

Commissioners:

SCOTT L. METZGER  
*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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COUNTY of LYCOMING  
48 WEST THIRD STREET  
WILLIAMSPORT, PA 17701

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**LYCOMING COUNTY BOARD OF COMMISSIONERS  
PUBLIC MEETING MINUTES  
THURSDAY, NOVEMBER 17, 2022  
10:00 A.M.**

**Present: Commissioner Metzger, Commissioner Mussare (via telephone), Commissioner Mirabito, Director Matthew McDermott, and Solicitor J. David Smith (via telephone).**

- \*3.2 Kalen Barnes – Presented for your ratification are invoices due through 11/23/2022 that were paid on 11/17/2022 in the amount of \$1,000,000
- \*\*9.12 move to 9.5\*\* Forrest Lehman – Vote to approve Polling Place Pay Schedule (2022/2023 budgeted item).

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

**1.0 OPERATIONS**

- 1.1 Opening Prayer
- 1.2 Pledge of Allegiance
- 1.3 Convene Commissioners' Public Meeting
- 1.4 Approve the Minutes of the Previous Meeting

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

- 1.5 Public Comment on Agenda Items Only
- 1.6 Proclamation – Infant Safe Sleep Month  
*Presentation Kathryn Nickles Coroners Office*

**2.0 BID OPENINGS**

- 2.1 Krista Rogers – (presented by Nicki Gottschall) Open the following bid:
  - Emergency Watershed Protection Project
  - Flood Plain Housing Remediation Project located at 251 Jordan Avenue in Montoursville Borough, Lycoming County
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Flood Plain Housing Remediation Project located at 251 Jordan Avenue in Montoursville Borough, Lycoming County		
Company Name	Submitted Amount	Date Submitted
Elijah LLC	\$78,000.00	11/11/2022 1:26pm

Emergency Watershed Protection Project		
Company Name	Submitted Amount	Date Submitted
Sylvania Site Co.	\$540,300.00	11/11/2022 3:57 PM
Glenn O. Hawbaker	\$1,523,000.00	11/11/2022 8:48 AM
RHL Companies, Inc.	\$545,841.74	11/11/2022 11:04 AM
H and P Construction Inc.	\$687,832.00	11/10/2022 4:45 PM
Earthwork Services LLC	\$438,097.88	11/10/2022 2:45 PM
Daren Thompson Excavating	\$478,900.00	11/11/2022 4:54 PM

### 3.0 REPORTS

3.1 Kalen Barnes – Presented for your ratification are invoices due through 11/23/2022 that were paid on 11/17/2022 in the amount of \$1,664,220.84

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

\*3.2 Kalen Barnes – Presented for your ratification are invoices due through 11/09/2022 that were paid on 11/10/2022 in the amount of \$1,000,000

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

### 4.0 PERSONNEL ACTIONS

4.1 Jessica Segraves – Approve the following Personnel Actions as conditional offers of employment, subject to the successful completion of a background check and all other employment conditions:

- Pre-Release Center – John Bliss, Resident Supervisor I, Full-Time Replacement, \$17.18 per hour, 80 hours per Pay Period, Anticipated Start Date: 11/28/2022.

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

#### *Recess Commissioners' Public Meeting for the Salary Board*

### 5.0 SALARY BOARD

5.1 Convene Salary Board.

5.2 Jessica Segraves –Vote to approve the following salary board actions:

- Prison – Ryan Barnes, Deputy Warden Operations and Security, 10% adjustment, resolved error in pay calculation.

**Mr. Mirabito moved to approve. Ms. Gottschall 2nd the motion. Approved 3-0**

5.3 Adjourn Salary Board.

#### *Reconvene Commissioners' Public Meeting*

**6.0 INFORMATION ITEMS**

- 6.1 Mya Toon – (presented by Matthew McDermott) Acknowledge the County will be requesting bids for bread products (2023 budgeted item).
- 6.2 Jason Yorks – (via telephone) Acknowledge the County will be requesting bids for the Landfill SCADA System (closure funded).
- 6.3 Jason Yorks – (via telephone) Acknowledge the County will be requesting bids for the Landfill Site Utilities Modification (closure funded).
- 6.4 Chris Strand – White Deer Golf Course update

*Recess Commissioners’ Public Meeting for the Board of Assessment Revisions*

**7.0 BOARD OF ASSESSMENT REVISIONS**

- 7.1 Convene Board of Assessment Revisions.
- 7.2 Brooke Wright – Approve the following real estate tax refund:
  - 63-002-800 – Kohl’s Department Stores - \$2,423.51

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

- 7.3 Adjourn Board of Assessment Revisions.

