

**Thursday, April 28 2005 10:00 am**

A meeting of the Fayette County Board of Commissioners was held on Thursday, April 28, 2005 at 10:00 a.m. in the Conference Room, at the Public Service Building, Uniontown, PA.

Present: Commissioner Angela M. Zimmerlink, Chairwoman  
 Commissioner Joseph A. Hardy, III, Vice-Chairman  
 Commissioner Vincent A. Vicites, Secretary  
 Judy M. Bodkin, Chief Clerk  
 Warren Hughes, County Manager  
 Joseph Ferens, County Solicitor

- Meeting called to order
- Silent Prayer
- Pledge of Allegiance
- Public Comment on Agenda Items (the full version of the public comments can be heard on tape)

Karen Kapel – National Association of Letter Carriers

Elmer Swetz & Betty Stover - Fayette Advisory Council on Aging

Geraldine Mazza – asked the Commissioners not to hire Pete Hook as ADA (Agenda item 6) because of certain actions he took during the voter fraud investigation

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites for the following Proclamations:

Foster Care Month May 2005  
 Older Americans Month May 2005 (presented)  
 Mental Health Awareness Month May 2005  
 Heroes All Week May 1-8, 2005  
 National Letter Carriers Food Drive May 14, 2005 (presented)  
 Emergency Medical Services Week May 15-21, 2005

**Motion Passed Unanimously**

**Commissioner Zimmerlink** noted Agenda Items 10 and 14 would be next for consideration.

- MH/MR PROGRAM

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to advertise for bids to contract for moving services associated with relocating office furniture and fixtures to the new MH/MR Building, if necessary.

**Motion Passed Unanimously**

**Lisa Ferris-Kusniar** provided the DPW Bulletin new rates for personal automobiles at .405 cents per mile. MHMR is seeking approval for .30 cents per mile with no cost to the County noting that employees only use personal vehicles when agency vehicles are not available.

**Moved** by Commissioner Zimmerlink and seconded by Commissioner Vicites approve to increase mileage reimbursement of thirty (30) cents per mile for MH/MR Program and its providers effective July 1, 2005.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order Number GC-006 to Walter Mucci Construction Company, Inc., P.O. Box 308, Perryopolis, PA 15473 for the new MH/MR Building, in the amount of \$1,570. (to enlarge the Administrator's office, reducing the size of the adjoining office.)

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order Number GC-007 to Walter Mucci Construction Company, Inc., P.O. Box 308, Perryopolis, PA 15473 for the new MH/MR building, in the amount of \$214.68. (add a wall mounted fire extinguisher and smoke gasket to the door at the elevator machine room).

### Motion Passed Unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve contracts/modifications between the County of Fayette through the Fayette County MH/MR Program and the following:

#### Contracts for 2004-05

ARC, Fayette	\$2,357,267	7/1/04-6/30/05
Chestnut Ridge Counseling Svss Inc.	\$2,589,569	7/1/04-6/30/05
Fayette Resources, Inc.	\$4,814,495	7/1/04-6/30/05
Goodwill Industries of Fayette County	\$ 757,746	7/1/04-6/30/05
Luzerne/Wyoming Counties MH/MR Program	\$1,745	7/1/04-6/30/05

#### Modification Agreement #1

Laurel Highlands Foundation Inc.	\$ 718,808	7/1/04-6/30/05
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#### Modification Agreement #2

Northwestern Human Svss of PA	\$ 207,213	7/1/04-6/30/05
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HealthChoices Reinvestments Contracts

City Mission (Respite)	\$ 22,000	2002 Funds
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Psychiatric Care Systems	\$ 50,000	2000-2001Funds
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### Motion Passed Unanimously

- ELECTION BUREAU

**Commissioner Zimmerlink** instructed the Election Bureau to bring requests for changing polling locations before the Board more than a few weeks before an election suggesting 30 days in order for the affected voters in the area to be informed and have an opportunity to share their opinions. **Director Laurie Nicholson** stated the relocations are requested for handicap accessibility reasons.

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the relocation of voting precinct – from Keister School Menallen Township, District 1, to the Menallen Township Municipal Building, District 2.

### Motion Passed Unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the relocation of voting precinct – from the Gillespie Slovak Club, Washington Township District 2 to Washington Township Social Hall, District 1.

