

An agenda meeting of the Fayette County Board of Commissioners was held at 10 a.m. on Tuesday, January 18, 2022, at the Fayette County Courthouse first floor commissioners conference room, 61 East Main Street, First Floor, Uniontown PA.

**In attendance-**

- Commissioner Chairman Dave Lohr
- Commissioner Vincent A. Vicites
- Commissioner Scott Dunn (via Zoom)
- Chief Clerk Amy Revak
- Chief County Solicitor Jack Purcell

**Commissioner Lohr** wished everyone a good morning and asked everyone to stand for a moment of silent prayer, which was followed by the recitation of the pledge of allegiance.

**Public Comment on Agenda Items- None**

**Fayette County Redevelopment Authority**

**Andrew French** presented and explained the agenda item via Zoom. He said the application will ask for \$1 million to address concerns in the borough related to the water lines.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda adoption of the attached resolution which approves a 2021-2022 Competitive Community Development Block Grant (CDBG) application for a water system improvement project in Fairchance Borough. This approval will authorize the Commissioners to sign and submit the application for assistance and will also approve execution of the attached Cooperation Agreement which highlights the Redevelopment Authority's responsibilities for administration of the CDBG funding.

- Commissioner Dunn yes
- Commissioner Lohr yes
- Commissioner Vicites yes

**Motion passed unanimously**

**Adult Probation Office**

**Jim Kovacs** presented the agenda item. He said the reason for the action is for additional personnel funding.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda the submission of the Pennsylvania Commission on Crime and Delinquency, (PCCD), Project Modification Request (PMR) for Grant ID: 35749; Titled:

Fayette 2021-22 PRC & Treatment; for a request to increase the personnel line item to an overall total of \$193,810.00, for a net change of \$77,792.00.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Assessment Office**

**Harry Brownfield** presented the agenda items.

**A motion** was made by Commissioner Vicites and seconded by Commissioner Dunn to consider placing on the agenda approval of the following four Veterans' Exemptions from real estate taxation. The named parties have been qualified as 100% disabled veterans by the Pennsylvania Department of Military and Veterans' Affairs. The first item is a new application while the last three involve approval or continuation of the exemption for the widows of recently deceased veterans who were themselves previously approved for exemption.

Chester F. & Janice G. Kaczmarek      124 Chaffee Street Extension      Uniontown, PA 15401  
Parcel No. 25-48-0023                      Acreage: 0.29 AC                      Improvements: Mobile Home RG  
Deed: DB1319-830      Municipality: North Union Township      Effective Date: December 2, 2021

Gary D. & Joyce E. White                      517 Collier Road                      Uniontown, PA 15401  
Parcel No. 14-15-0094-01      Acreage: 0.54 AC      Improvements: Mobile Home BSMT RG  
Deed: DB1293-551      Municipality: Georges Township      Effective Date: November 15, 2021

Edward & Sherlyn Warner                      798 Mill Run Road                      Mill Run, PA 15464  
Parcel No. 35-19-0058                      Acreage: 1.01 AC                      Improvements: R1 2RG  
Deed: DB1161-369      Municipality: Springfield Township      Effective Date: November 24, 2021

Charles E. & Debra A. Rummel                      115 Church Lane                      Lemont Furnace, PA 15456  
Parcel No. 25-16-0349                      Acreage: 0.5 AC                      Improvements: R1  
Deed: DB1245-127      Municipality: North Union Township      Effective Date: December 8, 2021

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the following application for admittance into the Wharton Township LERTA (Local Economic Revitalization Tax Assistance) program:

Applicant: Nemaocolin Woodlands, Inc.  
Parcel No. 42-22-0024  
Purpose: Relocation and upgrading of a greenhouse for commercial use.

The application was previously approved by the Wharton Township Board of Supervisors and the Board of Directors of the Uniontown Area School District.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of a request from the South Union Township supervisors to exonerate all current and prior year(s) unpaid County and Municipal taxes on Parcel No. 34-17-0066, located at 128 Cinder Road. The dwelling on this parcel is greatly deteriorated and the property has been taken into the Township's blight remediation program. Exoneration of unpaid County and Municipal taxes is requested in conjunction with a similar request to the Board of Directors of the Laurel Highlands School District for exoneration of unpaid School tax levies on the parcel.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Fayette County Behavioral Health Administration**

Dave Rider presented the agenda item.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the following contract.

