

A meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, July 15, 2014 in the Public Service Building, Uniontown, Pa.

**In attendance-**

Commission Chairman Alfred Ambrosini  
Commissioner Vincent Zapotosky  
Commissioner Angela M. Zimmerlink  
Chief Clerk Amy Revak  
Chief Solicitor John Cupp

**Chairman Ambrosini** called the meeting to order at 10 a.m.

A silent prayer was observed.

The pledge of allegiance was recited.

**Commissioner Ambrosini** said he wanted to amend the agenda to add a certificate of recognition for General Jeffrey A. Rockwell as Deputy Judge Advocate General of the Air Force.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to amend the agenda to add a certificate of recognition to Major General Jeffrey A. Rockwell as Deputy Judge Advocate General of the Air Force.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Commissioner Ambrosini** read the certificate congratulating Major General Jeffrey A. Rockwell. He said it is his understanding that General Rockwell is the only the second General to receive status as General in Fayette County. Commissioner Zapotosky said the other was General George C. Marshall. Ralph Mazza said there is another general from Fayette County.

**Assessment Office**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the following for a real estate tax exemption as he has been qualified as a 100% disabled veteran by the Veterans Administration of Pennsylvania effective for the 2014 tax year.

Ewing F. Fields 721 Morgantown Road Uniontown PA 15401 Parcel 34-28-0045

Commissioner Ambrosini yes  
 Commissioner Zepotosky yes  
 Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zepotosky and seconded by Commissioner Zimmerlink to table entering into an agreement with Resource Technologies Corporation, State College PA to update GIS mapping layer at a cost of \$5,000.

Commissioner Ambrosini yes  
 Commissioner Zepotosky yes  
 Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prior to** a motion, Solicitor Cupp said there was an e-mail from Bill Lukach to table and the read the e-mail asking for the item to be tabled.

**Behavioral Health Administration**

**A motion** was made by Commissioner Zepotosky and seconded by Commissioner Zimmerlink to approve the agreements and modifications as listed.

	<u>Contract Value</u>	<u>Period</u>
<b><u>Modification Agreements #1 2013-2014</u></b>		
Neurological Therapy Specialists	\$16,000	7/1/13-6/30/14
<b><u>Base Contract Agreement 2014-2015</u></b>		
Allegheny Intermediate Unit	\$554,692	7/1/14-6/30/15
City Mission - Living Stones, Inc.	\$82,856	7/1/14-6/30/15
Connellsville Counseling	\$7,000	7/1/14-6/30/15
Diversified Human Services, Inc.	\$65,000	7/1/14-6/30/15
Fayette County Drug & Alcohol Comm.	\$42,140	7/1/14-6/30/15
Integrated Care Corporation	\$95,000	7/1/14-6/30/15
Laurel House, Inc.	\$467,743	7/1/14-6/30/15
Therapy Connections LLC	\$70,000	7/1/14-6/30/15
Westmoreland Community Action	\$10,000	7/1/14-6/30/15
<b><u>EI Contract Agreement 2014-2015</u></b>		
Connellsville Counseling	(Commonwealth Funded)	7/1/14-6/30/15
Diversified Human Services, Inc.	(Commonwealth Funded)	7/1/14-6/30/15
Integrated Care Corporation	(Commonwealth Funded)	7/1/14-6/30/15
<b><u>Professional Service Agreements 2014-2015</u></b>		
Alicia Crouse	\$7,000	7/1/14-6/30/15
Connellsville Counseling	\$500	7/1/14-6/30/15
David Reiss, Attorney-At-Law	\$185/hr.	7/1/14-6/30/15
Russell B. Korner, Esquire	\$22,440	7/1/14-6/30/15
Vitalink Computers and Supplies	\$300	7/1/14-9/30/14
WJS Psychological Associates Inc.	\$500	7/1/14-6/30/15

**Fee-For-Service Agreement 2014-2015**

Fayette Emergency Medical Services

\$5,000

7/1/14-6/30/15

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Bridge Department**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the purchase of a Terex Compact Track Loader with manual quick attachment and other equipment attachments through the PA State Contract No.#4400011414 - BLE#4400006012 at a cost of \$61,284.20. Best Line Equipment, 140 Hawbaker Industrial Drive, State College, PA 16803, is an approved COSTARS vendor.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the purchase of a 2014 Ford F150 Extended Cab Truck through the PA State Contract/COSTARS Program to replace an aging vehicle at a cost of \$25,557.68. Davies Ford, Route 119, P.O. Box 1052, Connellsville, PA 15425, is an approved COSTARS vendor.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Children & Youth Services**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the **FY2013-14** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and the **County of Westmoreland** for the provision of secure detention services to delinquent & alleged delinquent youth on an as needed basis. The rate for detention services is \$190.00 per day & \$300.00 for initial clothing.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes

Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services, and **Avanco International, Inc.**, 11325 Random Hills Road, Suite 350, Fairfax, VA 22030, for child accounting and profile system application service agreement relating to support services. The cost for this service is \$7,559.00 per quarter.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services, and **Avanco International, Inc.**, 11325 Random Hills Road, Suite 350, Fairfax, VA 22030, for a business agreement for Consulting and Ad Hoc IT Services and Support. The rates are as follows:

Research Analyst	\$ 54.50/hr.
Junior Programmer	\$ 65.40/hr.
Junior Programmer Analyst	\$ 73.00/hr.
Programmer Analyst	\$ 76.20/hr.
Senior Programmer Analyst	\$ 78.70/hr.
Developer	\$ 92.50/hr.
Senior Developer	\$111.20/hr.
Project Director	\$125.00/hr.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services / Fayette County Juvenile Probation, and the **County of Westmoreland** for the provision of secure detention services to delinquent & alleged delinquent youth on an as needed basis. The rate for detention services is \$190.00 per day & \$300.00 for initial clothing.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes

Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Ewing D. Newcomer, Esq.**, 4 N. Beeson Avenue, Uniontown, PA 15401 for agency representation. The rate for his services is \$110.00 per hour.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a **FY2014-15** Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services & **Anthony Iannamorelli, Esquire**, 9 Court Street, Uniontown, PA 15401. Attorney Iannamorelli was court appointed to represent children in dependency proceedings. The rate for his services is \$1,000.00 per month.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the appointment of a county resident, **Dr. Jo Ann Jankoski**, to a 3-year term on the Fayette County Children & Youth Services Advisory Committee. The term shall expire on June 30, 2017. The Advisory Committee voted unanimously, at the June monthly meeting, to recommend her appointment to the commissioners at the July meeting.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Controller**

Chief Deputy Controller Joyce Barnett presented the following financial condition of the county.

# Office of the Controller

Fayette County, Pennsylvania

**JEANINE B. WRONA**  
Acting Controller



Phone (724) 430-1217  
Fax (724) 430-1366

<b>FUND:</b>	<b>GENERAL FUND</b>		
	<b>DATE:</b>	15-Jul-14	
<b>CASH:</b>	Checking Account	United Bank	\$10,713,533.81
<b>Funds Owed to General Fund</b>			
	Temporary Loans		
	Victim Witness Fund	\$ 30,000.00	
	Children and Youth Fund	\$ 1,000,000.00	
	Bond Fund	\$ 1,964,246.41	
	Due to General Fund		
	Ferry Insurance Policy	\$ 9,796.00	
			\$ 3,004,042.41
	Arc Payments Due		
	Intermediate Punishment Fund-.3yrs	\$ 40,651.26	
	Offenders Supervision Fund-3yrs	\$ 87,758.28	
	Victim Witness	\$ 4,271.61	
	Records Improvement	\$ 2,325.32	
	Fredericktown Ferry	\$ 5,054.04	
			\$ 140,060.51
	Central Service Payments		
	C-17 Fund-2yrs	\$ 9,005.00	
	Offenders Sprvsn-3yr	\$ 39,369.00	
	Intermediate Punishment-3yrs	\$ 19,532.00	
	Victim Witness Fund	\$ 10,780.00	
			\$ 78,686.00
	<b>Funds General Fund Owes</b>		
	Tax Anticipation Note	\$ 6,320,000.00	
			\$ 6,320,000.00
<b>Budget Year</b>	<b>Net Position</b>		<b>\$7,616,322.73</b>
			<b>Year to Date</b>
Total 2014 Revenues			\$ 21,445,389.29
Total 2014 Expenditures			\$ 14,216,660.27
Total 2013 Expenditures paid in 2014			\$ 1,120,484.47
<b>Capital Reserve Fund Balance</b>	Fund 51		\$ 234,545.75
<b>Bond Fund Balance</b>	Fund 53		\$ 210,557.65

FAYETTE COUNTY COURTHOUSE • 61 EAST MAIN STREET • UNIONTOWN, PENNSYLVANIA 15401

## Courts

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve a contract with HDS Center for Hearing and Deaf Services for July 1, 2014 to June 30, 2015, with rates as attached.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Todd Brothers to work as an independent contract for the booking center at a rate of \$15 an hour through December 31, 2014, effective June 1, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve a contract with **NEOPOST** for 3 years for postage equipment in the MDJ offices. The last contract expired on June 30, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Election Bureau**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve attendance for Election Bureau Director to the 2014 PA County Election Official Conference, to be held in Erie, Pa. August 18th through August 21st. The cost of lodging for 3 nights will be \$507.21. The cost of the registration fee will be \$225.00. The total budgeted cost of \$732.21.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Fayette County Office of Human and Community Services**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to approve the following buses:

