

## September 8, 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. Guiddy. The following business was conducted;

The Rev. Paul Taylor, OSB, Executive Vice President, St. Vincent College, 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 regular meeting held Thursday, August 18, 2016, as presented

### OPPORTUNITY FOR PUBLIC COMMENT

*Mark Alan Mallay – states that he has reached out to the Commissioner’s Office on a multitude of things and has not gotten assistance; he does not feel that public forum is the place for his concerns. He continues that with his knowledge on various things, he needs to take into consideration what others may not know. He states that someone that knew things about his past called the state police when he attended a meeting at a church. He is asking for a meeting at some point.*

### SOLICITORS REPORT

Upon review and recommendation of Melissa A. Guiddy, County Solicitor, Austin Breegle, 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 **Behavioral Health & Developmental Services:**

- (A) Amendments for Agreements for the term July 1, 2015 through June 30, 2016:
- (1) **COMMUNITY LIVING CARE, INC.**, dated July 23, 2015 in the amount of **\$139,272.00 additional** (DHS \$132,842.00, County \$6,430.00; New Total Agreement \$570,043.00) for **“Developmental Services: Companion Level 3, Home & Community Hab Level 3, Community Hab Base, Transportation (trip; zones 1 & 2), Support Med Environ Level 3, Family Aide Level 3, Base Service (not otherwise specified), Adult Day Training (training), Transportation (trip) Zone 1 (OTO)”**
  - (2) **PATHWAYS OF SOUTHWESTERN PENNSYLVANIA, INC.**, dated September 10, 2015 in the amount of **\$3,481.00 additional** (DHS \$3,320.00, County \$161.00) for **“Developmental Services: Administrative Fee, Companion Services Level 3, Companion Services Level 3 (excluding benefits), Transportation (mile), Rec/Leisure Activities, Assistive Tech (non-medical), ISO Agency with Choice”**

(B) Agreements for the term July 1, 2016 through June 30, 2017:

- (1) **PATHWAYS OF SOUTHWESTERN PENNSYLVANIA**, Washington, PA in the amount of **\$4,475.00** (DHS \$4,268.00, County \$207.00) for **“Development Services: Admin Fee, Companion Services Level 3 (excluding benefits), Transportation (mile), Rec/Leisure Activities, ISO Agency with Choice, Environmental Access Adaptions (homes)”**
- (2) **PATHWAYS OF SOUTHWESTERN PENNSYLVANIA**, Washington, PA in the amount of **\$6,500.00** (DHS \$5,850.00, County \$650.00) for **“Early Intervention: Physical Therapy, Special Instruction,”**

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

(A) Agreement with **WESLEY SPECTRUM SERVICES, INC.**, Wilkinsburg, PA (TANF, Act 148, County) for **“Family Preservation & Reunification, Facts of Life, Sexual Abuse, Transportation, Delinquency Prevention, Outpatient MH Services, Aggression Replacement Training,”** for the term July 1, 2016 through June 30, 2017 as per the fee schedule.

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

(1) **WESLEY SPECTRUM SERVICES, INC.**, Wilkinsburg, PA (Act 148, Title IV-E, County) for **“Regular Foster Care,”** at the following per diem rates:

<b>\$147.06</b> for Foster Care IRT CRR	
<b>\$114.79</b> for Foster Care IRT CRR Non MA	
<b>\$60.55</b> for Foster Care AA	<b>\$57.02</b> for Foster Care BB
<b>\$70.93</b> for Foster Care CC	<b>\$16.00</b> for Foster Care EE

(2) **OUTSIDE IN SCHOOL OF EXPERIENTIAL EDUCATION, INC.**, Greensburg, PA (Title IV-E, Act 148, County, MA) for **“Pathway to Recovery, Voyagers, Weekend Program,”** at the following rates:

**\$265.41/per day** for Pathway to Recovery Residential Level 3.1  
**\$265.41/per day** for Pathway to Recovery Residential Level 3.5 MA  
**\$265.41/per day** for Pathway to Recovery Residential Level 3.5 Non-MA  
**\$217.49/per day** for Voyagers Residential  
**\$217.49/per night/per week/case mgmt.** for Weekend Supervision Services  
**\$0.54/mile** for mileage  
**\$25.00/hour** for Transportation for Weekend Supervision Services  
**\$12.00/per test** for Drug Testing