	<u>Contract Value</u>	<u>Period</u>
<b><u>HealthChoices Amended and Restated Agreement 2022</u></b>		
Beacon Health Options of Pennsylvania, Inc.	N/A	2022

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Bridge Department**

**Shelia Shea** presented the agenda item. Prior to the motion, a discussion was held about whether or not the truck was being purchased on Costars.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval to purchase a 2022 Ford F-250 Super Duty Crew Cab 4x4 from Thurby's Riverside Ford of Markleysburg, PA under PA COSTARS for the cost of \$51,220.00 as well as to purchase a Snow Dog 8.5' plow that will be installed by Thurby's Riverside Ford for \$5,750.00. The complete total for the truck and snowplow will be \$56,970.00. This is budgeted under Fund 42 or Act 44.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

### **Buildings and Grounds**

**Chief Clerk Revak** read the agenda item.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval to award a contract to Center Independent Oil for Bid 21-12 to provide gas and diesel for county vehicles in 2022.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Following the vote**, Solicitor Purcell said a list with the prices should be attached to the agenda when it is approved on Thursday.

### **Children and Youth Services**

**Gina D'Auria** presented the agenda items.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the following items:

A FY2021-22 Purchase of Service Agreement Addendum between the County of Fayette, through Fayette County Children & Youth Services and Fayette County Juvenile Probation, and Adelphoi Village, Inc., 354 Main Street, Latrobe, PA 15650 for In Home Prevention, Treatment, & Aftercare (IHPTA). The rate is \$73.44 per day.

The purchase of 5 Microsoft Surface Laptops at a cost of \$1,073.43, 4 year extended service agreement for each at \$153.05 each 11 docking stations at a cost of \$167.87 each,

8 Monitors at \$178.19 each, 7 desktop scanners at \$227.69 each, 1 projector at a cost of \$1,137.51 for a total cost of \$12,135.83. This purchase is through Costars CDW.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**County Parks**

**Tom Petrus** presented the agenda item. He said that he ordered the truck last year.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval to purchase a 2022 Ford F350 7.3L SuperCab truck from Thurby's Riverside Ford of Markleysburg, PA under PA COSTARS at the cost of \$39,473.47.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Economic Development**

**Mark Rafail** presented the agenda item via Zoom.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval for Economic Development Coordinator Mark Rafail to attend PAHRA Capitol Conference at the Harrisburg Hilton, Harrisburg PA from February 27 – March 2, 2022 at a cost of \$300.00 plus milage. PAHRA will pay for the room as Rafail is a presenter for Tuesday Morning Plenary: Coffee Talk: Leaders in the Housing & Community Development industry discuss state policies, programs, available resources. The panel includes Secretary Dennis Davin, PA Department of Community & Economic Development, Secretary Meg Snead, PA Department of Human Services, Robin Wiessmann, Executive Director / CEO, Pennsylvania Housing Finance Agency, and Phyllis Chamberlain, Executive Director, Housing Alliance of Pennsylvania, Rafail is the Co-Chair of the Conference.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Prior to** a motion, Commissioner Vicites asked if he could use a county car. Mr. Rafail said he could do that but he was staying a day longer to see his granddaughter.

### **Emergency Management Agency**

**Roy Shipley** presented the agenda items.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda the following:

Approval/renewal of the 2022 agreement with ONSOLVE (Code Red) the mass notification system that we use in the County, Total Cost \$11,182.50 which is an EMA 2022 budgeted item.

Approval of a Contract Amendment with Lumen to migrate from a Legacy (Analog) 911 Network to an IP Based NG 911 Network statewide. Total Cost \$18,429.40 which is being funded under 15% State 9-1-1 funding.

Approval for the County EMA to apply thru PEMA for a Hazard Mitigation Planning Grant in the amount of \$94,500.

Approval of the DESIGNATION OF AGENT RESOLUTION for the Hazard Mitigation Planning Grant to authorize Roy Shipley, EMA Director to execute necessary documentation related to the Grant.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

### **Human Resources**

**Chief Clerk Revak** read the agenda items.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda the following:

#### **CYS**

Ratification of the voluntary demotion of Tiffany Marghella to Case Aide, SEIU CYS, \$14.16/hr. (\$27,612.00 annually) effective December 20, 2021.