143	2006 Ford 12+2 passenger	1FDXE45PX6DA89201
161	2009 Ford 12+2 passenger	1FDFE45PX9DA74231
162	2009 Ford 12+2 passenger	1FDFE45P19DA74232
163	2009 Ford 12+2 passenger	1FDFE45P39DA74233
195	2008 Ford 12+2 passenger	1FD4E45P68DB59248
196	2008 Ford 12+2 passenger	1FD4E45P08DB47788
197	2007 Ford 12+2 passenger	1FDXE45P47DA58771

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky to advertise the IFB for acquisition/installation of metal storage garage.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Human Resources**

**Bridge Department**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the amendment to the May 2014 resolution to update the hire date of Bridge Worker I, Michael Modispaw, from June 16, 2014 to June 9, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**CYS**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of Caseworker I, Jenna Adamovich, effective July 11, 2014.

Commissioner Ambrosini yes

Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the re-hire within 1 year of Brittany Liptak as a Caseworker II at SEIU-CYS rate \$16.68/hr. (\$32,538 annually) effective July 16, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the amendment to the May 2014 resolution to update the hire date of Casework Supervisor, Nicole Robinson, from May 27, 2014 to May 19, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**EMA**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of 3 following 911 Dispatcher Trainees: Jennifer Harvey, Erica Glover and Clinton Rikken to Full Time 911 Dispatchers at SEIU 911 Scale Pay Grade 9 Step A \$12.79/hr. (\$26,603.20 annually) effective retroactive to June 18, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion of 911 Dispatcher Trainee, Elizabeth D'Auria, to Part Time 911 Dispatcher at \$12.79/hr. effective retroactive to June 18, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of 911 Dispatcher Trainee, Claudia Jordan, effective July 2, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Human Resources**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the agreement with Highmark Blue Cross Blue Shield to provide for health insurance coverage for January 1, 2015- December 31, 2017.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve an extension of the Independent Insurance Consultant services of Gary Sefchok and Associates, with an increase in the PEPM fee of \$0.50 per year, through December 31, 2017.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the resignation due to retirement of HR Benefits and Programs Coordinator, Tammy Boyle, effective September 2, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Information Technology**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 150-hour volunteer internship of LBI Network Administration and Security Major, Michael Bartko, effective September 8, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

### **Tax Assessment**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion bid of Tax Assessment Mapping Technician, Christy Guess, to the UPI Technician at SEIU Pay Grade 10 Step F, \$14.38/hr. (\$28,041 annually) effective July 28, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the promotion bid of Sam Murphy from Building and Grounds Maintenance Worker III to Assessor I at SEIU Pay Grade 11 Step C, \$13.78/hr. (\$26,871 annually) effective July 16, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

**Prior to a** vote, Commissioner Zimmerlink said when she came in this morning there was an SEIU Local 668 grievance form that was placed under my door, did any other commissioner see this? Both other commissioners said they did. She said according to this, a grievance is being filed today sent to Dominick from two stewards, and it is a grievance of Article 9 Section 2 and Section 3a, and it said that assessor's position was not posted and an outside applicant was hired to fill the position, that is for the next item because Ernest Walters is not a union person. She said it says remedy requested for the position to be posted within the bargaining unit to allow the opportunity for union employees to bid on the position. She said she believes both of these items, the one that is on the floor not to vote, there is a motion and a second, not only this one but also the next one should be tabled pending this grievance, pending the grievance or Lisa, I have a question, Lisa Harkins you are in for Dominick.

**Commissioner Zimmerlink** said question for you, if you know the answer, I know I am putting you on the spot here, but what is the time frame for a grievance to be scheduled and heard on an item such as this, do you know? Ms. Harkins said she didn't know, she had the contract there, it is usually to respond within five days. Commissioner Zimmerlink said if you want to vote on it, vote on it. Commissioner Zapotosky said he is going to interject some comment. Commissioner Zimmerlink said if you don't know, that's fine, but the point is that it is not going to be done today. She said from what she received this morning she asked a couple questions about this and from what she understands there was a posting made, however, when the posting was made, it did not indicate the number of open positions, where had it said there were two open positions then more than one employee from SEIU could have and may have applied.

**Commissioner Zimmerlink** said one statement made was that since a position was posted and it didn't say how many positions were vacant that if five people wanted to apply then five people could have applied and two positions would have been filled. She said the problem with this is, and they are not going to be able to resolve it today because it is going to be a he said, she said until we meet with employees involved, but from what she understands there were other members of the SEIU who would have applied and actually asked a question how many positions were open and it was replied one and one person, a union member meaning Sam Murphy applied and the other union member said that he wasn't going to apply, you go ahead, I'll just wait for the next position that opens whether it is in tax assessment or somewhere else.

