

Commissioners:

R. JACK MCKERNAN
Chairman

TONY R. MUSSARE
Vice Chairman

RICHARD MIRABITO
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**Minutes of the Meeting of
August 31, 2017
Board Room, Executive Plaza
Pine Street, Williamsport**

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

Solicitor Seese - Present

1.0 OPERATIONS

1.1 CONVENE COMMISSIONERS MEETING. Mr. McKernan convened the Commissioners Meeting 10:07 a.m.

1.2 APPROVE THE MINUTES OF THE PREVIOUS MEETINGS. A motion by Mr. Mirabito to delay approval of the minutes of the previous meeting until further review, seconded by Mr. _____ and passed (3-0), approved the delay to approve minutes of the previous meeting.

1.3 RECEIVE PUBLIC COMMENTS (AGENDA ITEMS ONLY). Mr. McKernan opened the floor to public comment on agenda items only, and the following were received.

Dave Abernathy – Williamsport – Mr. Abernathy spoke regarding Amendment #3 to the GEO contract. He questioned the legality and clarity of the current GEO contract. He mentioned the co-mingling of state and county funds. Specifically, he expressed concern that the GEO contract is silent with regard to the exchange of reduced service fees in lieu of rent. He noted that the GEO contract comments in depth about the \$100,000 that GEO spent on leasehold improvements. He also said that the contract states that, if it is broken by the County for any reason, then the taxpayers have to repay the unamortized portion of the \$100,000. He asked about the value for giving the space to GEO? He notes the contract is silent. He

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says that the new GEO Response to the RFP says that the space is worth \$93,000 of services for the space. In his opinion, Amendment #3 opens up a Pandora's Box of issues. He noted that in Amendment #3, the County is providing State services which are the co-mingling of State and County funds. He noted that Amendment #3 says that the County is getting \$5 but, he asked, what is the value of what we are getting for the \$5? He also noted that another private entity --- Firetree LTD --- does not get County benefits. He asked the Commissioners to consider tabling this item until all questions regarding the current contract are answered.

Commissioner McKernan asked John Hogan from GEO if he wanted to discuss the issue and Mr. Hogan said "no".

Dick Nassberg – Williamsport - Mr. Nassberg, former County Commissioner, asked the Commissioners to go back 17 years and what effect the previous decisions had on the community. He noted that the demographics of the community were skewed with the number of people who needed help. He said that the people who came here for help resulted in an increase in the number of people with HIV, the use of needles, etc. He described the Historic District at that time as a "slum" and noted that private citizens invested their own money to change that neighborhood. The result has been a revitalization of the Historic District. He supports people receiving treatment but said that we as a community cannot assume a disproportionate burden. He commented that the goal and success of GEO is to "run as many people as possible" through the program. He urged the Commissioners to consider the welfare of county residents. He expressed the fear of not really knowing the effects of these types of decisions until many years afterward.

Commissioner McKernan – Mr. McKernan stated that he supports the program as it is explained. He said that something uncomplicated has been turned into something complicated. He said that the newspaper said the program would cost taxpayers money and it will not cost any extra money. He said that the original intent was to get into something until the end of the year. His concern is that we not lose sight of the bigger picture which is the RFP. His experience over the last 20 months says that the vote on Amendment #3 should not occur because the program would be "spun" as interfering with RFP. Mr. McKernan noted his reason for voting in favor of postponing 2.12 is that he does not want to negatively impact the final decision with regard to GEO's RFP. He doesn't want to taint the public's view of the overall situation. Mr. McKernan also noted that he supports 2.12 and that the public needs to better understand the program and this addition. He agreed that the \$5.00 reimbursement from GEO is too low and that that needs to be renegotiated.

Commissioner McKernan made a motion to take Amendment #3 off the agenda and not vote on it.

Solicitor Seese – Mr. Seese opined that because the motion to table the Amendment #3 was not on the agenda, the public has a right to comment on the motion.