The hiring of Lynsey Woodson, Caseworker I, SEIU CYS, \$19.04/hr. (\$37,128.00 annually) effective February 7, 2022.

The hiring of Madison Zimcosky, Caseworker I, SEIU CYS, \$19.04/hr. (\$37,128.00 annually) effective February 7, 2022.

The hiring of Danielle Thomas, Caseworker II, SEIU CYS, \$21.77/hr. (\$42,451.50 annually) effective February 7, 2022.

Approval of the retirement of Heather Hayden, Fiscal Tech, effective January 7, 2022.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**EMA**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda the following:

Ratification of the promotion of Alexa Campbell to Dispatcher II (TCOII), SEIU, PG 12, Step SR1, \$16.83/hr. (\$35,006.40 annually) effective January 16, 2022.

Ratification of the promotion of Danielle Mascioli to Dispatcher II (TCOII), SEIU, PG 12, Step C, \$18.97/hr. (\$39,457.60 annually) effective January 16, 2022.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**FACT**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda the following:

Ratification of the hiring of John Heikkila, Full Time Bus Driver (Non-CDL), SEIU, PG 12, SR \$15.53/hr. (\$30,283.50 annually) effective January 3, 2022.

Ratification of the hiring of Richard Mrosko, Part Time Bus Driver (Non-CDL), SEIU, PG 12, SR \$15.53/hr. effective January 10, 2022.

Approval of the resignation of Teresa Braxton, Part Time Bus Driver, effective December 14, 2021.

Approval of the resignation of Salena Hickenbottom, Part Time Bus Driver, effective December 14, 2021.

Approval of the resignation of Helen Humphrey, Part Time Bus Driver, effective December 17, 2021.

Ratification of the promotion of Mark Davis to Full Time Bus Driver (Non-CDL), SEIU, PG 12, SR \$15.53/hr. (\$30,283.50 annually) effective January 3, 2022.

Ratification of the hiring of Linda Malaspino, Full Time Bus Driver (CDL), SEIU, PG 14, SR \$16.64/hr. (\$32,448.00 annually) effective January 18, 2022.

Approval of the retirement of Daniel Schreckengost, Full Time Bus Driver, effective December 23, 2021.

Approval of the resignation of Michael Szerensci, Full Time Bus Driver, effective January 3, 2022.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Planning, Zoning and Community Development**

**Art Cappella** read the agenda items.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda RZ 21-10 Mark & Gregory Stone, North Union Township, requesting a change of zone from B-1 General Business to M-2 Heavy Industrial (parcel 25-46-0027-08).

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of a Legal Agreement for construction of the Sheepskin Trail between the U.S. Route 119 Bridge and Nilan (1.4 miles of trail) involving Fayette County and the Commonwealth of Pennsylvania.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Following the** vote, a discussion was held about the use for the remaining funds. Mr. Cappella said nothing was set in stone yet. Commissioner Dunn asked if Solicitor Purcell

had seen the agreement. Solicitor Purcell said it is a PennDOT agreement and if you want the money, you agree to the terms.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of policy and procedure for consultant selection concerning the engineer of record in ECMS.

Commissioner Dunn yes  
 Commissioner Lohr yes  
 Commissioner Vicites yes

**Motion passed unanimously**

**Tax Claim Bureau**

**Sarah Minnick** presented the agenda item.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the following repository bids opened on January 4<sup>th</sup> 2022, subject to all conditions being met. Total bid amount is \$ 7,635.08.

Bidder Name	PARCEL	TWP/CITY/BORO	PRICE
JOSHUA TREE ASSOCIATES	30-14-0015	REDSTONE	\$647.16
JOSHUA TREE ASSOCIATES	19-04-0093	LUZERNE TWP	\$317.04
JOSHUA TREE ASSOCIATES	19-26-0074	LUZERNE TWP	\$487.84
JOSHUA TREE ASSOCIATES	19-04-0094	LUZERNE TWP	\$312.56
JOSHUA TREE ASSOCIATES	19-26-0053	LUZERNE TWP	\$609.04
JOSHUA TREE ASSOCIATES	41-13-0044	WASHINGTON TWP	\$330.85
JOSHUA TREE ASSOCIATES	19-26-0047	LUZERNE TWP	\$377.03
JOSHUA TREE ASSOCIATES	30-26-0090	LUZERNE TWP	\$619.88
JOSHUA TREE ASSOCIATES	05-06-0231	CONNELLSVILLE CITY	\$400.00
JOSHUA TREE ASSOCIATES	30-15-0054	REDSTONE	\$402.68
YAMEL QUINTANA	15-01-0026	GERMAN	\$957.00
YAMEL QUINTANA	02-11-0005	BROWNSVILLE	\$808.00
YAMEL QUINTANA	02-07-0102	BROWNSVILLE	\$876.00
JAROD MUNK	19-05-0008	LUZERNE TWP	\$490.00
		<b>TOTAL:</b>	<b>\$7,635.08</b>
REJECTED BID			
JIMMY MEROSIER	19-26-0047	LUZERNE TWP	\$400
			<b>NO PERSONAL CHECKS</b>

