

## October 10, 2019

The Westmoreland County Commissioners met in regular session beginning at 10:03am on Thursday, October 10, 2019 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. John Smaligo, Pastor, Harold Zion Lutheran Church, gave an invocation before the meeting and Commissioner Cerilli led the Pledge of Allegiance Jeannette

### Salary Board 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 September 12, 2019, as presented; with the following corrections:

- Public Works, item C, Proposal from **RoadBotics**, the one year subscription fee is from \$4,080.00 to \$5,100.00
- Westmoreland County, item F, corrected to Lease Agreement with the City of Greensburg

### Opportunity for Public Comment

*Bob Cameron, Greensburg, PA – representing Donegal Construction, are in Lot 14 – has heard someone may be moving into Lot 16 – any discussion about who that may be? Mr. Cameron was directed to stay until the end of the meeting to speak with someone from IDC*

### Solicitors Report

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Sharon Bold, Adult Probation Director and the Department of Financial Administration, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following item for **Adult Probation:**

- (A) Service Agreement with **Southwest Behavioral Care, Inc., d/b/a SPHS Behavioral Care**, in the amount of **\$233,855.00** (No cost to Westmoreland County; PCCD) for services under the Intermediate Punishment Treatment Programs (State IP/DARIP) for fiscal year July 1, 2019 through June 30, 2020
- (B) Agreement with **Automated Card Systems, A Division of Indentisys, Inc.**, for maintenance on Datacard/ID Centre software, in the amount of **\$396.00** for a one year term, commencing October 1, 2019 through October 1, 2020

Upon review and recommendation of Kate Johnson, Administrator, Melissa A. Guiddy, County Solicitor and the Department of Financial Administration (item A), motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for the **Area Agency on Aging**:

- (A) Sponsorship Agreement with **Westmoreland-Fayette Workforce Investment Board** for representative desk space, phone extension, access to office fax and copier, in order to provide services through PA CareerLink in the amount of **\$2,916.75** for the term July 1, 2019 through June 30, 2020; payable monthly in the amount of \$243.06
- (B) New Fee Schedule for the Westmoreland County Area Agency on Aging Vision Center Program, effective January 1, 2020:

% of Poverty Level	Income		Cost
	One Person	Two Persons	
Poverty Level	\$0 through \$1,041	\$0 through \$1,409	\$50.00
125% of Poverty Level	\$1,042 through \$1,301	\$1,410 through \$1,762.00	\$55.00
150% of Poverty Level	\$1,302 through \$1,561	\$1,763 through \$2,114	\$60.00
over 150% of Poverty Level	\$1,562 and over per month	\$2,115 and over per month	cost

Upon review and recommendation of Dirk Matson, Director and Melissa A. Guiddy, County Solicitor, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Behavioral Health & Developmental Services**:

- (A) Agreements for the term July 1, 2019 through June 30, 2020:
  - (1) **Pathways of Southwestern Pennsylvania, Inc.**, in the amount of **\$15,858.00** (DHS \$14,272.00, County \$1,586.00) for “**Early Intervention: Speech Pathology, Physical Therapy, Occupational Therapy, Special Instruction, Special Instruction (Vision), Nutrition Support**”
  - (2) **Horner, Wible, and Terek, PC**, in the amount of **\$23,895.00** (DHS \$22,947.00, County \$948.00) for “**Mental Health/Intellectual Disabilities/Health Choices: Consultation**”
- (B) Amendment to Agreement with **Southwest Behavioral Care, Inc.**, dated July 12, 2018 in the amount of **\$109,638.00 additional** (DHS \$104,437.00, County \$5,201.00; New Total Agreement \$1,393,996.00) for “**Behavioral Health: Outpatient (Diagnostic Interview (Child, Adult) Therapy (Individual, Group), Medication Check, Family Therapy, Psych Nurse), Short Term Residential, Site Based Psych Rehab, Blended Case Mgmt, Drop In, Support Housing, Supporting Living, Short Term Resident (OTO), Drop In (OTO),**” for the term July 1, 2018 through June 30, 2019

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Shara Saveikis, Administrator and the Department of Financial Administration (items C, D & E), motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Children's Bureau:**

- (A) Memorandum of Understanding with **CASA Westmoreland, Inc.** for the term of July 1, 2017 through June 30, 2018 with one automatic one year renewal to provide \$75,000.00 in Act 148 funds to assist with the cost of two Advocate Supervisors
- (B) Memorandum of Understanding with **CASA Westmoreland, Inc.** for the term of July 1, 2019 through June 30, 2020 with one automatic one year renewal to provide \$75,000.00 in Act 148 funds to assist with the cost of two Advocate Supervisors
- (C) Agreement with **Appalachian Youth Services, (Act 148, County)**, for “**Day Treatment,**” at the per diem rate of **\$40.27**, for the term July 1, 2019 through June 30, 2020
- (D) Agreement with **JusticeWorks YouthCare, Inc., (TANF, Act 148, County)**, for “**Anger Management, Community Counseling, Family Finding, FGDM, JustCare, Nurturing Parent, STOPP, Thinking for Change, Transportation, WhyTry, VIP, Visitation,**” for the term July 1, 2019 through June 30, 2020, as per the fee schedule
- (E) Amendment to Agreement with **Family Care for Children & Youth, (TANF, Act 148, County)**, dated July 11, 2019 for “**In-Home Services,**” to add mileage at the prevailing IRS rate, currently \$0.58 per mile, effective September 30, 2019 through June 30, 2020; with all terms and conditions of the Agreement remaining in full force and effect for the balance of the term of the Agreement