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. Anderson, seconded by Mr. Kopas and unanimously agreed to approve the following items for **District Attorney-Victim/Witness:**

- (A) Grant Application with **PENNSYLVANIA COMMISSION ON CRIME & DELINQUENCY**, in the amount of **\$517,968.00** for “**Victim/Witness Project,**” (combined Victim of Juvenile Offenders (VOJO) & Rights and Services Act (RASA), VOJO amount being \$429,982.00 (\$214,991.00 per year) and RASA amount being \$88,176.25 (\$44,088.12 per year), for the term January 1, 2017 through December 31, 2018. (No Cost to Westmoreland County)

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and William S. Ferraro, Senior Executive motion was made by Mr. Kopas, seconded by Mr. Anderson and unanimously agreed to approve the following item **Geographic Information Systems:**

- (A) Maintenance Agreement with **DOCUFAX SOLUTIONS, INC.**, Monroeville, PA, for maintenance of the OCE TDS320 Copier/Scanner in the G.I.S. office, in the amount of **\$196.11/month** for a period of one year from September 13, 2016 until September 13, 2017.

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

- (A) Amendment of Agreement (pertaining to Group #217) with **VISION BENEFITS OF AMERICA** to adjust the benefit levels offered and to extend the expiration date from December 31, 2017 to December 31, 2018.
- (B) Renewal of an Agreement with **VISION BENEFITS OF AMERICA** for voluntary plan for managed vision care (VBA # 3378) effective January 1, 2017 through December 31, 2018, at the rate of **\$10.15 / employee/ month, \$19.25/Employee + 1/month or \$26.35/Family/month.**
- (C) Rehires, Retirements, Terminations, End of Temporary, New Hires, and Resignations:

**Rehires:**

Casey Cameron - Deputy Sheriff - PT  
Daniel Fitzpatrick - Co Caseworker I  
Korynn Varriano - Legal Secretary Trainee  
Kristi Spillar - Clerk Typist Trainee Temp

**Retirements:**

Deborah Lawry - Registrar  
Laurie Hutchinson - Aging Care Mgmt Supvr I  
Fred Stefl - Custodian-PT  
Beverly McGrath - RN  
Paula Chedrick - Nursing Secretary

**Termination:**

Robert Stiles - Telecommunications Officer Trainee Temp  
Anthony Moyher - Food Service Worker Temp  
Josie Fortney - Nurse Aide Temp

**End of Temp:**

Ryan Rozanski - Law Clerk-Temp

**New Hires:**

Ray Chu - Accountant I  
Denise Elias - Administrative Officer I-Temp  
William Hause - Custodian Trainee - Temp  
Abbey Messich - HR Asst  
Tara Esposito - HR Clerk Typist Trainee - Temp  
Amber Altman - HR Clerk Typist Trainee - Temp  
Edward Bodner - Co Fiscal Operations Officer I  
Clement Lawrence - Corporal  
Timothy Ferree - Park Police-PT  
Alyssa Mellinger - HR Asst  
Samantha Loyacona - Court Assistant  
Gary Moore - Custodian Trainee Temp  
Lynsey Girasia - Court Asst.  
Douglas Marcoz - Park Police - PT  
David Dovenspike - LPN  
Carol Hamlin - LPN  
Lisa Bellone - RN  
Amy Baker - RN  
Christine Brewer - RN  
Monshiben Patel - Nurse Aide Trainee  
Jadine Clark - Nurse Aide Trainee  
Zina Usoltseff - Nurse Aide Trainee  
Haylee Grimm - Nurse Aide Trainee  
Kristina Phillips - Nurse Aide  
Alexander Phillips - Nurse Aide