**Commissioner Zimmerlink** said that is fine, union members do that for each other all the time, she isn't arguing that point, she is not saying that Sam Murphy is not qualified, she isn't saying that Ernie Walters is not qualified, what she is saying is that the position, a grievance has been filed and until they know what the position of the union is, their stance is as she reads it is and a quick comment, conversation was that it was posted and it didn't state that two positions were open and therefore more individuals within the union would have applied. She said if you go ahead and approve Sam the problem is going to be if they table it and have two positions open and we have three people from the union, Sam and two others apply, we don't know which one of those three would receive it and it would not be fair to the other two, if there are two, we don't know, it could be more to be interviewed. She said she would suggest, and she knows there is a motion and a second, she would suggest that be withdrawn. She said she would suggest that the first motion be rescinded and both of these items be tabled and you said you believed and don't hold me to it, possibly in five days.

**Commissioner Zimmerlink** said again, she isn't going to argue the point here, but if you have three individuals, union members, I understand there were at least two and they might change their minds, but if there were three and you don't know who is the most qualified until you give all parties and opportunity to be interviewed, and again, this is nothing against the individuals listed on the agenda. She said this is last minute only because this was received in the commissioner's office, it is time stamped today at 8:39. Commissioner Zapotosky asked if Commissioner Zimmerlink spoke with Margie. He said he spoke with Dominick as well. He said Dominick contends he did advertise and the position was posted, he is on vacation now so I did interrupt him and, I am just trying

to say what Dominick said, I am not trying to engage in any informal debate here. He said as you said, it is a he said, she said.

**Commissioner Zimmerlink** said the union is not arguing that the position was not posted, OK, the union is saying that the position did not say that there was more than one position vacant. Commissioner Zapotosky said is that on the grievance, I was trying to check the grievance. He said it says that the assessor's position was not hired, and outside applicant was hired, OK, it doesn't say anything about plural here, who did you speak with at the union, Dennis, OK, I don't know Dennis. He said again, it is he said, she said. He said to Ms. Harkins that Dominick has contended that he has filed this properly. Ms. Harkins said he has posted both positions. Commissioner Zapotosky said he maintains he has posted both positions, adding that he spoke with Cristi Spiker in the HR office before the meeting, and she and Marjorie, and that is how Marjorie found out about this was she was engaged in conversation with Cristi and there might have been some miscommunication between those two this morning which precipitated this.

**Commissioner Zimmerlink** said that Dennis said that someone spoke with Cristi in the HR and Cristi informed them that a position was posted but it did not indicate the number of positions or there was only one position posted and not two. Commissioner Zapotosky said he talked to Cristi and there was definitely miscommunication. Commissioner Zapotosky said his motion still stands. Commissioner Zimmerlink said she thinks they should table it because if they have three, it is not going to hurt to table the item, I've said what I've said. She asked Solicitor Cupp if he wanted to weigh in. Solicitor Cupp said he thinks it would do less harm with your potential for problems. He said you could always ratify. Commissioner Zapotosky said that is fine and let the motion did due to lack of a second and Commissioner Ambrosini said he already seconded it. Commissioner Ambrosini said the grievance is not clear, it doesn't state anything about one or two positions, it just said it was not posted properly.

**Commissioner Zapotosky** said they could always ratify and come back and approve. He said this was received, there is nothing here that says specifically there was failure to put position or positions and we are getting that based on heresy as well. He said he spoke with the HR director, he explained he did post it, and I spoke with the HR staff person there and there may have been miscommunication between them and the union steward, but he will accept a motion to table and if this fails he will table. Commissioner Zimmerlink said she isn't going on heresy and she isn't going to get into who said, there is the grievance. She said all three of us got it this morning, there is a motion and a second made by them, I would suggest that it be withdrawn and it be tabled, I asked for your opinion, if I wouldn't have, I don't know what they would have done because there was a motion and a second. Commissioner Zapotosky said grievances are part of the employment process, correct. He said they can vary from a hire to the lavatories are too far away, correct? Ms. Harkins said correct. He said he wants to make sure we understand what a grievance is. He said it isn't necessarily the right thing, it is a position of the union at that time.

