

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
January 25, 2018
Board Room, Executive Plaza
Pine Street, Williamsport**

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

Assistant Solicitor Wiley - Present

1.0 OPERATIONS

1.1 CONVENE COMMISSIONERS MEETING. Mr. McKernan convened the Commissioners Meeting 10:03 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 the following were received:

Al Boyer of McIntyre Township offered that he is concerned with regard to item 2.9. He asked why the Judges have not offered to release the information relating to the "Days of Darkness" that the paper continues to print.

Todd Lauer of Jersey Shore commented on item 2.8, and stated his concern with a \$90,000/annually job. He thought the Commissioners were trying to cut costs.

2.0 ACTION ITEMS

2.1 ADOPT RESOLUTION 2018-01. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), adopted resolution 2018-01 for \$40,000 donation.

Todd Lauer suggested again to get rid of that bridge.

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2.2 APPROVE AMENDMENT TO AGREEMENT WITH BILL ANSKIS CO. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved amendment to agreement with Bill Anskis Company for county bridge 113 repairs, increasing it by \$42,025.

2.3 APPROVE AMENDMENT 2 TO AGREEMENT WITH LDG. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved amendment 2 to agreement with Larson Design Group for county bridge 111/113 repairs increasing it by \$19,300.

2.4 APPROVE SUBMISSION OF HMERP ANNUAL REPORT. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved submission of Hazardous Materials Emergency Response Preparedness Annual Report to Pennsylvania Emergency Management Agency.

2.5 AWARD CONTRACT TO PETROCHOICE. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), awarded contract for lubrication products to Petrochoice on a per item as needed basis.

2.6 APPROVE PURCHASE FROM QED ENVIRONMENTAL. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved purchase from QED Environmental Services, Inc., for 1- New 2018 GEM5000 Portable Gas Extraction Monitor and accessories in the amount of \$11,570.

2.7 APPROVE TDA UPDATE. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved update to TDA: RMS – reclassify the Business Manager pay grade 10/11 to Comptroller/Business Manager pay grade 13; Domestic Relations – reclassify 2 Clerk I (II) positions pay grade 2/3 to Clerk III paygrade 4; Information Services – reclassify Network Engineer pay grade 8/9 to Senior Network Engineer pay grade 9/10.

The following discussion occurred prior to the above vote.

Deputy Controller Collins asked for clarification on the reclassification of the Business Manager position.

Mr. McKernan explained that the former Business Manager, Bonnie Fink retired after 37 years, and a new one needed to be hired. An attempt was made to hire someone under the old title/grade. The Human Resources department, Resource Management Services Department and the Commissioner together reviewed the applicants. They were looking for someone who would be the Director's right hand in this \$20 million enterprise when it comes to finances. Experience and depth of knowledge of the applicants were not what was needed. The decision was made to change the title and job description to receive more experienced applicants.

Mr. McKernan continued, saying that the Commissioners, Human Resources and Resource Management Services director all met with the person. They are satisfied with what was heard and then negotiated a wage. There is a six

month probation period (per county policy) and there is hope that this individual will make improvements in that time frame.

Dep. Controller Collins asked if the job was reposted with the new job description and salary.

HR Director Ann Gehret said that it was posted on Indeed.com.

Mr. Mirabito said that RMS brings a lot of money to the general fund. This operation needs to be made more efficient to decrease the burden on the taxpayers. Much has changed over the past 37 years during Bonnie Fink's tenure.

Mr. McKernan talked about not having luck with hiring this position at a lower grade and rate. The second time this position was posted with the updated description the salary was not listed.

Al Boyer commented that by not advertising it in the paper the county put itself in a bad position. He would like to see a job description, as he feels that \$90,000 is the low end of the range for someone to do this type of job.

Mr. McKernan said a lot of time was spent discussing this, trying to do due diligence.

Deputy Controller Collins asked if the rest of the financial people in the county will be reclassified.

Mr. Mussare said that the Commissioners rely heavily on the Human Resources staff to give recommendations. The future of the landfill is important. There is currently a decline in tonnage and profits. He said this is not like the private sector. The commissioners are in charge and make the decisions. If you do not like the decisions, bring it up in public or run for county commissioner.

Mr. Mirabito reiterated that conditions have changed over the last 37 years. Now a lot more is recycled. The commissioners have to look forward. This decision was not made lightly. The challenges that are being faced and the future of the landfill have to be considered.

Mr. Mussare apologized to the salary board members for not being informed of these changes.

Mr. Mirabito said that the landfill pays for itself, all of its employees and their fringe benefits.

Todd Lauer asked why the previous person in that position took a pay cut?