**Resignations:**

Robert Keefer - Telecommunications Officer  
Chad Snyder - Telecommunications Officer Trainee Temp  
Benjamin Smith - Park Police-PT  
Michael Painter - Telecommunications Officer  
Rachel Sibold - Maintenance Aide - Temp  
Matthew Moon - Maintenance Aide - Temp  
Ashley Dick - Environmental Program Aide - Temp  
Mackenzie Tantlinger - Maintenance Aide - Temp  
Clark Huey - Maintenance Aide - Temp  
Elizabeth Echard - Dept Clerk Trainee - Temp  
Rachel Harper - Park Police  
Daniel Durso - Telecommunications Officer Trainee Temp  
Alex Linardi - Maintenance Aide - Temp  
Darcy Bowman - Maintenance Aide - Temp  
Haylee Roach - Maintenance Aide - Temp  
Luke Bodnar - Maintenance Aide - Temp  
Renee Short - Maintenance Aide – Temp  
Sarah Hennessy - Maintenance Aide - Temp  
Morgan Patterson - Telecommunications Officer Trainee Temp  
Regis Jackson - Environmental Aide Temp  
Cassidee Knott - Maintenance Aide Temp  
Zachary Altieri - Program Aide - Temp  
Tommi Osborne - LPN  
Cynthia Piett - Juvenile Service Worker Temp  
Linsey Osborne - RN  
Jason Carter- RN  
Zackery Cole - Correctional officer P/T

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 item for **Information Systems:**

- (A) Record Access Agreement 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) Scott Weeber, Irwin, PA

- (B) Professional Service Agreement with **TRI-M GROUP**, Lock Haven, PA, to provide Firewall, Router, Server, AS/400 and Network configuration assistance on an as needed basis for the term of September 8, 2016 through September 8, 2017, 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 **\$24,000.00**. Expenses will be divided as follows:

Westmoreland County Information Systems	\$12,000.00
Westmoreland County Switchboard	\$ 2,000.00
Domestic Relations	\$ 2,000.00
Recorder of Deeds	\$ 2,000.00
Westmoreland Manor	\$ 6,000.00

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

- (A) Agreement with **GEORGE JUNIOR REPUBLIC IN PENNSYLVANIA**, Grove City, PA (**Title IV-E, Act 148, County**) for "**Residential: Special Needs, General and D&A; Group Home, Diagnostic, Shelter, Crisis Intervention, Intensive Supervision,**" for the term July 1, 2015 through June 30, 2016, as per the fee schedule.
- (B) Acceptance of Grant Funds from **PA COMMISSION ON CRIME & DELINQUENCY**, in the amount of **\$63,851.76** for "**Juvenile Court Victim Liaison,**" for the term January 1, 2017 through December 31, 2018

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

- (A) **Resolution #R-36-2016**, authorizing the exercise by Park Police Officers employed by the County of the power of arrest without warrant pursuant to 42 PA.C.S.A. SECTION 8902 and adopting guidelines to be followed by such officers when making such arrests

**RESOLUTION #R-36-2016**

A RESOLUTION AUTHORIZING THE EXERCISE BY PARK POLICE OFFICERS EMPLOYED BY THE COUNTY OF THE POWER OF ARREST WITHOUT WARRANT PURSUANT TO 42 PA.C.S.A. SECTION 8902 AND ADOPTING GUIDELINES TO BE FOLLOWED BY SUCH OFFICERS WHEN MAKING SUCH ARRESTS

WHEREAS, in accordance with Ordinance No. #ORD-01-2005, the County created the Westmoreland County Park Police force to exercise the powers and perform the duties set forth in 16 P.S. Section 2512; and

WHEREAS, in accordance with 16 P.S. Section 2512, the Park Police have the power and duty “to prevent crime, investigate criminal acts, apprehend, arrest and charge criminal offenders and issue summary citations for acts committed on the grounds and in the buildings of the primary jurisdictional area and carry the offender before the proper authority and prefer charges against the offender under the laws of this Commonwealth.”

WHEREAS, 42 Pa.C.S.A. Section 8902 provides a police officer the right of arrest without warrant upon probable cause for certain enumerated summary offenses under certain circumstances; and

WHEREAS, such right of warrantless arrest is conditioned upon the promulgation by the Board of Commissioners, being the governing body of the County, of guidelines to be followed by such officers when making warrantless arrests under Section 8902.