**Commissioner Zimmerlink** said of course, and how could a voting commissioner make a determination until they hear both sides. Commissioner Zapotosky said

because he spoke with the HR director who is the one handling the hire and not the guy who got the information based on a conversation that another union steward had with the HR staff person who was not even involved with the hiring practice. Commissioner Zimmerlink said understood. Commissioner Zapotosky said it is called credibility throughout the chain, that is all I am saying commissioner. Commissioner Zimmerlink said understood, however, when a grievance is filed you must according to the CBA go through the approval. Commissioner Zapotosky said we will do that. Commissioner Zimmerlink said go through the appropriate process and the appropriate process is to hear it, not for us to call Dominick, find out from Margie, call this person, call that person. Commissioner Zapotosky said if everything is going to stop based on a grievance being filed, you are going to be hell bent on getting anything done. Commissioner Zimmerlink said then vote. Commissioner Zapotosky said for God's sake, people file grievances on everything.

**Commissioner Zimmerlink** said there is a motion and a second, if you want to vote on it go ahead. Commissioner Zapotosky said he has no problem, it is there, that is all I am telling you. Commissioner Zimmerlink said there is a motion and a second. Commissioner Ambrosini said the grievance did not clearly state, the grievance actually said that there wasn't an advertisement, is that correct? Commissioner Zapotosky said it doesn't say anything about plural. He said it doesn't say anything except failure to put the word position, positions in parentheses, it doesn't mention anything and that is semantics to be quite honest with you. Ms. Harkins said at different times Dominick has verified that he has posted the position. Commissioner Zapotosky said he finds it highly improbable that you are going to sacrifice a vertical career move to offer somebody else to accept that move and then, well I'll wait for later for it to come around a second time. He said hopefully people don't approach their business background like that.

**Commissioner Zimmerlink** asked who had the agenda from last week. Commissioner Zapotosky said the timing of the grievance was pretty good too. Commissioner Zimmerlink said that she said they just found out about it. Commissioner Zapotosky said that is what he tried to explain earlier, after they talked to Cristi. He said he spoke to her on the phone this morning as well and she was explaining that was information she had gotten from Cristi, there was some confusion about an interview date on June 5, this goes back over 20 days plus so it wasn't secret that the position was open. Commissioner Zimmerlink said no, what was unknown was that two positions, that's the unknown if you read the grievance, she is not talking about who said what, she is looking solely at this document and this document is referring to having an outside applicant being hired, which is, everybody can read it for themselves, I'm not going to go on.

**Commissioner Zapotosky** said he isn't either, if the motion wants to die, let it die and we can wait till next month. Commissioner Zimmerlink said the motion can't die there is a motion and a second. Commissioner Zapotosky said put it to a vote and the vote was taken. After the vote, Commissioner Zapotosky asked Ms. Harkins to sit down with her and John and Dominick. Commissioner Zimmerlink said her nay vote is because of the grievance, please make sure that is in the minutes.

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the hire Ernest Walters as an Assessor I at SEIU Pay Grade 11 Step A, \$13.08/hr. (\$25,506 annually) effective July 16, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

### **Motion passed 2-1**

**After the vote**, Commissioner Zimmerlink said she thinks that the commissioner's should have relied on the advice of the solicitor on this one here, regardless of whether or not you ratified, this issue before us is if for the grievance to be heard and if it is shown that the second position was not posted or that the union had no knowledge that there were two positions open, we may have had three individuals and there is two positions and that would have, may have removed the outside individual because if one of the three would have met the minimum qualifications then that person would have been permitted to bid on the position and for the current, Mr. Murphy, again, he is qualified for this job, I am not saying that he was not, but if there were two other individuals they may have been more qualified and you don't know that without first doing the interview process. Ms. Harkins said she doesn't know if they have been interviewed, it would depend on the posting dates.

**Commissioner Zapotosky** said for something that was slipped under the door, I made phone calls, you spoke with Dennis? Commissioner Zimmerlink said what do you mean slipped under the door. Commissioner Zapotosky said this was in my box, yours was under your door, where's Dennis, is he here today, Dennis Hall, did he show up for the meeting? Commissioner Zimmerlink said for what meeting. Commissioner Zapotosky said he would think that a union representative would be here if they felt the need to address the complaint. He said he isn't going to let a grievance slow down the wheels that we need to keep moving. He said they just got done talking that they have a project that is going to require extensive work, is that correct? The GIS mapping, and we are going to slow them down by not having staff there for 30 days, I don't think so.

