

July 22, 2008

McKean County Commissioners in regular session assembled on Tuesday, July 22, 2008 at 10:00 AM in the Commissioners meeting room. Present were Commissioners Joseph DeMott, Al Pingie, and Judy Church, Chief Clerk, Audrey Irons. Also present were Dan Hartle, Sandy Thompson, and George Petrisek.

The meeting was called to order by Mr. DeMott, followed by the Pledge of Allegiance and a moment of silence.

Moved by Mr. Pingie, seconded by Mrs. Church, to approve the minutes of the July 1, 2008 meeting.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Mr. DeMott – Opened the meeting for public comment.

George Petrisek – You have on the agenda that you are going to rescind a resolution that was adopted on May 27, 2008 for a contract with Wolfe Communications for the county's phone service – why are you doing that?

Mr. DeMott – Bill Gallagher, our IT consultant, pointed out to us that there are more competitive avenues to pursue for phone service so we looked into it and we can save a considerable amount of money by changing vendors on the maintenance contract on the phone system.

Moved by Mr. Pingie, seconded by Mrs. Church, to approve the following invoices for payment.

1. Keating Township - \$10,010.00 – representing payment for their completed Liquid Fuel Project for the year 2008 – Liquid Fuel Fund.
2. Otto Township - \$8,954.00 – representing payment for their completed Liquid Fuel Project for the year 2007 & 2008 – Liquid Fuel Fund.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to approve the following county aid applications for the year 2008.

1. Hamilton Township - \$2,130.00 - Future Project
2. Lafayette Township - \$5,489.00 - Paving Project

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to issue real estate tax exemptions to the following:

1. City of Bradford – 55 Pearl Street, Bradford, Pa. – Vacant blighted property that will be demolished by the City of Bradford.
2. Bradford Area School District – 46 School Street, Bradford, Pa. – Vacant blighted property that will be demolished for a parking lot by the Bradford Area School District.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to issue a real estate tax refund to Rustic LLC in the amount of \$37,984.42 as their property was adjusted due to a court order.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to authorize the acceptance of an offer to purchase property from the McKean County Repository for unsold property from Jim Howard for the sum of \$50.00.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to enter into a maintenance agreement with Karpinski's Office Systems for a copy machine for the McKean County Juvenile Probation Office. The cost of the maintenance agreement is \$79.00 per quarter.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to rescind the resolution that was adopted on May 27, 2008 authorizing McKean County to enter into a five year contract with Wolfe Communications Systems for providing maintenance services for the County's phone system.

Mr. Hartle – Was that contract signed?

Mr. DeMott – It was signed by me, but was not delivered to Wolfe Communications for their signature.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to enter into a one year contract with King Communications for providing phone support and remote programming services for the County's phone system for a cost of \$200.00 a month and any onsite programming or trouble shooting will be at a labor rate of \$75.00 per hour plus any parts.

Mr. Petrisek – Where is King Communications from?

Mrs. Irons – Erie, Pa.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to adopt the following resolution.

RESOLUTION NO. 15 OF 2008

A RESOLUTION OF THE COUNTY OF MCKEAN SUPPORTING THE PROPOSAL TO DESIGNATE A PORTION OF STATE ROUTE 59, STATE ROUTE 321, STATE ROUTE 346, FOREST SERVICE ROAD 292, THE EXISTING LONGHOUSE SCENIC DRIVE AS A PENNSYLVANIA BYWAY

WHEREAS, the United States Forest Service - Allegheny National Forest; the McKean County Planning Commission; the Warren County Planning and Zoning Commission; and the Allegheny National Forest Vacation Bureau, has written a proposal to be submitted to Penn DOT requesting that the Longhouse Scenic Drive be expanded to include portions of State Route 59, State Route 321, State Route 346, Forest Service Road 292, and be designated as a Pennsylvania Byway; and

WHEREAS, the purpose of the Pennsylvania Byways Program is to support local initiatives to enhance and improve the visual impact of a route; to support initiatives to maintain the natural resources and intrinsic qualities along the route; and to support local initiatives to educate residents and visitors of the history and culture of the Commonwealth; and

WHEREAS, the State designation would make the route eligible for funds from the National Scenic Byways Program as well as, elevate the route for consideration in other funding areas, such as Penn Dot's Transportation Enhancements Program and other programs in the Department of Conservation and Natural Resources and the Department of Community and Economic Development; and

WHEREAS, the proposal would seek to develop the corridor as a tourist destination encouraging visitors to explore the beauty, culture, and history of the region. The large loop would feature many of the assets of the area while passing through several of our

municipalities. The Byway will serve as a conduit to the many and varied recreation opportunities offered throughout the region.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the County of McKean, and it is hereby resolved, that the Commissioners are in support of the proposal to expand the current Longhouse Scenic Drive to include portions of State Route 59, State Route 321, State Route 346, Forest Service Road 292, and to nominate it for designation as a Pennsylvania Byway.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to authorize McKean County to join the Central Westmoreland Council of Government's (C.O.G.) membership to be able to participate in their vehicle and equipment bidding process. Membership dues are \$150.00 for the 2008-2009 fiscal year.

