

August 18, 2022

The Westmoreland County Board of Commissioners met in regular session on Thursday, August 18, 2022 at the Westmoreland County Courthouse, Public Meeting Rooms, 2 North Main Street, Greensburg, PA. The following were present: Chairman Sean Kertes, Vice-Chairman Douglas W. Chew, Secretary Gina Cerilli Thrasher, Esq. and County Solicitor Melissa A. Guiddy. The following business was conducted:

Mr. Kertes called the meeting to order at 10:01am

The Rev. Kevin Haley, pastor, First United Methodist Church led the invocation and Commissioner Kertes led the Pledge of Allegiance

Industrial Development Corporation Agenda

General Agenda

Motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following:

- Minutes of the Regular Meeting held July 14, 2022, as presented
- Minutes of the Special Meeting held July 25, 2022, as presented
- Correction to the Regular Meeting minutes of May 12, 2022; correcting the Grant Award to the Westmoreland Symphony Orchestra for "Summer Sparklers" Concert to \$1,500.00.

Notice of Executive Session

August 11, 2022 to discuss litigation

Opportunity for Public Comment

There was no public comment presented to the Commissioners during the meeting.

The following was received by the Chief Clerk prior to the meeting:

Diana Steck, North Huntingdon Township - Dear Commissioners Chew, Kertes and Cerilli-Thrasher, thank you for your recent allocation of a portion of American Rescue Plan (ARPA) funds to be used for addressing Blight and assistance to the Food bank. With regard to the money allocated to addressing Blight, the housing crisis in the county requires your close and watchful eye on this allocation. Demolition of blighted buildings improves neighborhoods, but, we need to take important next steps beyond that to address our housing needs. The Redevelopment Authority needs your guidance and direction to ensure that the \$10 million allocated to address blight also creates more affordable housing, rent to own options, emergency housing options to be used to house those displaced due to fires or natural disasters and those facing homelessness. We need more shelter beds and more housing options to accommodate persons with disabilities. Attention should be given to developing some mixed-use housing opportunities to help to lift residents out of poverty. Consideration should also be given to allocate tracts of land for community garden use in neighborhoods. Public housing residents have expressed their needs for help to alleviate rodents, bedbugs, mold, broken elevators, malfunctioning heat and ac and more. The Federal guidelines for ARPA use in Public housing were broadened in July 2022. ARPA funds can and should be used to ensure that everyone in public housing has safe, clean, secure housing. All county residents deserve to live dignified lives. I am again pleading with you to act to address the mental health/substance needs in the county. Community surveys from multiple human service providers and community organizations ranked the need for enhanced mental health/substance abuse care and services as the number one need in our county. It is very disheartening to continue to address this Board of Commissioners month after month as you continue to ignore these critical needs. The American Rescue Plan funds were designed to assist people to recover from the effects of the COVID pandemic. The mental health impact of the pandemic has been widespread and many lack access to adequate, affordable care. The remaining portion of the ARPA funds could, and should be utilized to provide enhanced community access to mental health/substance abuse care as well as improved transportation to alleviate one of the major barriers to being able to access services. A "Resolve" type care delivery model has had success in Allegheny County and could offer a more community based mental health care delivery option in Westmoreland. Our residents need better mental health/substance abuse care now. Please prioritize mental health/substance abuse care when planning for the allocation of the remainder of the American Rescue Plan Funds.

Motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following Proclamations and Certificates of Service:

Proclamations

Reality Tour Drug Prevention Program Celebrates 15th Anniversary
Irene Brooks Celebrates 100th Birthday
Nicholas Joseph Cuda Recognized for Eagle Scout Achievement
Ed DiOrio, local barber, retires after 64 years

Years of Service

35 Years

Richard Minarchin

30 Years

Leisha Rehard
Valerie Horvath

25 Years

Camberley Davidson
Carl Panko

20 Years

Lisa Vella

15 Years

Lori Campbell
Marissa Sprung
Suzanne Chappell
Sharron Prettiman
Milene Maurin
Jennifer Swank

10 Years

Leeann Pruss
Carolyn Brigode

Solicitors Report

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Eric Leydig, Director and the Department of Financial Administration, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for **Adult Probation:**

- (A) Acceptance of Grant Award from the Pennsylvania Commission on Crime & Delinquency, for “**Intermediate Punishment Programs 2022-2023,**” in the amount of **\$344,997.00,** for the term July 1, 2022 through June 30, 2023

Upon review and recommendation Melissa A. Giddy, County Solicitor, Carrie Nelson, Administrator, and Department of Financial Administration (item C), motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for the **Agency on Aging**:

- (A) Bids for “**Area Agency on Aging Heavy House Cleaning Services**,” (Bid 22-31), for the term September 1, 2022 through June 30, 2025, subject to renew on an annual basis for two additional years at the same price at the sole discretion of the County, were opened on August 2, 2022:

Spotless Solutions, LLC	Rejected
Steri-Clean Pittsburgh	\$483.34/hour (4 people) \$266.67/hour (2 people)

Award bid to **Eleven Kings LLC dba Steri-Clean Pittsburgh**, being the only bidder meeting specifications at the hourly rate of \$483.34/hour for 4 people and \$266.67/hour for 2 people.