### **Tax Claim**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the resignation of Accounts Clerk III, Bethany Freed-Layman, effective July 3, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the promotion bid of Marjorie Stefanini, from Accounts Clerk I to Accounts Clerk III at SEIU Pay Grade 7 Step A, \$11.40/hr. (\$22,230 annually) effective retroactive to July 7, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the lateral transfer, with no change in pay rate at SEIU Pay Grade 3, \$10 hr. (\$19,500.00 annually) of Raylene Ferlin from Veteran Affairs Veteran Service Clerk to Accounts Clerk I effective July 16, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Prison**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve the 240-hour volunteer internship of CAL U Psychology/ Forensic Science/ Justice Studies Major, Hayley Maraugh, effective August 28, 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Planning and Zoning:**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve RZ 14-2 William E. and Karen A. Moser, Smithfield Borough, for an extension of an R-2 High Density Residential Zone on property currently zone B-1 General Business.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

## **Public Works:**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve Jill Myers to attend New World Systems 2014 Training Public Administration Executive Conference October 5 – 7th in Boca Raton, Florida. Estimated costs are \$2,145.00.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

### **Motion passed 2-1**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Director Bob Carson to attend the PROP Recycling & Organics Conference 2014. It is being held at The Double Tree –Pittsburgh Meadow Lands in Washington, PA July 23 – 25<sup>th</sup>. The cost of the 3 day conference is \$595.00.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

### **Motion passed unanimously**

**Commissioner Ambrosini** asked for a motion to consider approval to enter into a lease extension agreement with Columbia Gas of PA for 20 years for a regulator site in German Township. He asked Solicitor Cupp if he reviewed the contract. Solicitor Cupp said we were supposed to get some more information. Commissioner Zapotosky said it was \$100 in 1954 and based on just the value of a dollar, if you received a dollar in 1954 and you got that same dollar today, how much would it be worth, it was \$8.70 so that would equate to \$870 if you are looking at the value of a dollar. Solicitor Cupp said his position is they should be getting more money and Commissioner Zapotosky said that is his position as well. He said at the minimum they should be getting at least \$870. Solicitor Cupp said he thinks the matter would be best discussed at the next board meeting. Commissioner Zapotosky said it is the principal of the thing.

**Commissioner Zimmerlink** said this was discussed and on the agenda last month and the individual from Columbia Gas was here at that time. She said she is here now and the inaction of last month's meeting and the individual had stated that they were open to have other discussion on increase in price. She said the direction was for the solicitor and the department head to meet with and discuss with the representative from Columbia Gas and bring back that recommendation and that was 30 days ago. She said now it is another let's table it. She said ma'am, you are the individual right, I'm sorry I don't remember your name. Jacqueline White gave her name, and Commissioner Zimmerlink said everything that I just said, is it not accurate? Ms. White said it is.

**Commissioner Zimmerlink** asked if anyone had contacted her since the prior meeting. Ms. White said she can't negotiate, they have to approve a request and a request for an additional amount would have to be made. Commissioner Zimmerlink said at the last month's meeting that is what they directed the department head to do, to meet with us and then to propose something once we meet then we could propose something to you and you made it very clear that it falls in the county's side here to make a proposal and then you would take it to your people. She said after the meeting Mr. Carson said he would be in touch with you, is that correct? Ms. White said she attempted to contact Mr. Carson and was unsuccessful and she contact (Chief Clerk) Amy (Revak) and she suggested that if there was a contract prepared for the lease extension and it just said blank then possibly at today's meeting a dollar figure could be agreed upon and we could handwrite it in there so we could move forward.

**Ms. White** said that is generally how rate increases are handling by counties and governments based on increases. She said the engineering supervisor approved an allowance of up to \$1,000 because they thought it would come in at estimated around that amount. She said if that is agreeable to you, she has the same lease extension agreement just minus the dollar figure. She said she could enter that amount in there if it could be approved. Commissioner Zimmerlink said Amy do you have that information? Chief Clerk Revak said he asked if she had the agreement itself, adding that she doesn't have that. Commissioner Zimmerlink said to Ms. White you gave us that agreement more than 30 days ago, I know, I read it. Commissioner Ambrosini asked Solicitor Cupp if the language of the agreement is acceptable and he said yes.

**Solicitor Cupp** said that Commissioner Zapotosky said \$800, \$880 would be a consumer price index generated increase from \$100 to \$800, they have suggested that they have authority for \$1,000, it would seem to me that \$1,000 would be a good number for today but the only problem he has with \$1,000 is, and this is something that you have to consider, that it is 20 years,. Commissioner Zimmerlink said correct, it is \$1,000 for the next 20 years, and that is why it should have been an amount that perhaps could be adjusted over the years up to five years, between the five and 10 years and the 10 to 20 year and that is something that could have been also suggested and Columbia Gas would have considered. Ms. White said you can suggest anything for a particular time frame and a particular rate, she said it is a very small area, a 20 by 20 area in a location that is not useful for other purposes. She said this regulator is strictly for the purpose of making sure the residents and buildings in that area receive a sufficient amount of gas at peak times in the winter.