*Recess Board of Assessment Revisions for the Community Development Block Grant Public Hearing*

**8.0 CDBG PUBLIC BUDGET MODIFICATION HEARING FOR FFY 2020-CV COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

- 8.1 Convene Public Hearing
- 8.2 Jamie Shrawder – (presented by Nathan Carter) Review proposed FFY 2020-CV Budget Modification
- 8.3 Public Comment
- 8.4 Adjourn Public Hearing

**None**

*Reconvene Commissioners’ Public Meeting*

**9.0 ACTION ITEMS**

- 9.1 Jamie Shrawder – (presented by Nathan Carter) Vote to approve Budget Revision Certification (2020 CDBG funded).

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

- 9.2 Jamie Shrawder – (presented by Nathan Carter) Vote to approve Budget Modification Certification (2020 CDBG-CV funded).
- 9.3 Jamie Shrawder – (presented by Nathan Carter) Vote to approve Budget Revision Certification (2018 CDBG funded).

9.4 Jamie Shrawder – (presented by Nathan Carter)Vote to approve Amendment #2 to Professional and Administrative Services Agreement (2019 CDBG funded).

**Mr. Mirabito moved to approve 9.2, 9.3 and 9.4. Mr. Mussare 2nd the motion. Approved 3-0**

*\*\*9.12* Forrest Lehman – Vote to approve Polling Place Pay Schedule (2022/2023 budgeted item).

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

9.5 Jessica Segraves – (presented by Matthew McDermott) Vote to approve 2023 health benefits policy renewal with Trustmark Health Benefits, Inc. (2023 budgeted item).

9.6 Jessica Segraves – (presented by Matthew McDermott)Vote to approve 2023 administrative renewal services and fees with Trustmark Health Benefits, Inc. (2023 budgeted item).

**Mr. Mirabito moved to approve 9.5-9.6. Mr. Mussare 2nd the motion. Approved 3-0**

9.7 Matthew McDermott – Vote to approve Resolution 2022-23 to Implement Act 57 of 2022 Property Tax Penalty Waiver Provisions.

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

9.8 Mya Toon – (presented by Matthew McDermott)Vote to approve Redevelopment Assistance Capital Program (RACP) funding grant award for the Old City Williamsport Mixed-Use Development project in Lycoming County.

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

9.9 Mya Toon – (presented by Matthew McDermott)Vote to approve Amendment to Agreement with Xtreme Golf Management (2023 budgeted item).

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

9.10 Mya Toon – (presented by Matthew McDermott)Vote to approve Resolution 2022-24 for emergency temporary contract for specialized cleaning services of the Health and Wellness Center.

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

9.11 Nancy Ackley – (via telephone) Vote to approve Agreement with Cornell Abraxas Group, LLC. (2022/2023 budgeted item).

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

*(\*\*9.12 moved see above)*

9.13 Jason Yorks – Vote to approve Amendment to Consent Order and Agreement with the Department of Environmental Protection.

**Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0**

## 10.0 COMMISSIONER COMMENT

**Mr. Mirabito: Commented on smaller haulers facing increases at the LCRMS – will revisit after conversation with Jason Yorks.**

**Mr. Mussare wishes all a Happy Thanksgiving**

**Mr. Metzger noted a special meeting for Budget Review and Public Comment will be on Tuesday, November 22, 2022 and no meeting on Thursday, November 24, 2022**

## 11.0 GENERAL PUBLIC COMMENT

Speakers who wish to address the Board of Commissioners will be limited for no more than three (3) minutes on any particular item. The speaker must state his/her name and address for the record. Any deviation from this rule must be approved by the Board Chairman.

**Tom Schaech/Muncy Township:** (see attachment regarding Mall Project)

**Gary Jones / Muncy Township:** (see attachment regarding Mall Project)

**Thomas Adams / Williamsport:** Topics: Global Climate Change/ Vaccination Design Depopulation

**YouTube Public Comment:**

M

11:20 AMM C-GThe suggestion that voters who are not able to physically access a voting location should be compelled to use mail in ballots when that method is being questioned should probably be re-examined.

## 12.0 NEXT SCHEDULED MEETING

The next Commissioners Public Meeting will be held on Thursday, December 1, 2022, at 10:00 A.M. in the Commissioner's Board Room, 1st Floor, Executive Plaza, 330 Pine Street, Williamsport, PA 17701.

