

## March 29, 2018

A meeting of the Westmoreland County Commissioners met in regular session beginning at 10:04am on Thursday, March 29, 2018 in the Commissioners Public Meeting Room, Courthouse Square, Greensburg, PA. The following were present Chairman Gina Cerilli, Vice-Chairman Ted Kopas, Secretary Charles W. Anderson and County Solicitor Melissa A. Guiddy. The following business was conducted;

Rev. Larry Kemp, First Evangelical Lutheran Church gave an invocation before the meeting and Commissioner Cerilli led the Pledge of Allegiance

### Industrial Development Corporation Agenda

#### General Agenda

Motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve minutes of regular meeting held March 8, 2018 as presented

#### Opportunity for Public Comment

*Jan Keefer, East Huntingdon Township – poses a question regarding the impeachment of the Sheriff, he states that he has seen a lot of quotes on this topic and asks the Commissioners is there something they've seen that leads them to this process; poses a second question regarding the railroad, what entities specifically benefit from this project.*

*Jeff Balzer, County Controller – first off states that nothing illegal has transpired, but entering another year of Westmoreland County being fully insured costing us more than we've ever paid, he requests that the Board of Commissioners find out from someone not selling you the product about the product, he doesn't believe that the best decision has been made. Additionally, we are at a time when reserves are low. It is time to bring this up again; he states that he believes a commissioner has a conflict with this. He concludes that this is a time when we need to watch our money.*

*Jan Milburn, Ligonier Township – is president of the Westmoreland Marcellus Citizens' Group, have met with the County Commissioners and public safety staff several times and have made recommendations in regard to air incidents in the county. He states that the gas industry is polluting and contaminating the air and sometimes contaminating water. He goes on to say that residents are already at risk of cancer from chemical releases, he goes on to say that each well site should have an air monitor to register in real time contaminants being emitted. The event in Murrys ville was an example of a poorly managed air incident. The Westmoreland Marcellus Citizens' Group has three recommendations: 1) implement summa canisters to be deployed a sites for conducting air testing when needed, 2) protocol revised so hazmat/DEP are on site in timely manner to perform air analysis, 3) responders trained to evacuate areas by adhering to the precautionary principle in order to protect health of residents*

*Dr. John Atherton, Seton Hill University – on April 10 a speaker, Cornell professor emeritus will be speaking from 7pm-9pm in Room 156 of Boyle Hall, will be doing an unbiased lecture on mechanical fracturing*

*Dr. Cynthia Walter – shares a video with Commissioners of a well explosion in Ohio which released 100 million cubic feet of methane gases per day for 20 days; she shares the flash drive with each Commissioners and packet of information; she applauds the efforts to improve the process, she adds that effective equipment is available and affordable. She goes on to say that first responders are prepared for conventional events; and these chemicals from these events need to be kept away from kids, seniors and neighborhoods.*

*Jack Milburn, Ligonier – sharing information which was provided by David L. Smith, Director of the PA Bureau of Plans, Chemical Emergency Preparedness; PEMA provides direction and assistance for plan format and content via the generic county EOP. The law assigns primary responsibility for emergency preparedness and response to elected officials at every level. He goes on to add that the emergency management/preparedness program in the state is based on partnership of government at all levels, business and industry, the private sector and volunteers.*

*Susan Pardus, Hempfield Township – supports the Westmoreland Marcellus Citizens’ Group*

*Dorothy Hufford, Unity Township – need to recognize and improve the county hazmat response, prepare for this new chemical processing industry as it relates to safety as there are wells, pipelines, etc. and having experienced effects of some of these. She states the need for hazmat to prepare maps to show pipelines to citizens and for first responders, for industrial personnel to review the risk. She goes on to say that there is collateral damage to health and life. She recommends a task force, a volunteer group, that specializes in and that can gather information to assist at the county level and to accompany county personnel and to recommendations of procedural change. She adds that these kinds of groups are very efficient and cost effective.*

*Ashley, Donegal Township – she states that the pipeline that goes through Westmoreland County, Sunoco Logistics, they have not been good neighbors; there have been 20 spills and it has been shut down twice, once by the DEP. If this goes into operation the ethane that runs through the pipeline can ignite much more quickly. She stresses the importance for an emergency response plan, evacuation procedure and air analysis and testing.*

### **Solicitors Report**

Upon review and recommendation of Melissa A. Guidy, County Solicitor, Sharon Bold, Chief Probation Officer and Angela Matson, Assistant Director of Financial Administration motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following items for **Adult Probation:**