- (B) Re-Bids for “**Three New Sport Utility Vehicles, or Three New Cargo Vans, or any combination of SUVs and New Cargo Vans equivalent to Three Total Vehicles**,” (Bid 22-30), were to be opened on August 2, 2022; No Bids were received. Specifications will be revised and re-bid at a later date.
- (C) Amendment to Agreement with **Elizabeth Seton Center, Inc.**, approved June 25, 2020 in the amount of **\$8,840.00 additional** (No Cost to Westmoreland County, PA Dept of Aging Block Grant; New Total Agreement \$522,099.00) for “**Aging Services-Ombudsman Services**,” for the term July 1, 2020 through June 30, 2023

Upon review and recommendation of Melissa A. Giddy, County Solicitor, Sara Stenger, Administrator and the Department of Financial Administration (items C & D), motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Behavioral Health and Developmental Services**:

- (A) Letter of Agreement 2022 with The Meadows Psychiatric Center to establish system linkage for the purpose of care coordination, referral and service availability and information exchange, the agreement will remain in effect for two years or unless revoked by written notification
- (B) Letter of Agreement with DuBois Regional Medical Center d/b/a Penn Highlands DuBois to affirm an agreement and intent to provide care and/or services to the child/adolescent patients for the term August 1, 2022 to July 31, 2024, termination of this agreement, by either party, shall require 30 days written notice
- (C) Amendment to Agreement with **Westmoreland Regional Hospital**, dated August 12, 2021 in the amount of **\$47,417.00 additional** (DHS \$47,417.00, No Cost to Westmoreland County; New Total Agreement \$390,917.00) for **“Behavioral Health: Outpatient (Individual Therapy, Med Check, Md Mgmt & Education), Partial Hospitalization, Crisis Walk-In, Community Service-Psych Nurse, Emergency Services (Court Prep),”** for the term July 1, 2021 through June 30, 2022
- (D) Agreements for the term July 1, 2022 through June 30, 2023:
 - (1) **BHC Advanced Services, Inc.**, in the amount of **\$93,818.00** (DHS \$93,818.00, No Cost to Westmoreland County) for **“Mental Health: Boundary Spanner Program-Forensic Project”**
 - (2) **Pathways of Southwestern Pennsylvania, Inc.**, in the amount of **\$3,047.00** (DHS \$2,743.00, County \$304.00) for **“Early Intervention: Speech Pathology, Physical Therapy, Occupational Therapy, Special Instruction, Special Instruction (Vision), Nutrition Support”**
 - (3) **Pathways of Southwestern Pennsylvania, Inc.** in the amount of **\$190,903.00** (DHS \$181,920.00, County \$8,983.00) for **“Intellectual Disabilities: Admin Fee, Companion Services, In-Home & Community Supports, Transportation (Mile), Public Transportation, Rec/Leisure Activities, ISO Agency with Choice, Respite”**
 - (4) **JG Early Intervention Specialists, Inc.**, in the amount of **\$51,000.00** (DHS \$45,900.00, County \$5,100.00) for **“Early Intervention: Speech Pathology, Physical Therapy, Special Instruction”**
 - (5) **Merakey Pennsylvania**, in the amount of **\$100,000.00** (DHS \$95,293.00, County \$4,707.00) for **“Behavioral Health: Assertive Community Treatment-Team”**
 - (6) **Community Living Care, Inc.**, in the amount of **\$288,413.00** (DHS \$274,836.00, County \$13,577.00) for **“Intellectual Disabilities: Companion Services, In-Home & Community Supports Community Participation Support, Base Service, Transportation (Trip), Support Med Environ Family Aide, Adult Dev Training”**
 - (7) **Link Computer Corporation**, in the amount of **\$24,215.00** (DHS \$23,330.00, County \$885.00) for **“Behavioral Health/Intellectual Disabilities/Health Choices Consulting”**
 - (8) **Centerville Clinics, Inc.**, in the amount of **\$5,000.00** (DHS \$4,765.00, County \$235.00) for **“Behavioral Health: Partial Hospitalization/Licensed Child”**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Shara Saveikis, Director and the Department of Financial Administration, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Children's Bureau:**