Commissioner Dunn yes  
 Commissioner Lohr yes

Commissioner Vicites yes

**Motion passed unanimously**

**Commissioners**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the December 14, 2021 commissioners agenda minutes.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the December 16, 2021 commissioners meeting minutes.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the December 22, 2021 commissioners special meeting minutes.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of the January 6, 2022 commissioners special meeting minutes.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda approval of advertising an RFP for Preparation and Presentation of the Fayette County Rural Broadband Coverage and Feasibility Study.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda:

Approval of the resignation of Gary Colatch from the Fayette County Planning Commission

Approval of the appointment of Thomas McGrew to the vacant position on the Planning Commission, with a term to expire December 31, 2022.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Prior to** a motion, a discussion was held about other resignations that were submitted.

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda:

Approval of the resignation of Herbert Myers from the Fayette County Zoning Hearing Board as an alternate member.

Approval of the resignation of Joe Ambrose from the Regional Trail Corporation.

Approval of the resignation of Allen George from the Fayette County Conservation District.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to place on the agenda ratification of the following transfer in the 2021 budget.

Department	December 12, 2021		
	Cost Center	Debit	Credit
<b>Juvenile Probation Office</b>			
Salary solicitor	01423751350	\$800.00	
Telephone	01423753200		\$800.00

**Total Debits \$800.00      Total Credits \$800.00**

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**Prior to** a motion, Commissioner Vicites said he didn't understand the transfer. He said they have to watch the transfers and quit doing them. He said it was the last one he is voting on.

**Public Announcements:**

**Commissioner Lohr** said the 2021 Toys for Tots campaign results were 8,338 toys were distributed to 1,123 less fortunate children in Fayette County. He said that doesn't include what CYS does.

**Public Comments- None**

**Adjournment**

**A motion** was made by Commissioner Dunn and seconded by Commissioner Vicites to adjourn the meeting.

Commissioner Dunn yes  
Commissioner Lohr yes  
Commissioner Vicites yes

**Motion passed unanimously**

**RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF FAYETTE COUNTY  
AUTHORIZING SUBMISSION OF AN APPLICATION FOR  
COMPETITIVE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for activities which will benefit low- and moderate-income families, aid in the elimination or prevention of slums or blight, or meet other urgent community development needs; and

WHEREAS, the Pennsylvania Department of Community and Economic Development has set aside Community Development Block Grant (CDBG) funds for a competitive funding round; and

WHEREAS, the County of Fayette and Fairchance Borough have identified a critical need to fund a **Borough-wide Water System Improvement Project** (hereinafter referred to as "the Program"); and

WHEREAS, the County of Fayette has prepared a Three-Year Community Development Plan as required by the Department of Community and Economic Development as part of its 2021 CDBG Program, which identifies and describes the need for this project; and

WHEREAS, the County of Fayette Board of Commissioners is familiar with the requirements of the program as included in the Statement of Assurances; and

WHEREAS, the County of Fayette has, by resolution adopted the 19<sup>th</sup> day of December, 1985, designated the Redevelopment Authority of the County of Fayette, Pennsylvania, to be its agent in preparing applications and for administration of the grants, which designation assures that Fayette County meets the "General Qualifications Criteria" contained in the law and regulations governing the Program; and

WHEREAS, a form of Cooperation Agreement by and between the County of Fayette and the Redevelopment Authority of the County of Fayette, Pennsylvania has been approved by said Authority and offered for consideration by the Board of Commissioners; and

