

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

COUNTY of LYCOMING  
48 WEST THIRD STREET  
WILLIAMSPORT, PA 17701

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

**Minutes of the Meeting of  
December 20, 2018, 2018  
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 10:07 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 AWARD BREAD PRODUCT CONTRACTS. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0) approved on an as needed basis to Bimbo Bakeries, Inc.

2.2 APPROVE PERSONNEL ACTIONS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.  
Public Defender – Vicki M. Edkin- as full time replacement promotion  
Administrative Specialist – Pay grade 6 -\$16.93/hour effective 12/30/18.

2.3 APPROVE ANNUAL RENEWAL OF 2019 DOMINION VOTING SYSTEMS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved software licensing and hardware maintenance agreement in the

amount of \$19,875. Forrest Lehman stated that Counties must have new voting systems in place prior to the 2020 Presidential Election. Most Counties will have their systems by the Nov 2019 elections with the goals of getting everything right and in place before the 2020 primary.

2.4 APPROVE AMENDMENT TO AGREEMENT WITH KELLER PARTNERS AND COMPANY. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

2.5 APPROVE CONTRACT WITH PA VENDING EXPRESS. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved for vending services.

2.6 APPROVE DESIGNATION OF AGENT RESOLUTION. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved to designate Mya Toon to submit expenditures on behalf of the County.

2.5 APPROVE BOARD REAPPOINTMENTS FOR LYCOMING COUNTY WATER AND SEWER AUTHORITY. A motion by Mr. Mussare and seconded by Mr. Mirabito and passed (3-0), approved.

Jim Carpenter – resident of Woodward Township

John Gramling – resident of Beaver Lake

2.6 APPROVE BOARD REAPPOINTMENT FOR THE WILLIAMSPORT MUNICIPAL AIRPORT AUTHORITY. A motion by Mr. Mirabito and seconded by Mr. Mussare and passed (3-0), approved.

Frank G. Pellegrino

2.7 APPROVE CONSIDERATION OF OPIOID LITIGATION REPRESENTATION. A motion by Mr. McKernan and seconded by Mr. Mirabito and passed (3-0), approved the motion to enter into a fee agreement with Patrone and Patrone to represent the County opioid-related litigation, conditioned on reaching an agreement on final terms of the representation that are acceptable to the Commissioners.

#### Discussion

Mr. McKernan – Federal trials have already begun. If we are going to be a part of the lawsuit, we need to make a decision and leave it to the legal professionals. We have spoken with several firms. I recommend that the County files in Federal Court. I ask my colleagues to weigh in.

Mr. Mirabito – Bids were rejected so that we could ethically speak to other firms, One of them, Weisbrod, Matteis & Copley, is a boutique firm specializing in complex litigation and collecting judgements. Collecting judgements is challenging and this firm has experience finding overseas assets and holdings. There is a depth to the law firm I appreciate.

Mr. Mussare – It is very important to file the lawsuit in the State Courts who better knows our unique challenges and what our community has endured. Our county has unique damages other Counties don't have. Centrally located, easy access to major highways and being able to obtain drugs at a premium price; drug dealing is major problem in our County. We have missed deadlines. I would like to get a decision made so we don't miss anymore deadlines. I believe we should go with Scott & Scott and file in State Court. This firm can work together with McCormick Law firm.

There was discussion about possible conflicts of interest with both firms Weisbrod, Matteis & Copley and Scott & Scott. Also discussed was the County's ability to file in both State and Federal courts.

Mr. McKernan stated that in 2017 Pennsylvania has the highest amount of overdose deaths with 5400 residents dying. Pennsylvania's opioid overdose rate is double the National Avg.

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

5.1 Eagle Scout Recognition – James Brokaw- Stealey

5.2 Mya Toon - Prison is requesting rebid for Correctional Officer Uniforms. No bidders on the first round.

5.3 Mya Toon - Reject all Medical Director bids.

Mr. McKernan stated only one bid was received and the numbers were high. A second bidder did not reply. All bids for Medical Director have been rejected. Added 1/31/19 TA

**6.0 COMMISSIONER COMMENT.** Mr. McKernan opened the floor to commissioner comment and the following were received:

Commissioner Mussare on behalf of the County. Welcomed Eileen Ebner's family, David and Betty Von Needa to the meeting.

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

Larry Stout – stated for 3 years, he has written a weekly column for the Webb Weekly from his vantage point on the Commissioners and Lycoming County Government. Adding his dry humor and a little color, he has had the privilege and pleasure to get to know the department heads, Commissioners and relay to the public his findings. He knows with certainty that all the Commissioners do their best for the County and he deeply respects the complexities, dedication, integrity and commitment he has witnessed in the public meetings.

**8.0 NEXT REGULARLY SCHEDULED MEETING.** Mr. McKernan announced the next public meeting will be on Thursday, January 3, 2019. Elected Official wage

increase will be on Thursday, December 27, 2018 at 6:00 p.m. in the 1<sup>st</sup> Floor Commissioners Briefing room of the Executive Plaza.

**9.0 ADJOURN COMMISSIONERS' MEETING.** Mr. McKernan adjourned the Commissioners' meeting.