### Motion Passed Unanimously

- CONTROLLERS OFFICE

**Controller Mark Roberts** reported on the finances providing a two-page summary sheet stating a more detailed format would be distributed after the meeting. He further stated he would assist the Commissioners if they wished to learn the system to view the reports via their computer. **Commissioner Zimmerlink** reminded the Controller to provide copies of the other fund reports.

**Controller Roberts** also provided information to consider for an upcoming DA Agenda item stating health benefits are considered compensation and the Salary Board fixes compensation.

- DISTRICT ATTORNEYS OFFICE

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the request to increase the base salary of the District Attorney from \$77,084.80 to \$78,354.60 retroactive January 1, 2005 in accordance with PA Act 51. (this does not include a yearly cost of living increase)

### Motion Passed Unanimously

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the transfer of \$1,269.80 from the unappropriated line item of General Fund budget to the DA salary line item to pay the increase of the base salary of DA effective January 1, 2005.

### Motion Passed Unanimously

**DA Nancy Vernon** indicated that earlier this morning she spoke with Pete Hook and he told her he was not interested in the ADA position at a salary other than \$25,000. Therefore, she does not wish to ask for action on Agenda item to hire Pete Hook as ADA at a higher base rate than the resigning ADA, Robert E. Grimm.

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the hiring of Douglas Sepic as ADA under contract at \$367.50 per week effective April 28, 2005 and ending July 6, 2005.

Roll Call:

Commissioner Zimmerlink: nay

Commissioner Hardy: yes

Commissioner Vicites: yes

**Motion passed 2-1**

**DA Nancy Vernon** requested the Commissioners amend the county policy to allow for ADA Cara Davis to receive health benefits while on maternity leave. Dave Rogers of the HR Department stated that Cara Davis does not meet the requirements under the existing policy. **Commissioner Zimmerlink** asked if any Commissioner wished to make a Motion to Amend the Agenda to address this issue. None was made.

- TAX ASSESSMENT OFFICE

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the following individuals for a Real Estate Tax Exemption as approved by the PA Veterans Office as being 100% disabled:

Lawrence F. Show, 336 Coolspring St., Uniontown City 38-18-0050

Glenn J. Woods, 965 N. Gallatin Ave., North Union Twp. 25-12-0225

Walter D. Shaver, 220 Broad St., Brownsville Borough 02-10-0355

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to authorize a Request for Proposal for additional errors & omission insurance for state licensed assessors relating to duties performed in accordance with their job description.

Roll Call:

Commissioner Zimmerlink: nay

Commissioner Hardy: yes

Commissioner Vicites: yes

**Commissioner Zimmerlink** reasoned that because the 2005 budget does not provide for additional insurance and the rates may change in 2006, there would be no reason to do this at this time and instead suggested it be done at a later date.

**Motion passed 2-1**

- CHILDREN & YOUTH SERVICES

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to authorize the advertising for one (1) new 2005 Extended Length Passenger Van.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the Fayette County CYS 2005-06 Independent Living Program Grant Application - annual allocation of \$51,974 does not require county match.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve attendance of 12 youth & 3 staff for the 2005 Independent Living Retreat at the Jumonville Retreat Center June 10-12, 2005 and the CYS administrator to attend the June annual meeting of the Pennsylvania Children & Youth Administrators Association, in Gettysburg, PA.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the renewal of the Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Blades 'N Spades of 243 Jess King Road, Grindstone, PA from July 1, 2005 through June 30, 2006 for lawn maintenance services at the CYS property.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the renewal of the Purchase of Service Agreement between the County of Fayette, through Fayette County Children & Youth Services and Safeway Pest Control Services of 201 Brown Blvd., Uniontown, PA from July 1, 2005 through June 30, 2006 at a rate of \$25.00 per month for pest control services at the CYS building.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve request to solicit price quotes on four (4) lateral filing cabinets for the CYS office.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve to enter into an agreement with Center for Hearing & Deaf Services, Inc., 1011 Old Salem Rd., Suite 102, Greensburg, Pa for interpreting services at \$100.00 per month on an as needed basis.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve an agreement with Telecommunications Systems Management, Inc. of 700 Old Pond Road, Suite 601, Bridgeville, PA for phone system maintenance & trouble shooting services for CYS office.