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

- (A) Agreement with **Cyril H. Wecht, MD JD, Forensic Pathologist**, for “**Autopsy Services,**” for the term January 1, 2020 through December 31, 2022 in the amount of **\$1,750.00 for complete medical-legal autopsy** (including gross and microscopic diagnosis and typed post-mortem protocol)

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

- (A) Extend Professional Services Agreement with **Behavior Management Consultants**, dated December 18, 2017 for **“Competency & Criminal Responsibility Evaluations,”** for an additional one year term, January 1, 2020 through December 31, 2020, at the same rates; this is the second, and final, of two one year extensions
- (B) Agreement with **King and Associates, Inc.**, for **“Court Ordered Mental Health Evaluations for Incarcerated Defendants,”** for the term January 1, 2020 through December 31, 2020 at the following rates:

<b>\$250.00/evaluation</b>	<b>\$50.00/hour to obtain records</b>
<b>\$100.00/hour court prep time</b>	<b>\$125.00/hour time in court</b>
- (C) Agreement with **Behavior Management Consultants**, for **“Court Ordered Mental Health Evaluations for Incarcerated Defendants,”** for the term January 1, 2020 through December 31, 2020 at the rate of **\$85.00/hour (\$467.50/evaluation, estimated 5.5hours)**
- (D) Agreement with **Southwest Behavioral Care, Inc., d/b/a SPHS Behavioral Health**, for **“Court Assessment Services,”** for the term January 1, 2020 through December 31, 2020 in an amount not to exceed **\$65,000.00** at the following rates:

<b>Assessment/Evaluation \$75.00/hour</b>	<b>Group Services \$75.00/hour</b>
<b>On-Site Testing \$6.75/specimen</b>	<b>Confirmation Testing \$19.00/drug</b>
- (E) Agreement with **Kreinbrook Psychological Services**, for **“Psychiatric/Psychological Diagnostic Evaluations for Incarcerated Adult Criminal Court Defendants,”** in the amount of **\$150.00/evaluation** for the term January 1, 2020 through December 31, 2020
- (F) Agreement with **Kreinbrook Psychological Services**, for **“Court Ordered Mental Health Evaluations for Incarcerated Defendants,”** for the term January 1, 2020 through December 31, 2020 at the rate of **\$150.00/evaluation**

Upon review and recommendation of John Peck, District Attorney and Melissa A. Guiddy, County Solicitor, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following items for the **District Attorney:**

- (A) Memorandum of Agreement between District Attorney and Westmoreland County to facilitate the use of Therapy Dogs to aid the District Attorney’s Office in dealing with crime victims
- (B) Therapy Dog/Handler Agreement with Amy Garris for the District Attorney’s Office

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

- (A) Requests for Proposals for “**Electronic Poll Books**,” (Bid 19-21), were opened on May 14, 2019:

Robis Elections Inc.  
Tenex Software Solutions, Inc.  
Knowink  
Elections Systems & Software, LLC

Reject all proposals

- (B) Requests for Proposals for “**Voting Systems**,” (Bid 19-22), were opened on May 14, 2019:

Elections Systems & Software, LLC  
Dominion Voting Systems, Inc.  
Hart Intercivic  
Clear Ballot Group, Inc.

Reject all proposals

- (C) Purchase of Hardware (Model DS200 Precinct Scanner), Software, Software License, Maintenance and Support and Extended Hardware via COSTARS from **Election Systems & Software, LLC**, in the amount of **\$7,062,989.25** (Hardware/Software/Election Services: \$4,974,433.00); (Software License and Maintenance and Support for years 2-5: \$443,054.00); (Extended Hardware Maintenance for years 2-5: \$312,256.00); and (License and Maintenance and Support for years 6-10: \$1,333,246.25). Final approval is subject to solicitor review and the terms of an acceptable Software License and Extended Warranty and Software, License and Maintenance and Support Services Agreement.