Mr. McKernan said that the responsibilities have changed.

Jason Yorks explained that the position was down grade from a deputy director position back to a business manager position.

Mr. Mussare added that there is a higher expectation for this position.

Regarding the reclassification for the Domestic Relations Positions:

Mr. McKernan explained there were numerous meetings about changing these positions.

Stephanie Tribble explained that these were clerk I positions and they evolved over several years. The new job descriptions included more complex tasks.

Mr. Mirabito talked about equal pay for equal worth. He said this job is at the lowest pay in the county, and the problem of comparable worth is trying to be rectified as well as reflecting the new job skills for the position.

Mr. Mussare said he is not aware of any incomparable worth in existence in the county. That is why there is a Human Resources department. Stephanie Tribble added that six positions have not been filled in that department, and those duties have been absorbed by existing staff. Mr. McKernan stated that our county looked at other county Domestic Relations staff for comparison. Adrienne Stahl said that the cost to do this is minimal. Also the DRO staff is 66% reimbursed by the state.

Regarding the reclassification of Information Services:

Ann Gehret said that people are doing more so the position is being reclassified due to having more responsibilities. Mr. Mirabito said the individual in this position has been doing these duties for a year. Mr. McKernan said that the county does not want to lose someone with a lot of institutional knowledge.

2.8 APPROVE PERSONNEL ACTIONS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved the following personnel actions: Veterans Affairs – reclassification of Frank J. Passaniti as full time Veterans Affairs Assistant – Pay grade 7 - \$18.08/hour effective 10/16/17. RMS – Resource Recovery – Gary O. Evans as full time replacement Shipping Clerk – Pay grade 6 - \$17.007239/hour effective 1/28/18. RMS – Business Office – Steven M. Simms as full time replacement Comptroller/Business Manager – Pay grade 13 - \$90,000/annually effective 2/5/18. Information Services – reclassification of Alix N. Hoover as full time Senior Network Engineer – Pay grade 10 - \$48,278.26/annually effective 1/28/18. Domestic Relations – reclassification of Erika N. Young as full time Clerk III – Pay grade 4 - \$13.95/hour effective 1/28/18. Domestic Relations – reclassification of Julie A. Ault as full time Clerk III – Pay grade 4 - \$13.95/hour effective 1/28/18. Pre-Release – Jeffrey A. Horn as full time replacement Resident Supervisor – Pay grade 6 - \$23.83/hour effective 1/28/18.

Mr. McKernan recessed the Commissioners' Meeting at 11:21 a.m.

3.0 SALARY BOARD

3.1 CONVENE SALARY BOARD. Deputy Controller Nicki Collins was present.

3.2 SALARY SCHEDULE UPDATE. A motion by Mr. Mirabito and seconded by Mrs. Collins and passed (4-0), approved the following updates to the 2018 Salary Schedule - Elected officials salaries; Domestic Relations – 2 Clerk III positions salary; Information Services – Senior Network Engineer salary.

3.3 SALARY SCHEDULE UPDATE. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-1, Deputy Controller Collins), approved update to the 2018 Salary Schedule -RMS - Comptroller/Business Manager salary.

3.4 ADJOURN SALARY BOARD. Mr. McKernan adjourned the Salary Board at 11:26 a.m.

Mr. McKernan reconvened the Commissioners' Meeting at 11:36 a.m.

2.9 SELECT VENDOR TO PERFORM REENTRY SERVICES. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-1, Mirabito), selected GEO Reentry Services as vendor to perform Reentry Services.

The following discussion was held prior to the vote:

Mr. McKernan explained the Request for Proposals (RFP) and the two replies received, one from GEO Reentry services and one from Firetree Ltd. He also spoke of the committee that was put together for review of the proposals. He added that in addition to the recommendation of the committee, the commissioners reviewed the documents and drew their own conclusions.

Mr. Mirabito said that the commissioners are in a difficult situation. He feels that the RFP process ran amuck. He said the resulting scoring had problems due to some of the people on the committee having preconceived thoughts. In retrospect he feels the county did not handle the RFP process the best as it could have been handled. The preconceived bias was against Firetree Ltd and based on false assumptions. He said that he was told he should not vote due to a conflict of interest. However the State Ethics Commission says there is no conflict of interest. He has a concern this bias affected the rating.

Mr. Mirabito said that data collection is critical to the success of this type of program. He said he was disappointed that GEO was unable to provide certain data except through 2016. He added that this program is the largest allocation of money from the county, \$700,000 currently. He suggests splitting the award between both vendors, let them compete to see who gets the best results.

Mr. Mirabito also noted that the cost in choosing Firetree Ltd is less.