- (A) Grant Application to the **Pennsylvania Commission on Crime and Delinquency** for **“Intermediate Punishment Treatment Program,”** (State IP/DARIP) in the amount of **\$1,120,160.00** for the term July 1, 2018 through June 30, 2020
- (B) Grant Application to the **Pennsylvania Commission on Crime and Delinquency** for **“Byrne Justice Assistance Grant Program (Federal 16.738 JAG),”** in the amount of **\$124,153.00**, for the term July 1, 2018 through June 30, 2019

Upon review and recommendation of Melissa A. Guidy, County Solicitor, Kate Johnson, Administrator and Angela Matson, Assistant Director of Financial Administration motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Area Agency on Aging:**

- (A) Vehicle Lease with **Alle-Kiski Senior Center, Inc.,** (No Cost to Westmoreland County, Aging Services Block Grant) for **“Aging Services-Vehicle Lease Y-Van,”** for the term March 29, 2018 through June 30, 2020
- (B) Vehicle Lease with **Laurel Valley Senior Center, Inc.,** (No Cost to Westmoreland County, Aging Services Block Grant) for **“Aging Services-Vehicle Lease Z-Van,”** for the term March 29, 2018 through June 30, 2020

- (C) Amendment to Agreement with **Westmoreland Community Action**, dated July 27, 2017 in the amount of **\$16,898.00 additional** (50% State, 50% Federal, New Total Agreement \$123,208.65) for “**Aging Services-Link to Aging and Disability Resources,**” for the term July 1, 2017 through June 30, 2018
- (D) Assessment Services Agreement with **Aging Well PA, LLC**, to provide “**Assessment Services,**” on behalf of AWP for consumers requiring level of care determinations for MA funded programs, for the term July 1, 2018 through June 30, 2021, with automatic renewal, at the rate of \$237.12 per FED, PASSRR-EV and Redetermination Assessments. The Agreement is subject to a ninety day termination.
- (E) Services Agreement with **Comprehensive Care Connections, Inc.**, to provide the programs of participant services and supports, for the term March 1, 2018 through December 31, 2020, subject to termination with 180 days notice

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Shara Saveikis, Administrator and Angela Matson, Assistant Director of Financial Administration motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Children’s Bureau:**

- (A) Agreement with **Pressley Ridge, (Title IV-E, Act 148, County, MA)** for “**Residential, Treatment Foster Care, CRR,**” for the term July 1, 2017 through June 30, 2018, at the following per diem rates:

**\$184.37 for Individual Residential Tx                      \$89.01 for Treatment Foster Care**  
**\$375.00 for Homeplaces Residential**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Amy DeMatt, Court Administrator, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for the **Court Administrator:**

- (A) Memorandum of Understanding with **Alliance of Therapy Dogs d/b/a Therapaws**, to provide individuals (children and or crime/victims) with therapy/comfort dogs within the Court System of Westmoreland County, with approval of the presiding Judge.
- (B) Agreement with **Andrea Sullivan**, for “**Court Reporter Services,**” for the term April 1, 2018 through December 31, 2018 at the rate of \$50.00/hour for real time court reporting and \$40.00/hour for all other court reporting, not to exceed **\$5,000.00**
- (C) Amendment to Agreement with **Bonita L. “Bonnie” Bell**, dated September 28, 2018 for “**Court Reporter Services,**” in the reduced amount of \$5,000.00; new total agreement not to exceed **\$5,000.00**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, John W. Peck, District Attorney, Amy Garris, Victim/Witness Coordinator and Angela Matson, Assistant Director of Financial Administration, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **District Attorney-Victim/Witness:**

- (A) Project Modification to Grant with **Pennsylvania Commission on Crime and Delinquency**, for “**Victim/Witness Project (Combined Victim of Juvenile Offenders and Rights and Services Act),**” to approve a change in personnel, with all award amounts remaining the same.

Upon review and recommendation Melissa A. Guiddy, County Solicitor and Amanda Bernard, Director motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Human Resources:**

(A) New Hires, Resignations, Retirements and Terminations:

**New Hires**

Raimee Daykon – Dept Clerk Temp  
Valerie Frisko – Nurse Aide Temp  
Dyllon Neal – Nurse Aide Temp  
Nicole Colicigno – Unit Assistant Temp  
Sherita Jones – Staff Nurse/LPN  
Danielle Pipkin- Public Works- Custodian Trainee Temp

**Resignations**

Randy Burger – Juvenile Service Worker  
Matthew Garrett –Unit Assistant Temp  
Jasmine Barnes – Nurse Aide  
Stacey Birchak – Registered Charge Nurse  
Shawn Blackburn – Correction Officer P/T  
Brittany Cararini – Nurse Aide  
Kerry Smartnick- AAA- Fiscal Officer III/CS  
Elizabeth Messer - Children’s Bureau- County Caseworker II  
Karen Wightman- Juvenile Probation- Legal Sec II