WHEREAS, in order to comply with the administration of the CDBG Program, the Redevelopment Authority has also prepared the following plans and policies: Citizen Participation, Code of Conduct and Conflict of Interest Policy, Drug Free Workplace Policy, Excessive Force Policy, Anti-Displacement Plan, MBE / WBE Plan, Section 3 Plan, Fair Housing Analysis and Annual Action Plan, 504 Plan, and CDBG Procurement Policy; and

WHEREAS, the Redevelopment Authority of the County of Fayette, Pennsylvania is preparing an application for financial assistance under the Program, said application having been made available for public comment, review, and inspection prior to consideration by the Board of Commissioners of the County of Fayette;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Fayette:

1. That the Program Application is hereby in all respects approved. The Clerk is hereby directed to file an overview of said Program Application with the minutes of this meeting.
2. That the following plans are approved in compliance with CDBG rules and regulations: Citizen Participation, Code of Conduct and Conflict of Interest Policy, Drug Free Workplace Policy, Excessive Force Policy, Anti-Displacement Plan, MBE / WBE Plan, Section 3 Plan, Fair Housing Analysis and Annual Action Plan, 504 Plan, and CDBG Procurement Policy.
3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with Federal/State financial assistance under Title I, including those under Title VI relating to the prohibition of discrimination because of race, color, creed or national origin and other assurances as may be forthcoming from the State for the implementation of the Program.
3. That the Commissioners of Fayette County are authorized to file an application for financial assistance to carry out the Program and act as the authorized representative of the County of Fayette.
4. That the Commissioners are hereby authorized to provide such assurances and/or certifications as may be required by the Housing and Community Development Act of 1974, as amended, and any supplemental or revised data which the Department of Community and Economic Development may request in connection with its review of the application and including any revisions necessary to bring the application into conformity with the Department's final grant.
5. That in the unlikely event that CDBG-CV funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, the Commissioners of Fayette County agree to repay the proportion deemed ineligible from non-federal sources.
6. That a Cooperation Agreement, by and between the County of Fayette and the Redevelopment Authority of the County of Fayette, Pennsylvania, setting forth the terms under which the Authority and the County will perform their responsibilities, is hereby approved and its execution by the Fayette County Board of Commissioners is hereby authorized.

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I hereby certify that the foregoing resolution is a true and correct copy of a Resolution duly adopted by the Fayette County Board of Commissioners at their meeting held the 20<sup>th</sup> day of January 2022.

(SEAL)

Chief Clerk

## COOPERATION AGREEMENT

MADE as of this 20<sup>th</sup> day of January, 2022, by and between FAYETTE COUNTY, a body corporate and politic in the Commonwealth of Pennsylvania, hereinafter referred to as the "County",

a

n

d

the REDEVELOPMENT AUTHORITY OF THE COUNTY OF FAYETTE, PENNSYLVANIA, a body corporate and politic created under the provisions of the Urban Redevelopment Law, maintaining its principal office in the City of Uniontown, Fayette County, Pennsylvania, hereinafter referred to as the "Authority".

WHEREAS, the Community Development Block Grant Program for Nonurban Counties and Certain Other Municipalities (Act 179 of 1984) provides competitive funding opportunities for eligible activities in small townships and boroughs; and

WHEREAS, **Fairchance Borough** has requested that the County apply for funding for a **Borough-Wide Water System Improvement Project**; and

WHEREAS, the County has, by resolution adopted the 19th day of December, 1985, designated the Authority to be its agent in preparing applications and for administration of the grants, which designation assures that the County meets the "General Qualifications Criteria" contained in the law and regulations governing the program; and

WHEREAS, an application for funds for said purpose, containing a description of activities to be undertaken (hereinafter referred to as the "Program"), has been prepared and approved for submission to the Pennsylvania Department of Community and Economic Development (hereinafter referred to as "the Department"), and

WHEREAS, it is appropriate to here set forth an agreement on the terms under which the Authority and the County will perform their responsibilities.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. The Authority agrees to carry out the Program in accordance with the application as approved by the Department and the terms of the grant agreements between the County. Specifically, it shall:

- (a) Prepare the application for the grant and take such further actions as may be necessary to obtain approval;
- (b) Be responsible for financial administration, including the requisition of funds, the maintenance of books of account, and the carrying out of audit procedures in accordance with the Single Audit Act of 1984 (31 USC 7501 et. seq.), which audit shall be made in accordance with OMB Circular A-128 and the Desk Review Guide for Single Audits (3rd Edition) incorporated herein by reference;
- (c) Administer and supervise program activities for which the grants are provided in accordance with Federal and State laws and regulations governing the activities of the Authority, including, but not limited to, compliance with fair labor standards, prevailing wages, historic preservation requirements, environmental protection mandates, and the bidding, awarding, bonding, and execution of construction contracts;
- (d) Review and supervise the work of other agencies and bodies which have input in the execution of project activities;
- (e) Prepare all written materials and reports; and,
- (f) Recommend actions appropriate for the County to take in furtherance of the Program.

