

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*

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**Minutes of the Meeting of  
August 30, 2018  
Board Room, Executive Plaza  
Pine Street, Williamsport**

Commissioner McKernan - Present  
Commissioner Mussare - Present  
Commissioner Mirabito - Absent  
Solicitor Wiley - Present

**1.0 OPERATIONS**

1.1 CONVENE COMMISSIONERS MEETING. Mr. McKernan convened the Commissioners Meeting 10:06 a.m.

1.2 APPROVE THE MINUTES OF THE PREVIOUS MEETINGS. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), 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 ACCOUNTS PAYABLE CASH REQUIREMENT REPORT THROUGH SEPTEMBER 12, 2018, FOR PAYMENT ON SEPTEMBER 5, 2018 A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved.

2.2 AWARD PSA TO R & L DEVELOPMENT A motion by Mr. Mussare and seconded by Mr. McKernan passed (2-0), approved for the Fields 1-4 Existing Final Closure Cap System Removal and Replacement Project in the amount of \$1,595,066.(Jason Yorks)

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June 1, 2018

2.3 APPROVE ANNUAL SOFTWARE LICENSE AND MAINTENANCE WITH EQUIVANT. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved NorthPointe LSI R Software licensing and maintenance in the amount of \$15, 244.33 for the Adult Probation department.

2.4 APPROVE ANNUAL RENEWAL OF PSA WITH AARON BICCHLE, ESQ. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved as conflict attorney in the amount of \$3,333 a month.

2.5 APPROVE PURCHASE OF STRYKER POWER LOAD SYSTEM A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved in the amount \$22,273.38 for the Coroner's Office. The load system will be purchased from the coroner's revenues and will allow one person to load a deceased person in to the vehicle and ensure the safety of our personnel.

2.6 APPROVE HUMAN RESOURCE REPORT. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved through August 30, 2018.

2.7 APPROVE PERSONNEL ACTIONS. A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), approved:  
Courts- Niels Davidson – Full time replacement – Law Clerk – Pay grade 8- \$38,546.49 annually effective 9/4/18.

2.8 APPROVE CHILD WELFARE SERVICES CONTRACTS. A motion by Mr. Mussare and seconded by Mr. McKernan and passed(2-0), approved the submission of the Lycoming County Children and Youth and Juvenile Justice Services Needs Based Plan and Budget request for the fiscal year July 1, 2019 to June 30, 2020 in the amount of \$13,676,638.

2.9 APPROVE CHILD WELFARE SERVICES CONTRACTS. A motion by Mr. McKernan and seconded by Mr. Mussare and passed (2-0) approved child welfare services contracts:

- County of Tioga's Department of Human Services for emergency foster care services at the rate of \$239.19/day for the period July 1, 2017 through June 30, 2018.
- Valley Youth House Committee, Inc. for foster care services at per diems ranging from \$116.93/day to \$246.63/day for the period May 1, 2018 through June 30, 2018.
- Valley Youth House Committee, Inc. for foster care and supervised independent living services at per diems ranging from \$122.85/day to \$251.56/day for period July 1, 2018 through June 30, 2019.

Human Service Development Fund (HSDF) Contracts:

- Approve the following Human Services Development Fund contracts for the period July 1, 2018 to June 30, 2019:

- Confer Home Health Services, LLC for adult homemaker services in the amount of \$20,000.
- Favors Forward for Information and Referral services in the amount of \$3,000.
- American Rescue Workers for emergency shelter services in the amount of \$10,000.
- YWCA, Liberty House for emergency shelter services in the amount of \$10,000.
- Community Alliance for Progressive Positive Action, CAPPA for life skills educational services in the amount of \$16,000.
- Firetree Place for life skills educational services in the amount of \$16,000.
- Jersey Shore Summer Recreation, Inc., for life skills educational services in the amount of \$4,000.
- Project Coffee House for the Montgomery Summer Alive program in the amount of \$2,000.

**Mr. McKernan recessed for an Executive Session at 10:52 a.m.**

- 2.10 APPROVE CASALE AND BONNER LEASE RENEWAL A motion by Mr. Mussare and seconded by Mr. McKernan passed (2-0), to table the action item for more information and to review with Commissioner Mirabito.

**Mr. McKernan reconvened the Commissioners' Meeting at 10:58 a.m.**

- 2.11 ADOPT RESOLUTION 2018-23. A motion by Mr. Mussare and seconded by Mr. McKernan passed (2-0) declaring computer equipment in excess of \$1,000, as surplus.
- 2.12 APPROVE PURCHASE G & G FITNESS A motion by Mr. McKernan and seconded by Mr. McKernan passed (2-0) approved to replace health and fitness equipment for the Pre-Release Center in the amount of \$13,154.15. Pre-Release commissary funds will be used for the purchase. The existing equipment is creating safety hazards.

