

Commissioners:

R. JACK MCKERNAN  
*Chairman*

TONY R. MUSSARE  
*Vice Chairman*

RICHARD MIRABITO  
*Secretary*



MATTHEW A. McDERMOTT  
*Director of Administration  
and Chief Clerk*

J. DAVID SMITH  
*Solicitor*

---

Telephone (570) 320-2124  
Fax (570) 320-2127

COUNTY of LYCOMING  
48 WEST THIRD STREET  
WILLIAMSPORT, PA 17701

---

www.lyco.org  
county.commissioners@lyco.org

**Minutes of the Meeting of  
August 18, 2016  
Board Room, Executive Plaza  
Pine Street, Williamsport**

Commissioner McKernan - Present  
Commissioner Mussare - Present  
Commissioner Mirabito - Present

Solicitor Smith - Present

**1.0 OPERATIONS**

- 1.1 CONVENE COMMISSIONERS MEETING. Mr. McKernan convened the Commissioners Meeting 10:04 a.m.
- 1.2 APPROVE THE MINUTES OF THE PREVIOUS MEETINGS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved the minutes of the previous meeting as they are recorded.
- 1.3 RECEIVE PUBLIC COMMENTS (AGENDA ITEMS ONLY). Mr. McKernan opened the floor to public comment on agenda items only, and none were received.

**2.0 ACTION ITEMS**

- 2.1 PROCLAIM CHILD SUPPORT ENFORCEMENT AWARENESS MONTH. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), proclaimed August, 2016 as Child Support Enforcement Awareness Month in Lycoming County.
- Paulette Clementoni Chief Domestic Relations Officer commented on her office staff and how dedicated they are in providing all that they do.
- Judge Gray talked about how the Domestic Office works. He complimented the staff.
- Judge Anderson noted that Pennsylvania is number one in the country in child enforcement. Also, Lycoming County consistently ranks in the top five counties in the state.

The credit is due to the attentiveness of the office. The department is exemplary.

Judge McCoy added that DRO is a tight run ship. They are prepared & do a good job.

Mr. Mirabito added that the public can help the employees. He said it is sad taking care of kids becomes a judicial issue.

2.2 ADOPT RESOLUTION 2016-16. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), adopted resolution 2016-16 for emergency rebuild of G-4 Conveyor Belt System and Fire Suppression Line.

2.3 APPROVE QUOTE FROM BEARING & DRIVE. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved quote from Bearing & Drive Solutions IV, Inc., in the amount of \$35,182.80, for the completion of the G-4 Conveyor Belt System Rebuild Project.

2.4 APPROVE AGREEMENT WITH THERMO ENVIRONMENTAL INSTRUMENTS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved agreement with Thermo Environmental Instruments, Inc., for the purchase of Thermo Environmental 2020 Landfill Surface Scan Meter and accessories in the total amount of \$14,348.

2.5 APPROVE QUOTE FROM DAVIS ULMER. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved quote from Davis-Ulmer Sprinkler Co. in the amount of \$1,200.

2.6 APPROVE EASEMENT WITH BRADY TOWNSHIP. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved sewer pipeline easement with Brady Township.

2.7 APPROVE AGREEMENT WITH WBRA. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved funding agreement with West Branch Regional Authority.

Kurt Hausammann explained this is to install water & sewer lines. Mr. Mussare asked about the Equivalent Dwelling Units and what determines a growth area.

Mr. McKernan asked what is the cost of the entire project.

Mr. Hausammann said that \$1 million is for the current phase.

Mr. Mirabito said that Act 13 funds could be used instead of using those for the airport.

Mr. Mussare said this is a tough decision, and the board cannot be short sighted.

Mr. Mirabito said that the facts need to be looked at as they are presented. The airport project was not initially to be a tear down and rebuild of a terminal building but instead was to be an access road. He said he is not being disrespectful

just needs to make choices with the problems that we face and with the funds available.

Mr. Mussare said that the airport floor had previously had asbestos tile and the less expensive way to go was to put a new floor down.

Mr. McKernan talked about Act 13 funds & budgeting for the airport terminal. He agreed it is a very tough decision. Both the airport and sewer projects have been worked on for a number of years.

2.8 APPROVE AMENDMENT TO LEASE WITH COMMUNITY TRAFFIC SAFETY. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved amendment to lease agreement with Community Traffic Safety Project.

2.9 APPROVE QUOTE RF FAGER. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved quote from RF Fager for the programmable water fixture control project in the amount of \$80,648.01.

2.10 APPROVE AGREEMENT WITH MARK PHILLIPS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved constable agreement with Mark A. Phillips.

2.11 APPROVE POLICY 314. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved Policy 314 - Donated Day Benefit Policy of the Lycoming County Policy & Procedures Manual..

2.12 APPROVE PERSONNEL ACTIONS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved the following personnel actions:  
RMS - Jennifer L. Reynolds as full time replacement Clerk III/AP weighmaster - Pay grade 4 - \$13.81/hour effective 8/22/16.  
Pre-Release - Lisa M. Norton as part time replacement Female Resident Supervisor - Pay grade 5 - \$14.00/hour effective 8/22/16, not to exceed 1,000 hours annually.  
Prison - reclassification of Beverly V. Agnoni to Licensed Practical Nurse - Pay grade 6 - \$18.42/hour effective 8/28/16.  
Prison - reclassification of Trista N. Lukens to Licensed Practical Nurse - Pay grade 6 - \$18.42/hour effective 8/28/16.  
Prison - reclassification of Nicole D. Dawson to Licensed Practical Nurse - Pay grade 6 - \$18.42/hour effective 8/28/16.