Scott Metzger – Montoursville – Deputy Chief Adult Probation Officer – Mr. Metzger said that since Tuesday he researched and found that 17 state inmates are currently being housed in our county jail. Considering the daily rate and the potential cost of overcrowding, he feels that delaying GEO from being able to work with state parolees is costing taxpayer's money. If these same inmates were on Re-Entry, it would save the taxpayers money. He reported that typically if a state parolee violates parole conditions the state asks probation for a detainer which results in incarceration in our county jail. This process sometimes takes several weeks which means taxpayers are paying to house a state inmate in our county jail. In 2015 the county jail housed 60 state parolees. In 2016 there were 49 and in 2017 there have been 41.

Mr. Nassberg – Williamsport – Mr. Nassberg asked for clarification of Commissioner McKernan's motion. Is it a motion to remove it from today's Agenda? He said that it would be good to give ourselves an opportunity to do research.

Commissioner McKernan – Mr. McKernan responded "yes".

David Abernathy – Williamsport - Mr. Abernathy agreed with Mr. Nassberg that we should put the brakes on this issue. He said that the co-mingling in the contract would cause us to hurt ourselves.

Commissioner Mussare – Mr. Mussare responded to Mr. Metzger and said that Williamsport already has a facility and it is doing a fine job. He said that GEO now has been accepted by the State. He noted that the state uses multiple vendors and does not choose one over another. He said that there are 22 people in our program and none came from the other provider. He noted that the person who runs Firetree LTD is in the audience and Mr. Mussare respects him. Mr. Mussare stated that what disappoints him is that people came in and articulated a position against this and let people believe that this is just about not receiving a fair share is hypocritical. He said that he would not come into the City of Williamsport and give the residents propaganda. He said the people are already in Williamsport. He noted that we can have our own ideology but we are losing revenue by not doing this program. He said that there is a possibility that people will stay in our jail at \$70 per day. He asked what is good for County taxpayers. Mr. Mussare stated that he made an effort to speak with local business owners to ask if they felt GEO being downtown had negatively affected their businesses. Only one business owner felt that it had negatively impacted their business. Mr. Mussare feels that the Commissioners should look to the Court, law enforcement, adult probation, prison, etc. to make an

informed decision. He disapproved not voting on 2.12 today. He said that he was disappointed that we put off a vote but understood the concerns.

Commissioner Mirabito – Mr. Mirabito told the man from Probation, Mr. Metzger, that nothing in today’s motion prevents GEO from running their program anywhere else in the County. Mr. Mirabito agreed with Mr. Abernathy with regard to the legality and clarity of the current GEO contract and that the co-mingling of funds. He stated that there is nothing that would prevent GEO from moving to another location in order to be able to expand their services to state parolees. He also noted that his involvement with Firetree Place has been reviewed by the State Ethics Commission and he provided a copy (attached) of their findings which state that there is no conflict or even an appearance of impropriety or the appearance of a conflict of interest with regard to him as voting on the RFP for the Re-Entry Program while being a member of the non-profit known as Firetree Place which is separate from Firetree LTD which submitted a proposal in response to the RFP.

Todd Lauer – Jersey Shore – Mr. Lauer said that he understood that currently GEO only has County inmates and no State inmates. He said that he keeps hearing from Commissioner Mussare about the money, but Mr. Lauer asked the Commissioners to consider the victims of the offenders when State inmates are being released back into our community.

Commissioner Mussare – Mr. Mussare responded that he was not talking about rape convicts.

Commissioner Mussare called for a vote to remove Item 2.12, the Amendment #3 to the GEO contract, from today’s Agenda.

2.0 ACTION ITEMS

2.1 AWARD PURCHASE AGREEMENTS FOR HDPE PIPE & LANDFILL GAS WELL ACCESSORIES. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved purchase agreements with HD Supply Waterworks for the HDPE Pipe items as listed within Bid Price Schedule – A with a total cost of \$28,583.46, and with QED Environmental Systems, Inc. for the Landfill Gas Well Accessories as listed within Bid Price Schedule – B with a total cost of \$4,200.