**Motion Passed Unanimously**

- EMERGENCY MANAGEMENT AGENCY

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the requests for staff attendance for:

9-1-1 Coordinator to attend meeting with the PEMA Director, April 25 in Lancaster PA; Two (2) 9-1-1 staff members to attend a EMD meeting in Armstrong County on May 13; 9-1-1 Coordinator and Deputy to attend a CAD presentation May 18 in Mars. Two (2) EMA staff members to attend the Pennsylvania Emergency Management quarterly training May 25-26 in Erie; Two (2) EMA staff members to attend a PEMA Continuity of Operations Train-the-Trainer Course June 29-30 in Harrisburg and 9-1-1 Coordinator to attend the National NENA Conference June 25-30 in Long Beach, CA.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Second Amendment to Stand Alone Antenna Site Lease with the County of Fayette and Crown Communications Inc., with changes reviewed by the solicitor.

**Motion Passed Unanimously**

- PLANNING, ZONING & COMMUNITY DEVELOPMENT

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to enter into a Cooperative Agreement for the Uniform Construction Code with Brownsville Borough.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve submission of grant application for murals (above the glass dome) to the PA Historical Museum Commission.

**Motion Passed Unanimously**

- HUMAN RESOURCE DEPARTMENT

MH/MR Program

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the hiring Kenneth A. Dillinger as County Caseworker 2 at \$13.89/hour (\$27,085.50), effective April 18, 2005.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Coleen R. Plavi, Clerk Typist 2, effective April 29, 2005.

**Motion Passed Unanimously**

Planning, Zoning & Community Development

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the hiring of Lori Liptak-Wadler as Secretary III at \$8.88/hour (\$17,940), Pay Grade 7 SEIU, effective April 20, 2005.

**Motion Passed Unanimously**

OHCS

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the promotion of Richard Steve Curry from a part-time FACT van driver to the Operations Manager at \$13.21/hour (\$25,759.50) Supervisory Pay Grade 10, effective April 18, 2005.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to advertise for a Technician D/Service Person at \$7.54/hour (\$14,703), SEIU Pay Grade 2.

**Motion Passed Unanimously**

Bridge Department

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the temporary transfer of employees from the Bridge Department to the Election Bureau:  
James Younkin as part-time truck driver at \$8.60/hour, and approve temporary transfer of Frank Catalano at \$12.88/hour and Tom Maust at \$9.36/hour to deliver voting machines, effective May 2, 2005 until approximately two (2) weeks after the May 17<sup>th</sup> Election.

**Motion Passed Unanimously**

- HUMAN & COMMUNITY SERVICES

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of the FY 2005-06 Shared-Ride Revenue Replacement grant application to the Pennsylvania Department of Transportation with the requested grant amount of \$500,000 (Application in progress due May 2, 2005)

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the submission of the FY 2005-06 Welfare to Work Transportation Program grant application to the Pennsylvania Department of Transportation with the requested grant amount of \$100,000 (Application in progress due May 2, 2005)

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to amend resolution no. 05-4-5-32 approving the procurement of a 30' Diesel Low Floor bus for use in FACT's public transit system through the Federal Transit Administration sanctioned "Piggybacking" process in the amount of \$215,524 secured through the Section 5309 Grant, State Capital Bonds Grant and local funds. Amended is the amount from \$218,024 to \$215,524.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to rescind resolution no. 05-4-5-33 approving the procurement and installation of a radio in the approximate amount of \$1,000 and farebox in the approximate amount of \$10,000 on the 30' Diesel Low Floor bus-funds secured through the Section 5309 Grant, State Capital Bond Grant and local funds

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the procurement and installation of aluminum wheels and a Genfare Cents-a-bill fare box in an amount not to exceed \$12,500 on the 30' Diesel Low Floor bus-funds secured through the Section 5309 Grant, State Capital Bond Grant and local funds

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to accept the resignation of Rob Hixson, former Director of Veterans Affairs from the Fayette County Transportation Executive Committee and appoint Frank Staszko, Director of Veterans Affairs.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the participation of the FCOHCS Assistant Director and the FACT General Manager in the Federal Transit Administration sponsored Triennial Review Workshop and Technical Assistance Seminar on May 2, 3, & 4, 2005 in Philadelphia- no registration cost, lodging three nights for two persons \$823.44