**Commissioner Zimmerlink** said she was going to ask a question and said if they inserted in the agreement today, you then would take it back to your people, OK. She said if you started out with \$800, adding that if you do it in increments, saying perhaps years 1 to 5 at \$800, and then 5 to 10, 10 through 15 and 15 through 20, Ok. Now what would be a calculation that you said you did with the consumer price index, what would year's five through 10 be? Commissioner Zapotosky said that is a problem, you would have to go based on the CPI, which could be 1.9 to 2.1 percent every year if you want to go that route. Solicitor Cupp said he didn't think you could come up with an accurate way of doing that unless you use some other index. Commissioner Zimmerlink said you

have a background in accounting so how could you calculate that? She suggested figures for the contract. Solicitor Cupp said you still have to bind it to an index and he has been in the county long enough to know that the consumer price index went up 16 percent. Commissioner Zimmerlink said you don't have to do the index.

**Commissioner Zapotosky** said they can do percentages, it is just a percentage increase. Ms. White said you could go for a lease extension to be less years. Commissioner Zimmerlink said then renew it at that time. Commissioner Zapotosky said every five years would be good. Ms. White said that way you would have a fixed dollar amount that you would feel comfortable with for the next five years. Commissioner Zimmerlink said then why don't we change this to a five year agreement, and limit the motion to:

**A motion** was made by Commissioner Zimmerlink for the county to offer to extend the lease agreement with Columbia Gas for a regulator site in German Township for a five year period at \$800 a year. She said that is what he said, right? Commissioner Zapotosky said it was \$870. She asked when the lease expires because she wants to have an end date, she doesn't want to say for five years, she wants a date specific and then also, she recalls asking if they could have, just to say a site in German Township doesn't mean anything. Ms. White said she has the parcel number, 15-35-0266. Commissioner Zimmerlink asked when the lease expires and Ms. White said November 14, 2014. Commissioner Zimmerlink said it will take us to November 13 of 2018, 19, right? She said a five year lease would take us, take the county through November 13, 2019. Ms. White said you will go from November 14, 2014 to November 13, 2019, Commissioner Zimmerlink said, which is a five year lease. Ms. White said for \$870 per year and it will be annually. Commissioner Zimmerlink said OK, and so that they have no problems also with their, let's put a date in there when you say payable annually, do you want to have it on the anniversary date, Nov. 14, payable Nov. 14 annually. Solicitor Cupp said in advance, at the beginning of the year. Commissioner Zimmerlink said payable each Nov. 14 annually, in advance.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky for the county to offer a lease extension agreement with Columbia Gas of Pennsylvania for its regulator site in German Township known as parcel number 15-35-0266 beginning November 14, 2014 and ending November 13, 2019, which is a five-year lease, payable per year at \$870 on the anniversary date, being November 14, in advance.

**Commissioner Ambrosini** said he would, just some comments here, he said he would agree with the time of it but there are two reasons he is not agreeing to the cost because one is that the gas company already indicated as John reiterated that they are acceptable to \$1,000 a year and since it is a five-year contract, the difference between \$870 and \$1,000 would help offset the CPI index for the remaining four years of that contract. Commissioner Zimmerlink asked Ms. White if she said that they would be acceptable to \$1,000 or did I hear you say up to \$1,000 and that is based on a 20-year lease? Ms. White said correct. Commissioner Zimmerlink said to move this along, she

will say \$1,000 and you can come back and say no, OK. She said my motion stands and just change it from \$870 to \$1,000.

**A motion** was made by Commissioner Zimmerlink and seconded by Commissioner Zapotosky for the county to offer a lease extension agreement with Columbia Gas of Pennsylvania for its regulator site in German Township known as parcel number 15-35-0266 beginning November 14, 2014 and ending November 13, 2019, which is a five-year lease, payable per year at \$1,000 on the anniversary date, being November 14, in advance.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Tax Claim**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to accept the following bids from the July 1, 2014 Repository Sale Bid Opening, subject to all conditions being met.

Total \$2,272.00

Bidder	Parcel number	Township	Bid Amount
Scott Jordan	30-08-0052-02	Redstone	\$450.00
Scott Jordan	34-27-0029	South Union	\$401.00
Scott Jordan	38-03-0396	Uniontown	\$300.00
Frank Bobeck	19-13-0009	Luzerne	\$721.00
Dale Illig	30-26-0165	Redstone	\$400.00

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Veteran's Affairs**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to approve Madonna Nicklow and Glenn Siple to attend the Annual Continuing Education Conference in Mechanicsburg, Pa. presented by the office of the Deputy Adjutant General of Veterans Affairs the week of September 16<sup>th</sup> through September 19<sup>th</sup> 2014.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Commissioners**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to execute a recycling service agreement and MOU between the County of Fayette and Goodwill Industries for recycling services, as attached.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to approve the May 22, 2014 regular commissioner meeting minutes.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink no