- (A) Agreements for the term July 1, 2022 through June 30, 2023:
- (1) **Carol A. Patterson, M.Ed, (TANF, Act 148, County)** for “**Bonding Attachment Assessments, Parent & Child Assessments, Court Testimony, Consults,**” at the following rates:
\$450.00/evaluation for Parenting Assessments/Child Assessments
\$125.00/hour for Bonding/Attachment Assessments
\$125.00/hour for Court Testimony
\$125.00/hour for Additional Services Consultations, Document Reviews
\$0.625/mile for mileage
 - (2) **In-Clusion-The Center of Healing and Resiliency, LLC, (TANF, Act 148, County)** for “**Counseling Services, Parenting Assessments, Groups,**” as per the fee schedule.
 - (3) **Moving Forward 15601, LLC, (TANF, Act 148, County)** for “**Counseling, Anger Management, Family Reconciliation, Parenting, Supervised Visitation, Truancy,**” as per the fee schedule.
 - (4) **Southern Tier Alternative Therapies, Inc., (STAT, Inc.), (TANF, Act 148, County)** for “**Equine Assisted Psychotherapy,**” as per the fee schedule.
 - (5) **Foundations First, LLC, (TANF, Act 148, County)** for “**Assessments, Counseling Services,**” as per the fee schedule.
 - (6) **C.A. Hughes and Associates, (TANF, Act 148, County)** for “**Psychological and Sexual Offender/Victim Services, Various Other Counseling Services,**” as per the fee schedule.
 - (7) **Neveah, Inc., (TANF, Act 148, County)** for “**Counseling Services,**” as per the fee schedule.

Upon review and recommendation of Jeffrey Balzer, Controller and Melissa A. Guiddy, County Solicitor, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for the **Controller:**

- (A) Letter of Engagement with **Zelenkofske Axelrod LLC**, for external audit services for the year ended December 31, 2021, in an amount not to exceed \$16,230.00, including expenses for the County of Westmoreland Employees' Retirement Fund
- (B) Letter of Engagement with **Zelenkofske Axelrod LLC**, for external audit services for the year ended December 31, 2021, in an amount not to exceed \$185,815.00 including expenses for the annual County Audit and \$7,595.00 including expenses for the Children & Youth Audit

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Amy DeMatt, Court Administrator (item A) and Chris Haidze, Special Courts Administrator (item B), motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Court Administration:**

- (A) Therapy Dog/Handler Agreement with Tracy Fasnacht for Westmoreland County court proceedings, approval of the Agreement is contingent upon approval by the President Judge of the Westmoreland County Court of Common Pleas; final approval subject to Solicitor review
- (B) Bids for “**District Justice Office Chair Replacement,**” (Bid 22-32), were opened on August 2, 2022:

Wool Service Supply & Logistics, LLC	\$25,441.92
Hampton Office Products	\$31,948.80
Delaney and Associates, Inc.	\$58,946.88

Award bid to **Wool Service Supply & Logistics, LLC**, being the lowest bidder and meeting specifications in the amount of **\$25,441.92**

Upon review and recommendation of Nicole Zicarelli, District Attorney and Melissa A. Guiddy, County Solicitor, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for the **District Attorney:**

- (A) Memorandum of Agreement and Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosive

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Tim Phillips, Director, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for the **Drug Overdose Taskforce:**

- (A) Statement of Work to amend Agreement with the **Pennsylvania Department of Health, Office of Drug Surveillance and Misuse Prevention** approved April 13, 2022 to provide support in the development of a localized Overdose Fatality Review Team for Westmoreland County in the amount not exceed **\$10,000.00** to extend completion date to October 24, 2022.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor (items A, B & C) and Alexis Bevan, Director motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following for **Human Resources:**

- (A) Renewal of Agreement (pertaining to Group #217) with **Vision Benefits of America (VBA)** to provide vision coverage effective January 1, 2023 through December 31, 2024, with the rate remaining the same as actual claim incurred plus 7% gross claims cost
- (B) Renewal of Agreement with **Vision Benefits of America (VBA)**, for voluntary plan for managed vision care (VBA # 3378) effective January 1, 2023 through December 31, 2024, at the rate of \$11.69/month/Employee and \$30.10/month/Employee & Family
- (C) Westmoreland County Tuition Reimbursement Program

(D) Personnel Actions:

New Hires

Christina Moffe, Legal Secretary, Adult Probation
Whitney Barclay, Department Clerk, Tax Assessment
Justin Libengood, Custodian PT, Public Works
Michelle Michalski, Custodian PT, Public Works
Heather Carl, Corrections Officer, Prison
Gileyla Jones, Corrections Officer, Prison
Jessica Lewis, Corrections Officer, Prison
Sean Rounds, Corrections Officer, Prison
Michael Skovira, Corrections Officer, Prison
Alyssa Caletri, Department Clerk, Tax Assessment
Jaime Goulding, Caseworker, Children's Bureau
Kayla Paul, Child Welfare Aide, Children's Bureau
Samantha Schrack, Child Welfare Aide, Children's Bureau
Abigail Cowan, Child Welfare Aide, Children's Bureau
Christian Aldrich, Prob/Parole Officer, Juvenile Probation
Jesse Householder, Custodian Trainee Temp, Public Works
Stacey Laratonda, Complex Case Program Specialist, BHDS
Rebecca Salandro, Complex Case Program Specialist, BHDS
Dillon Hunter, Prob/Parole Officer, Adult Probation
Lillian Mozely, Accountant I, BHDS
Lauryn Jones, Clerk Typist Trainee Temp, Human Resources
Sharita Walls, Juvenile Service Worker, Juvenile Detention
Dorian Bell, Juvenile Service Worker, Juvenile Detention
Maylee Bates, Laundry Worker PT, Manor
Melissa Remo, Self-Schedule Nurse Aide, Manor
Morgan Sellong, Self-Schedule LPN, Manor
Angela Oglevee, Self-Schedule Nurse Aide, Manor
Raegan Shaw, Food Service Worker PT, Manor
Theresa Ruby, Dietary Aide, Manor

