

## **March 10, 2016**

A meeting of the Westmoreland County Commissioners met in regular session beginning at 10:04am 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. Guidy. The following business was conducted;

Rev. Frank Podolinski, Evangelical Lutheran Church of the Good Shepherd, gave an invocation before the meeting and Commissioner Cerilli led the Pledge of Allegiance

### **GENERAL AGENDA**

Motion was made by Mr. Anderson, seconded by Mr. Kopas and it was unanimously agreed to approve minutes of the regular meeting held Thursday, February 18, 2016, as presented

### **OPPORTUNITY FOR PUBLIC COMMENT**

*Harriet Ellenberger – spoke representing the Greater Westmoreland County Labor Council, and stated that there were representatives present from the UMW, Transit Union, SEIU and AFL-CIO, they are asking to the Commissioners to pass a resolution against the Trans Pacific Partnership trade agreement. She states that this trade agreement is worse than NAFTA and provided the Board with a ten points which they feel are the most egregious and will affect Westmoreland County. She mentions a few of the ten points, including the ability to buy American made products and investor to state dispute settlements that favor foreign companies. She states that some services are carved out of this and that a privatization of a garbage services, for example, would make it harder to get rid of a company. It is possible that it will privatize sewage, garbage and transit services. She asks the Commissioners to pass a resolution opposing the Trans Pacific Partnership and to pass it on to Congress and the President. Nick – also spoke regarding the Trans Pacific Partnership and spoke in regard to safety regulations which are stricter in the US – will we lower standards? They stated that although this will be voted on at the Federal level, when jobs are lost they will be of our friends and neighbors in Westmoreland County, and Harriet summarized by saying that it isn't just a union issue, it is a community issue.*

## **SOLICITORS REPORT**

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

- (A) Amendment and Project Modification to Grant Award from **PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY (PCCD)**, dated February 12, 2015 in the reduced amount of \$205,278.00 (Federal Funding reduced to \$172,761.00, Cash Match reduced to \$56,632.00) new total **\$229,393.00** for “**IP/DRC/RIP/ATS,**” for the term July 1, 2015 through June 30, 2016.
- (B) Amendment to Agreement with **SOUTHWEST BEHAVIORAL CARE, INC. d/b/a SPHS BEHAVIORAL HEALTH**, dated November 19, 2014 to decrease by **\$116,995.00** (Total County Contract Amount **\$56,632.00;** Total Budget reduced to \$57,992.00) for “**IP/DRC/RIP/ATS,**” for the term July 1, 2015 through June 30, 2016.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Dirk Matson, Administrator and Meghan McCandless, Director of Financial Administration motion was made by Mr. Anderson seconded by Mr. Kopas and unanimously agreed to approve the following item for **Area Agency on Aging:**

- (A) Agreement with **RAMADA HOTEL AND CONFERENCE CENTER**, Greensburg, PA in the maximum amount of **\$10,000.00** (Caregiver Support Program, **No Cost to Westmoreland County**), for “**2016 Health and Education Expo on October 26, 2016**”

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

- (A) Agreements for the term July 1, 2015 through June 30, 2016:
  - (1) **APPALACHIAN YOUTH SERVICES**, Ebensburg, PA (**Act 148, County**) for “**Day Treatment,**” at the per diem rate of **\$40.27**
  - (2) **ACHIEVA**, Pittsburgh, PA (**TANF, Act 148, County**) for “**Parenting Education,**” at the rate of **\$6.84/per 15 minutes**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Don Heagy, Special Courts Administrator (item A) and Tami Silvis, Deputy Court Administrator (item B) motion was made by Mr. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items for **Court Administration:**

- (A) Amendment to Agreement with **G & G PROPERTIES**, dated September 9, 1995 to extend the agreement on a month to month basis through December 31, 2016 as a new lease is prepared, in the amount of **\$1,900.00/month** for **“Rent-District Court 10-3-08,”** with all other terms and conditions remaining the same
- (B) Agreement with **JAMES ROBINSON, ESQ**, Greensburg, PA with the following licensed attorneys, for legal services representing persons for whom representation is required under the Public Defender Act, and where conflicts prohibit the Public Defender’s Office from doing so, for a term of ten months beginning March 1, 2016, through December 31, 2016, with compensation in the amount of **\$18,750.00** plus reimbursement of authorized expenses, for handling up to 33 assigned cases. Approval of this Agreements is contingent upon approval by the President Judge of the Westmoreland County Court of Common Pleas pursuant to 16 P.S. Sec. 9960.7.