Mr. DeMott – This is an organization that we belong to so we can piggy back off of state contracts that does the state bidding and then we don't have to bid projects for vehicles or equipment. We don't always buy from them as sometimes we find a better price locally, but it is an option that we can use.

Mr. Pingie – The biggest thing is that it saves us from bidding if we can purchase through the state's contract and also the time process for bidding.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to enter into provider agreement with White Deer Run and a residential lease agreement with TNT Development for the Department of Human Services.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to accept the bid of Dan M. Ross Painting & Paper Hanging in the amount of \$16,800.00 for cleaning the front of the courthouse.

The other bid that we received for the project was from Carl E. Swanson & Sons, Inc. in the amount of \$21,747.00.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to accept the bid of Dave Kronenwetter in the amount of \$33,500.00 for the base bid and the alternative bid of \$825.00 for upgrading the electrical system for the 911 Center subject to the approval of R. W. Larson, Associates.

The other bid that was received for the project was from D. S. Groff Electric in the amount of \$37,885.00 for the base bid and \$11,575.00 for the alternative bid.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Mr. DeMott – Asked Sandy Thompson to fill the Commissioners in on the 12 stream restoration projects that they received bids on.

Ms. Thompson – Stated that it was their recommendation to accept 3 of the 12 bids that were received for the projects and to re-bid the other 9 projects. Stated the reason they wanted to reject 9 of the projects is because they did estimates on the projects and 9 of the project bids were way over their estimates.

Mrs. Church – Asked Sandy when the estimates were done?

Ms. Thompson – We finished them up yesterday.

Mrs. Church – I just wondered if you did the estimates before the fuel prices went up.

Mr. Hartle – I spoke to Sandy yesterday and the only question I had was whether they requested in the bid notice that the Commissioners reserve the right to reject any or all bids as is permitted by law and the bid notice did state that.

Mr. DeMott – Are there time constraints in completing the projects?

Ms. Thompson – These projects are funded through the County Environmental Initiative Program and we do have until 2010 to get them done, but we also have another 12 applicants that we were hoping to get done under this program, and we were hoping to get most of these projects started this year.

Mr. Pingie – I think any project that we bid in the future should state that the Commissioners reserve the right to reject any or all bids as is permitted by law. This would save a lot of time and research. I also have a question for Dan because I sit on the McKean County Conservation Board and I have to decide on these projects for that board also – should I abstain from voting on them as a Commissioner?

Mr. Hartle – Yes, you should.

Mr. Petrisek – Who did the estimates?

Ms. Thompson – Our staff did the estimates.

Mrs. Church – Did they include the people's driving costs?

Ms. Thompson – We did the materials cost and then we inflated that by 30%, but some of these projects are over 60 to 70% of our estimates so we still feel comfortable that these bids are too high compared to our estimates. We want to be able to get the best price we can for using the funds. The landowner also has to pay 15% of the cost of the project.

Mrs. Church – A lot of the materials have gone up because of the hauling costs.

Moved by Mrs. Church, seconded by Mr. DeMott, to accept the bid of C. Moses Excavating in the amount of \$2,589.60 for doing the stream restoration project on Kevin A. Rees's property at 480 Champlin Hill Road, Smethport, Pa. contingent upon the McKean County Conservation District's approval and also contingent upon the property owner's acceptance and approval.

Vote on the above resolution, DeMott – yes. Pingie – Abstained. Church – yes. Two – yeas. One – Abstention. Carried.

Moved by Mrs. Church, seconded by Mr. DeMott, to accept the bid of C. Moses Excavating in the amount of \$2,371.40 for doing the stream restoration project on Richard Rice's property at 973 Kent Hollow, Smethport, Pa. contingent upon the McKean County Conservation District's approval and also contingent upon the property owner's acceptance and approval.

Vote on the above resolution, DeMott – yes. Pingie – Abstained. Church – yes. Two – yeas. One – Abstention. Carried.

Moved by Mrs. Church, seconded by Mr. DeMott, to accept the bid of Manno Construction, Inc. in the amount of \$4,650.00 for doing the stream restoration project on Jodie K. Silvis-Sanders' property at 54 Hedgehog Lane, Bradford, Pa. contingent upon the McKean County Conservation District's approval and also contingent upon the property owner's acceptance and approval.

Vote on the above resolution, DeMott – yes. Pingie – Abstained. Church – yes. Two – yeas. One – Abstention. Carried.

Moved by Mrs. Church, seconded by Mr. DeMott, to reject the bids that were received for the other 9 stream restoration projects and to re-bid the projects.