Upon review and recommendation of Amanda Bernard, Director, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Human Resources**:

- (A) Influenza Vaccine Administration Program Agreement with **Rite Aid Hdqtrs. Corp.**, to perform flu clinics at the following dates, times and locations listed below, at no cost to Westmoreland County, effective October 15, 2019 through April 30, 2020

October 15, 2019	Courthouse
October 16, 2019	Courthouse
October 22, 2019	Juvenile Detention Center

- (B) Personnel Actions:

**New Hires**

Jamell Humphrey - Unit Assistant Trainee Temp  
Kayla Jerome - Nurses Aide  
Georgia Snyder - Registered Nurse  
Samantha Sawyer - Nurses Aide  
Steven Bell- Veterans Affairs- Lead Veterans Representative  
Ranelle Smith- Human Resources- Clerk Typist Trainee Temp  
Robert Dent- Information Systems- Tech Support Analyst Trainee  
Matthew Borichevsky- Children's Bureau- County Caseworker I  
Rebecca Walker- Children's Bureau- County Caseworker I  
Jocelyn Davis - Children's Bureau- County Caseworker I  
Joshua Kempka- Youth Shelter- Juvenile Service Worker Temp  
Carolyn Cybach- Human Resources- Clerk Typist Trainee Temp

**Rehires**

Danni Schrader - Assistant Director of Nursing  
Carrie Burnworth - LPN  
Denise Trout - Supervisor Temp  
Tommi Osborne – LPN  
James Sims- Veterans Affairs- Admin Assistant/ Veterans Temp

**Resignations**

Allyssa Grove - Nurses Aide  
Bobbi Jean Lane - Nurses Aide  
Nanciann Lisbon - LPN  
Tiffany McCutcheon - Nurses Aide Trainee Temp  
Rebecca Leaver - Nurses Aide Trainee Temp  
Katie Kubas - 911 Surcharge- Telecommunications Officer  
Keith Alincic- Prison- Correction Officer PT  
Giuseppe Barbieri- Prison - Correction Officer PT  
Troy Thorpe- Parks- Maintenance Worker IT  
Maricella Hilario - Prison - Correction Officer Pt  
James Sonafelt- Parks- Seasonal Park Worker  
Crystal Bodnar- 911- TCO Trainee Temp

**Terminations/End of Temp Employment**

Donald Ober - LPN Temp

- (C) Workers Compensation and Employers Liability Insurance with Housing and Redevelopment Insurance Exchange in the amount of \$1,095,695.00 for a one year period effective October 1, 2019 through October 1, 2020, with a deductible amount of \$25,000.00 for each compensable claim.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Scott Ross, Director, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Information Systems:**

- (A) Renewal of Professional Service Agreement with **Link Computer**, to provide Firewall, Router, Server, AS/400 and Network configuration assistance on an as needed basis for the term of November 13, 2019 through November 12, 2020, at the on-site hourly rate of \$115.00 plus approved travel expenses as incurred in accordance with the County’s employee travel policy. Total contract is not to exceed **\$15,000.00**. Expenses will be divided as follows:

Westmoreland County Information Systems	\$10,000
Domestic Relations	\$ 1,000
Recorder of Deeds	\$ 1,000
Westmoreland Manor	\$ 3,000

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Henry Fontana, Chief, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve **Park Police**

- (A) Extend Agreement with **Morocco Electric, Inc.**, for “**Card Access Systems for Westmoreland County,**” (Bid 18-30), dated November 15, 2018 to for a second one-year term, December 1, 2019 through November 30, 2020, at the same amount of **\$23,524.00 (plus after hour rate of \$114.00)**; this is the only extension

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

- (A) Acceptance of Grant Award from the US Department of Housing & Urban Development, in the amount of \$4,597,567.00 (CDBG in the amount of \$3,436,823.00; HOME Investment Partnership Program in the amount of \$871,414.00; Emergency Solutions Grants Program in the amount of \$289,330.00) for the term May 1, 2019 through April 30, 2020
- (B) Subrecipient Agreements; funding is provided by the U.S. Department of Housing and Urban Development (HUD) through its Community Development Block Grant (CDBG) Program - no costs to the County.

ACTIVITY CODE	SUBRECIPIENT	ACTIVITY DESCRIPTION	AMOUNT
19-31B	Westmoreland Community Action	Permanent Supportive Housing-- Families	\$50,000.00
19-31C	Westmoreland Community Action	Permanent Supportive Housing-- MH	\$26,000.00
19-31D	Union Mission	Public Services--Permanent Supportive Housing	\$14,000.00
19-21A	Westmoreland County Housing Authority	Emergency Rehabilitation	\$100,000.00
19-20A	Redevelopment Authority	County Wide Demolition	\$250,000.00
19-25A	Avonmore Borough	Street Reconstruction	\$44,742.00
19-24A	Bolivar Borough	Storm Water Facilities	\$65,232.00
19-13B	Hempfield Township	Removal of Architectural Barriers	\$143,875.00
19-24B	Hyde Park Borough	Storm Water Facilities	\$64,000.00
19-13C	Irwin Borough	Removal of Architectural Barriers	\$50,710.00
19-25C	City of Latrobe	Street Reconstruction	\$179,235.00
19-25D	North Belle Vernon Borough	Street Reconstruction	\$43,874.00
19-23A	North Huntingdon Township	Sanitary Sewer Facilities	\$245,000.00
19-25E	North Irwin Borough	Street Reconstruction/Removal of Architectural Barriers	\$152,400.00
19-24C	Sewickley Township	Storm Water Facilities	\$200,000.00
19-28A	South Greensburg Borough	Recreational Facilities	\$55,362.00
19-25F	Southwest Greensburg Borough	Street Reconstruction	\$47,106.00
19-13D	Unity Township	Removal of Architectural Barriers	\$104,500.00
19-13E	Youngwood Borough	Removal of Architectural Barriers	\$179,400.00