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

- (A) Grant Application to the **PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY**, in the amount of **\$228,788.00** (\$72,300.00 July 1, 2016 through June 30, 2017; \$77,756.00 July 1, 2017 through June 30, 2018; \$78,732.00 July 1, 2018 through June 30, 2019), for the **"Emergency Response Project,"** for the project period from July 1, 2016 through June 30, 2019.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Terence O’Halloran, Director motion was made by Mr. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items for **Domestic Relations:**

- (A) Professional Services Maintenance Agreement with **InQ SOLUTIONS**, Raleigh, NC for **maintenance on the Onbase Software** for one year from March 4, 2016 through March 3, 2017 in the amount of **\$8,000.00**

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and Tracy Sheehan Zivkovich, Chief Human Resource Officer motion was made by Mr. Kopas, seconded by Mr. Anderson and unanimously agreed to approve the following items for **Human Resources:**

- (A) Agreement with **Midwest Employers** for Excess Workers Compensation Renewal at the annual rate of **\$105,850.00** to be effective March 1, 2016 through March 1, 2017.

Upon review and recommendation of Chris Nichols, Assistant County Solicitor and Dirk Matson, Director, motion was made by Mr. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items for **Human Services:**

(A) Agreements for the term July 1, 2015 through June 30, 2016:

- (1) **THE BLACKBURN CENTER AGAINST DOMESTIC & SEXUAL VIOLENCE**, Greensburg, PA in the amount of **\$5,500.00** (No Cost to Westmoreland County, Human Services Development Fund Block Grant), for “**Sexual Abuse Prevention Awareness**”
- (2) **WESTMORELAND COUNTY FOOD BANK, INC.**, Delmont, PA in the amount of **\$24,687.00** (No Cost to Westmoreland County, Human Services Development Fund Block Grant), for “**Volunteer Coordination**”

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

(A) Record Access Agreements for computer terminal access to Courthouse records as per fee schedule, commencing according to the date specified in each agreement and ending on November 30, 2016, with automatic renewal, with the following and authorize the Executive Director of Information Systems to execute contract documents on behalf of the county:

- 1) Freedom Search & Settlement, LLC, West Mifflin, PA
- 2) Montgomery McCracken Walker & Rhoads, LLP, Philadelphia

(B) Maintenance Agreement with **CA TECHNOLOGIES**, New York, NY for “**CA 2E for iSeries 400,**” (GSA-#GS-35F-0823M) for a term of three years, March 1, 2016 through February 28, 2019 in the amount of **\$9,000.00/year.** (Total cost for three years; \$27,000.00)

(C) Agreement with **CIVICPLUS**, Manhattan, KS in the amount of **\$7,450.00,** including a one-time fee of \$5,500.00 for Project Development Services for Mobile App and an annual support, maintenance & hosting services in the amount of \$1,950.00 for a one year term, March 1, 2016 through February 28, 2017.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and James Ringdal, Director, motion was made by Mr. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items for **Juvenile Detention:**

- (A) Agreement with **RAQUET JUSTICE CONSULTANTS, LLC**, St. Peters, PA for **“Prison Rape Elimination Act Audit,”** including Pre-Audit activities, on-site PREA Audit, Post-Audit activities, and final report, to be conducted in August of 2016 by a Certified PREA Auditor, in the amount of **\$3,000.00** plus expenses for mileage, tolls, lodging and meals estimated at \$835.00. In the event that additional Post-Audit activities are required, the County will be invoiced at the rate of \$500.00 per day for on-site visits and \$85.00 per hour for non-site visits, with one complimentary first hour.
  