**Retirements**

Patricia Szuba – Unit Assistant  
Thomas Trumbetta Jr.- Public Works- Maintenance Worker Specialist  
Cindy Kovacevic – Adult Probation- Prob/Parole Ofcr II  
Henry Fitz- Roads & Bridges- County Engineer

**Termination**

Skyler Alexander- 911 Surcharge- Telecommunications Officer

Upon review and recommendation Melissa A. Guiddy, County Solicitor and Amanda Bernard, Director motion was made by Mr. Anderson, seconded by Ms. Cerilli, with Mr. Kopas opposed, motion passes to approve the following item for **Human Resources:**

(B) Workers Compensation and Employers Liability Insurance with Housing and Redevelopment Insurance Exchange in the amount of \$1,690,857.00 for a one year period effective April 1, 2018 through March 31, 2019.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Addie Beighley, Director and Angela Matson, Assistant Director of Financial Administration, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Juvenile Probation:**

- (A) Agreements for the term July 1, 2017 through June 30, 2018:
  - (1) **Mid-Atlantic Youth Services Corp., (Title IV-E, Act 148, County)** for “**Secure Residential, Open Residential Treatment,**” at the following per diem rates:  
  
**\$323.50 for Secure Residential**  
**\$270.50 for Open Residential TX**
  - (2) **Cornell Abraxas Group, Inc., (Title IV-E, Act 148, County)** for “**Residential, Secure, Shelter,**” at the following per diem rates:  
  
**\$163.66 for Leadership Development**  
**\$295.11 for Abraxas 1-Intensive Residential Program**  
**\$299.42 for Open Residential Fire Setters/Sex Offenders Program**  
**\$313.89 for Abraxas Youth Center Fire Setter/Sex Offender Program**  
**\$293.76 for Abraxas Academy Detention**  
**\$289.85 for Abraxas Youth Ctr Detention**  
**\$318.75 for Abraxas Academy Habitual Offender/Sexual Offender**  
**\$289.85 for Abraxas Youth Center-Shelter**
  - (3) **Edmund L. Thomas Adolescent Center, (Title IV-E, Act 148, County)** for “**Secure Detention,**” at the per diem rate of **\$250.00**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Kirk E. Nolan, Chief, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Park Police:**

- (A) Amendment to Agreement with **Autoclear, LLC**, dated February 23, 2017 for “**Maintenance for Security X-Ray & Scanning Equipment for Westmoreland County Facilities,**” (**Bid 17-05**), to revise the maintenance coverage of six scanners, located at the Courthouse, Juvenile Center and Prison; in addition, payment will now be made on a quarterly basis, in the amount of **\$8,500.00 per quarter** (total agreement remaining \$34,000.00), effective March 1, 2018 through February 28, 2019

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and John Walton, Warden, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following item for the **Prison:**

- (A) Amendment to Commissary Network Agreement with **Keefe Commissary**, dated March 24, 2011 to extend the Agreement through March 31, 2018 with month to month automatic renewal until terminated by either party no less than thirty days prior to the termination’s effective date; the extension is necessary to prepare requests for proposals.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Roland Mertz, Director, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Public Safety**:

- (A) Option to Extend Agreement with **SBM Electronics**, dated May 25, 2017 for “**Service Maintenance for Voice Logging System & Software for 911 Service**,” (Bid 17-30) for an additional one year period, June 1, 2018 through May 30, 2019, at the same price/terms and conditions; this is the first of two one year options for extension.
- (B) Change Order #2 to Agreement with **Hranec Sheet Metal, Inc.**, for “**Re-Bid: Westmoreland County 911 Facility-HVAC**,” (Bid 17-38) to extend completion date to April 30, 2018.
- (C) Sub-Participating Addendum through N.A.S.P.O (#1907) for Agreement with **AT&T Mobility National Accounts LLC**, in accordance with a statement of work at the rate of **\$39,962.96** for “Installation of Sierra Wireless Equipment, Professional Services and Mobile Data System Management Services” in relation to 2016 bond project – emergency command trailer

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Greg McCloskey, Director and Malcolm Sias, Parks & Recreation (items B through P), motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Public Works**:

- (A) Bids for “**Westmoreland County Courthouse Annex Limestone Panel Re-Caulk**,” (Bid 18-08), were opened on March 6, 2018:

Wilson Restoration, Inc.	\$246,000.00
Airtite Company	\$293,825.00
Graciano Corporation	\$329,741.00
Mariani & Richards, Inc.	\$354,550.00
Jones Masonry Restoration Corp.	\$371,000.00
Marsa, Inc.	\$501,000.00
Coon Restoration & Sealants, Inc.	Rejected

Award the bid to **Wilson Restoration, Inc.**, being the lowest bidder and meeting specifications in the amount of **\$246,000.00**, this project is funded by the 2013 Bond.

