of Lawrence wishes to accept the above bid for property located at Pennsylvania Ave, with a Parcel ID No. 05-058100; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY

COMMISSIONERS, that the Board is authorized to execute the Bid Acceptance Form accepting the bid made by Jerrel Wolfe, in the amount of \$500.00 for Repository Property located at Pennsylvania Ave, and having a Parcel ID No. 05-058100, City of New Castle.

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

RESOLUTION

R-2024-297

WHEREAS, all bids made to purchase property from the Lawrence County Tax Claim Bureau Repository must be approved by the taxing municipality; and

WHEREAS, Bible Way Church of God in Christ placed a bid of \$500.00 on property located at Cumberland Ave, Parcel ID No. 03-013200; and

WHEREAS, the County of Lawrence wishes to accept the above bid for property located at Cumberland Ave, with a Parcel ID No. 03-013200; and

NOW THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY

COMMISSIONERS, that the Board is authorized to execute the Bid Acceptance Form accepting the bid made by Bible Way Church in Christ, in the amount of \$500.00 for Repository Property located at Cumberland Ave, and having a Parcel ID No. 03-013200, City of New Castle.

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

Mr. Vogler stated the County Conservation meeting is tomorrow at 12:00 Noon in Wilmington Township at Ryder's Restaurant. The West Central Job Partnership meeting will be held October 8th at 1:30pm.

Mr. Kennedy stated he attended the open house for New Horizons at the old YDC Center, the YMCA Salute to Courage Dinner, where Dr. Elizabeth Piccione was honored. He also attended the American Legion dinner, the Ellwood City car show, the Hoyt event and the Old Timer's Day at Cascade Park.

NEW BUSINESS RESOLUTIONS

RESOLUTION R-2024-299

WHEREAS, the County of Lawrence, Department of Planning and Community Development administers the Community Development Block Grant on behalf of Ellwood City Borough; and

WHEREAS, Ellwood City Borough has designated their FY2022 CDBG funds to an ADA-Curb Ramp Improvement Project to benefit low- and moderate-income persons; and

WHEREAS, the County of Lawrence, Department of Planning and Community Development is requesting bids from contractors to complete the above mentioned project; and

WHEREAS, the County will advertise for bids on October 7th and October 14th with bids being due on November 18, 2024.

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Board of Commissioners that the Board of Commissioners will be advertising for bids for "Ellwood City ADA-Curb Ramp Improvement Project", with bids being due on November 18, 2024.

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

RESOLUTION R-2024-300

BE IT RESOLVED, by the Lawrence County Commissioners of Lawrence County in the Commonwealth of Pennsylvania that the Right of Way Grant with Verizon Pennsylvania LLC providing for the construction of Building Entrance facilities and placement of Aerial facilities on county property located at 430 Court Street, New Castle, PA be the same is hereby authorized to execute the same on behalf of the County of Lawrence; and

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the County Commissioners in Lawrence County, in the Commonwealth of Pennsylvania at meeting held on the day October 1, 2024.

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

RESOLUTION

R-2024-301

WHEREAS, the Lawrence County Commissioners desire to contract certain services; and

WHEREAS, the County has the authority and duty to provide services; and

WHEREAS, the Patient Protection and Affordable Care Act (ACA) requires employers that sponsor self-insured health plans and large employers with 50 or more full-time employees to report certain information to the IRS about the coverage that was offered to their employees; and

WHEREAS, the Reschini Group will offer services to their clients to order to assist them in complying with these requirements. The cost for these services related to the 2024 reporting year will be \$6.50 per 1095 Form (Individual statement) that has to be filed with a \$500.00 annual minimum charge; and

WHEREAS, the County wishes to enter into an agreement with the Reschini Group; and

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

1. An Engagement Agreement with the Reschini Group, Laurel Place, 922 Philadelphia Street, Indiana, PA 15701-3940 be entered into with the County of Lawrence

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

RESOLUTION

R-2024-302

WHEREAS, the Collective Bargaining Agreement (CBA) between the AFSCME AFL- CIO LOCAL #2902 and the Lawrence County Board of Commissioners terminates on December 31, 2024; and

WHEREAS, through the negotiation process, an agreement between AFSCME and the Board of Commissioners has been reached; and

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

1. authorization is given to execute a CBA with the AFSCME AFL-CIO LOCAL #2902; and
2. the CBA shall be for three (3) years, commencing January 1, 2025 and terminating on December 31, 2028.

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

RESOLUTION R-2024-303

WHEREAS, Lawrence County solicited quotes for the McCartney Hollow Bridge Guide Rails; and

WHEREAS, Frank B. Taylor Engineering reviewed the quote and reported that Penn Line was the lowest responsible submitted quote with a bid of \$5,275.00 and;

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

1. Penn Line is awarded the quote for the completion of the McCartney Hollow Bridge Guide Rails;
2. A total of \$5,275.00 in **Marcellus Legacy Funds** will be allocated to complete this project;
3. The Chairman is authorized to execute all documents related to this contract.

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

RESOLUTION R-2024-304

WHEREAS, The Election Boards of all 67 counties of the Commonwealth of Pennsylvania, including Lawrence County, have been named as defendants in Republican National Committee et. al. v Al Schmidt et al. (Supreme Court Middle District Docket No. 108 MM 2024) in the Commonwealth Court of Pennsylvania, and

WHEREAS, generally speaking, the defenses of all of the county election boards are similar in nature, and time is of the essence; and

WHEREAS, it appears that the litigation will take place in Harrisburg, and

WHEREAS, the voices of the counties are more likely to be heard if they present their case in unison as opposed to sixty seven individual parties; and

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Commissioners that the Lawrence County Commissioners execute the attached Engagement Letter to retain Babst Calland as counsel for the Lawrence County Board of Elections in the above-described lawsuit. The Board of Commissioners further authorizes the Chairman to execute the letter on behalf of the Board.