- (B) Professional Service Agreements for **“After School Tutoring for Juvenile Detention,”** with the following individuals:
  - 1) **MS. RACHEL SEVER LONG**, West Newton, PA at the rate of \$26.50/hour for a maximum of 500 hours, for a total amount of **\$13,250.00**
  
  - 2) **MS. KAITLIN COLGAN**, New Stanton, PA at the rate of \$26.50/hour for a maximum of 500 hours, for a total amount of **\$13,250.00**

For the term March 11, 2016 through June 3, 2016, funding for the After School Tutoring Program is provided through Title I funding coordinated through Mount Oliver Intermediate Unit. Total program allocation for program instruction is 100% reimbursed by the Mount Oliver Intermediate Unit, at no cost to the County.
  
- (C) Memorandum of Understanding between Westmoreland County for its Regional Youth Services Center and the Blackburn Center, effective March 10, 2016, for services related to implementation of the Federal Prison Rape Elimination Act (PREA) mandates, subject to termination by either party without cause with thirty (30) days written notice and for cause with two (2) days written notice.

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

- (A) **Resolution #R-12-2016** adopting and authorizing the submission of Westmoreland County's FY 2016 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD). All programs are funded through HUD and consist of the following grants:

Community Development Block Grant Program	\$3,143,264.00
HOME Investments Partnerships Program	\$733,656.00
Emergency Solutions Grant Program	\$286,197.00

**RESOLUTION NO. R-12-2016**

A RESOLUTION, of the Board of County Commissioners of the County of Westmoreland, Pennsylvania, approving the FY 2016 Annual Action Plan for the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants Program (ESG) and the FY 2016 Annual Plan.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as Amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the elimination or prevention of slums or urban blight, or activities which will benefit low and moderate income persons, or other urgent community development needs; and

WHEREAS, under the HOME Investment Partnerships Program created by the National Affordable Housing Act of 1990 (NAHA) and amended by the Housing and Community Development Act of 1992, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, under the Emergency Solutions Grants Program contained in the Stewart B. McKinney Homeless Assistance Act of 1987 as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to grantees and non-profit agencies which provide essential services, operations, homeless prevention and shelter rehabilitation for homeless or near homeless persons; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the County that FY 2016 Entitlements are as follows: CDBG \$3,143,265; HOME \$733,656; and ESG \$286,197; and

WHEREAS, in addition to the entitlement funds, the County expects to receive \$200,000 in program income; and

WHEREAS, the Westmoreland County Department of Planning and Development has prepared an Annual Plan for FY 2016, which assesses the housing needs of extremely low, low, and moderate income households, homeless families and individuals, and others with special needs; and

WHEREAS, the draft Annual Plan for FY 2016 was on public display from February 8, 2016 to March 10, 2016 and the County held a series of Public Hearings on said Annual Action Plan for 2016 and the comments of various agencies, groups and citizens were taken into consideration in the preparation of the final document.

NOW, THEREFORE, be it resolved by the Commissioners of the County of Westmoreland, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

SECTION 1. That the FY 2016 Annual Action Plan for the FY 2016 CDBG, HOME, and ESG Programs is hereby in all respects approved and the Chief Clerk is hereby directed to file a copy of said Annual Plan with the minutes of this meeting.

SECTION 2. That the Board of Commissioners is cognizant of the conditions that are imposed in the undertaking and carrying out of community development, affordable housing and emergency homeless activities with federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin and other assurances as set forth under the certifications.

SECTION 3. That the Chairman, on behalf of the County of Westmoreland and the Westmoreland County Housing Consortium, is authorized to file the First Annual Action Plan for FY 2016 with the U.S. Department of Housing and Urban Development, which has indicated its willingness to make available a grant to carry out the CDBG Program in the amount of \$3,143,264, HOME in the amount of \$733,656, and ESG in the amount of \$286,197 plus \$200,000 in Program Income and is further authorized to act as an authorized representative of the County of Westmoreland to sign any and all documents in regard to these programs.