- (B) Bids for “**Dumpster Services for Westmoreland County Parks**,” (Bid 18-06), for the term April 1, 2018 through March 31, 2019, were opened on March 6, 2018:

Republic Services	\$31,010.60
Waste Management	\$38,030.16
Advanced Disposal Services Western PA	\$40,908.44 (Incomplete Bid)

Award bid to **Republic Services**, being the lowest bidder and meeting specifications in the amount of **\$31,010.60**

(C) Bids for “**Wide Area Rotary Mower Lease,**” (Bid 18-07), were opened on March 6, 2018:

EH Griffith, Inc.	\$75,500.92
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Award bid to **EH Griffith, Inc.**, with the exception being taken and accepted, being the lowest bidder and meeting specifications in the amount of **\$75,500.92** (least term for thirty-six months, in the amount of \$2,097.22/month with a \$1.00 end-of term buyout)

(D) Bids for “**Outdoor Drinking Fountains,**” (Bid 18-05), were opened on March 6, 2018:


George Ely Associates, Inc.	\$18,781.00
Recreation Resource USA	\$24,000.00
Tudi Mechanical Systems	\$26,553.00
Sports & Recreation Assoc.	\$28,440.00
McElwain Mechanical Solutions, LLC	\$34,800.00
Most Dependable Fountains, Inc.	Rejected

Award bid to **George Ely Associates, Inc.**, being the lowest bidder and meeting specifications in the amount of **\$18,781.00**

(E) Agreement with **Richard P. Rauso Landscape Architects**, to complete the design, engineering and permitting for the Twin Lakes Parks Pavilion #8 and associated support facilities in the amount of **\$13,673.00**, this project is funded with a PA DCNR Grant and 2016 Bond Funds

- (F) **Resolution (#R-11-2018)** for the Twin Lakes Pavilion 6 Rehabilitation, permitting a grant application to be filed with the PA DCNR in the current application period in the amount of \$216,000.00, which is 50% of the total project budget, with required matching funds coming from the 2016 Bond Fund, Transportation Alternatives program Grant and the Westmoreland County Parks and Recreation Citizens Advisory Board

Resolution #R-11-2018

	<b>pennsylvania</b> DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES	<b>RESOLUTION PAGE</b>	<b>Commonwealth of Pennsylvania</b> www.dcnr.state.pa.us/grants
<b>DCNR-2018-C2P2-19</b>		<b>Applicant Information (* indicates required information)</b>	
Applicant/Grantee Legal Name: <b>WESTMORELAND COUNTY COMMISSIONERS PARKS &amp; RECREATION</b>		Web Application ID: <b>2000365</b>	
Project Title: <b>Twin Lakes Pavilion 6 Rehabilitation</b>			

WHEREAS, WESTMORELAND COUNTY COMMISSIONERS PARKS & RECREATION ("Applicant") desires to undertake the project, "Twin Lakes Pavilion 6 Rehabilitation" ("Project Title"); and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of "Chairman, Westmoreland County Board of Commissioners".
2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "TITLE" specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the

WESTMORELAND COUNTY BOARD OF COMMISSIONERS

(Identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of this applicant, this 29<sup>th</sup> day of March, 2018.




Secretary (Signature of the Secretary of the governing body)



- (G) **Resolution (#R-12-2018)** for the Westmoreland Heritage Trail-Phase IV Construction, permitting a grant application to be filed with the PA DCNR in the current application period in the amount of \$320,000.00, which is 50% of the total project budget, with required matching funds coming from the 2016 Bond Fund, Transportation Alternatives program Grant and the Westmoreland County Parks and Recreation Citizens Advisory Board

Resolution #R-12-2018

 <b>pennsylvania</b> DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES	<b>RESOLUTION PAGE</b>	Commonwealth of Pennsylvania www.dcnr.state.pa.us/grants
	<b>DCNR-2018-C2P2-19</b> <b>Applicant Information (* indicates required information)</b>	
Applicant/Grantee Legal Name: <b>WESTMORELAND COUNTY COMMISSIONERS PARKS &amp; RECREATION</b>		Web Application ID: <b>2000364</b>
Project Title: <b>Westmoreland Heritage Trail - Phase 4 Construction</b>		

WHEREAS, WESTMORELAND COUNTY COMMISSIONERS PARKS & RECREATION ("Applicant") desires to undertake the project, "Westmoreland Heritage Trail - Phase 4 Construction" ("Project Title"); and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and


NOW THEREFORE, It is resolved that:

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2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "TITLE" specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the


WESTMORELAND COUNTY BOARD OF COMMISSIONERS  
(Identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of this applicant, this 29th day of March, 2018

