

LAWRENCE COUNTY COMMISSIONERS' MEETING
PUBLIC MEETING
MINUTES OF Tuesday, April 2, 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, April 2, 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, JR Hardester, Scott Baldwin, Dorothy Burchett, Bob Burchett, Amy Love, Amy Stapleton, 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 stated Tim West, a Senior from Shenango High School is job shadowing Mr. Sainato today. Mr. Sainato stated he will be visiting other row officers today as well. Mr. West stated he plans to attend Geneva College after graduation. His grandfather, Tim Buck, is the Chair of the Democratic Party.

ROW OFFICERS' REPORTS AND COMMENTS

None

GENERAL PUBLIC COMMENTS

Mrs. Burchett asked how the students that job shadow get chosen? Mr. Sainato stated that it is open to any student. A teacher had contacted him with the last (2) job shadows. She further stated she was happy that the flags and mementos from the 175th Anniversary Celebration were all locally made by local artists.

FISCAL/CONTRACTUAL

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|----------------------------------|------|
| A. Repository Properties: | None |
| B. Advertise for bids/proposals: | None |
| C. Receipt for bids/proposals: | None |
| D. Warrant Registers: | |
| 1. March 28, 2024 | |
| 2. March 27, 2024 | |
| 3. March 25, 2024 | |

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:

1. Tuesday, March 26, 2024

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

B. Presentation of Written Communications:

1. Columbia of Gas of PA-proposing to install approximately 2,600 linear feet of 4" plastic gas pipeline (New Castle)
2. Zambelli Fireworks Manufacturing Company-hazardous waste treatment, storage and disposal permit closure (Mahoning Twp.)
3. Thomas Kirkwood-2606 Harlansburg Rd.-submit a PAG-04 NOI Permit Application to amend the current individual NPDES Permit to DEP (Scott Twp.)

Moved by Mr. Sainato, seconded by Mr. Kennedy to accept and file the written communication. Motion carried 3-0.

REPORTS

A. Staff Reports:

None

B. Commissioner Reports

Mr. Sainato stated that it has been a great week. Last Thursday, the groundbreaking took place for the Stonecrest Industrial Park. There were over 100 people that attended. He said this is very exciting and positive for the County. Transportation in the County is very accessible.

Mr. Vogler stated there are a lot of "hidden gems" of employers on the Rt. 18 corridor. He thanked Mr. Sainato for representing the Commissioners Saturday at the New Castle High School Ribbon Cutting Ceremony for the new softball field. Mr. Sainato also attended the Crime Watch Meeting of the East Side last night.

Mr. Kennedy thanked the New Beaver Borough Council Members for getting all the necessary permits for the Stonecrest Industrial Park. He also stated that Ben Bush, CEO of Forward Lawrence and his team did an amazing job at the event. This is very exciting. This Friday, Forward Lawrence is having their Impact Awards at 8AM at the New Englander. He is also meeting with the Secretary of Transportation tomorrow in Pittsburgh. Mr. Kennedy will discuss the concerns for our state roads that have been neglected over the years.

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NEW BUSINESS
RESOLUTIONS
RESOLUTION R-2024-66

WHEREAS, the County of Lawrence has entered into a professional agreement with the Association of Public Safety Communications Officials International, Inc. (hereinafter the “CONTRACTOR” or “APCO”) with its principal address of 351 N. Williamson Blvd., Daytona Beach, Florida 32114..

WHEREAS, the County and APCO have entered into a FCC License Management Agreement, attached hereto as Exhibit “A”.

WHEREAS, APCO agrees to provide a one (1) year License Management Agreement in the amount of Two Thousand Two Hundred and Sixty (\$2,260.00) Dollars to be paid annually, commencing April 1, 2024, thru April 1, 2025, see Quote attached hereto as Exhibit “B”. This agreement will not be construed to create a partnership, joint venture or employment relationship between APCO and LAWRENCE. APCO will not represent itself to be an employee or agent of LAWRENCE and cannot enter into any agreement on LAWRENCE’s behalf or in LAWRENCE’s name without express written authorization from a duly authorized representative of LAWRENCE to do so.

NOW, THEREFORE, BE IT RESOLVED 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 APCO service agreement. APCO will provide a one (1) year License Management Agreement in the amount of Two Thousand Two Hundred and Sixty (\$2,260.00) Dollars to be paid annually, commencing April 1, 2024, thru April 1, 2025. The Chairman of the Board of Commissioners is authorized to sign all documentation.