SECTION 4. That the Chairman of the Board of Commissioners, on behalf of the County of Westmoreland and the Westmoreland County Housing Consortium, is hereby authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as Amended, the National Affordable Housing Act of 1990, as Amended, and the Stewart B. McKinney Homeless Assistance Act, as Amended, and also any supplemental or revised data which the U.S. Department of Housing and Urban Development may request in connection with the review of this Application.

ADOPTED this 10<sup>th</sup> day of March, A.D., 2016

(B) PA PHARE Subrecipient Agreement with Mon Valley Initiative, Inc. in the amount of **\$100,000.00**. The funding will support the construction of an affordable housing unit and the rehabilitation of the historic Cornerstone Building in the Borough of West Newton. There are no costs to the County.

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 unanimously agreed to approve the following item for **Prison:**

- (A) Authorized Provider Agreement with the **AMERICAN RED CROSS WESTMORELAND COUNTY CHAPTER**, Greensburg, PA, to provide **American Red Cross Training** to County Prison personnel at the County Prison for a term of 36 months commencing February 21, 2016, subject to termination upon thirty days written notice of non-renewal prior to anniversary date at the set rates of:

<b>First Aid,CPR,AED (Adult)</b>	<b>\$27 per person</b>
<b>First Aid</b>	<b>\$19 per person</b>
<b>CPR, AED (Adult)</b>	<b>\$19 per person</b>

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

- (A) Receipt of Grant Funds in the amount **\$1,000.00** from **XTO ENERGY**, Warrendale, PA for **“Westmoreland County Emergency Management Agency”**

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

- (A) Change Order #1 to Agreement with **A. RAIMONDO, INC.**, dated October 15, 2015 for **“Plastering & Painting of 4<sup>th</sup> Floor Courtroom & Chambers of Westmoreland County Courthouse,” (Bid 15-27)** in the amount of **\$15,263.84 additional** (Total Agreement \$174,463.84). This project is funded with 2013 Municipal Bond.
- (B) Enrollment Agreement for Demand Response/Reliability Programs with **KOREnergy, Ltd.**, Sunbury, OH, for a three year period, commencing June 1, 2016 through May 31, 2019. KOREnergy is offering the County, as an existing program participant, the Limited Demand Response program that it has participated in for the past three years. The Limited Demand Response Program runs June 1 through September 30 annually. The projected revenue for the County’s reduction of electric usage for year one is \$64,036.00, for year two is \$114,352.00 and for year three is \$161,766.00 for a total amount of **\$340,154.00.**

- (C) Quotes for “**Pest Control for Westmoreland County,**” were received on February 19, 2016:

Terminix International Co., L.P.	\$8,128.00
Orkin Commercial Services	\$8,150.00
Pestco	\$8,260.00

Award contract to **TERMINIX INTERNATIONAL CO, L.P**, Bridgeville, PA being the lowest quote and meeting specifications in the amount of **\$8,128.00** for the term March 1, 2016 through February 28, 2017 with the option to extend the agreement for one additional year at the same prices upon mutual written consent of both parties

- (D) Extend Agreement with **REPUBLIC SERVICES**, dated March 26, 2015 for “**Dumpster Services for Westmoreland County Parks (Bid 15-08)**” in the amount of **\$26,631.18**, for the term April 1, 2016 through March 31, 2017 with all terms and conditions remaining the same, this is the first of two one year renewals.

- (E) Quotes for “**Ice Cream-Twin Lakes Boathouse Concessions,**” were received on February 24, 2016:

Pittsburgh’s Best Ice Cream	\$3,609.68 (2 year estimate)
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Award contract to **PITTSBURGH’S BEST ICE CREAM**, Oakmont, PA being the only quote received and meeting specifications in the estimated amount of **\$3,609.68** for the term April 1, 2016 through March 31, 2018

- (F) Quotes for “**Fishing Bait-Twin Lakes Boathouse,**” were received on February 24, 2016:

Canabait Live Bait, LLC	\$11,386.00 (2 year estimate)
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Award contract to **CANABAIT LIVE BAIT, LLC**, Coraopolis, PA being the only quote received and meeting specifications in the estimated amount of **\$11,386.00** for the term April 1, 2016 through March 31, 2018