Carrie Hahn objected the Resolution.

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

RESOLUTION R-2024-305

WHEREAS, The Election Boards of all 67 counties of the Commonwealth of Pennsylvania, including Lawrence County, have been names as defendants in New PA Project Education Fund, et. al. v. Al Schmidt et. al. (Supreme Court Middle District Docket No. 112 MM 2024) in the Commonwealth Court of Pennsylvania, and

WHEREAS, generally speaking, the defenses of all of the county election boards are similar in nature, and time is of the essence; and

WHEREAS, it appears that the litigation will take place in Harrisburg, and

WHEREAS, the voices of the counties are more likely to be heard if they present their case in unison as opposed to sixty seven individual parties; and

NOW, THEREFORE BE IT RESOLVED by the Lawrence County Commissioners that the Lawrence County Commissioners execute the attached Engagement Letter to retain Babst Calland as counsel for the Lawrence County Board of Elections in the above-described lawsuit. The Board of Commissioners further authorizes the Chairman to execute the letter on behalf of the Board.

Carrie Hahn renewed her objection.

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

RESOLUTION R-2024-306

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 is the intent of the Board of Commissioners to adjust the existing FY2024 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2024 Lawrence County Budget as follows:

INCREASING EM PLANNING & TRAINING GRANT Revenue Fund Account: 27361056.361100 by \$12.00; and

INCREASING REGION 13 Revenue Fund Account: 27361020.361100 by \$75.00; and

INCREASING Transfer to EM PLANNING & TRAINING Expense Fund Account: 24721500.999900 by \$12.00.

INCREASING Transfer to REGION 13 Expense Fund Account: 24721500.999900 by \$75.00.

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

RESOLUTION

R-2024-307

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 is the intent of the Board of Commissioners to adjust the existing FY2024 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2024 Lawrence County Budget as follows:

INCREASING INDIGENT DEFENSE GRANT Revenue Fund Account: 01334006.334165 by \$46,708.00; and

INCREASING Transfer to PERSONNEL Expense Fund Account: 01419106.110600 by \$44,991.00; and

INCREASING Transfer to SUPPLIES & OPERATING EXPENSES Expense Fund Account: 01419106.201000 by \$1,717.00.

Reason: Indigent Defense Grant

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

RESOLUTION R-2024-308

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 is the intent of the Board of Commissioners to adjust the existing FY2024 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2024 Lawrence County Budget as follows:

INCREASING APPRAISMENT Revenue Fund Account: 01341005.341404 by \$3,435.00; and

INCREASING Transfer to PROFESSIONAL APPRAISMENT Expense Fund Account: 01411400.502500 by \$3,435.00.

Reason: Appraisement revenues not budgeted.

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

I RESOLUTION R-2024-309

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 is the intent of the Board of Commissioners to adjust the existing FY2024 Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS to amend the 2024 Lawrence County Budget as follows:

INCREASING PHARE GRANT Revenue Fund Account: 54334000.334139 by \$50,000.00; and

INCREASING Transfer to REDEVELOPMENT AUTHORITY Expense Fund Account: 544180000.802900 by \$50,000.00

Reason: Phare grant came in higher than budget amount.

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

TRANSFERS (Administrative)

- a. Commissioners from Contingency to Travel & Training for \$100.00.
- b. Commissioners from Contingency to Materials & Supplies for \$100.00.
- c. Veterans from Veteran Burial to Equipment Lease & Rental for \$255.00.
- d. Veterans from Veteran Burial to Postage for \$250.00.
- e. Human Resources from Travel & Training to Maintenance & Repairs for \$400.00.

Moved by Mr. Kennedy, seconded by Mr. Vogler to approve said transfers. Motion carried 2-0.

RESOLUTIONS ON THE TABLE

None

RESOLUTIONS TO BE TAKEN OFF THE TABLE

None

ORDINANCES

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

ANNOUNCEMENTS

- A. The next Commissioners' Public meeting will be held on October 8, 2024 @ 10:00AM in the Commissioners' Meeting Room.

- B. The Lawrence County Opioid Advisory Board Meeting scheduled for today has been **CANCELLED**.
- C. The Planning Commission Meeting scheduled for October 9, 2024 is **CANCELLEDUIB**.
- D. The Courthouse will be **CLOSED** on Monday, October 14th in observance of Columbus Day.

PUBLIC COMMENTS

Carrie Hahn stated she may object at any time during the meeting.

Lynne Ryan asked how and why the Commissioners are continuing to retain Babst Calland law firm when we are a deep red County.

Daniel Callahan asked what were the outcomes of prior cases retained by Babst Calland in regards to Republican cases? He further asked what evidence do the Commissioners need to change their minds about hiring a Republican lawyer/law firm?

Michele Conti asked were the Commissioners aware of these cases? Mr. Vogler replied yes, the Commissioners receive information on a daily basis on legal cases and are at the mercy of the Department of State and must follow the law.

Tony Repore asked who has the authority to hire law firms and why aren't the Commissioners interested in what the Republican citizens have to say?

Mr. Vogler stated there are 85,000 citizens in Lawrence County and the Commissioners must listen to both parties. The Commissioners must follow the advice of our County Solicitor and are very confident in him.

ADJOURNMENT

Moved by Mr. Kennedy, seconded by Mr. Vogler to adjourn the Lawrence County Commissioners' meeting dated Tuesday, October 1, 2024, at 11:50 am.