Rehires

Cynthia Gonda, Tax Clerk, Tax Office
Sydney Bacha, All Hazards Planner, 911
Stephanie Wiley, Clerk Typist Trainee-Temp, Human Resources

End of Temps

Hannah Chrisman, Maint Aide Temp, Parks
Natalier Mikula, Maint Aide Temp, Parks
Kristen Collins, Maint Aide Temp, Parks

Terminations

Matthew Guay, Corrections Officer, Prison

Retirements

Joseph Beaken, Sergeant, Prison
Laurie Bolkovac, Prob/Parole Officer, Adult Probation
Donna Beitel, Clerical Supervisor, AAA
Gwendolyn Millward, Nurses Aide, Manor

Resignations

Mataeo Garner, Juvenile Service Worker, Youth Shelter
Gerald Radebaugh, Director, Purchasing
Brittany Armstrong, Prob/Parole Officer, Adult Probation
Tobias Yuhouse, Park Police PT, Park Police
Arianne Camarote, Corrections Officer, Prison
Brandie Waugh, Corrections Officer, Prison
Dwayne Smith, Corrections Officer, Prison
Ashley Perillo, Corrections Officer, Prison
Apryl Watson, Aging Care Manager II, AAA
Casey Bushman, Legal Secretary, Public Defender
Katey Schuck, Corrections Officer, Prison
James Kulha, GIS Coordinator, GIS
John Hauser, Asst. Public Defender, Public Defender
Sydnie Dixon, Caseworker, Children’s Bureau
Kelli Hooker, Caseworker, Children’s Bureau
Amanda Earnesty, Aging Care Manager II, AAA
Tina Frye, Records Clerk, Records Management
Marley Shawley, Legal Secretary, Juvenile Probation
Sydney Murray, Corrections Officer, Prison
Jacqueline Sherbondy Damato, Nurses Aide Trainee, Manor
Natalie Miller, Unit Assistant, Manor
Ashlei Coulter, Cook, Manor
Shanelle Hernley, Registered Charge Nurse, Manor

Upon review and recommendation of Melissa A. Giddy, County Solicitor and the Department of Financial Administration, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Human Services**:

- (A) Memorandum of Understanding with **Westmoreland County Adult Probation – Drug Treatment Court Weekend Drug Testing**, in the amount of **\$30,000.00** (HSDF, No Cost to Westmoreland County) for “Drug Treatment Court- Weekend Drug Testing,” for the term of July 1, 2022 through June 30, 2023; final approval subject to Solicitor review
- (B) Memorandum of Understanding with **Westmoreland County Drug Overdose Taskforce**, in the amount of **\$167,217.00** (HSDF, No Cost to Westmoreland County) for “Director of Drug Overdose Taskforce and related operating costs,” for the term of July 1, 2022 through June 30, 2023; final approval subject to Solicitor review
- (C) Memorandum of Understanding with **Westmoreland County Area Agency on Aging**, in the amount of **\$70,002.00** (HSDF, No Cost to Westmoreland County) for “Adult Guardianship Services,” for the term of July 1, 2022 through June 30, 2023; final approval subject to Solicitor review
- (D) Memorandum of Understanding with **Westmoreland County Adult Probation – Re-Entry Program**, in the amount of **\$83,274.00** (HSDF, No Cost to Westmoreland County) for “Re-Entry Program,” for the term of July 1, 2022 through June 30, 2023; final approval subject to Solicitor review
- (E) Agreement with **CASA of Westmoreland**, (HSDF, No Cost to Westmoreland County) for “Support for helping abused/neglected children,” in the amount of **\$10,000.00**, for the term of July 1, 2022 through June 30, 2023

Upon review and recommendation of Melissa A. Giddy, County Solicitor and Scott Ross, Direction, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Information Systems:**

- (A) Record Access Agreement for computer terminal access to Courthouse records as per fee schedule, effective the date of the Agreement through June 30, 2023, with automatic renewal, with the following and authorize the Director of Information Systems to execute contract documents on behalf of the County:
 - Cayla Walters
- (B) Acceptance of Quote for Preventative Maintenance Agreement and Issuance of Purchase Order with **Donwil Technical Services, Inc.**, in the amount of **\$3,400.00** for one-year preventative maintenance on two Liebert air conditioning units used within the courthouse data center. The Agreement is effective upon issuance of purchase order and will renew annually with issuance of updated renewal agreement or addendum.