- (G) Agreement with **MARKOSKY ENGINEERING GROUP, INC.**, Ligonier, PA to perform wetland delineation and associated documentation within a one acre portion of two parcels being developed for the Turtle Creek Extension of the Westmorland Heritage Trail in the amount of **\$2,300.00** the cost will be reimbursed to the County from the Westmorland County Parks & Recreation Citizens Advisory Board

- (H) **Resolution #R-13-2016**, authorizing the purchase of 28.342 acres of land in the Township of Rostraver, being known as Lot No. 4 in the Peters Subdivision No. 3 from Judith Ann Zimmaro and Frank Zimmaro, wife and husband, at the purchase price of \$127,500.00 plus all applicable closing costs and further authorizing the appointment of an authorized representative to execute any other documents that may be necessary to facilitate the acquisition of the property at the time of closing. This is at no cost to Westmoreland County as funding is provided through a grant from the PA Department of Conservation and Natural Resources for \$70,000.00 and additional funds were received by the Westmoreland Land Trust from private foundation grants.

RESOLUTION #R - 13 - 2016

**RESOLUTION AUTHORIZING THE PURCHASE OF THE PROPERTY LOCATED IN THE TOWNSHIP OF ROSTRAVER, BEING KNOWN AS LOT NO. 4 IN THE PETERS SUBDIVISION NO. 3 FROM JUDITH ANN ZIMMARO AND FRANK ZIMMARO TO THE COUNTY OF WESTMORELAND, THE EXECUTION OF A DEED OF CONVEYANCE AND DESIGNATION OF AN AUTHORIZED REPRESENTATIVE**

WHEREAS, Judith Ann Zimmaro and Frank Zimmaro, wife and husband, own that certain lot or piece of ground situate in the Township of Rostraver, County of Westmoreland Commonwealth of Pennsylvania, being known as Lot No. 4 in the Peters Subdivision No. 3, hereinafter "Property;"

WHEREAS, the Property, which contains 28.342 acres, is designated as Westmoreland County Tax Map Parcel No. 56-10-00-0-050;

WHEREAS, the County received a grant from the PA Department of Conservation and Natural Resources for \$70,000.00 and additional funds were received by the Westmoreland Land Trust in the amount of \$75,000.00 from private foundation grants to fund the acquisition of the Property and all applicable closing costs; and

WHEREAS, it is the desire of the County of Westmoreland to purchase the Property for One Hundred Twenty Seven Thousand Five Hundred and 00/100 (\$127,500.00) Dollars plus all applicable closing costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, at a public meeting, duly advertised, with a quorum present as follows:

1. That the Board hereby approves the purchase of the Property from Judith Ann Zimmaro and Frank Zimmaro, wife and husband, and authorizes execution of a Deed of Conveyance to the County of Westmoreland for a purchase price of One Hundred Twenty Seven Thousand Five Hundred and 00/100 (\$127,500.00) Dollars plus all applicable closing costs.
2. That Malcolm Sias, Director of Westmoreland County Parks and Recreation, is hereby authorized to execute any other documents that may be necessary to facilitate the acquisition of the Property at the time of closing.

RESOLVED AND ADOPTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 10th day of March, 2016.

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

- (A) Software Service/License Agreement with **METRO TECHNOLOGY SERVICES, INC.**, Wayne, PA, in the amount of **\$4,593.00**, for Alert/Care Services Software Support for 15 licenses for “**Visual Alert RMS**”, for the period of April 25, 2016 through April 24, 2017

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 items 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):

<u>DATE</u>	<u>MAP NUMBER</u>	<u>LOCATION</u>	<u>BID AMOUNT</u>
2.19.16	58-03-06-0-029	Sewickley Township	\$1,635.00
2.29.16	14-02-13-0-150	City of Jeannette	\$1,476.00

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

- (A) Health Screening Laboratory Services Agreement with **EXCELA HEALTH**, Greensburg, PA for Biometric Testing for the M.A.P.S. Wellness Initiative on the following dates and locations:

