

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
June 29, 2017
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. Mirabito and seconded by Mr. Mussare 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 APPROVE PROPOSAL FROM LARSON DESIGN GROUP. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved engineering proposal from Larson Design Group in the amount of \$8,500 for the 911 electrical upgrade..

2.2 APPROVE PERSONNEL ACTIONS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved the following personnel actions: Register & Recorder – Donna J. Markley as full time replacement Clerk I – Pay grade 2 - \$11.79/hour effective 7/10/17. RMS – Lukas A. Brungard as full time replacement Equipment Operator – Pay grade 6 - \$16.59/hour effective 7/5/17.

2.3 ACCEPT HUMAN RESOURCES REPORT. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved Human Resources report through June 30, 2017.

Mr. McKernan recessed the Commissioners' Meeting at 10:07 a.m.

4.0 BOARD OF ASSESSMENT REVISION

4.1 CONVENE BOARD OF ASSESSMENT REVISION. Mr. McKernan convened the Board of Assessment Revision at 10:16 a.m.

4.2 APPROVE REAL ESTATE EXONERATIONS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved the following real estate exoneration requests:

18-167-114-009	Damon Faivre	117 Schmouder Dr	1450	0
59-003-100-009M	Nicole O'Conner	146 Mohawk Dr	4610	0
68-005-303	St Boniface Roman Catholic	609 Penn St	52380	14400
28-243-125	Black Rock Gun Club	8864 Trout Run Rd	78840	65040
36-415-110.08	Jerrold & Nicole Stepp	1018 Exchange Rd	161860	0
12-352-120.K	Samuel Camp Et Al	651 Ruben Kehrer Rd	134640	52490
55-369-168	Scott & Jacqueline Harris	1987 Rt 654 Hwy	95440	66480
12-352-119.Z-016	Margaret Aunkst	528 Ruben Kehrer Rd Lt	50140	0
42-386-124-001	Amanda Good	1308 S Rt 44 Hwy	5120	0
27-001-600-024A	David & Avinella Sanders	1970 Beech St Lt 24A	46960	0
56-311-108.01	Maggs Protector Trust	963 Tallman Hollow Rd	43650	23620
59-374-154.A-030	Cynthia West	57 Willow St	2090	0
60-003-530-007	Nate Harman	77 Welker Rd	1990	0
60-367-125.G-109	Amy Showers/Kurt McMahan	109 Harvest Moon Pk	3600	0

4.3 ADJOURN BOARD OF ASSESSMENT REVISION. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), adjourned the Board of Assessment Revision at 10:18 a.m.

Mr. McKernan reconvened the Commissioners' Meeting at 10:11 a.m.

6.0 COMMISSIONER COMMENT.

Mr. McKernan referred to Tuesday's meeting and recapped the meeting including Mr. Bogle's presentation and documents. He said that Mr. Mirabito was irresponsible in making the motions without ever seeing the documents that were presented, as Mr. Mirabito had claimed. For example the motion regarding the forensic audit of the Visitor's Bureau.

The documents that were presented were confusing. There were numbers from 2015 and 2016 mixed together, and numbers that had no dates. He felt there is nothing in the document that makes Mr. McKernan believe that the Visitor's Bureau is out of line.

Additionally, Mr. McKernan stated that he feels that the Sun Gazette owes the public and the Chamber an apology. He wondered aloud if the writer for the Sun Gazette had a copy of Mr. Bogle's documents. There was no basis for the stuff that was printed.

As Chairman, he is in charge of the public meetings. The plan going forward is that the work sessions will be productive and will deal with agenda items. Public Comment will be limited to 3 to 5 minutes. If a topic takes long or requires more in-depth discussion, the Commissioners can invite people to the office or hold a town hall meeting for that particular subject.

Mr. Mussare said he did not appreciate the article that said he left the meeting. He felt it is irresponsible reporting. He never used the Commissioners' meetings to advance a slanderous campaign against anyone or any organization. Vince Matteo [Chamber of Commerce] openly campaigned against one Commissioner. He hopes this is not the reason the current path of discussions has been happening.

Mr. Mussare showed the public the large files he has compiled as proof that the issue relating to the Hotel Tax and the Visitor's Bureau as TPA has been thoroughly vetted. He held numerous interviews, attended meetings, and read documentation, all to make sure the TPA was doing things properly. All issues were addressed.

Mr. Mussare went on to say that there are other issues facing constituents that need to be addressed, like the increase in school taxes. The Commissioners should be lobbying legislators to help our most vulnerable.