Upon review and recommendation of Melissa A. Giddy, County Solicitor and Rich Gordon, Director, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Juvenile Detention:**

- (A) First Amendment to Professional Services Agreement with **Marley Jacobs**, in an additional amount of **\$780.00** (\$30.00/hour, additional 26 hours) for “**Summer School Instruction-Juvenile Detention,**” for the term June 13, 2022 through August 12, 2022
- (B) First Amendment to Professional Service Agreement with **Rachel Sage**, in an additional amount of **\$270.00** (\$30.00/hour, additional 9 hours) for “**Summer School Instruction-Youth Shelter,**” for the term June 13, 2022 through August 12, 2022

Upon review and recommendation of Melissa A. Giddy, County Solicitor, Norm Mueller, Director and the Department of Financial Administration, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for **Juvenile Probation:**

- (A) Agreement with **Behavior Management Consultants, (TANF, Act 148, County)** for “**Forensic Evaluations, Consultation, Court,**” for the term July 1, 2022 through June 30, 2023, at the following rates:
 - \$500.00/evaluation for Forensic Evaluations**
 - \$125.00/hour for Case Consultation**
 - \$150.00/hour for Court Testimony**

Upon review and recommendation of Melissa A. Giddy, County Solicitor and Henry Fontana, Chief, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for **Park Police:**

- (A) Memorandum of Understanding between the Youngwood Sportsmen’s Association and Westmoreland County for use of the Youngwood Sportsmen’s Association Shooting Range by the Westmoreland County Park Police.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Jason Rigone, Direction, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Planning**:

- (A) **Resolution #R-46-2022**, authorizing a Minor Amendment to FY 2019 and FY 2021 of the County’s Community Development Block Grant (CDBG) program.

RESOLUTION #R-46-2022

WHEREAS, the Westmoreland County Board of Commissioners find it necessary to make amendments to the Federal Fiscal Year 2019 & 2021 of the Westmoreland County Community Development Block Grant Program.

WHEREAS, the Board of Commissioners in full accordance with guidelines set forth in the officially adopted Citizen Participation Plan for the County of Westmoreland, adopted January, 1975 and revised May, 2020, have determined that the proposed amendment is not a substantial change and therefore does not require notification to the public of intent to amend said CDBG Program.

RESOLVED AND ENACTED this 18th Day of August, 2022 by the Board of Commissioners of the County of Westmoreland at a duly advertised public meeting with a quorum being present that the amendment as described on the attached summary are hereby in all respects approved.

- (B) Subrecipient Agreement Amendments; funding is provided by the U.S. Department of Housing and Urban Development through its CDBG program. There are no costs to the County.

SUBRECIPIENT	ACTIVITY CODE	ACTIVITY DESCRIPTION	ACTION TAKEN
Arona Borough	19-25G	Street Reconstruction	Budget Increase +3,099.26
Avonmore Borough	19-25H	Street Reconstruction	Budget Increase +\$20,585.00

- (C) Agreement under the 2020 Lead Hazard Control and Healthy Homes Program of Westmoreland County’s Lead Safe Program.

	CITY MAP ID #	GRANT AMOUNT	TOTAL COST OF LEAD
L-02-22	14-02-09-0-459	\$12,210.84	\$12,210.84

	CITY MAP ID #	GRANT AMOUNT	TOTAL COST OF HEALTHY HOMES
L-02-22	14-02-09-0-459	\$4,995.59	\$4,995.59

- (D) Ratification of The Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund 2022 Grant Agreement to fund the Morning Sun Senior Lofts project and the Homeless Prevention Assistance Program and further approve **Resolution #R-47-2022**, authorizing signature authority to the Chairman of the Board of Commissioners

RESOLUTION #R-47-2022

WHEREAS, funds are available from the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund; and

WHEREAS, the County, by resolution #R-38-2022, authorized the Chairman of the Board of Commissioners, to execute and submit a Commitment Letter with the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund authorized under the Act 10 of 2010 (the "PHARE Fund") and the Marcellus Shale Impact Fee Act (the "Impact Fee Act"), Act 13 of 2012, in an amount not to exceed Six Hundred Thousand Dollars (\$600,000.00) from the PHARE Fund (the "Grant") for the following projects in the following amounts: \$500,000 – Morning Sun Senior Lofts and \$100,000 - Homeless Prevention Assistance Program; and

WHEREAS, the Board of Commissioners further wish to ratify the execution and submission by the Chairman of the Board of Commissioners of Westmoreland County of the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund 2022 Grant Agreement in connection with the Grant

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, that Sean Kertes, the Chairman of the Board of Commissioners, was authorized to execute and submit the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund 2022 Grant Agreement in connection with the Grant for the following projects in the following amounts: \$500,000 – Morning Sun Senior Lofts and \$100,000 - Homeless Prevention Assistance Program.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 18th day of August, 2022.

- (E) Subrecipient Agreement PHARE-22A with **Redevelopment Authority of the County of Westmoreland** in the amount of \$500,000.00, to fund the Morning Sun Senior Lofts project; No cost to the County.
- (F) Subrecipient Agreement PHARE-22B with **Westmoreland Human Opportunities, Inc. d/b/a Westmoreland Community Action** in the amount of \$100,000.00, to fund the Homeless Prevention Assistance Program; No cost to the County.