- (C) Memorandum of Understanding (MOU) with the Westmoreland County Department of Public Works (DPW), to define the terms and conditions under which FY 2019 CDBG grant funding will be provided to the DPW for ADA improvements to walkways and parking facilities, and for the replacement of an existing non-accessible restroom facility at Twin Lakes Park in Hempfield Township.
- (D) Memorandum of Understanding (MOU) with the Westmoreland County Drug Treatment Court, to define the terms and conditions under which FY 2019 Community Development Block Grant (CDBG) funding will be used for the overall administration of the Drug Treatment Court program. This program provides intensive judicial oversight, court supervision and case management for persons involved in the criminal justice system that demonstrate a need for drug and alcohol/mental health treatment.
- (E) Grant Agreements with the following Sub-Grantees for the provision of services under the County’s Emergency Solutions Grants Program (ESG) for Fiscal Year 2019, to provide certain homeless assistance activities to persons living in the County. The following is a list of the Sub-Grantees and the amount of ESG funds to be awarded:

Shelter Activities

Alle-Kiski Area Hope Center	\$15,000.00
The Blackburn Center	\$39,500.00
Connect, Inc.	\$80,000.00
Union Mission of Latrobe	\$34,500.00

Homeless Prevention Activities

Westmoreland County Housing Authority	\$60,000.00
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Rapid Rehousing Activities

Union Mission of Latrobe	\$38,631.00
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- (F) Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund Grant Agreement with the Pennsylvania Housing Finance Agency in the amount of \$75,000.00, to be used to directly address the housing needs of very low-income homeless men in Westmoreland County.

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

- (A) Acceptance of Award and Grant Agreement with **Pennsylvania Emergency Management Agency**, in the amount of **\$93,871.27** (County Match \$93,871.27) for **“FFY 2019 Emergency Management Performance Grant (EMPG) Program,”** for the term October 1, 2018 through September 30, 2021

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Greg McCloskey, Director and the Department of Financial Administration, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items for **Public Works**:

- (A) Agreement with **Peacock Peak Events**, to provide interactive rides and games for “**You’ve Got a Friend Day**,” on October 2, 2019 at Twin Lakes Park in the amount of **\$1,500.00**
- (B) Acceptance of Proposal and Service Agreement with **Johnson Controls**, (pursuant to State Contract #4400015469) for valve replacement and triennial test of the fire sprinkler dry system at the Forensic Center, at a onetime cost in the amount of **\$1,195.32**
- (C) Road Occupancy Permit for **GetGo Portfolio II, LP**, to access Lowry Avenue via a commercial right-in-only and right-out-only driveway, relocation of Hempfield Township’s Heights Lane and eliminating its one-way traffic designation; the permit includes conditions for reimbursement of the costs of inspection, if necessary, that will be billed to the permittee.
- (D) PennDOT Reimbursement Agreement No: R19120006, associated with Engineering Agreement L00421 (funding for engineering design for Westmoreland County Local Bridge Preservation Project) to add language regarding Title VI and the removal of Exhibit M, and further approve **Resolution #R-36-2019**, designating signature authority to the Chairman of the Board of Commissioner to sign the agreement and authorize the Director of Public Works to electronically execute the agreement in the PennDOT electronic Reimbursement Agreement System (RAS) on behalf of the Chairman.

RESOLUTION #R-36-2019

WHEREAS, the United States Department of Transportation, Federal Highway Administration (FHWA) provides grants to the states to improve public roads, including bridges on these roads, to enhance the safety and traffic flow on such roads; and

WHEREAS, the Commonwealth of Pennsylvania Department of Transportation (PennDOT) has adopted policies and procedures for the initiation and conduct of improvements to public roads, including bridges on these roads, in accordance with the requirements of the FHWA Program; and

WHEREAS, the County of Westmoreland desires to participate in such a Program in accordance with the terms, conditions and provisions set by the PennDOT.

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

1. That the Board hereby approves the Federal-Aid Bridge Project Reimbursement Agreement No. R19120006, as revised by PennDOT for the deletion of Exhibit M and the inclusion of Section 23 regarding Title VI Assurances for the Bridge Preservation Project, and any future supplements, by and between the County of Westmoreland and the Commonwealth of Pennsylvania acting through the Pennsylvania Department of Transportation.
2. That the Chairman of Westmoreland County Board of Commissioners is hereby authorized to execute this Agreement and the Chief Clerk is authorized to attest to such execution on behalf of the County of Westmoreland and affix the seal of the County thereon.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 10th day of October, 2019.