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the participation of one FCOHCS Program Specialist/Administrative Assistant and one provider representative in the 2005 Family Support Conference on May3, 2005 in Pittsburgh

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to ratify the advertising for the solicitation of proposals for demand-response para-transit transportation software for FACT, a department of the Fayette County Office of Human & Community Services.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Change Order EC-005 Bellisario Electric, Inc. Total Change Order Add of \$3,025.59 to provide labor and material to install wiring and two (2) junction boxes with finish trim plates to room 113 (Fact Transit Center)

**Motion Passed Unanimously**

- DOMESTIC RELATIONS OFFICE

**Commissioner Zimmerlink** confirmed with Betty Rozzell, Director of DRO that funds under IV-D are not part of the General Fund and the solicitor confirmed his review of the investment.

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites: Be it resolved by the Commissioners of Fayette County the total sum of \$1,000,000.00 from Domestic Relations IV-D Funds be invested with National City Bank by signers being the Board of Commissioners, President Judge and County Treasurer, under the following terms and conditions:

Certificates of Deposit

\$100,000.00 for 6 months @ 2.95%  
 \$100,000.00 for 7 months @ 2.95%  
 \$100,000.00 for 8 months @ 2.95%  
 \$100,000.00 for 9 months @ 3.10%  
 \$100,000.00 for 10 months @ 3.10%  
 \$100,000.00 for 12 months @ 3.10%  
 \$100,000.00 for 13 months @ 3.20%  
 \$100,000.00 for 13 months @ 3.20%  
 \$100,000.00 for 14 months @ 3.20%  
 \$100,000.00 for 14 months @ 3.20%

**Commissioner Zimmerlink** confirmed with Betty Rozzell, Director of DRO that funds under IV-D are not part of the General Fund and the solicitor confirmed his review of the investment.

**Motion Passed Unanimously**

- COMMISSIONERS OFFICE

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Liquid Fuels Fund project description change for Fairchance Borough #00-26-406-11CA from street paving to street light expense.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve Liquid Fuels Fund project description change for Wharton Township #C98-26224-19CA from repair Quebec Road, clean up landslide Glades Road/install erosion control to help pay the costs of bridge replacement projects for Cole Road and Quebec Road.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve the Commissioner Meeting Minutes of April 5, 2005.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to reject all bids of Bid Number 05-06 Lease of Postage Machine and authorize the re-advertising of said bid.

**Motion Passed Unanimously**

**Moved** by Commissioner Hardy and seconded by Commissioner Vicites to approve a month-to-month lease with Pitney Bowes for lease of postage machine.

**Motion Passed Unanimously**

- PUBLIC ANNOUNCEMENT

**Commissioner Vicites** reminded residents of the Hard to Recycle Drop Event for Saturday May 14, 2005.

**Commissioner Zimmerlink** reminded local municipalities of the deadline to apply for county aid under Liquid Fuels is June 21, 2005 to be filed with the Chief of Clerk.

**Commissioner Zimmerlink** announced the address and telephone number for the upcoming relocation of the FACT Transit Center - Connellsville Airport at 825 Airport Road, Lemont Furnace, PA 15456 Telephone: (724) 628-RIDE

- PUBLIC COMMENT (the full version of the public comments can be heard on tape)

Nancy Burke, Grace Monaghan, Gary Burke, Lorraine Sprowl, an unnamed resident of Sunshine Hollow and an unnamed retired SCI-Pittsburgh correction officer presented their views on having a “prison” “correction facility” located in German Township in their community citing various reasons of safety and presented a signed petition. **Commissioner Zimmerlink** reminded the public to not confuse a prison and correctional facility with a halfway house and that the commissioners and prison board are not considering having a prison or correctional facility in residential areas.

Harry Hughes remarked on the importance of the County reviewing the interest rates on CD’s before investing county monies.

**Moved** by Commissioner Zimmerlink to adjourn and seconded by Commissioner Vicites.

**Motion Passed Unanimously**

Approved:  
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Attest:

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Judith A. Bodkin, Chief Clerk