January 7, 2016 - 7am - 12:30pm - Westmoreland County Courthouse  
 January 16, 2016 - 7:30am - 12 Noon - Excela Health Well Being Center  
 January 20, 2016 - 10:30am - 4pm - Westmoreland County Courthouse  
 February 10, 2016 - 7am -12:30pm - Westmoreland County Courthouse  
 February 22, 2016 - 7am - 12:30 pm - Westmoreland Manor  
 February 29, 2016 - 8am - 9am - Westmoreland County 911 Center  
 February 29, 2016 - 3pm - 4pm - Westmoreland County 911 Center  
 March 3, 2016 – 10:30am - 4pm - Westmoreland County Courthouse  
 March 15, 2016 - 2pm - 7pm - Excela Square at Norwin - Community Education Room  
 April 6, 2016 - 7am - 12:30pm - Westmoreland County Courthouse  
 April 9, 2016 - 7:30am - 12:00 Noon - Excela Health Well Being Center  
 April 12, 2016 - 10:30am - 4pm - Westmoreland County Courthouse  
 April 21, 2016 - 10:30am - 4pm - Westmoreland Manor  
 May 4, 2016 - 7am - 12:30pm - Westmoreland County Courthouse  
 May 9, 2016 - 9am - 2pm - Westmoreland County Juvenile Detention Center  
 May 25, 2016 - 1:30pm - 6pm - Excela Health Frick Hospital – Board Room, 4<sup>th</sup> Floor  
 June 3, 2016 - 7am - 12:30pm - Westmoreland Manor  
 June 10, 2016 - 10:30am - 4pm - Westmoreland County Courthouse  
 June 23, 2016 - 9am - 2pm - Westmoreland County Juvenile Detention Center

*Additional dates as needed by mutual agreement.*

- (B) **Resolution #R-14-2016** of the County of Westmoreland, Commonwealth of Pennsylvania, urging the General Assembly and Administration to restore funding for human services programs to historic levels, and to put mechanisms in place to assure any future budget impasse or budget delay does not become a burden on Westmoreland County and its constituents.

**RESOLUTION #R-14 -2016**

A RESOLUTION OF THE COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, URGING THE GENERAL ASSEMBLY AND ADMINISTRATION TO RESTORE FUNDING FOR HUMAN SERVICES PROGRAMS TO HISTORIC LEVELS, AND TO PUT MECHANISMS IN PLACE TO ASSURE ANY FUTURE BUDGET IMPASSE OR BUDGET DELAY DOES NOT BECOME A BURDEN ON WESTMORELAND COUNTY AND ITS CONSTITUENTS

**WHEREAS**, counties are at the forefront for delivery of crucial human services that protect the most vulnerable individuals, such as child welfare and protective, mental health, intellectual disabilities, substance abuse treatment, homeless assistance, meal programs, lottery funded transportation, and others; and

**WHEREAS**, the capacity to meet critical service needs has been compromised by a steady decrease in state funding over the past decade, especially the drastic ten percent aggregate cut to the seven human services line items in FY 2012-2013; and

**WHEREAS**, the Human Services Block Grant has provided much-needed flexibility for the 30 counties eligible to participate, but remains closed to the remaining 37 remaining counties; and

**WHEREAS**, new mandates and additional program requirements continue to be placed on counties in the face of decreasing state funds; and

**WHEREAS**, while the rebalancing initiative for child welfare services is portrayed as only an accounting change, the initiative shifts a full quarter of funds for mandated child protective services into the following budget year with no more than a promise of being made whole; and

**WHEREAS**, as a result of the six-month budget impasse in FY 2015-2016, counties and the providers with whom they contract were forced to make difficult decisions about remaining open and meeting clients' needs while state payments were withheld; and

**WHEREAS**, many counties tapped reserves, borrowed funds, reduced or suspended payments to vendors or subcontractors, limited staff travel, laid off or reduced hours of employees, among other strategies, to maintain their focus on service delivery and assure that clients felt no harm; and

**WHEREAS**, in order to continue providing services during the budget impasse, Westmoreland County was forced to limit staff travel and hold payments to human services providers;