- (E) PennDOT Agreement L00141, Work Order 1, Supplement 3-Technical Proposal, with **SAI, Inc.**, to provide supplemental design services to accommodate the addition of a temporary access road for Westmoreland County Bridge North Irwin 4<sup>th</sup> Street project, in the amount of **\$103,948.46**; funded through federal funding provided for the project and Act13.
- (F) Amended PennDOT Reimbursement Agreement for Westmoreland County Bridge North Irwin 4<sup>th</sup> Street project, for the additional costs associated with the design work for the construction access road, changing from \$415,000.00 to \$520,000.00 and further to extend the expiration date from June 30, 2020 to June 30, 2023, **Resolution #R-37-2019**, designating signature authority to the Chairman of the Board of Commissioners to sign the agreement and authorize the Director of Public Works to electronically execute the agreement in the PennDOT electronic Reimbursement Agreement System (RAS) on behalf of the Chairman and authorize letter to PennDOT indicating the County's concurrence to change the date

RESOLUTION #R-37-2019

WHEREAS, the County of Westmoreland desires to amend Resolution #R-25-2016 which approved Federal-Aid Highway Project Reimbursement Agreement #R15120014 and authorized the Chairman of the Westmoreland County Board of Commissioners to execute said agreement. The amendment is to approve the supplemental Standard Bridge Reimbursement Grant Agreement Amendment #R15120014-2 and authorize the Chairman to execute this Amended Agreement.

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

1. That the Board hereby Amends Resolution #R-25-2016 and approves the Amendment to the Standard Bridge Reimbursement Grant Agreement #R15120014-2 and any future supplements, by and between the County of Westmoreland and the Commonwealth of Pennsylvania acting through the Pennsylvania Department of Transportation.
2. That the Board hereby approves the increased reimbursement amount described in the Amendment from \$415,000 to \$520,000,
3. That the Chairman of the Westmoreland County Board of Commissioners is hereby authorized to execute this Agreement and the Chief Clerk is authorized to attest to such execution on behalf of the County of Westmoreland thereon.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 10<sup>th</sup> day of October, 2019

- (G) Amended PennDOT Reimbursement Agreement No: R15120004 for Westmoreland County Bridge #14 Beaver Run (Story Road) Bridge Project, to extend the agreement from September 27, 2019 to July 21, 2020 to resolve outstanding contractual items on the project with Federal Reimbursement (construction was completed in 2019); and further approve **Resolution #R-38-2019**, designating signature authority to the Chairman of the Board of Commissioner to sign the agreement and authorize the Director of Public Works to electronically execute the agreement in the PennDOT electronic Reimbursement Agreement System (RAS) on behalf of the Chairman

#R-38-2019

WHEREAS, the County of Westmoreland desires to amend Resolution #R-43-2018 which approved the supplemental Standard Bridge Reimbursement Grant Agreement #R15120004-2 previously approved by Resolution #R-21-2015 which approved Federal-Aid Highway Project Reimbursement Agreement #R15120004 and authorized the Chairman of the Westmoreland County Board of Commissioners to execute said agreement. The amendment is to extend the expiration date of the supplemental Standard Bridge Reimbursement Grant Agreement #R1512004-2 from 09/27/2019 to 07/21/2020 and authorize the Chairman to acknowledge the schedule change.

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

1. That the Board hereby Amends Resolution #R-21-2015 and approves the Standard Bridge Reimbursement Grant Agreement #R1512004-2 and any future supplements, by and between the County of Westmoreland and the Commonwealth of Pennsylvania acting through the Pennsylvania Department of Transportation.
2. That the Chairman of the Westmoreland County Board of Commissioners is hereby authorized to execute this Agreement and the Chief Clerk is authorized to attest to such execution on behalf of the County of Westmoreland thereon.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 10<sup>th</sup> day of October, 2019.

- (H) Change Order #1 to Agreement with **Green Acres Contracting Co., Inc., (Bid 19-08)** dated May 5, 2019 in the amount of **\$26,555.70 additional** (additions in the amount of \$58,302.88, deductions in the amount of \$31,747.18; new total Agreement \$259,646.71) for actual quantities required; funded with Title 75 Funds.
- (I) Issuance of Purchase Order, pursuant to State Contract #4400015233 (PA State Parent Contract #4400015051), with **Eastern Elevator**, for monthly elevator maintenance service, for the term January 1, 2020 through December 31, 2020, at the following rates:
- \$480.00/month Prison  
\$180.00/month Juvenile Center  
\$2,175.00/month Courthouse Complex
- (J) Addendum to Agreement with **Unifirst Corporation**, for **“Uniforms and Mat Rental Service,” (Bid 17-50)**, dated October 26, 2017 to add park maintenance employees uniform to the contract at the same prices, with all terms and conditions remaining the same through the remainder of the contract, through December 31, 2020