  
 Secretary (Signature of the Secretary of the governing body)

- (H) **Resolution (#R-13-2018)** for the Westmoreland Heritage Trail Gap Feasibility Study, permitting a grant application be filed with the PA DCNR in the current application period in the amount of \$30,000.00, which is 50% of the total project budget, with required matching funds coming from the 2016 Bond Fund, Transportation Alternatives program Grant and the Westmoreland County Parks and Recreation Citizens Advisory Board

Resolution #R-13-2018

 <b>pennsylvania</b> DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES	<b>RESOLUTION PAGE</b>	Commonwealth of Pennsylvania www.dcnr.state.pa.us/grants
	<b>DCNR-2018-C2P2-19 Applicant Information (* Indicates required information)</b>	
Applicant/Grantee Legal Name: <b>WESTMORELAND COUNTY COMMISSIONERS PARKS &amp; RECREATION</b>		Web Application ID: <b>2000372</b>
Project Title: <b>Westmoreland Heritage Trail - Gap Feasibility Study</b>		

WHEREAS, WESTMORELAND COUNTY COMMISSIONERS PARKS & RECREATION ("Applicant") desires to undertake the project, "Westmoreland Heritage Trail - Gap Feasibility Study" ("Project Title"); and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

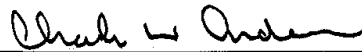
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2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "TITLE" specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the

WESTMORELAND COUNTY BOARD OF COMMISSIONERS

(Identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of this applicant, this 29<sup>th</sup> day of March, 2018.



Secretary (Signature of the Secretary of the governing body)

- (I) Agreement with **Ray Vasinko, D & R Sound Systems**, to provide Sound Technician Services, for the Twin Lakes Summer Concerts, in the amount of **\$2,700.00**
- (J) Agreements with the following Musical Performances at the 2018 Twin Lakes Park Summer Concert Series:
- (1) **Robin Leonard, East Coast Turn Around**, to perform on September 18, 2018 in the amount of **\$700.00**
  - (2) **LoveBettie, LLC**, to perform on August 18, 2018 in the amount of **\$1,300.00**
  - (3) **Lee Caruso, Jr, Bid Atlantic LLC**, to perform on August 18, 2018 in the amount of **\$500.00**
  - (4) **Dave August, North of Mason Dixon (NOMAD)**, to perform on July 14, 2018 in the amount of **\$1,300.00**
- (K) Agreement with **Tri-County Federation of Musicians, Local 592 AFM, Keith Schwartz, Representative**, to provide Sunday concerts at Cedar Creek Park, in the amount of **\$2,500.00**, for the following dates (4:00pm-6:00pm):
- |               |                 |              |               |
|---------------|-----------------|--------------|---------------|
| June 3, 2018  | June 17, 2018   | July 1, 2018 | July 15, 2018 |
| July 29, 2018 | August 29, 2018 |              |               |
- (L) Agreement with **Canabait Live Bait Company**, for “**Bait-Twin Lakes Boat House**,” for a term April 1, 2018 through March 31, 2020
- (M) Agreement with **Three Rivers Express, LLC**, for “**Ice Cream-Twin Lakes Boat House**,” for the term April 1, 2018 through March 31, 2020
- (N) Agreements with the following for “**You’ve Got a Friend Day**” program, at Twin Lakes Park on October 3, 2018:
- (1) **Kenneth Sprouse, Bird Display & Show**, in the amount of **\$500.00**
  - (2) **Sara Sickle, Greenfield Farms, Petting Zoo & Pony Rides**, in the amount of **\$650.00**
  - (3) **Brian Thomas, Thomas Family Amusements, Amusement Rides**, in the amount of **\$1,500.00**
  - (4) **13<sup>th</sup> Hour Entertainment, Magic Shows**, in the amount of **\$800.00**
  - (5) **Dave Haering, DJ**, in the amount of **\$300.00**
- (O) Agreement with **Bash Contracting, Inc.**, to install 1,600 linear feet of deer enclosure fencing at Ann Rudd Saxman Nature Park, in the amount of **\$5,115.00**; this project is part of the Westmoreland Conservation District’s Ann Rudd Saxman Nature Park Rehabilitation Project and is funded with a PA DCNR grant
- (P) Ratification of Parking Release Agreement with **DB&G Management, LP and CoalTech Petrographic Associates, Inc.** to permit the use of their parking lot at 3102 Braun Avenue, Murrysville for the March for Parks on Saturday, March 24, 2018

Upon review and recommendation by Melissa A. Guidy, County Solicitor and Deborah T. Chiado, Director, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following items for the **Tax Office:**

- (A) Sale of the following properties from the Repository of Unsold Properties pursuant to Section 627 of the Real Estate Tax Sale Law (72 P.S. §5860.627):