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

- 5.1 Proclamation of September as Childhood Cancer Awareness Month  
Mr. Mussare was deeply moved by Mrs. Rogers poem and speech on behalf of Childhood Cancer Awareness. Both Commissioners expressed their empathy for the families and their struggles. Ms. Rogers thanked Lycoming County for going Gold for the Kids in September. Commissioners stated they will do all they can to promote Childhood Cancer Awareness all the month of September. See Attached.
- 5.2 Jason Yorks – LCRMS requesting a new bid cycle Recycled Mixed Glass Product.
- 5.3 Mya Toon – RFP for medical services for Lycoming County Prison.

**6.0 COMMISSIONER COMMENT.** Mr. McKernan opened the floor to commissioner comment and no comments were received:

Mr. McKernan thanked Mr. Egly and his staff for their hard work on behalf of families of Lycoming County. Mr. Egly stated that his staff is the reason for their Statewide success, their overall dedication and low turnover rate. Mr. McKernan stated that the Commissioners recognized Sue Croteau for her twenty years of service in a meeting per her request and thanked her for her willingness to postpone her retirement to accommodate the needs of the adult probation department and her coworkers.

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

Mr. Scott Miller stated that \$1.1 billion dollars' worth of royalties were ordered by the Supreme Court twice to be handed over to DCNR. He wants the money turned over to DCNR to be used as it was meant to be, for environmental purposes. He reminded the Commissioners it is their duty to protect his financial interests. He is considering filing a class action suit to have the money returned to DCNR. See attached.

Mr. Todd Lauer: Made several comments throughout the meeting. He inquired if Mr. Bicchle still receives \$3,333 a month, if there is no conflict. Mr. McKernan stated the contract specifies 65 cases a year. Mr. Wiley and Ms. Stahl explained that the cases may run over a month or a year, and that each conflict attorney carries a full load and each contract is the same amount. Mr. Lauer asked why taxpayers were paying for health and fitness equipment for the Pre-Release Center. Commissioners explained the commissary fund is money the inmates save to use as they decide with the warden's approval. The existing equipment is creating safety issues.

**8.0 NEXT REGULARLY SCHEDULED MEETING.** Mr. McKernan announced the next regularly scheduled meeting as a work session on Tuesday, September 4, 2018.

**9.0 ADJOURN COMMISSIONERS' MEETING.** A motion by Mr. Mussare and seconded by Mr. McKernan and passed (2-0), adjourned the Commissioners' Meeting at 11:32 a.m.

In honor of Childhood Cancer Awareness Month: Read by a Mother

## A Pair of Shoes

We are wearing a pair of shoes.

They are ugly shoes.

Uncomfortable shoes.

We hate our shoes.

Each day we wear them, and each day we wish we had another pair.

Some days our shoes hurt so bad that we do not think we can take another step.

Yet, we continue to wear them.

We get funny looks wearing these shoes.

They are looks of sympathy.

We can tell in others eyes that they are glad they are our shoes and not theirs.

They never talk about our shoes.

To learn how awful our shoes are might make them uncomfortable.

To truly understand these shoes you must walk in them.

But, once you put them on, you can never take them off.

We now realize that we are not the only one who wears these shoes.

There are many pairs in the world.

Some people are like us and ache daily as they try and walk in them.

Some have learned how to walk in them so they don't hurt quite so bad.

Some have worn the shoes so long that days will go by before they think about how much they hurt.

No one deserves to wear these shoes.

Yet, because of these shoes we are stronger people.

These shoes have given us the strength to face anything.

They have made us who we are.

We will forever walk in the shoes of a parent of a child diagnosed with cancer.

-Author Unknown

Thank you to the board for going Gold for kids in September.

I am speaking today as the mother of a beautiful, smart, and talented cancer warrior. Last year our 12 year old daughter was diagnosed with Tcell Acute Lymphoblastic Leukemia and our lives changed forever.

In the U.S., 15,780 children under the age of 21 are diagnosed with cancer every year' approximately ¼ of them will not survive the disease. A diagnosis turns the lives of the entire family upside down. The objective of Childhood Cancer Awareness Month is to put a spotlight on the types of cancer that largely affect children, survivorship issues, and –importantly- to help raise funds for research and family support. Childhood cancer is the #1 disease-related cause of death for children in the United States and many other counties. For those who survive, two-thirds will also endure chronic health conditions from the toxic side effects of cancer treatment, including secondary cancers and other life-threatening illnesses. For many children diagnosed with childhood cancer, the prognosis now is significantly better than it was only 40 years ago; in fact, more than 80% of children with cancer will now survive five years and even longer, as compared to a five-year survival rate of only 58% in the mid-1970s. Yet for the children who are struggling to be one of those 80%, the road is always difficult, often painful, and never straight and narrow. Luckily, these children don't have to travel the road to survival by themselves. For as strong and as courageous as these children are, they are surrounded by living, dedicated individuals who every day find the strength, wisdom, and commitment to help cancer's youngest warriors on their journey, wherever it may lead. These individuals play a critical role in making the lives of children and families impacted by this terrible disease just a little bit easier.