- (K) Addendum #3 to Agreement with **CZ Surveying & Development**, dated May 4, 2017 for planning and design of Sanitary Sewage System for Cedar Creek Park, for additional expenses associated with securing DEP permits, for completion of inspection services performed and preparation of the final report in the amount of **\$9,938 additional** (new total agreement \$44,838.00)
- (L) Change Order #1 to Agreement with **Custom Contracting** for “**Mammoth Park Rehabilitation-Phase I,**” (**Bid 19-16**), dated May 30, 2019 in the amount of **\$92,730.00 additional** (deduct in the amount of \$99,150.00 and addition in the amount of \$191,880.00; New Total Agreement \$842,804.30) for more earthwork needed for giant slide, upgrade to asphalt walk, use of stone boulders to stabilize hillside, achieve an awesome experience, and a reduction of other items.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Brenda Oravets, Director, motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Purchasing:**

- (A) Bids for “**Casebinders for 2020**” were opened on October 8, 2019:

TAB Products Co, LLC	\$28,419.42
Avail Business Systems Inc.	\$28,647.92

Award bid to **TAB Products Co, LLC**, being the lowest bidder and meeting specifications in the amount of **\$28,419.42**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Deborah T. Chiado, Director, motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following item for **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>
9.18.19	39-01-14-0-002	West Newton	\$915.68
9.20.19	24-03-11-0-224	City of New Kensington	\$1,119.88
9.20.19	02-02-07-0-515	City of Arnold	\$1,446.17
10.7.19	02-02-07-0-113	City of Arnold	\$850.00
10.8.19	20-02-03-0-070	City of Monessen	\$977.99
10.7.19	24-03-16-0-052	City of New Kensington	\$929.92
10.7.19	20-02-070-0-28	City of Monessen	\$1,095.00

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

- (A) Amendment to Agreement with **Westmoreland Airport Authority**, dated August 13, 2015 to amend Exhibit A, to adjust scheduling of officers for departing flights
- (B) Amendment to Agreement with **Maximus, Inc.**, dated September 22, 2016 to extend the term through December 31, 2020, adding \$18,000.00 to perform the 2019 cost allocation plan; new total agreement **\$71,190.00**
- (C) **Stipulation of Settlement** in the tax assessment appeal of **Thomas E. Liprando** of property located in Penn Township, Penn Trafford School District, Westmoreland County, No. 5712 of 2018 for the tax year 2019. The assessed value shall be determined by applying the common level ration established by the State Tax Equalization Board.

**Tax Map No. 55-07-00-0-099**

<i>Year</i>	<i>Proposed Market Value</i>	<i>STEB Ratio</i>	<i>Resulting Assessment</i>
2019	\$1,425,000.00	16.3%	\$232,275.00

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

(D) **Resolution #R-39-2019**, Urging the Reauthorization of Collection of Fees to the Abandoned Mine Land Reclamation Fund

RESOLUTION #R- 39 -2019

RESOLUTION URGING THE REAUTHORIZATION OF COLLECTION OF FEES TO THE ABANDONED MINE LAND RECLAMATION FUND

WHEREAS, substantial coal mining has occurred in Pennsylvania for more than 130 years, and the industry has been a significant employer of our citizens for most of these years; and

WHEREAS, abandoned mines pose hazards in Pennsylvania of dangerous shafts, mountains of black waste, scarred landscapes, acidic drainages polluting more than 5,500 miles of our streams and other hazards threatening human health and safety and depressing local economies; and

WHEREAS, at least 44 of Pennsylvania's 67 counties are affected by abandoned coal mines; and

WHEREAS, at least 1.4 million Pennsylvanian's live within one mile of abandoned mine lands; and Pennsylvania's estimated cleanup cost is \$15 billion; and

WHEREAS, abandoned mines and abandoned mine lands create negative impacts on local economies by destroying recreational opportunities, lowering land values, leaving desolate communities once the mines are exhausted and ruining sites for further residential, forestry, commercial or agricultural uses, and threaten the human health and safety of people living in our coal field communities; and

WHEREAS, reclamation of abandoned mine sites can add to the economy by creating jobs, increasing community pride, increasing property values, decreasing stress-related costs through stream-based recreation, restoring the health of the environment and providing future sites for commercial or industrial endeavors; and

WHEREAS, congress established the Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 to reclaim areas abandoned before 1977 and the modern environmental standards requiring mine operators to reclaim their sites; and

WHEREAS, The Surface Mining Control and Reclamation Act of 1977 imposed on coal operators a fee of 35 cents per ton on surface mined coal, 15 cents per ton on underground mined coal, and 10 cents on lignite to provide a source of revenue for the Abandoned Mine Reclamation Fund to help finance the reclamation and remediation of lands mined prior to 1977; and

WHEREAS, The Scope of the abandoned mine problem continues to outpace available resources; and

WHEREAS, In 2006, the Congress of the United States re-authorized the Surface Mining Control and Reclamation Act of 1977 to extend fee collection through 2021, increase the "Set Aside" for acid mine drainage from 10% to 30% and provide for mandatory distribution of AML funds; and

WHEREAS, the fees collected and deposited into the federal AML Fund are derived from a per-ton fee assessed on each ton of coal mined by the active mining industry and can only be used for purposed authorized under Title IV of the Surface Mining Control and Reclamation Act. The AML Fund is not derived from a tax and is not funded from the US Treasury.; and

WHEREAS, The collection of fees on mined coal applied to Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 is set to expire 2021; and

WHEREAS, Pennsylvania has relied upon the Abandoned Mine Reclamation Fund as a primary source of money to clean up toxic mine water in our water supplies, restore land, extinguish mine fires and eliminate other dangerous abandoned mine hazards.