Mr. Mirabito said that under the United States and State Laws, constituents have the right to come to public meetings and address their elected officials. This right is what people have died fighting for. There is also an amendment to protect the newspapers. Mr. Mirabito asserted that it is his job to give voice to what the public wants. For example, Mr. Bogle brought up the request for a forensic audit on Tuesday. Mr. Mirabito stated that when Mr. Bogle made the request at the meeting, Mr. Mirabito gave voice to that constituent request with his motion for a forensic audit. Mr. Mirabito noted that at an earlier meeting, Mr. Mussare took similar action regarding Mr. Lauer, his bridge issue, and the liquid fuels money.

Mr. Mirabito said that newspapers are allowed to print what they want to print. He added he is very concerned with Mr. McKernan and his assertion that we should have private meetings for those subjects that may take up time. He referred to private meetings held between the Commissioners and the Chamber where questions are not answered. Mr. Mirabito referred specifically to the meeting held in February 2016 at which he asked the Chamber officials for answers to some of the questions raised by constituents. The Chamber officials refused to answer Mr. Mirabito's questions and the other two Commissioners (Mr. McKernan & Mr. Mussare) did not insist on answers. Mr. Mirabito noted that by the other two

- Commissioners not requiring answers to the questions, they empowered the Chamber not to answer questions about the public tax money.
- Mr. Mirabito said he is going to ensure that issues are vetted in public, not during back room deals.
- Mr. McKernan emphasized that any commissioner can hold a town hall meeting on any subject. It is each commissioner's choice how items are addressed. He said his job is to make sure the work sessions and public meetings run smoothly.
- Mr. Mirabito said that too much is done in private. More should be done in public. He then referred to the Sunshine Act. He feels that Mr. McKernan is talking from lack of experience in public office and not knowing the details of the Sunshine Act. Mr. Mirabito gave an example of the hiring process in the county.
- Mr. Mussare asserted that government is set up as a republic. People work for a living. The elected officials are elected to make decisions on behalf of the constituents.
- Mr. Mussare added that decisions cannot be made by attempting to get input from every person on every item.
- Mr. Mussare emphasized that he is not against public input, nor is he against transparency.
- Mr. Mirabito said that decisions need to be made publicly and the Sunshine Act lets the public be able to participate. He is concerned with the double standard that is being used. The Commissioners vetted the golf course and the airport, but they are not doing the same with the Visitor's Bureau.
- Mr. Mirabito assured that his discussions are not a result of Vince [Matteo] campaigning against him. Many people did that. Mr. Mirabito noted that, separate from the Hotel Tax money the County has given the Chamber about \$250,000 in property tax revenue for Chamber dues, membership, Leadership Lycoming, and for various other items. Similar money is not being given to other business and trade organizations. This is wrong, illegal and it marginalizes the other business organizations. We should do everything we can to not have to raise taxes.
- Mr. McKernan suggested that Mr. Mirabito break out the money that has been paid to the chamber over the last 18 months, since before that the current board had no input or control over it. He is for greater transparency, more meetings, and increased public participation.

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

- Todd Lauer of Jersey Shore asked how to get on the agenda.
- Mr. McKernan explained that a person who wishes to speak just needs to show up and speak during public comment. One does not need to be on the agenda to speak.
- Mr. Mussare added that the commissioners will address concerns whenever a constituent comes in.

Mr. Lauer said he agrees with Mr. Mirabito and although he is a Republican, he is thinking of changing to a Democrat. Three minutes is not enough time to speak. He suggested posting Roberts Rules of Order.

Larry Stout, Chairman of Clinton Township Supervisors said by way of reference, the Sunshine Law says that the public can speak before and after the meeting. The Chairman is allowed to limit the time. The public is allowed to be at the meetings and observe them. The public needs to understand that the elected officials need to conduct business. The public is here as guests. The Sunshine Law does not require us to respond to every comment.

Adam Weltheroth, South Williamsport, echoed what Larry Stout asserted. He thinks this board is very fair in their public comment and perhaps a little too lax in letting the people speak.

8.0 NEXT REGULARLY SCHEDULED MEETING. Mr. McKernan announced the next regularly scheduled meeting as a Regular Meeting on Tuesday, July 11, 2017. There will be no meetings July 4 or 6.

9.0 ADJOURN COMMISSIONERS' MEETING. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), adjourned the Commissioners' Meeting at 11:01 a.m.