Only 4% of the national cancer research funding is dedicated to pediatric cancer. Kids are our future and aren't they worth more than 4%? To date the cause of our daughter's T-cell ALL is unknown. Thankfully there is a course of treatment that gives her a good prognosis; however that course of treatment will run from

August 3, 2017 to December of 2019 because they do not know the cause. This long treatment gives her the best possible change of non-reoccurrence. What can you do? Talk about it, choose a pediatric cancer organization on Amazon Smile, or donate some other way to aide in funding pediatric cancer research or improve the quality of life of a child. And their family, while they fight this beast.

American Childhood Cancer Organization

Friends of Jaclyn

Alex's Lemonade Stand

St. Baldricks Foundation

Team Campbell Foundation

Think Big Pediatric Cancer Fund

K's for Cancer

Paternastro Family Foundation

*Krista B. Rogers*

*Lycoming County Controller*



## Environmental group warns PA to protect forests **DONATE** sued

Foundation challenges plans that permit natural gas fracking on state land

Donna Morelli | July 16, 2018



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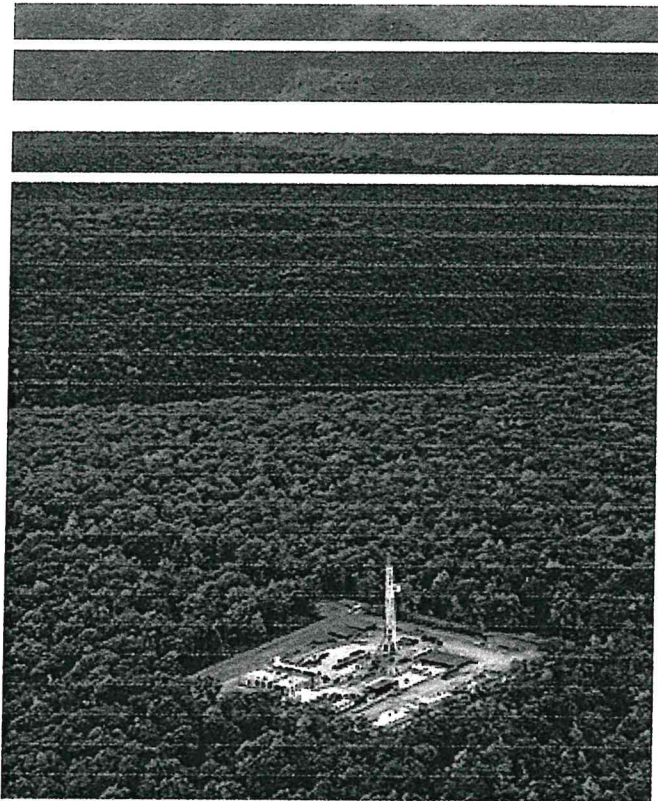


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An environmental organization that put the teeth in Pennsylvania's Environmental Rights Amendment is turning its sights on the state agency that manages 2.2 million acres of public forestland.

A lawyer for the Pennsylvania Environmental Defense Foundation sent an "intent to sue" letter to the Department of Conservation and Natural Resources in early June. The letter states that the foundation will take court action if the agency continues with its process of updating local plans under the current 2016 statewide forest management plan.

John Childe, the attorney representing the activist organization, said in the letter that the 2016 plan first must be revised because **it fails to uphold the state's Environmental Rights Amendment in its handling of natural gas extraction in state forests.**



*A hydraulic fracturing rig is set deep in the Loyalsock State Forest in Pennsylvania's Endless Mountains region. An environmental group is asking for a revision of the state's forest management plan to reflect*



the state. To date, the DCNR has issued three shale gas leases on a total of 138,866 acres.

The 2016 state forest management plan states that “the economic use and sound extraction and utilization of geologic resources is part of the bureau’s mission.” The foundation contests this.

“Nothing in the plain language” of the Environmental Rights Amendment, Childe wrote in his letter, allows for the sale of public natural resources for economic use or benefit, the use of proceeds from the sale of natural resources for DCNR operational expenses, or “balancing” the economic gains of gas extraction with the long-term ecological health of state forests. If a conflict exists between the agency’s mission and constitutional law, Childe argues, the law must win.

Among other requests, the foundation is asking the DCNR to add to the forest management plan an inventory of existing and anticipated degradation of natural resources caused by gas drilling and explain how those impacts can be prevented and repaired.

A DCNR spokesperson said the agency will publish an update to its 2014 Shale-Gas Monitoring Report in early summer and that it will include information similar to what the foundation has requested.

The foundation has a history of challenging the state’s handling of gas extraction and won a landmark 2017 decision from the Supreme Court of Pennsylvania, which found that, based on the Environmental Rights Amendment, the use of state revenue from oil and gas extraction to support anything but natural resource conservation is unconstitutional.

The decision also gave unprecedented strength to the amendment by invalidating a prior requirement to consider the economic value of a contested project against the conservation value of natural resources.

State Supreme Court Justice Christine Donohue wrote the majority opinion, in which she stated, “The Commonwealth (including the Governor and General Assembly) may not approach our public natural resources as a proprietor, and instead must at all times fulfill its role as a trustee.”