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

1. Park Police officers employed by the County shall have the right of arrest without warrant under Title 42, Pa.C.S.A., Section 8902, when a Park Police officer has probable cause from viewing ongoing conduct that imperils the personal security of any person or endangers public or private property when such conduct constitutes certain summary offenses under Title 18 including (a) 18 Pa.C.S. § 5503 (relating to disorderly conduct); (b) 18 Pa.C.S. § 5505 (relating to public drunkenness); (c) 18 Pa.C.S. § 5507 (relating to obstructing highways and other public passages); or (d) 18 Pa.C.S. § 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages).
2. The guidelines to be followed by the Westmoreland County Park Police Officers when making a warrantless arrest under 42 Pa.C.S.A. Section 8902 are set forth in Pennsylvania Rules of Criminal Procedure, Part IV: the Procedures Following Arrest Without Warrant for summary cases (Pennsylvania Rule of Criminal Procedure Rule 441).
3. It is further recognized that 42 Pa.C.S.A. Section 8902 and Pennsylvania Rules of Criminal Procedure may be amended from time to time. It is the intent of this Resolution that the police officers follow the terms of said rules or statutes that are currently in effect as of the date of any arrests, whether or not these guidelines have been formally amended to comply with any statute or rule changes.

RESOLVED AND ENACTED this 8th day of September, 2016 by the Board of Commissioners of the County of Westmoreland at a duly advertised public meeting with a quorum being present.

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

- (A) Change Order #1 with **UNITED TELEPHONE COMPANY OF PENNSYLVANIA**, dated April 24, 2014 for **“WESTCORE Emergency Telephone System,” (Contract Number N67595)** for additional equipment and labor to complete the Emergency Telephone System, this change order is at no cost to Westmoreland County
- (B) Consider approval of Acceptance of **“Hazardous Material Response Fund,”** Grant with the **COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY** for the term July 1, 2016 through June 30, 2017, in the amount of **\$17,603.00**

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

- (A) **Resolution #R-37-2016**, to amend previous designation in Resolution #R-15-2014 to now designate the current Chairman and Vice-Chairman of the Westmoreland County Board of Commissioners

Resolution #R-37-2016

WHEREAS, the County of Westmoreland is completing a Twin Lakes Expansion Project; and

WHEREAS, the County previously applied to the Greenways, Trails, and Recreation Program (GRTP) of the Commonwealth Financing Authority for a grant to be used for completion of the Twin Lakes Expansion-Phase III; and

WHEREAS, in accordance with Resolution 15-2014 the County previously designated Charles W. Anderson, the then Chairman, and R. Tyler Courtney, the then Vice Chairman of the Westmoreland County Board of Commissioners, to execute all documents and agreements between Westmoreland County and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

NOW THEREFORE, it is hereby RESOLVED, by the Board of Commissioners of Westmoreland County that:

- 1. The County does hereby wish to amend the previous designation to designate Gina Cerilli, Chairman or the current Chairman, and Ted Kopas, Vice Chairman or the current Vice-Chairman, of the Westmoreland County Board of Commissioners to execute all documents and agreements between Westmoreland County and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant and grant proceeds.

RESOLVED AND ENACTED this 8th day of September, 2016 by the Board of Commissioners of the County of Westmoreland at a duly advertised public meeting with a quorum being present.

- (B) Authorize the execution of the Settlement Agreement and Release with Franklin Township Municipal Sanitary Authority, Westmoreland County Industrial Development Corporation and Westmoreland County Industrial Development Corporation acting on behalf of Turtle Creek Industrial Railroad, Inc. which settles the outstanding punch list items that were not completed by the Contractor for Franklin Township Municipal Sanitary Authority pursuant to the specs and accompanying plans prepared by Mackin Engineering Company to facilitate the future construction of the trail when Franklin Township Municipal Sanitary Authority was constructing Main Pump Station Force Main Replacement Project within the area of the Trail Easement Agreement between Westmoreland County Industrial Development Corporation acting on behalf of the Turtle Creek Industrial Railroad, Inc. and the County of Westmoreland in consideration of receiving the sum of \$10,000.00 that will be utilized to correct and complete the outstanding punch list items as recommended by Mackin Engineering Company which is the engineering firm retained to help develop the plans and specifications for the future construction of the said trail.