Upon review and recommendation of Melissa A. Guidy, County Solicitor and Bryan L. Kline, Warden, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Prison:**

- (A) Renewal of Support Contract with Warranty with **Delmar Enterprises** (Key Systems, Inc.), in the amount of **\$4,368.00** for **Security Asset Management Systems (SAM)**, for a three-year term, September 30, 2022 through September 29, 2025
- (B) Service Agreement with **Stryker Medical, (ProCare Services)** for On Site Preventative Maintenance LifePak 1000 Service Automated External Defibrillators (4) at the rate of **\$1,696.00**, for the period of August 2, 2022 through August 1, 2023
- (C) Acceptance of quote from **Johnson Controls Fire Protection, LP** in the amount of **\$18,800.14** (pursuant to Pennsylvania State Contract 4400015469) for replacement of fire control panel to Simplex 4100 ES

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Greg McCloskey, Director, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for **Public Works:**

- (A) Amendment to Agreement with **Roadbotics, Inc.**, dated September 19, 2019 for an additional 12-month term, September 27, 2022 through September 27, 2023, at an annual rate of **\$1,275.00**.
- (B) E-Z Pass Government Agency Agreement A and Addendum with the Pennsylvania Turnpike Commission for the E-Z Pass Government Agency GOV1 program to outfit select county vehicles with an EZ Pass transponder at a fee of \$10 per transponder per interior installation and \$17 per bumper mount/roof installation.
- (C) Schedule Modification and revised completion date for the PennDOT Agreement L00043 with **SAI, Inc.**, to provide Preliminary Design for the Westmoreland County Bridge project at North Irwin 4th Street. The revised completion being December 31, 2022, an additional 61 days, which is necessary to perform additional preparation of environmental documents and utility coordination. This project is funded through Federal bridge funds and Act 13.
- (D) Bids for “**Culvert Extension Irwin Herminie Road**” (**Bid 22-35**), were opened on August 2, 2022:

Gary Metzinger Cement Contractor, Inc.	\$72,920.00
Santamaria Landscape & Cement Contactors, Inc.	\$75,101.60
C.H. & D. Enterprises, Inc.	\$148,830.00

Award bid to **Gary Metzinger Cement Contractor, Inc.**, being the lowest bidder and meeting specifications in the amount of \$72,920.00. This project is funded by Liquid Fuels. The term of the agreement is within 60 days of the Notice to Proceed.

- (E) Bids for the “**Northmoreland Park Rehabilitation – Phase II Project**” (**Bid 22-34**), were opened on August 2, 2022:

Sanner Masonry & Excavation, Inc.	\$1,878,231.05
Tedesco Excavating & Paving, Inc.	\$2,031,564.80

Award bid to **Sanner Masonry & Excavation, Inc.**, being the lowest bidder and meeting specifications in the amount of **\$1,878,231.05** for the Bureau of Parks and Recreation. Project term is to be substantially completed within 120 days following issuance of Notice to Proceed (NTP). This project is being funded by Pennsylvania DCNR, 2019 Bond, 2022 Hotel Tax and the Westmoreland County Parks and Recreation Citizens Advisory Board.

Upon review and recommendation of James Albert, Sheriff and Melissa A. Guiddy, County Solicitor, motion was made by Mr. Chew seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for the **Sheriff:**

- (A) Revised pricing from Infocon-Harris Computer Acquisition at the 2023 monthly fee of \$1,126.60, plus VPN fees in the amount of \$82.50 (**\$1,160.40/total per month for 2023**)

Upon review and recommendation of Denyel D. O’Brien, Director, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for the **Tax Office:**

- (A) Agreement with **Bill Anderson Auctioneers LLC**, in the amount of **\$200.00**, for auctioneer services, to conduct the annual County Tax Sale Auction on September 12, 2022.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Matt Zamosky, Director, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following item for **Veteran's Affairs**:

- (A) **Resolution #R-48-2022** authorizing recycling of aluminum and bronze/steel scrap veteran grave flag holders (rods and markers) at Daniels and Miller, Inc. due to no sealed bids being received.

RESOLUTION #R-48-2022

WHEREAS, pursuant to Resolution #R-12-2022, the Board of Commissioners of the County of Westmoreland authorized the advertisement for sale, pursuant to sealed bid, of two lots of veteran grave flag holders, namely (1) an aluminum lot of markers and rods, and (2) a bronze markers/steel rod lot; and

WHEREAS, no one submitted a sealed bid for either of the two lots; and

WHEREAS, Daniels and Miller, Inc. is able to recycle the scrap veteran grave flag holders, with the proceeds to be deposited into the County's General Fund; and

WHEREAS, pursuant to 16 P.S. Section 1805 "no personal property . . . of the county shall be disposed of by sale or otherwise, except upon resolution of the commissioners."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Westmoreland, that due to no sealed bids being received, representatives of the Westmoreland County Department of Veterans' Affairs are authorized to cause the scrap veteran grave flag holders, consisting of markers and rods, to be recycled at Daniels and Miller, Inc., with the proceeds received to be deposited into the County's General Fund.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 18th day of August, 2022.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Westmoreland County:**

- (A) Amendment to Engagement Letter with **The Arbitrage Group, Inc.**, dated March 17, 2021 to add determination of the arbitrage earnings for the period March 14, 2020 through March 1, 2022 in an amount not to exceed **\$1,000.00**
- (B) Correction to previously approved item from April 25, 2022(4) E for Westmoreland County correcting the premium amount to \$12,770.00 with Seneca Specialty Insurance Company
- (C) Payment in the amount of \$2,500.00 in accordance with Settlement Agreement and General Release of Claims in *Christopher Batch v. John Walton, et al.*, No. 2:19-cv-01660-CRE in the United States District Court for the Western District of Pennsylvania.