NOW THEREFORE BE IT RESOLVED that Westmoreland County urges Congress of the United States to reauthorize the collection of fees on mined coal at the restored 1977 levels of 35 cents per surface mined, 15 cents deep mined, and 10 cents on mined lignite; and

FURTHER: That the collection of fees be for at least 15 additional years and through 2036; and

FURTHER: The SMCRA Title IV grants should be exempt from sequestration and all Title IV sequestered funds should be given back to the states, retroactive to FY 2013; and

FURTHER: That the mandatory distribution for minimum program states be raised to Five Million Dollars; and

FURTHER: That the direct line item for emergency projects be established in OSMRE's budget to reflect the need for remediating AML emergencies in all states and tribes.

FURTHER: The mandatory distribution for future allocated reclamation fees continue for the intended purpose of cleaning up abandoned mine problems; and

FURTHER: That the annual distribution of funds continue to be formulated to adequately address the abandoned mine problems of all states and to allow the states with the most problems to correct them much more quickly; and

FURTHER: That the current definitions of Reclamation Priorities be maintained to adequately correct all land and water problems created by abandoned mines including water polluted by acid mine drainage; and

FURTHER: That future allocations from the Abandoned Mine Reclamation Fund be used by the states in ways that promote reclamation, leverage private investment, and encourage development where appropriate, and to be used to complement or match other funds available for redevelopment of abandoned mine land sites; and

FURTHER: That transfer of interests generated on the Fund be maintained to the Combined Benefit Fund to defray health costs for retired miners and their dependents whose companies have bankrupt or are no longer in business.

FURTHER: That the SMCRA 30% Set-Aside option be maintained.

NOW, THEREFORE BE IT RESOLVED that:

Westmoreland County supports reauthorization of SMCRA Title IV fees by Congress.

DULY ADOPTED at the regular meeting of Westmoreland County this 10<sup>th</sup> day of October, 2019.



- (E) Amendment to Engagement Letter with **The Arbitrage Group, Inc.**, dated February 7, 2019 to add determination of the arbitrage earnings for the period June 18, 2018 through June 18, 2019 in an amount not to exceed **\$1,000.00**
- (F) Westmoreland County Board of Assessment Appeals, Rules of Appeal Procedure, effective January 1, 2020
- (G) License Agreement with **Cyril H. Wecht and Pathology Associates** for use of autopsy suite/morgue and body receiving area/garage at Westmoreland County Coroner's office for twelve months commencing January 1, 2020 through December 31, 2020. The license fee is \$30,000.00 per the term payable in monthly installments of \$2,500.00.
- (H) **Resolution #R-40-2019**, authorizing the Westmoreland County Historical Society to relocate a donated late 18<sup>th</sup> century log building to county-owned property at Historic Hanna's Town, no cost to Westmoreland County

**RESOLUTION #R-40-2019**

**RESOLUTION AUTHORIZING THE WESTMORELAND COUNTY HISTORICAL SOCIETY TO RELOCATE A DONATED LATE 18<sup>TH</sup> CENTURY LOG BUILDING TO COUNTY-OWNED PROPERTY AT HISTORIC HANNA'S TOWN**

WHEREAS, the County of Westmoreland (hereinafter "County") purchased the Historic Hanna's Town site on September 9, 1969; and

WHEREAS, the Westmoreland County Historical Society (hereinafter "WCHS") has been for many years the officially designated historical society for the County; and

WHEREAS, pursuant to written Agreement, WCHS has been managing the operation of the Historic Hanna's Town site (formerly known as The Old Hannastown Courthouse Farm Historical site) for many years; and

WHEREAS, on or about July 31, 2019, the WCHS informed the County that it had been offered a late 18<sup>th</sup> century log building and \$100,000.00 to move it to Historic Hanna's Town and rebuild it, at no cost to the County; and

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;" and

WHEREAS, it is in the best interest of the County to have the 18<sup>th</sup> century log building moved to Historic Hanna's Town to enhance the impression of an historic village and to provide additional program space.

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

1. The Board of Commissioners hereby authorizes the Westmoreland County Historical Society to relocate a donated late 18<sup>th</sup> century log building to county-owned property at Historic Hanna's Town.

RESOLVED AND ENACTED at a regularly scheduled public meeting of the Board of Commissioners of the County of Westmoreland, Pennsylvania, held this 10th day of October, 2019, a quorum being present.

- (I) Renewal and Authorization to execute endorsements including premium changes in the amount of **\$14,480.00** for additional **Tax Collector's Act 511 Bond with Travelers Casualty And Surety Company of America** (with CCAP Insurance Programs) for Tax Collector for the term January 1, 2018 to December 31, 2021, relative to the County and Township/Borough and for the term July 1, 2018 through June 30, 2022, relative to School Districts.

