

FEBRUARY 28, 2019

MR. CHAIRMAN,

PLEASE INCLUDE THESE REMARKS IN THE MEETING MINUTES FOR FEBRUARY 28, 2019, REGARDING WHY I VOTED NO ON THE APPOINTMENT OF MR. JOHN STAHL TO THE POSITION OF DEPUTY ADULT PROBATION OFFICER.

LET ME BEGIN BY STATING THAT I RECOGNIZE THAT THE COURTS ARE AN INDEPENDENT BRANCH OF GOVERNMENT. THE COURTS ARE LEGALLY ENTITLED TO HIRE WHOMEVER THEY WANT TO HIRE.

I HOPE THAT THE COURTS RECOGNIZE THAT WE ARE AN INDEPENDENT BRANCH OF GOVERNMENT, TOO. WE CAN CHOOSE TO FUND OR NOT FUND POSITIONS. AND WE SHOULD STAND UP FOR WHAT WE BELIEVE IS NECESSARY TO ACHIEVE A BALANCED BUDGET.

THE ISSUE OF WHETHER TO REPLACE OPENING FOR THE DEPUTY CHIEF ADULT PROBATION OFFICER HAS BEEN DISCUSSED BY THE COURTS AND THE COMMISSIONERS. UNFORTUNATELY, YESTERDAY AT 10:00 A.M. A LAST MINUTE MEETING WAS SCHEDULED FOR 10:30 A.M. TO DISCUSS THIS ISSUE WITH THE JUDGES. I HAD TWO PREVIOUSLY SCHEDULED MEETINGS AND WAS UNABLE TO ATTEND.

I UNDERSTAND THAT THE STATE REQUIRES THAT WE FILL THIS POSITION WITHIN 90 DAYS FROM MR. METZGER'S DEPARTURE OR RISK LOSING THE 27% FUNDING THAT THE STATE PROVIDES FOR THIS POSITION.

I HAVE SEVERAL CONCERNS ABOUT REPLACING THIS POSITION.

FIRST, THE BUDGET DEFICIT CONTINUES TO BE AN ISSUE THAT WE MUST CONFRONT. I AM CONCERNED THAT THROUGHOUT THE COUNTY WE HAVE A LARGE NUMBER OF POSITIONS WITH TITLES SUCH AS "DEPUTY CHIEF" OR "DEPUTY DIRECTOR".

I AM NOT SUGGESTING WE REMOVE ANYONE IN THOSE POSITIONS NOW.

WHAT I HAVE ADVOCATED IS THAT AS POSITIONS OPEN, THE COMMISSIONERS EXAMINE WHETHER THOSE POSITIONS COULD BE FILLED WITH A SUPERVISORY TITLE AT A LOWER PAY GRADE. IF WE DO THIS, WE WILL REDUCE OUR PAYROLL BY REDUCING OUR OVERHEAD COSTS --- ESPECIALLY OUR PENSION COSTS.

SINCE WE ARE ONLY RECEIVING 27% REIMBURSEMENT FROM THE STATE FOR THESE POSITIONS, IT IS IN OUR INTEREST TO FIND WAYS TO REDUCE OUR APO COSTS.

THE EARLY INTERVENTION REPORT CONFIRMS THIS APPROACH AND SUGGESTS THAT WE CONSOLIDATE THE CHIEFS FOR THE ADULT PROBATION OFFICE AND THE JUVENILE PROBATION OFFICE. OBVIOUSLY WE ARE NOT IN A POSITION TO DO THAT NOW BECAUSE NEITHER OF THOSE POSITIONS IS UP FOR REPLACEMENT.

BUT THE APPROACH IS NOTEWORTHY: REDUCE PAYROLL COSTS BY REDUCING THE NUMBER OF HIGHER LEVEL ADMINISTRATIVE POSITIONS. YOU CAN SCAN THE HEADLINES AND SEE PRIVATE SECTOR COMPANIES SUCH AS GENERAL MOTORS TAKING THIS VERY APPROACH.

UNFORTUNATELY, I DO NOT BELIEVE THAT THIS OPTION WAS EXAMINED THOROUGHLY.