Mr. McKernan explained that the reclassifications wer due to the hard time attracting and keeping LPNs. This is better than paying costs for hospital visits.

Mr. Mussare agreed, and said that even paramedics cost more.

## **5.0 REPORTS / INFORMATION ITEMS.**

5.1 The Commissioners and Judge Anderson presented a 20 year pin to Rob Thompson from Adult Probation. Judge Anderson gave a background on Mr. Thompson' work talents. Mr. McKernan thanked rob for his dedication.

5.2 Megan Lehman announced the comp plan survey media release, and asked for the public to be involved.

## **6.0 PUBLIC COMMENT.** Mr. McKernan opened the floor to public comment and the following were received:

Diana Konkle of Muncy asked for assistance in proposed business that may be approved in Muncy. It is a private entity to private entity sale, but it is only blocks from the High School and could have a huge environmental impact. The current zoning is industrial. The situation does not look positive.

Mr. Mirabito asked the planning department if Muncy had its own zoning, and if it could be changed. He said that the opportunity provided by Delta Thermo Energy is less polluting than what was previously there.

Mr. Hausammann said that because the Borough has its own zoning they must have an industrial zone.

Solicitor Smith explained it cannot be changed during a pending sale.

Mr. Mirabito added that Delta Thermo Energy is not an incinerator.

Mr. Mussare said he finds it hard to believe that it may be in competition/conflict with the county Landfill.

Mr. Mirabito said he is not convinced that the landfill makes money, and wondered if we need to look for a better way to dispose of waste in the future.

Mr. Mussare told Ms. Konkle that her voice is being heard.

Alfredo Daniele presented a letter to the board (attached) regarding Cloud 9 restaurant at the airport.

Mr. Mussare gave his commitment that he will be compensated for the investment.

Al Boyer from McIntyre Township voiced his concern with the sustainable services and policies for rural areas. He added that the people doing the comp plan are excellent. His main concern is public safety. The heroin problem is huge.

Elaine Decker of Hepburn Township asked why a feasibility study for the airport has not been done. If a study has been done they should be made public. She said it seems like this is

being done backwards, that an airline should be secured before a new terminal built, not vice versa.

Mr. McKernan explained that another airline cannot be attracted without a larger holding area and separate bathrooms for it. Allegiant Air has expressed an interest.

Al Boyer state that people do not use the airport.

**7.0 NEXT REGULARLY SCHEDULED MEETING.** Mr. McKernan announced the next regularly scheduled meeting as a work session on Tuesday, August 23, 2016.

**8.0 ADJOURN COMMISSIONERS' MEETING.** A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), adjourned the Commissioners' Meeting at 11:48 a.m.

**CASALE & BONNER, P. C.**

ATTORNEYS & COUNSELLORS AT LAW

33 WEST THIRD STREET

SUITE 202

WILLIAMSPORT, PA. 17701

TELEPHONE (570) 326-7044

FAX (570) 326-7610

e-mail: cbaw@cbatty.com

website: www.casalebonner.com

MICHAEL J. CASALE, SR.  
(1922-1988)

OF COUNSEL  
JOHN R. BONNER

JAMES D. CASALE  
ROBERT CRONIN  
BRADLEY S. HILLMAN  
NORMAN M. LUBIN  
BRET J. SOUTHARD

August 17, 2016

Lycoming County Commissioners  
Executive Plaza  
330 Pine Street  
Williamsport, PA 17701

Re: Williamsport Municipal Airport Authority and Cloud 9

Dear Commissioners:

Please be advised that I represent the restaurant known as Cloud 9. As I am sure you are aware, Cloud 9 is located at the airport terminal. We also know a new terminal is being proposed and there is a meeting for the commissioners on Thursday, August 18, 2016, at 10:00 A. M. In the newspaper, you asked about public comment, and I am writing this letter as I will not be able to attend your meeting to address my clients' issues.

We have been in contact with the Authority, as well as their solicitor, Scott T. Williams. We understand that, should there be a new terminal, the square footage would not meet the needs for Cloud 9, as it would be too small for their restaurant. Cloud 9 opened with great success in May, 2012, and exceeded their expectations. The Danieles have poured their hearts and souls into the restaurant. Shortly after they opened, they were told there would be a new terminal. Unfortunately, since the fall of 2015, they still had hopes of changing the new terminal to provide them with more square footage. This still has not occurred and they do understand the cost involved to the Authority.

The Danieles have put over One hundred forty thousand dollars (\$140,000.00) into Cloud 9 in order to make it a success. Obviously, should the new terminal be built, they will have significant loss to themselves for the money they put into Cloud 9. They have exercised their right to renew the lease for another five (5) years, starting April 1, 2017, and running through March 31, 2022. I am sure the Danieles will be present to be able to address this at the scheduled meeting.

Lycoming County Commissioners  
August 17, 2016  
Page 2

Thank you for your consideration on behalf of Cloud 9.

Sincerely,

CASALE & BONNER, P. C.

By:



James D. Casale

JDC:Imm  
cc: Mr. Fred Daniele