- (D) **Resolution R#-49-2022** approving submission of Certification of Use of Funds that the Opioid Settlement Funds will be used in a manner consistent with the Abatement described in Exhibit E of the Settlements and all other terms of the settlements.

RESOLUTION NO. R#-49-2022

WHEREAS, the United States is facing an ongoing public health crisis of opioid abuse, addiction, overdose, and death. The Commonwealth of Pennsylvania and Pennsylvania local governments spend billions of dollars each year to address the direct consequences of this crisis; and

WHEREAS, since at least 2017, state and local governments in Pennsylvania and around the United States have been pursuing investigations and litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for the impact of the opioid epidemic and to recover resources necessary to combat the opioid epidemic; and

WHEREAS, negotiations with several of the Opioid Defendants, specifically McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the “Settling Defendants”) have resulted in nationwide settlements of state and local government claims to settle the litigation; and

WHEREAS, the terms of those proposed nationwide settlements have been set forth in the Distributors Master Settlement Agreement and the J&J Master Settlement Agreement (collectively “Settlement Agreements”); and

WHEREAS, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Pennsylvania including to the Commonwealth of Pennsylvania and Participating Subdivisions upon occurrence of certain events as defined in the Settlement Agreements (“Pennsylvania Opioid Funds”); and

WHEREAS, Pennsylvania local governments as well as the attorneys representing those local governments engaged in extensive discussions with the Commonwealth’s Office of Attorney General (“OAG”) as to how the Pennsylvania Opioid Funds will be allocated, which has resulted in the Pennsylvania Opioid Misuse and Addiction Abatement Trust (the “Trust”); and

WHEREAS, pursuant to Resolution #R-65-2021, the County of Westmoreland executed the Participation Agreement to the Distributors Settlement Agreement, the Participation Agreement to the Janssen Settlement Agreement and the Pennsylvania Subdivision Intrastate Allocation Participation Form agreeing to the allocations to the County Abatement and Litigating Subdivision Accounts and agreeing to be a beneficiary of the Pennsylvania Opioid Misuse and Addiction Abatement Trust; and

WHEREAS, on or about July 12, 2022, the Commonwealth Court of Pennsylvania entered the Consent Judgements effectuating the settlements with the Distributors and J&J and created the Pennsylvania Opioid Misuse and Addiction Abatement Trust; and

WHEREAS, the funds obtained and ultimately paid by the Trust shall be distributed to the Commonwealth and its Participating Subdivisions only for the purposes set forth in Exhibit E to the Settlements; and

WHEREAS, to receive payment from the Trust, the County is required to certify annually that each payment for the Trust will be used in accordance with Exhibit E to the Settlement and other terms of the settlement.

NOW, THEREFORE, BE IT RESOLVED: the County of Westmoreland through its Board of Commissioners approves and authorizes the execution and submission of the Certificate of Use of Funds for 2022, to certify that the Opioid Settlement Funds will be used in a manner consistent with the Abatement described in Exhibit E of the Settlements and all other terms of the settlements.

Adopted by the County of Westmoreland on this 18th day of August, 2022, with a quorum being present.

- (E) **Stipulation of Settlement** in the tax assessment appeal of Greater Latrobe School District, of property owned by 277 Sand Hill Road Realty, LLC, located in Unity Township, Greater Latrobe School District, Westmoreland County, No. 4406 of 2021 for tax year 2022. The assessed value shall be determined by applying the common level ratio established by the State Tax Equalization Board.

Tax Map No. 61-18-00-0-256

<i>Year</i>	<i>Proposed Market Value</i>	<i>STEB Ratio</i>	<i>Resulting Assessment</i>
2022	\$6,777,968	12.3%	\$833,690

Taxes for the year noted above are determined upon the foregoing assessment values. The County Solicitor shall be authorized to execute Court documents to implement such settlement.

- (F) **Stipulation of Settlement** in the tax assessment appeal of Hempfield Area School District, of property owned by Blackhill Road Realty, LLC, predecessor in interest of Adamsburg APA RE, LLC, located in Adamsburg Borough, Hempfield Area School District, Westmoreland County, No. 5741 of 2018 for tax years 2019-2022. The assessed value shall be determined by applying the common level ratio established by the State Tax Equalization Board.