SECOND, I DO NOT BELIEVE THAT THE PROCESS OF FILLING THIS POSITION WAS PROPER. OVER A MONTH AGO OUR HUMAN RESOURCE DEPARTMENT, AT THE DIRECTION OF THE COMMISSIONERS, REQUESTED INFORMATION AS TO HOW THE COURTS WOULD SAVE MONEY IN OTHER WAYS, IF WE FILLED THIS POSITION.

WE ASKED FOR A RESPONSE IN WRITING. THE HUMAN RESOURCE DEPARTMENT NEVER RECEIVED A RESPONSE. INSTEAD, JUDGES BEGAN BACK CHANNEL CALLS AND EMAILS TO COMMISSIONERS TO LOBBY FOR THE POSITION.

THIS APPROACH DOES NOT SERVE THE PUBLIC OR THE COMMISSIONERS IN REDUCING OUR BUDGET DEFICIT.

WE STILL HAVE NOT RECEIVED A WRITTEN DESCRIPTION OF HOW THE COURTS WILL REDUCE THEIR COSTS.

THIRD, THERE ARE OTHER IMPORTANT ISSUES THAT WE MUST EXAMINE IN THIS APPOINTMENT. MR. STAHL IS BEING HIRED INTO IN A DEPUTY DIRECTOR POSITION; HIS WIFE, ADRIANNE STAHL, IS THE COURT ADMINISTRATOR.

AMONG THE FOLLOWING SEVEN TOP LEVEL COURT EMPLOYEES --- JUDGE BUTTS, JUDGE LOVECCHIO, JUDGE MCCOY, COURT ADMINISTRATOR ADRIANNE STAHL, DIRECTOR OF COURT SERVICES JEN MCCONNELL, CHIEF ADULT PROBATION OFFICER ED MCCOY, AND DEPUTY CHIEF ADULT PROBATION OFFICER JOHN STAHL --- FOUR ARE RELATED BY MARRIAGE.

NEPOTISM IS DEFINED IN THE DICTIONARY AS "THE PRACTICE AMONG THOSE WITH POWER OR INFLUENCE OF FAVORING RELATIVES OR FRIENDS, ESPECIALLY BY GIVING THEM JOBS."

WHILE I DO NOT KNOW WHETHER THIS PRACTICE OCCURRED HERE, THE APPEARANCE OF IMPROPRIETY AS PERCEIVED BY THE GENERAL PUBLIC AND OTHER EMPLOYEES IS TROUBLESOME.

THE FACT THAT JOHN STAHL IS NOT DIRECTLY SUPERVISED BY HIS WIFE IS NOT THE ISSUE OR THAT JUDGE MCCOY IS THE ADMINISTRATIVE JUDGE FOR ADULT PROBATION IS NOT THE ISSUE.

THE ISSUE IS THE APPEARANCE OF IMPROPRIETY.

FOR ALL OF THE ABOVE REASON, I AM A NO VOTE ON THE REPLACEMENT OF MR. STAHL IN THIS POSITON.

THANK YOU.

02-28-2019

Commissioner Mussare's comments at the Commissioners public meeting

On December 13, 2018 Lycoming County approved a budget of \$103,456,805 by a 2 to 1 vote. The minority commissioner dissented because of a few items he opposed in the budget and the majority commissioners made the tough decision and memorialize the living document.

Our budget is broken down by departments and the courts are certainly one of the largest. Their financial request was approved by the two majority commissioners and beyond that we ask them to please stay within that budget.

Because of the separation of powers in government we do not control who they hire once the budget is passed. However, we continually throughout the year, ask our judges and court administrators to find ways to save the taxpayers money and improve on their deficiencies.

On many occasions I've witnessed examples of how our judges strive to meet our request to save money by allowing early releases of non-violent offenders who have medical issues that would otherwise cost the taxpayer's tens of thousands of dollars. While observing Judge Lovecchio in his court room, I witnessed how he sentenced non-violent offenders to home monitoring by the use of ankle bracelets instead of sending them to an out of county prison which cost our taxpayers up to \$75.00 per day.

In closing, I am confident in the courts decision making process and how they navigate their ship. They have shown me by action they are managing their budget to the best of their ability to meet the request of the commissioners and to keep the public safe from offenders who need incarcerated.