**NOW THEREFORE BE IT RESOLVED**, that Westmoreland County remains committed to the important role we play in delivery of services to our communities; and

**RESOLVED**, that Westmoreland County stands ready to work in partnership with the County Commissioners Association of Pennsylvania in support of counties' top priority for 2016, the commonwealth budget and human services funding; and

**RESOLVED**, that Westmoreland County supports restoration of funding of the ten percent reductions to the seven key human services line items that occurred in FY 2012-2013, as without restoration to prior funding levels, all counties find it difficult to serve the state's most needy citizens; and

**RESOLVED**, that Westmoreland County opposes "rebalancing" initiatives for child welfare services that will force counties to reduce funding by a quarter, reduce payments to providers, shorten contract periods, or use county property tax funds to cover the state's obligation until a future budget makes a true allocation; and

**RESOLVED**, that Westmoreland County asks that state leaders continue to work with them to find ways to administer human services programs in a way that ensures both quality and efficiency, including expansion of the Human Services Block Grant to any willing and able county; and

**RESOLVED**, that Westmoreland County will work in concert with the County Commissioners Association of Pennsylvania and state leaders to develop comprehensive solutions for any future budget impasse or delay to ensure that counties are never again put in a situation where they are forced to cover the state's funding obligations; and

**RESOLVED**, that a copy of this resolution be sent to the Westmoreland County legislative delegation, to Governor Wolf, and to the County Commissioners Association of Pennsylvania.

**ADOPTED** by the Board of Commissioners of the County of Westmoreland, the Commonwealth of Pennsylvania, the 10<sup>th</sup> day of March 2016.

(C) **WESTMORELAND COUNTY EMPLOYEE CODE OF ETHICS**

(D) **Exoneration** of **2014** County Taxes, interest, penalties and Tax Claim Bureau Fees on property owned by the **TOWNSHIP OF NORTH HUNTINGDON**, being Tax Map No. 54-12-06-0-024. Exonerations have been granted by the Township of North Huntingdon and no school tax is owed. Exemption status having been granted effective July 15, 2014 by the Westmoreland County Board of Assessment Appeals

- (E) **Resolution (#R-15-2016)** accepting the proposal dated March 4, 2016 from **FORD BUSINESS MACHINES, INC.**, authorizing the execution of a Master Equipment Lease Purchase Agreement with Lease & Payment Schedules thereto with **FORD BUSINESS MACHINES, INC.**, Connellsville, PA for financing the acquisition of 51 new digital black and white copiers, 2 color copiers and replacement of 237 black and white printers, 35 color printers and 12 multi-function printers from **FORD BUSINESS MACHINES, INC.**, pursuant to State Contract (Co-Stars # 001-014 and 001-010) for a term of 63 months beginning upon delivery and acceptance of the copiers and printers, with a lease payment of **\$24,000.00/month** and a \$1.00 purchase option at lease end and authorizing the execution and delivery of a Service Agreement and Performance Guarantee with **FORD BUSINESS MACHINES, INC.**, Connellsville, PA covering the new equipment, any equipment remaining under the Lease Agreement with PNC Equipment Finance, LLC and those existing printers not being replaced that are covered by the current Agreement for Managed Print Services with **FORD BUSINESS MACHINES, INC.** dated November 20, 2014. Upon delivery and acceptance of the equipment, the Agreement for Managed Print Services dated November 20, 2014, shall terminate.

The Service Agreement and Performance Guarantee covers unlimited black and white impressions/year, with overages to be calculated at \$0.065 per color impression for copiers and \$0.00918 per black and white impression and \$0.095 per color impression for printers. **FORD BUSINESS MACHINES, INC.**, will provide a credit of \$17,994.60 towards the invoices under the Service Agreement and Performance Guarantee.

**FORD BUSINESS MACHINES, INC.** will pay off the remaining balance owed by the County on the PNC Equipment Finance, LLC dated December 24, 2012.

Final approval is contingent upon Solicitor review.