2.2 APPROVE AMENDMENT #1 TO CLEVELAND BROTHERS EQUIPMENT COMPANY, INC PSA. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved Amendment #1.

- 2.3 APPROVE LEHIGH COUNTY DETAINER AGREEMENT 2017. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this agreement on an as needed basis.
- 2.4 APPROVE SUB-RECIPIENT MONITORING AGREEMENT BEWEN THE COUNTY OF LYCOMING AND THE GREATER LYCOMING HABITAT FOR HUMANITY. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this agreement for 1 double home to be built on Scott Street, Williamsport through the 2015 PHARE funds in the amount of \$65,000.
- 2.5 APPROVE THE SUBMISSION OF THE LYCOMING COUNTY C&Y AND JUVENILE JUSTICE SERVICES NEEDS BASED PLAN AND BUDGET REQUEST FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019 IN THE AMOUNT OF \$13,800,842. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this budget request.
- 2.6 APPROVE CHILD WELFARE SERVICES CONTRACT WITH NHS PENNSYLVANIA FOR FOSTER CARE AND RESIDENTIAL CARE SERVCIES AT PER DIEMS RANGING FROM \$29.29 PER DAY TO \$157.04 PER DAY FOR THE PERIOD OF JULY 1, 2016 THROUGH JUNE 30, 2017. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this professional service agreement.
- 2.7 APPROVE CHILD WELFARE SERVICES CONTRACT WITH NHS PENNSYLVANIA FOR FOSTER CARE AND RESIDENTIAL CARE SERVCIES AT PER DIEMS RANGING FROM \$29.29 PER DAY TO \$157.04 PER DAY FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018 . A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this professional service agreement.
- 2.8 APPROVE CHILD WELFARE SERVICES CONTRACT WITH THE CHRISTIAN HOME OF JOHNSTOWN INC. FOR EMERGENCY SHELTER CARE SERVICES AT A PER DIEM RATE OF \$142.85 FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this professional service agreement.
- 2.9 APPROVE BRUCE ANDERSON, M.A. LICENSED PSYCHOLOGIST TO PROVIDE MENTAL HEALTH SERVCIES TO LYCOMING COUNTY CHILDREN & YOUTH SERVICES AT THE HOURLY RATE OF \$60 NOT TO EXCEED \$10,000 FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this professional service agreement.
- 2.10 APPROVE CWIS DATA SHARING AGREEMENT FOR THE PERIOD OF OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018. A motion by Mr.

Mirabito and seconded by Mr. Mussare and passed (3-0) approved this agreement.

2.11 APPROVE DOMINION SOFTWARE LICENSE AGREEMENT FOR 2018. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved this agreement.

2.12 APPROVE AMENDMENT #3 TO THE GEO RE-ENTRY SERVICES CONTRACT. A motion by Mr. McKernan to remove this item from the agenda and seconded by Mr. Mirabito was passed (2-1). Mr. Mussare opposed.

5.0 REPORTS / INFORMATION ITEMS.

5.1 Josh Schnitzlein reported that there is a Bid/Proposal for Floodplain Housing Remediation Project that will be advertised 9/1/17. Bid opening date will be 10/3/2017. He also reported that the RFP is set to go by end of September.

6.0 COMMISSIONER COMMENT.

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

Todd Lauer – Jersey Shore – Asked the Commissioners what their opinion is regarding tax reform and the Homestead Exemption.

Commissioner McKernan explained that if someone receives a break on their taxes it has to be made up somewhere else. So although a tax break sounds great to some, it has to be collected in some other way.

8.0 NEXT REGULARLY SCHEDULED MEETING. Mr. McKernan announced the next regularly scheduled meeting as a work session on Tuesday, September 5, 2017.

9.0 ADJOURN COMMISSIONERS' MEETING. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), adjourned the Commissioners' Meeting at 11:27 a.m.