Vote on the above resolution, DeMott – yes. Pingie – Abstained. Church – yes. Two – yeas. One – Abstention. Carried.

A complete list of all the stream restoration projects and bids that were received for the projects are listed below:

1. Thomas Dean Burford, Jr., 73 Two Mile Road, Port Allegany, Pa. 16743
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$13,500.00 (Bid bond included with bid)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$15,335.00 (Bid bond included with bid)

2. Walter R. Bushong, Upper Portage Road, Port Allegany, Pa. 16743
(Landowner)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$13,125.75 (Bid bond included with bid)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$19,350.00 (Bid bond included with bid)

3. John Calcagno, 31 Gregory Avenue, Bradford, Pa. 16701
(Landowner)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$6,691.01 (Money order in the amount of \$669.10 included with bid)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$5,870.00 (Bid bond included with bid)

4. Lawrence Giordano, 1461 South Avenue, Lewis Run, Pa. 16738
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$8,250.00 (Bid bond included with bid)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$6,844.75 (Bid bond included with bid)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$9,600.25 (Money order in the amount of \$960.03 included with bid)

5. Jeffrey Hendryx Jr., 915 West Washington Street, Bradford, Pa. 16701
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853

\$7,200.00 (Bid bond included with bid)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$5,465.00 (Bid bond included with bid)

6. Pamela Keech, 129 Two Mile Road, Port Allegany, Pa. 16749
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$24,150.00 (Bid bond included with bid)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$20,385.00 (Bid bond included with bid)

7. Judy Kemick, 552 Bolivar Drive, Bradford, Pa. 16701
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$7,125.00 (Bid bond included with bid)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$4,905.00 (Money order in the amount of \$490.50 included with bid)

8. Kevin A. Rees, 480 Champlin Hill Road, Smethport, Pa. 16749
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$4,290.00 (Bid bond included with bid)

C. Moses Excavating, 612 N. Main Street, Port Allegany, Pa. 16743
\$2,589.60 (Cashier's check in the amount of \$1,604.13 included with bid – includes amount for this project plus Ilon Renninger's project plus Richard Rice's project)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$3,800.06 (Money order in the amount of \$380.01 included with bid)

9. Ilon Renninger, 657 B. Main Street, Duke Center, Pa. 16729
(Landowner)

C. Moses Excavating, 612 N. Main Street, Port Allegany, Pa. 16743
\$11,080.30 (Cashier's check in the amount of \$1,604.13 included with bid – includes amount for this project plus Kevin Rees's project plus Richard Rice's project)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$8,809.76 (Money order in the amount of \$880.98 included with bid)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 55853
\$14,250.00 (Bid bond included with bid)

10. Richard Rice, 973 Kent Hollow, Smethport, Pa. 16749
(Landowner)

C. Moses Excavating, 612 N. Main Street, Port Allegany, Pa. 16743
\$2,371.40 (Cashier's check in the amount of \$1,604.13 included with bid – includes amount for this project plus Kevin Rees's project plus Ilon Renninger's project)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$4,597.47 (Money order in the amount of \$459.75 included with bid)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$4,485.00 (Bid bond included with bid)

11. Thomas Ross, 92 Meadow Lane, Bradford, Pa. 16701
(Landowner)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$21,000.00 (Bid bond included with bid)

Meadville Land Service, Inc., 10551 S. Watson Run Road, Meadville, Pa. 16335
\$16,835.00 (Bid bond included with bid)

12. Jodie K. Silvis-Sanders, 54 Hedgehog Lane, Box 117, Bradford, Pa. 16701
(Landowner)

Vickery Enterprises, 200 Fernwood Drive, Bradford, Pa. 16701
\$6,771.20 (Money order in the amount of \$677.12 included with bid)

Manno Construction, Inc., 28 Mohan Run Road, Ridgway, Pa. 15853
\$4,650.00 (Bid bond included with bid)

Moved by Mr. Pingie, seconded by Mrs. Church, to accept the quote of Highland Excavation in the amount of \$2,550.00 for tree removal project at the courthouse and the stump removal project at the 911 and CYS Buildings.

The other quotes that were received were from Top Notch Tree Service in the amount of \$2,800.00 and Tom's Tree Service in the amount of \$3,500.00.

Mr. Pingie – Did we ask for a time to get these removed?

Mrs. Church – I know that Ken said that they would do this on a Saturday so Ken will contact them to arrange a time for them to come and do the removal project.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Moved by Mr. Pingie, seconded by Mrs. Church, to reappoint Patricia Witchen to the McKean County Hospital Authority for a five year term.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Mr. DeMott – Opened the meeting for public comment.

No public comment.

Moved by Mr. Pingie, seconded by Mrs. Church, to adjourn the meeting.

Vote on the above resolution, DeMott – yes. Pingie – yes. Church – yes. Three – yeas. No – nays. Carried.

Chief Clerk