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

- (A) Agreement with **Westmoreland County Community College**, for “**Nurse Aide Training Program,**” in the amount of **\$3,605.00** for five participants for the term September 20, 2019 through November 23, 2019; the training will be held at the Westmoreland County Community College Youngwood Campus.
- (B) Change Order #1 to Agreement with **SSM Industries, Inc., (Bid 19-30)**, dated August 15, 2019 for “**Westmoreland Manor Hot Water Pumps,**” in the amount of **\$59,882.00 additional** (New Total Agreement \$146,232.00) for new steam condensate receiver for the hot water pumps

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

- (C) 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 October 1, 2019 as per the revised compensation schedule (the addendum reflects a title change only from “Skilled RUG-Based Benefits; Medicare/Medicare HMO RUG Based Payment” to “Skilled: Medicare (PDPM – Based Benefits), Medicare HMO – RUG Based Payment” and “Skilled Level- Based Benefits” to “Skilled-Managed Care-Level Based Benefits”

\* \* \* \* \*

Motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following items of **Miscellaneous Business**:

**Miscellaneous Business**

- (1) Amendments to the **2019 Budget** for Westmoreland County, as prepared by the Department of Financial Administration
- (3) **Certificate of Special Recognition**  
*Ida Donkin – 100<sup>th</sup> Birthday*  
*Andrew Janos – 100<sup>th</sup> Birthday*

Motion was made by Mr. Kopas to table item #2 of **Miscellaneous Business**, there was no second – motion fails.

Motion was made by Mr. Anderson, seconded by Ms. Cerilli, with Mr. Kopas voting no; motion passes to approve item #2 of **Miscellaneous Business**:

- (2) **Appointments/Reappointments**
  - (A) Reappoint Donna Holdorf, to the Redevelopment Authority of the County of Westmoreland, for a term of five years, August 1, 2019 through August 1, 2024
  - (B) Appoint Tom Abraham, to the Westmoreland County Housing Authority, effective October 10, 2019 through December 20, 2023
  - (C) Reappoint Donald Rossi, to the Westmoreland County Airport Authority, for a five year term, through January 5, 2024
  - (D) Reappoint Debbie Irwin, to the Westmoreland County Transit Authority, for a five year term, January 1, 2019 through January 1, 2024
  - (E) Reappoint Vicki Vittone, to the Municipal Authority of Westmoreland County, for a five year term, January 1, 2020 through January 1, 2025
  - (F) Appoint Charles R. Nevins II, to the Westmoreland County Community College Board of Trustees, to fill the unexpired term of Michael Walker, effective October 10, 2019 through May 7, 2022

Motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve the following items of **Miscellaneous Business**:

(4) **Proclamations**

*Pennsylvania Juvenile Justice Week, October 6-12, 2019*

*Send a Message, Stay Drug Free Theme of 2019 Red Ribbon Week*

*Sewickley Township Honors Mary Zakutney, First Female Supervisor - 100<sup>th</sup> Birthday*

*Lloydsville and Marguerite VFD Crew In Right Place, Right Time*

*New Kensington Front Yard Named Best in Nation by Better Homes & Gardens*

*Honoring James Gurksnis - Distinguished Toastmaster*

*Recognized Bill Viola Sr. - 50 Years of Dedication to Martial Arts*

*Dr. William H. Kerr Jr., Superintendent, Educator, Public Servant*

*Dick Groat Day, October 18, 2019*

*Westmoreland County Chamber of Commerce Awards:*

*Lisa Frederick, 2019 ATHENA Award*

*Westmoreland Children First, 2019 Not-for-Profit of the Year Award*

*Jessica Urbanik, 2019 Chamber of the Year Award*

*Blue Sky Sign Company, 2019 Business of the Year Award*

*Greensburg Central Catholic Celebrates 60<sup>th</sup> Anniversary*

*Union Mission Honors Dr. John Parker, Joe Donnelly Award Recipient*

*Kiwanis Club of Greensburg Celebrates Centennial*

*Greater Latrobe-Laurel Valley Chamber of Commerce Awards:*

*Brian Panichelle of B Insurance, Volunteer of the Year*

*LESCO Federal Credit Union, Small Business of the Year*

*Latrobe 4<sup>th</sup> of July Committee, Non-Profit of the Year*

*Richard Cassidy, Kattan-Ferretti Insurance, Community Service Award*

*Retired Superintendent Judith Swigart of Greater Latrobe School District,*

*Fred Rogers Good Neighbor Award*

*38<sup>th</sup> Fred Funari Mental Health America Award of Distinction Presented to Ray T. Charley*

*Greater Westmoreland County Labor Council - Rosann Barker, 2019 Outstanding Labor Honoree*

Motion was made by Mr. Anderson, seconded by Mr. Kopas, and it was unanimously agreed to adjourn the meeting at 10:40am

Certified by,

Charles W. Anderson  
Secretary