## #R-15-2016

WHEREAS, WESTMORELAND COUNTY (the "*Lessee*"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State/Commonwealth of Pennsylvania is authorized by the laws of the State/Commonwealth of Pennsylvania to purchase, acquire and lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the governing body of the Lessee (the "*Board*") has determined that a true and very real need exists for the acquisition, purchase and financing of certain property consisting of office equipment (collectively, the "*Equipment*") on the terms herein provided; and

WHEREAS, in order to acquire such Equipment, the Lessee proposes to enter into that certain Master Equipment Lease-Purchase Agreement (the "*Master Lease*") with Ford Business Machines, Inc., as lessor (the "*Lessor*"), substantially in the proposed form presented to the Board at this meeting, and separate Lease Schedules thereto substantially in the form attached to the Master Lease; and

WHEREAS, the Board deems it for the benefit of the Lessee and the efficient and effective administration thereof to enter into the Master Lease and the separate Lease Schedules relating thereto from time to time as provided in the Master Lease for the purchase, acquisition, financing and leasing of the Equipment to be therein more specifically described on the terms and conditions provided therein and herein;

NOW, THEREFORE, BE IT AND IT IS HERBY RESOLVED BY THE GOVERNING BODY OF THE LESSEE AS FOLLOWS:

*Section 1.* It is hereby found and determined that the terms of the Master Lease (including the form of Lease Schedule and Payment Schedule attached thereto), in the form presented to this meeting, are in the best interests of the Lessee for the acquisition, purchase, financing and leasing of the Equipment

*Section 2.* The form, terms and provisions of the Master Lease (including the form of Lease Schedule and Payment Schedule attached thereto) are hereby approved in the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the Board of Commissioners of the Lessee (the "*Authorized Officers*") executing the same, the execution of such documents being conclusive evidence of such approval. The Authorized Officers of the Lessee are each hereby authorized and directed to sign and deliver the Master Lease, each Lease Schedule thereto, each Payment Schedule relating thereto and any related exhibits attached thereto if and when required; *provided, however*, that, without further authorization from the governing body of the Lessee, (a) the aggregate principal component of Rent Payments under all Leases entered into pursuant to the Master Lease shall not exceed \$1,363,636.36; (b) the maximum term under any Lease entered into pursuant to the Master Lease shall not exceed 63 months; and (c) the maximum interest rate used to determine the interest component of Rent Payments under each Lease shall not exceed the lesser of the maximum rate permitted by law or [ten percent (10%)] per annum. The Authorized Officers may sign and deliver Leases to the Lessor on behalf of the Lessee pursuant to the Master Lease on such terms and conditions as they shall determine are in the best interests of the Lessee up to the maximum aggregate principal component, maximum term and maximum interest rate provided above. The foregoing authorization shall remain in effect for a period of two years from the date hereof during which the Authorized Officers are authorized to sign and deliver Leases pursuant to the Master Lease on the terms and conditions herein provided and to be provided in each such Lease.

*Section 3.* The Authorized Officers and other officers and employees of the Lessee shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by the Master Lease and each Lease Schedule (including, but not limited to, the execution and delivery of the certificates contemplated therein, including appropriate arbitrage certifications) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Master Lease and each Lease Schedule.

*Section 4.* If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 5.* *Effective Date.* This Resolution shall be effective immediately upon its approval and adoption.

ADOPTED AND APPROVED by the Board of the Lessee this 10th day of March, 2016.

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

- (A) Independent Contractor Agreement with **MUTUAL AID AMBULANCE SERVICE**, Greensburg, PA, 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 one year commencing April 1, 2016 through March 31, 2017.
  
- (B) Routine and preventative monthly maintenance inspections of the elevators at Westmoreland Manor with **EASTERN ELEVATOR SERVICE & SALES COMPANY**, Windber, PA pursuant to the State Contract #4400015233 for the term January 1, 2016 through December 31, 2016 at the monthly rate of **\$1,875.00.**

\* \* \* \* \*

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

- (1) Amendments to the **2015 & 2016 Budget** for the Department of Financial Administration, as prepared by Meghan McCandless, Director of Financial Administration

(2) **PROCLAMATIONS**

*4-H Week*  
*MS Awareness Week*  
*Elder Abuse Task Force*

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