**Motion passed 2-1**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Zimmerlink to ratify the following transfers as listed:

6-19-14 to 7-03-14

Department	Cost Center	Debit	Credit
Prothonotary			
Contingency	01417952910	\$2,279.16	
Equipment	01419552300		\$2,279.16
Public works			
Grant	01417433200170	\$621.80	
Parks	01455034000555		\$621.80
EMA			
911	4342911157000	\$38,870.00	
911 fund	4342911153005		\$38,870.00
Contingency	01417952910	\$816.00	
Life insurance	4342911051580		\$816.00

<b>Commissioners</b>			
<b>Contingency</b>	<b>01417952910</b>	<b>\$216.00</b>	
<b>Life insurance MDJ</b>	<b>01418600051580</b>		<b>\$81.00</b>
<b>Life insurance VA</b>	<b>01429451580</b>		<b>\$135.00</b>
<b>Coroner</b>			
<b>Liability expense</b>	<b>01419352911</b>	<b>\$170.00</b>	
<b>Jury fees</b>	<b>01419353170</b>		<b>\$170.00</b>
<b>Total Debits</b>	<b>\$42,972.96</b>	<b>Total Credits</b>	<b>\$42,972.96</b>

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**

**Public Announcements**

**Public Comments**

**Michael Cavanagh** said there are issues with HR and he senses the frustration of Commissioner Zapotosky and they should control their own destiny as far as HR is concerned. He said he has attended multiple meetings in the last several months and it seems to me that you go to the agenda meeting and the HR stuff is never there and perhaps you should make a change there, it might be necessary. He said his own comment, is the director available? Commissioner Zapotosky said he is out of the office. Mr. Cavanagh said after the agenda meeting he discussed and showed photographs of Jacob’s Creek with the problems of the pavilions you can drop buckets into and in addition to that, the lake being very, very low, has anybody had any discussion with him. Commissioner Zapotosky said he spoke with him and also spoke with him about the memorial up at the courthouse and he hoped to have something on that. Mr. Cavanagh asked about posting the agendas online. Solicitor Cupp said it was posted online. Mr. Cavanagh said that is good, he didn’t have time to check that.

**Geraldine Mazza** asked if they got the geo report on that swampland yet. Commissioner Ambrosini said if you are speaking about the geotechnical report, he has not personally received it, the engineering firm has received it and the resolution based on the soil conditions have been accounted for and designed into the foundation system. Mrs. Mazza asked if she is going to be able to see the report. Commissioner Ambrosini said yes, he will get it to her, he is sure that your engineering expertise will be very valuable. Mrs. Mazza said don’t be smart mouth Al. Commissioner Ambrosini said he didn’t know if she had an engineering firm that was going to review this or maybe have. Mrs. Mazza said you were a smart mouth. Commissioner Zapotosky and then Commissioner Ambrosini asked if they had any other public comment. Commissioner Zimmerlink said excuse me, thank you. Mrs. Mazza said respect your elders.

**Commissioner Zimmerlink** said the prison needs study was linked on the homepage of the county website and she is making a suggestion that the chairman contact the engineering firm today, Rob Sleighter, get the document and get it in PDF and have that linked to our county website, which is the homepage and that can be done in a matter of a few clicks as far as our IT department is concerned. She said if the document is in paper form or electronic form, it can be easily converted to PDF form by our IT department and then placed on the county website in a matter of a few clicks so she will suggest to the county chair to call Rob Sleighter and have that, first off, and I would like to have a copy because the chair just said he does not have a copy, now it is a county document so someone in the county should have it, have Mr. Sleighter please e-mail it to me and also the format to our IT department and within a day or so it should be able to be placed on the website.

**Commissioner Zimmerlink** said that is her suggestion, the prison needs study was done way and we can do that for the geo study since everybody seems to want to read it. Commissioner Ambrosini said he is pretty sure that the engineering firm can convert it to PDF themselves and forward it to us, so that will be taken care of. Mr. Cavanagh said that Mrs. Mazza doesn't need anyone to defend her, but he thought it was a very rude and ignorant comment you just made to her. He said any time anybody questions the prison, Mr. Ambrosini you continuously, and Commissioner Ambrosini said no he doesn't. Mr. Cavanagh said it was an unnecessary comment and he doesn't think the public appreciates the way that they are treated. He said we will treat you the right way the next election.

### **Adjournment**

**A motion** was made by Commissioner Zapotosky and seconded by Commissioner Ambrosini to adjourn the meeting.

Commissioner Ambrosini yes  
Commissioner Zapotosky yes  
Commissioner Zimmerlink yes

**Motion passed unanimously**