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

RESOLUTION

R-2024-67

WHEREAS; the County of Lawrence and the Lawrence County Board of Assessment Appeals is in litigation with Flemming Steel

WHEREAS: Lawrence County, Neshannock Township and Neshannock School District will partner in hiring an expert to appraise the property,

WHEREAS: The Lawrence County Assessment Office requested quotes for a professional service to appraise the properties from multiple appraisal firms;

WHEREAS: The Lawrence County Assessment Office received and reviewed the only submitted quote from the Appraisal firms

WHEREAS: Cost to Appraise Flemming Steele \$2,250 with additional cost outline in the proposal for Testimony and Conferences;

WHEREAS: The contract is contingent upon the other taxing districts agreeing to split cost of this professional service contract;

WHEREAS: The County solicitor has reviewed the agreements and the cost;

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that a Professional Services Contract given to execute and agreement with the company listed below:

1. **Sammartino, Stout & Lo Presti**
3111 State St
Erie Pa 16508

2. Authorizing a Chairman Dan Vogler to sign all documentation.

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

RESOLUTION

R-2024-68

WHEREAS; the County of Lawrence and the Lawrence County Board of Assessment Appeals is in Steven Warner & Steve Hoyer (NC Battery)

WHEREAS: Lawrence County, Neshannock Township and Neshannock School District will partner in hiring an expert to appraise the property,

WHEREAS: The Lawrence County Assessment Office requested quotes for a professional service to appraise the properties from multiple appraisal firms;

WHEREAS: The Lawrence County Assessment Office received and reviewed the only submitted quote from the Appraisal firms

WHEREAS: Cost to Appraise NC Battery \$3,250 with additional cost outline in the proposal for Testimony and Conferences;

WHEREAS: The contract is contingent upon the other taxing districts agreeing to split cost of this professional service contract;

WHEREAS: The County solicitor has reviewed the agreements and the cost;

NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS, that a Professional Services Contract given to execute and agreement with the company listed below:

3. **Sammartino, Stout & Lo Presti**
3111 State St

Erie Pa 16508

4. Authorizing a Chairman Dan Vogler to sign all documentation.

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

RESOLUTION

R-2024-69

WHEREAS, the Mental Health and Intellectual Disability Act of 1966 allows for the purchase of appropriate services; and

WHEREAS, Lawrence County, through its Mental Health and Developmental Services contracts for certain services; and,

WHEREAS, the Mental Health and Developmental Services is responsible for the diagnosis, care, treatment, and rehabilitation of County residents who are mentally disabled; and

WHEREAS, from time to time it is necessary to make amendments to the original Agreement;

WHEREAS, the Lawrence County Mental Health and Developmental Services currently has a Base contract with **Human Services Center** for the period from **July 1, 2023 through June 30, 2024.**

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

1. It is specifically understood and agreed that the stated maximum of **\$4,095,294.00.** for various services shall be adjusted to **\$4,420,294.00.** Revised budget page(s) is/are attached to support these changes. There is no language change to this contract.
2. All provisions of the agreement dated **July 1, 2023** between the parties shall remain as heretofore established.

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

RESOLUTION

R-2024-70

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 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 MISC Refunds General Fund Revenue Account: 01390000.341300 by \$500.00; and

INCREASING Veterans-Other Services General Fund Expense Account: 01449400.805000 by \$500.00

Reason: Donation From PA Water

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

RESOLUTION

R-2024-71

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 \$45,940.00 described in detail on the attachment(s) designated as T-2024-01.

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

RESOLUTION

R-2024-72

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 \$9,650.00 described in detail on the attachment(s) designated as T-2024-02.

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

TRANSFERS (Administrative)

- a. Public Defender from Contingency to Subscription for \$100.00
- b. Domestic Relations from Contingency to Minor Equipment for \$80.00

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

RESOLUTIONS ON THE TABLE

1. Resolution for discussion and possible approval to amend the contract for Human Services Center.

RESOLUTIONS TO BE TAKEN OFF THE TABLE

1. Resolution for discussion and possible approval to amend the contract for Human Services Center.

Moved by Mr. Sainato, seconded by Mr. Kennedy to remove said Resolution from the table. Motion carried 3-0.

ORDINANCES

- | | |
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| 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 April 9, 2024 at 10:00AM. in the Commissioners' Meeting Room.
- B. There will be a Lawrence County Opioid Advisory Board meeting today at 12:00PM in the Commissioners' Meeting Room.
- C. There will be a West Central Job Partnership Board meeting on Tuesday, April 9, 2024 at 1:30PM at the Mercer County Courthouse.

PUBLIC COMMENTS

Debbie Wachter asked who the (2) maintenance men names at the jail that have been working on the hot water tank? She further asked who gets drug tested at CYS. Mr. Venasco replied the parents of the child(ren) they are seeking to regain custody of in the process will receive drug testing.

Mr. Kennedy wanted to thank all the fire departments that came out last week to help stop the fire at his close friend, Mike Sperdute of North Beaver Contracting business. Mr. Sperdute thanked everyone for the kind support throughout the County.

The Commissioners wished Tim West well in his future endeavors.

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ADJOURNMENT

Moved by Mr. Sainato, seconded by Mr. Kennedy to adjourn the Lawrence County Commissioners' meeting dated Tuesday, April 2, 2024, at 10:55 AM.