Mr. McKernan stated that the committee was made up of people who work in this area of responsibility. He relies on their suggestions and they recommended GEO. The commissioners' responsibility is now on the fiscal side (pricing). He said that there was a quick reply of the follow up questions that were sent to GEO. There was never a way to measure the success of the program. Going forward, a definition for "success" needs to be established, that way it can be gauged. The county's prison population is lower, and those empty spaces can be 'rented' to the Federal government creating an inflow of money.

- Mr. Mussare disagreed with Mr. Mirabito that the process went amuck. He feels it was left in the hands of people well educated in the process. He feels that when the RFP was responded to, a best effort must be presented. The committee came to a conclusion. The Commissioners also personally interviewed both vendors. He feels that GEO had better answers to the questions presented to them. The recommendation of GEO came to a point allocation of 175 [GEO] to 112 [Firetree]. That is a substantial margin. He puts the most weight on his own decision. Regarding the pricing structure, Geo was \$100,000 more, but this can be negotiated to be more competitive.
- Mike Wiley clarified that negotiation can occur since it was an RFP and not a bid, in any manner which you want.
- Mr. Mussare said that the county will not go over its \$700,000 budget for Reentry Services. The average daily population is somewhere in the upper 80s to low 90s. Part of the negotiation is that this will cover up to 100 people per day. He reiterated that the county will not go over the \$700,000 that is budgeted.
- Mr. Mussare also commented that he relied on the letters of recommendation he received from program participants. Regardless of which vendor is chosen, the decision is influenced by who the courts will use, although this shouldn't be considered.
- Mr. Mirabito said the process was problematic. There was bias and false assumptions that caused the scoring to not be accurate. They never met with Firetree, only GEO. He realizes there is no legal requirement but feels there needs to be a fair and transparent process and treat both vendors fairly.
- Mr. Mirabito said that the program should be audited by an independent outside party, regardless which vendor is chosen.
- Mr. McKernan said that the Commissioners meet with GEO on a monthly basis.
- Mr. Mirabito said that maybe we would be better putting the money for the program toward a drug treatment program, or using it at the pre release center. The evaluation points criteria only put 10% of the total points toward pricing. He feels this is a grave injustice.
- Mr. McKernan agreed that he wants local vendors to thrive.
- Mr. Mussare mentioned that there is a 30 day termination clause in the proposed contract. He is also concerned with Firetree and the volume of people in the program. He added that GEO will be applying for state parolees. He does not want this to adversely affect Firetree's program that is already in existence.
- Al Boyer said that the Commissioners know what they want and need. Why not have the solicitor prepare a contract and see which vendor can provide it. He is having difficulty understanding why the commissioners are having trouble making a decision. You set the rules.
- Mr. Mussare clarified that the original GEO contract was for \$850,000.
- Chad Riley of Trout Run asked how Firetree is to take the County seriously if they are not re-contacted.

Mr. Mirabito made a motion to draw up a contract with all items that the county wants in a reentry program and present it to both vendors. This motion died for a lack of second.

Mr. Mussare made a motion to approve GEO Reentry to provide reentry services.

Mr. McKernan seconded the motion and the motion passed (2-1, Mirabito).

Mr. Mirabito made a motion to allow both companies to compete and award a contract to both companies. This motion died for lack of second.

Mr. McKernan said that he does not want to change direction at this time.

Mr. Mirabito said we should at least look at what the state does, which is use multiple vendors.

Mr. Mussare said that sounds attractive, but human life is more important.

5.0 REPORTS / INFORMATION ITEMS.

5.1 The Commissioners presented JWD awards to the following Prison staff:

Harry Entz, Michael Romano, Beverly Agnoni, Joseph Peluso, and Joseph DeFrancesco.

Kevin Deparlos detailed the extensive life-saving efforts these individuals put forth that resulted in this recognition.

5.2 The Commissioners presented the following service pins:

10 years

Melissa Kalas District Attorney.

Amy Fry PCD.

Jonathan Foster PRC.

Darla Greiner DPS.

Joe Kyle Maintenance.

20 years

Becky Steppe Prison.

6.0 COMMISSIONER COMMENT. Mr. McKernan opened the floor to commissioner comment and none were received.

7.0 PUBLIC COMMENT. Mr. McKernan opened the floor to public comment and none were received.

8.0 NEXT REGULARLY SCHEDULED MEETING. Mr. McKernan announced the next regularly scheduled meeting as a work session on Tuesday, January 30, 2018.

9.0 ADJOURN COMMISSIONERS' MEETING. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), adjourned the Commissioners' Meeting at 12:35 p.m.