Tax Map No. 01-01-12-0-003

<i>Year</i>	<i>Proposed Market Value</i>	<i>STEB Ratio</i>	<i>Resulting Assessment</i>
2019	\$20,000	16.3%	\$3,260
2020	\$20,000	14.4%	\$2,880
2021	\$20,000	13.1%	\$2,620
2022	\$20,000	12.3%	\$2,460

Taxes for the years noted above are determined upon the foregoing assessment values. The County Solicitor shall be authorized to execute Court documents to implement such settlement.

- (G) Exoneration of County taxes, interest, penalties and Tax Claim Bureau Fees on property of the Estate of Bessie Speck in the City of Lower Burrell being Tax Map Number 17-05-03-0-030. The property having been offered to be donated to the City of Lower Burrell and the City already exonerating taxes. The County's exoneration would be contingent upon approval by the Burrell School District.

- (H) **Resolution #R-50-2022**, ratifying submission of a grant application for the Election Integrity Grant Program to the Department of Community and Economic Development in the amount of \$1,267,414.88 and further authorizing the Chairman of the Board of Commissioners to execute the grant application.

RESOLUTION #R-50-2022

WHEREAS, Act 2022-88 (“Act 88”) amended the Election Code to provide an Election Integrity Grant Program (“EIGP”) administered by the Department of Community and Economic Development (“DCED”), which will distribute grant funds to counties annually to support county election administration; and

WHEREAS, on or about August 11, 2022, the County submitted a grant application for the EIGP to DCED in the amount of \$1,267,414.88 (“Grant Funds”); and

WHEREAS, as part of the application process, it was necessary to authorize the Chairman of the Board of Commissioners of Westmoreland County to execute the grant application, the Worker Protection and Investment Certification Form and the Certification by Grantee as to Intended Uses of Grant Funds, whereby the County certified that it would use the Grant Funds exclusively for the following eligible grant activities:

- a. Payment of staff needed to pre-canvass and canvass mail-in ballots and absentee ballots.
- b. Physical security and transparency costs for centralized pre-canvassing and canvassing.
- c. Post-election procedures required under the Act.
- d. List maintenance activities under 25 Pa.C.S. Section 1901(B)(1) and (3) (relating to removal of electors).
- e. Printing of ballots.
- f. Training costs for district election officials.
- g. Payment of staff at polling places on election day.
- h. Secure preparation, transportation, storage and management of voting apparatuses, tabulation equipment and required polling place materials.
- i. Costs of county board of election duties related to processing of voter registration applications.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Westmoreland, Pennsylvania, hereby ratify the submission of the grant application for the Election Integrity Grant Program to the Department of Community and Economic Development and the execution of the application with the accompanying certifications by Sean Kertes, as Chairman of the Board of Commissioners.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 18th day of August, 2022.

- (I) Election Integrity Grant Program Contract with the Commonwealth of Pennsylvania, Department of Community and Economic Development in the amount of \$1,267,414.88, beginning the effective date of the agreement through June 30, 2023 for eligible costs between July 1, 2022 and June 30, 2023; and further approving **Resolution #R-51-2022** designating signature authority to the Chairman and Vice Chairman of the Board of Commissioners

RESOLUTION #R-51-2022

WHEREAS, Act 2022-88 (“Act 88”) amended the Election Code to provide an Election Integrity Grant Program (“EIGP”) administered by the Department of Community and Economic Development (“DCED”), which will distribute grant funds to counties annually to support county election administration; and

WHEREAS, on or about August 11, 2022, the County submitted a grant application for the EIGP to DCED in the amount of \$1,267,414.88 (“Grant Funds”); and

WHEREAS, in order to accept the funds the County is required to execute the Election Integrity Grant Program Contract with the Commonwealth of Pennsylvania, Department of Community and Economic Development and to designate electronic signature authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Westmoreland, Pennsylvania, do hereby authorize the submission of the Election Integrity Grant Program Contract to the Department of Community and Economic Development and the execution of the contract electronically by the Chairman and Vice-Chairman of the Board of Commissioners.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 18th day of August, 2022.

Upon review and recommendation of Melissa A. Guiddy and Abby Testa, Administrator, motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items for **Westmoreland Manor:**

- (A) Termination of Attending Physician Service Agreement with **Ken Gibson, MD**, effective October 1, 2022
- (B) Purchase Agreement with **Respiratory Technologies, Inc., a Philips company, d/b/a RespirTech**, for a term of three years, unless terminated, and shall renew for successive one-year period.

* * * * *

Motion was made by Mr. Chew, seconded by Mrs. Cerilli Thrasher and it was unanimously agreed to approve the following items of **Miscellaneous Business**:

- (1) Amendments to the **2022 Budget** for Westmoreland County, as prepared by the Department of Financial Administration
- (2) Appoint Ms. Toni Jo McGovern to the Westmoreland County Area Agency on Aging Advisory Council through May 1, 2025.

Motion was made by Mrs. Cerilli Thrasher, seconded by Mr. Chew and it was unanimously agreed to adjourn the meeting at 10:11 am.

Certified by,

Gina Cerilli Thrasher, Esq.
Secretary