2. The County agrees that officers and personnel of the Authority are hereby designated to perform functions under the Integrated Disbursement and Information System (IDIS). These functions will include maintaining all accounts and requesting payments for costs related to projects covered under this and prior CDBG fiscal year contracts. To carry out this provision, the County has designated the Authority as a second payee for all active CDBG contracts and accounts.

3. The Executive Director of the Authority is designated as the County's Certifying Officer to serve specifically as the responsible official for carrying-out environmental requirements covered under this and prior CDBG fiscal year contracts, as well as other federal programs through the U. S. Department of Housing and Urban Development (HUD).

4. The Authority agrees to keep the County regularly informed in regard to the activities to be carried out in the County's behalf and to submit periodic reports containing a financial statement project / program invoices describing the activities, as appropriate.

5. Payments for eligible administrative costs and costs of application preparation as determined by the terms and conditions of the grant contract and Department rules and regulations, including, but not limited to salaries and operational costs, shall be made at such intervals as the Authority in its sole discretion shall determine.

6. The Authority shall purchase and maintain full force the following coverages:
- Comprehensive General Liability insurance, in the aggregate of \$1,000,000.
  - Comprehensive Automobile Liability insurance with a single limit of \$1,000,000.
  - Worker's Compensation and Employer's Liability insurance, with a limit of \$100,000 for each occurrence.
  - Honesty Bond Coverage, in the amount of \$100,000 for any officer or employee.

7. It is specifically understood by the County that the Authority has no funds or other assets to support and sustain its existence and continued operation other than funds received by it from various municipalities and governmental agencies which are reserved for specific purposes. Therefore, to comply with a requirement of the Department to ensure the continued existence of the Authority for the purposes of its incorporation, the County agrees to reimburse the project or the Commonwealth of Pennsylvania for any expenditures found by the Department to be ineligible.

8. All notices and reports required to be given and made by each of the parties hereto to the other in the carrying out of the project shall be given and made

- (a) if by the County, to the Executive Director of the Authority, or his designee, and
- (b) if by the Authority, to the Board of Commissioners, or its designee.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have caused this Agreement to be duly executed the day and year first above written.

ATTEST:

FAYETTE COUNTY

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
Chairman, Board of Commissioners

By \_\_\_\_\_  
First Vice-Chairman

By \_\_\_\_\_  
Second Vice-Chairman

ATTEST:

REDEVELOPMENT AUTHORITY OF THE  
COUNTY OF FAYETTE, PENNSYLVANIA

\_\_\_\_\_

By \_\_\_\_\_  
Executive Director

**BID FORM**  
**21-12**  
**PURCHASE OF GASOLINE AND DIESEL FUEL**

Company Name CENTER INDEPENDENT ENERGY, LP  
Address 1035 BOYCE RD, SUITE 220 PCH, PA 15241  
Phone 412-319-7784 Fax 412-319-7684  
Contact Person DOUG FRIEND 724-622-4835

**PRICES**

Regular Gasoline PCH OPIS AVE + \$ .105  
\* (120 N. VIEW DR)

Premium Gasoline PCH OPIS AVE + \$ .105  
\* (120 N. VIEW DR)

Diesel Fuel PCH OPIS AVE + \$ .105  
\* (120 N. VIEW DR)

Bulk Fuel	DELIVERED	GALLONS	GAS AND DIESEL
	5000 - 8500	PCH OPIS AVE	+ .105
	2500 - 5999	PCH OPIS AVE	+ .155

\* BIDDER'S PUMPS LOCATED AT PACIFIC PRIDE COMMERCIAL FUELING FACILITY, 120 N. VIEW DR, UNIONTOWN, PA 15401. FACILITY IS ALWAYS OPEN.

12/28/01  
DWF