<b><u>Date</u></b>	<b><u>Map Number</u></b>	<b><u>Location</u></b>	<b><u>Bid Amount</u></b>
3.6.18	14-01-16-0-285	City of Jeannette	\$1,011.25
3.9.18	56-16-02-0-128	Rostraver Township	\$1,769.17
3.9.18	56-16-02-0-127	Rostraver Township	\$1,230.55
3.21.18	14-01-11-0-064	City of Jeannette	\$800.00
3.26.18	10-04-07-0-013	City of Greensburg	\$1,130.20
3.27.18	02-02-07-0-020	City of Arnold	\$904.76
3.27.18	02-02-07-0-430	City of Arnold	\$1,576.00

- (B) Rescind approval of the sale of the following properties:

<b><u>Map Number</u></b>	<b><u>Location</u></b>	<b><u>Bid Amount</u></b>
50-29-01-0-138	Hempfield Township	\$528.00

Upon review and recommendation of Melissa A. Guidy, County Solicitor motion was made by Mr. Kopas seconded by Mr. Anderson and unanimously agreed to approve the following items for **Westmoreland County**:

- (A) **Ordinance (#ORD-1-2018)** to permit the Westmoreland County Park Police to process FBI background fingerprinting cards and to establish a fee for doing so

ORDINANCE NO. ORD # 1 - 2018

AN ORDINANCE OF THE COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, TO PERMIT THE WESTMORELAND COUNTY PARK POLICE TO PROCESS FBI BACKGROUND FINGERPRINTING CARDS AND TO ESTABLISH A FEE FOR DOING SO.

**WHEREAS**, FBI Fingerprint Background Cards are required for the issuance of certain documents including, but not limited to name changes, application for private investigator, and similar items, some of which are issued through the offices at the Westmoreland County Courthouse; and

**WHEREAS**, the Westmoreland County Park Police maintains and operates a LiveScan machine located in the Courthouse Lobby, that may be used to process Fingerprint Cards; and

**WHEREAS**, the Westmoreland County Park Police has received numerous inquiries from the general public, businesses, and units of local governments asking if the Westmoreland County Park Police can provide FBI Fingerprint Cards.

**The Westmoreland County Board of Commissioners hereby enacts as follows:**

**Section 1. Authorization.**

Westmoreland County hereby authorizes the Westmoreland County Park Police to accept and process applications for FBI Background Fingerprint Cards from any applicant requesting the same.

**Section 2. Established Fee.**

Every applicant shall pay to the Westmoreland County Treasurer the sum of \$10.00, which shall be deposited into the Westmoreland County General Fund and the Westmoreland County Park Police shall provide each applicant a Fingerprint Card in return.

**Section 3. Effective Date.**

This Ordinance shall take effect the 2nd day of April, 2018.

DULY ENACTED AND ORDAINED at a public meeting of the Board of County Commissioners of the County of Westmoreland, Pennsylvania, held on the 29<sup>th</sup> day of March, 2018.

- (B) Payment in the amount of \$25,000.00 in accordance with the Settlement Agreement between Joseph Grillo and Recorder of Deeds of Westmoreland County and County of Westmoreland at case 2:17-cv-01298 in the U.S. District Court for the Western District of Pennsylvania
- (C) Satisfaction of Mortgage between Ann M. Patcyk and the County, recorded in the Recorder of Deeds Office of Westmoreland County, on August 17, 2006 at Instrument Number 200608170040657
- (D) Designate Amanda Bernard, Director of Human Resources, as the authorized representative for the Section 111 Mandatory Reporting Profile Report for CMS, provided that any reporting does not require the payment of any funds by the County of Westmoreland and submissions are reviewed by the County Solicitor's office
- (E) **Stipulation of Settlement** in the tax assessment appeal of **William Miller**, located in the City of Greensburg, Westmoreland County, No. 5730 of 2016 for the tax year 2017. The assessed value shall be determined by applying the common level ratio established by the State Tax Equalization Board.

**Tax Map No. 10-04-02-0-510-00-000**

<i>Year</i>	<i>Proposed Market Value</i>	<i>STEB Ratio</i>	<i>Resulting Assessment</i>
2017	\$75,000.00	17.3%	\$12,975.00

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.

- (F) **Stipulation of Settlement** in the tax assessment appeal of **Diffenderfer Laukus Real Estate Partnership**, located in the Township of North Huntingdon, Westmoreland County, No. 5933 of 2016 for the tax year 2017. The assessed value shall be determined by applying the common level ratio established by the State Tax Equalization Board.