Upon review and recommendation of Melissa A. Guiddy, County Solicitor and William S. Ferraro, Chief Assessor motion was made by Mr. Kopas, seconded by Mr. Anderson and it was unanimously agreed to approve the following item for **Tax Assessment:**

- (A) Maintenance Renewal with **TYLER TECHNOLOGIES**, Moraine, OH for “iasWorld Maintenance,” in the amount of **\$124,475.00** (iasWorld Maintenance & Support \$113,520.00, Field Manager (iField) \$7,695.00 and Oracle Annual Technical Support \$3,260.00) for the term November 1, 2016 through October 31, 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 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>
8.22.16	51-09-10-0-049	Ligonier Twp	\$1,584.00
8.24.16	24-03-16-0-189	City of New Kensington	\$1,066.00

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

- (A) Renewal of Agreement with **INFOSEAL, LLC**, dated October 23, 2014, to provide periodic maintenance, telephone support and/or on-site maintenance services for one PS-100 Folder/Sealer system, for an additional one-year term from October 1, 2016, through September 30, 2017, in the amount of **\$1,440.00**

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 for **Westmoreland County:**

- (A) Underwriting Engagement Letter and Disclosure By Underwriter pursuant to MSRB Rule G-17 dated August 1, 2016 appointing Janney Montgomery Scott LLC, Pittsburgh, PA, to serve as underwriter in connection with the issuance of the Westmoreland County General Obligation Bonds, Series A and B of 2016, subject to the terms of a mutually acceptable bond purchase agreement
- (B) **Exoneration of 2002, 2004, 2005 and 2008** County Taxes, interest, penalties and Tax Claim Bureau Fees on properties owned by the **MUNICIPALITY OF MURRYSVILLE**, being Tax Map No. 49-10-10-0-102. Exonerations have been granted by the Municipality of Murrysville and Franklin Regional School District. Exemption status having been granted effective January 15, 2006 by the Westmoreland County Board of Assessment Appeals.
- (C) Revised HIPAA Sanctions Policy.
- (D) Following policies:
  - (1) Equal Employment Opportunity
  - (2) Definition of Employee Status
  - (3) Job Descriptions
  - (4) Recruitment, Selection and Hiring
  - (5) References, Clearances and Testing

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

- (A) Bids for **“Laundry Chemical Cleaning Supplies,” (Bid 16-20)**, for the term September 1, 2016 through August 31, 2017, with option to extend for two additional one year terms at the same prices upon mutual written consent of the parties, were opened on August 9, 2016:

Pitt Specialty Supply, Inc.	\$23,558.08
Tri-Mark SS Kemp	\$24,618.00
Ecolab	\$25,828.71
General Products and Supply Inc.	\$26,294.80

Award bid to **PITT SPECIALTY SUPPLY, INC.**, Pittsburgh, PA being the lowest bidder and meeting the specifications in the amount of **\$23,558.08**

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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 **2016 Budget** for the Department of Financial Administration, as prepared by Meghan McCandless, Director of Financial Administration

(2) **PROCLAMATIONS**

*“In Honor of the 2015-2016 Hempfield Girls PIAA Class AAAA 2016 Champions”*  
*“Hunger Action Month Proclaimed September 2016”*  
*“Fetal Alcohol Spectrum Awareness Month September 2016”*  
*“Ascension Parish Celebrates Its 100<sup>th</sup> Anniversary”*  
*“National Senior Center Month, September 2016”*  
*“Mount Pleasant Mayor Jerry Lucia - 2016 Mayor of the Year”*  
*“Greg & Leslie Foretj and Sons-PA Farmland Preservation Program, Westmoreland County Agricultural Land Preservation”*

Motion was made by Mr. Anderson, seconded by Mr. Kopas, and it was unanimously agreed to adjourn the meeting at 10:37am.

Certified by,

Charles W. Anderson  
Secretary