**Tax Map No.**

<i>Year</i>	<i>Proposed Market Value</i>	<i>STEB Ratio</i>	<i>Resulting Assessment</i>
2017	\$75,000.00	17.3%	\$12,975.00

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) Termination of Master Service Agreement with Sprint Solutions Inc. dated July 12, 2017 at the end of the April 2018 billing cycle. Under the termination agreement, the County is retaining 6 iPhone 7's and 3 LG G6's.

- (H) Issuance of purchase order pursuant to Commonwealth of Pennsylvania Contract 4400013854, as modified by FirstNet proposal, to have A T & T Mobility II, LLC provide cellular voice and data service to designated county employees over a two year period effective April 1, 2018.

Monthly recurring charge per device will be as follows:

Unlimited Standard for Smartphones (Talk/Text/Data)	\$39.99
Unlimited for Data-only devices	\$36.99
FN Feature Phone Unlimited Voice (Talk/Text)	\$24.00

A T & T will offer the following device pricing:

iPhone 7 32GB	\$0.99
Samsung Galaxy S7	\$0.99
Unite Explore MiFi	\$0.00
Kyocera DuraXE Flip Phone	\$0.00

A T & T will offer the following incentives:

\$150.00 Activation Credit per eligible Smartphone Subscriber Line  
\$50.00 Activation Credit per eligible Basic Phone Subscriber Line  
\$50.00 Activation Credit per eligible Data Only Subscriber Line

An additional One-Time Month 13 Loyalty Renewal Credit is available of \$19,450.00 (\$50.00 per 389 lines) payable after the 13<sup>th</sup> month of the effective/activation date of the 389 lines. (Requires a minimum of 380 and a maximum of 389 CRU lines). Final approval is subject to solicitor review.

- (I) **Resolution (#R-14-2018)** authorizing the retirement of K-9 Diesel and transfer of ownership

**RESOLUTION #R-14-2018**

**RESOLUTION AUTHORIZING THE RETIREMENT OF K-9 DIESEL AND TRANSFER OF OWNERSHIP**

WHEREAS, pursuant to Section 202 of the County Code, 16 P.S. § 202, each County, through its Board of Commissioners, has the capacity to “[p]urchase, acquire by gift or otherwise, hold, lease, let and convey such real and personal property as shall be deemed to be for the best interests of the county.”

WHEREAS, 16 P.S. Section 1805 provides for personal property of the County to be disposed of by sale or otherwise, upon resolution of the commissioners.

WHEREAS, on or about October of 2014, the County acquired a male Belgian Malinois canine dog, originally known as Toby, and now known as Diesel (hereinafter Diesel), through funds donated by the Sheriff’s Volunteer Unit and Ideal Investigations & Security Group, with the funds being paid directly to Shallow Creek Kennels, Inc., with neither the Sheriff’s Volunteer Unit or Ideal Investigations & Security Group, acquiring an ownership interest in Diesel.

WHEREAS, the County issued additional payment to Ideal Investigations & Security Group for training of Diesel in narcotics detection.

WHEREAS, it was in the best interest of the county to have Diesel transferred from the Westmoreland County Sheriff's Department to the Westmoreland County Park Police.

WHEREAS, upon being transferred to the Westmoreland County Park Police, Diesel was evaluated by and underwent training with the Pittsburgh City Police Department.

WHEREAS, it was determined that Diesel was not progressing as he should in training and Pittsburgh City Police Department informed the County to stop training Diesel and to retire him from service.

WHEREAS, as Diesel is no longer needed for County purposes or able to perform as a K-9 for the County, it is not economical for the County to continue to provide for the care and upkeep of Diesel.

WHEREAS, the County finds that Diesel should be retired and ownership transferred to Deputy Jason Grecco, his former handler within the Westmoreland County Sheriff's Department.

WHEREAS, Diesel shall be donated to Deputy Grecco and the ownership of Diesel shall be transferred to Deputy Grecco upon Deputy Grecco accepting custody of Diesel and assuming all liability and responsibility for the care of Diesel for the remainder of Diesel's life.

NOW, THEREFORE, IT IS RESOLVED by the Board of Commissioners for the County of Westmoreland, Pennsylvania, as follows:

1. The Board of Commissioners is hereby ratifying its ownership of the canine now known as Diesel and the previous transfer of Diesel to the Westmoreland County Park Police; and
2. The Board of Commissioners further authorizes the retirement of Diesel and to donate and transfer the ownership of the K-9, Diesel, to Deputy Jason Grecco, in a manner that will require no further expenditure by the County for the care and upkeep of Diesel, provided that Deputy Jason Grecco accepts custody of Diesel and assumes all liability and responsibility for the care of Diesel for the remainder of Diesel's life.

RESOLVED AND ENACTED at a regularly scheduled public meeting of the Board of Commissioners of the County of Westmoreland, Pennsylvania, held this 29<sup>th</sup> day of March, 2018, a quorum being present.



Upon review and recommendation of Melissa A. Guiddy, County Solicitor and John Austin, Administrator motion was made by Mr. Anderson seconded by Mr. Kopas and unanimously agreed to approve the following items for **Westmoreland Manor**:

- (A) Agreement with **Westmoreland County Community College, Workforce Development Department**, for “**Nurse Aide Training Program**,” at No Cost to Westmoreland County for one participant for the term March 20, 2018 through May 19, 2018. The training will be held at the Westmoreland County Community College Indiana Campus
- (B) Acceptance of quote pursuant to State Contract #4400015469 with **SimplexGrinnell** for upgrades to the current fire alarm system, in the amount of **\$190,629.00**; this project is funded by the 2016 Bond
- (C) Independent Contractor Agreement with **Mutual Aid Ambulance Service**, at the rate of **\$35.00/bed plus rates according to Schedule B** to provide ambulance transport for Westmoreland Manor residents, with an initial term of six months commencing April 1, 2018 through September 30, 2018.
- (D) Dispenser Lease Agreement with **Essity Professional Hygiene NA LLC**, through distributor **Pitt Specialty Supply, Inc.**, for OptiServ Hands-Free Towel Dispensers and Tork OptiCore Bath Dispensers, with no monthly lease cost to Westmoreland County
- (E) Ratification of issuance of a purchase order as modified with **Eastern Elevator Service & Sales Company**, for “**Elevator Modernization for Westmoreland Manor**,” in the amount of **\$505,000.00**, for Elevators #4, #7 and #9; pursuant to State Contract #4400015233.
- (F) Amendment to Agreement with AllStar Therapies, Inc., dated April 14, 2005 to modify “**Therapy Services Compensation**,” for Direct Resident Care Services, Evaluation and Treatment: Skilled/Inpatient Residents, effective April 1, 2018 as per the revised compensation schedule.

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Upon review and recommendation of Melissa A. Guiddy, County Solicitor motion was made by Mr. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items of **Miscellaneous Business**:

- (1) Amendments to the **2017 and 2018 Budgets** for the Department of Financial Administration, as prepared by Angela Matson, Assistant Director of Financial Administration
- (2) **Reappointments**
  - (A) Reappoint the following individuals to the Westmoreland County Area Agency on Aging Advisory Council, for a three year term, May 1, 2018 through May 1, 2021:

Larry Rowe	Hollin West
Kirk Fellabom	Peggy Powers-Hamilton
- (3) **Proclamations**
  - “*Ben Piper 2017 Mt. Pleasant Rotary Citizen of the Year*”
  - “*Pennsylvania 811 Safe Digging Month*”

(4) **Years of Service**

**30 Years**

Debra Nicholson

**25 Years**

Tamie Knopsnyder

Sheila Smouse

Terence O'Halloran

Patrick Nuzzo

Brian Steele

Terrance Odelli

Tony Altieri

John Massari

David Lentz

David Tucci

Shane Smith

Robert Brumfield

Stephen Harhai Jr.

Christine Shipley

**20 Years**

Beth Stabile

Maryann Grec

John Cesario

Cynthia Kovacevic

Janice Perbonish

Steven Lohner

**15 Years**

Sandra Snyder

Robin Moore

Sandra Huth

Mary Genard

Mary House

**10 Years**

Katherine Walton

Paul DeFloria

Jesse Salandro

Georgiann Salandro

Elise Answine

(5) **Certificates of Special Recognition**

*Anna Donohoe, 95<sup>th</sup> birthday*

*Lois Hudock, 93<sup>rd</sup> birthday*

*Mary Geer, 93<sup>rd</sup> birthday*

*Mildred Gregory, 92<sup>nd</sup> birthday*

*Faustine Still, 91<sup>st</sup> birthday*

*Mary McGrew, 90<sup>th</sup> birthday*

*Bessie Brown, 90<sup>th</sup> birthday*

(6) **Certificates of Appreciation**

*Samuel Conyette, 50 years of Service - Mt. Pleasant Volunteer Fire Department*

*Paul Harenchar, 35 years of Service - Mt. Pleasant Volunteer Fire Department*

*Dave Bert, 30 years of Service - Mt. Pleasant Volunteer Fire Department*

*Jerry Lucia, Jr., 30 years of Service - Mt. Pleasant Volunteer Fire Department*

*Tom Kristoff, 25 years of Service - Mt. Pleasant Volunteer Fire Department*

*Mike Liska, 15 years of Service - Mt. Pleasant Volunteer Fire Department*

Motion was made by Mr. Anderson, seconded by Mr. Kopas, and it was unanimously agreed to adjourn the meeting at 10:46am

Certified by,

Charles W. Anderson  
Secretary