To view this Commissioners Public Meeting please follow the link below:

<https://www.youtube.com/watch?v=5eclD8FzD9U>



**PROCLAMATION**

**INFANT SAFE SLEEP MONTH—NOVEMBER 2022**

WHEREAS, the safety of children in Lycoming County is of the utmost importance; and

WHEREAS, thousands of infants in the United States die each year due to placement in an unsafe sleeping environment. Infant fatalities caused by unsafe sleeping environments are entirely preventable; and

WHEREAS, the safest sleeping environment for infants is alone in an empty crib while lying on their backs with a tightly fitted sheet, as well as warm, comfortable sleepwear; and

WHEREAS, The National Institute of Child Health and Human Development provides family members and childcare providers with access to resources about creating safe sleeping environments for infants on their website; and

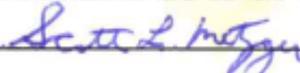
NOW THEREFORE, We the Commissioners of Lycoming County hereby proclaim the month of November 2022 as

★ ★ **INFANT SAFE SLEEP MONTH** ★ ★

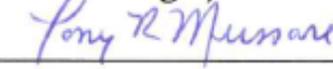
and encourage the community to spread awareness of how to create a safe sleeping environment for all infants and young children throughout the county.

IN WITNESS WHEREOF, we have set our hand and seal on this 17<sup>th</sup> day of November 2022.

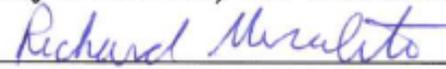
LYCOMING COUNTY COMMISSIONERS

  
\_\_\_\_\_

Scott L. Metzger, Chairman

  
\_\_\_\_\_

Tony R. Mussare, Vice Chairman

  
\_\_\_\_\_

Richard Mirabito, Secretary



Tracy

**From:** Tom Schaech <[antiphunter@comcast.net](mailto:antiphunter@comcast.net)>  
**Date:** November 16, 2022 at 20:48:21 EST  
**To:**  
**Subject:** Lycoming Mall Redevelopment

FYI:

I will be reading this into the record at the Commissioner's meeting on Thursday, 17 November. I also plan on providing a copy to the Sun Gazette.

Tom

Gentlemen:

Having provided you an email over a week ago relative to the proposed sale and redevelopment of the Lycoming Mall, I wish to add some items for discussion. I am under no illusion that these have been considered previously; but for the sake of entering them into public record I will enumerate them here.

The "Ring Road" that encircles this property is in deplorable condition. Failing storm drains and crumbling asphalt are only what one can see. It is my understanding that discussions have ensued to investigate a PENNDOT grant to rehabilitate this road. To what end? Certainly the Township cannot be expected to assume ownership and resultant maintenance/ upkeep? I am quite certain that the State has no interest in this roadway.

In this meeting last Thursday comments were proffered regarding a "mixed use" environment; to include the possibility of senior/empty nester housing. As I addressed to you in my previous letter, this entire County, with one exception, is experiencing a critical shortage of emergency service resources. Research bears out that senior housing places a higher demand on services, particularly emergency medical. The east end of this County currently relies on ONE staffed EMS transport unit 12 hours a day, seven days a week, for coverage. Honestly, it's a crap shoot if more than one EMS call occurs in the area and the paid unit is committed to that first call. How will that be covered? I feel I know the answer—you defer to the municipal government, as the second class township code states that it is THEIR responsibility for that service delivery. I assure you that no municipality can bear the cost alone of providing reliable staffing and apparatus to answer the assured demand. Throwing money at the issue does not and will never fix the root problem!

I have heard the arguments before—"build it and they will come". Well, one has to look no further than my own township and how it has fared on large development projects, with respect to tax revenue versus demand on services. Significant refunds of tax dollars had to be provided to the current Mall owner after litigation over the assessment—TWICE. Families United Network also enjoys a not for profit status on most of their campus along John Brady Drive—but to be fair, they have, in the past, provided a small contribution to the Township. I am aware of yet another project that was hailed as a win for the County and municipality, in the form of "over-55" residences, and they, too, jumped on the assessment appeal bandwagon. At the end of the day, all these entities demand and expect emergency services—and who ultimately foots the bill? Resident taxpayers and for profit businesses, who are now being squeezed from every possible direction. I speak for those who eek out an existence on meager pensions or Social Security—they don't see a corresponding increase on their monthly incomes, yet when taxes are raised—AND THEY WILL—they will be the ones footing the bill.

Jobs??? Most jobs "created" by these proposals will be transitory in nature—mainly construction as modifications/additions to the existing structures occur. Sure, there will be some remaining positions, but not nearly enough to bolster local coffers. What guarantees are provided the taxpayer—who gets ZERO RELIEF—that assessment appeals are fended off in the future? And if what I'm hearing is correct—the County offering a LOAN to a private entity—to me and to others I have discussed this with, sets a dangerous precedent.

I am and have been a proponent of responsible development, particularly in the arena of re-use and redevelopment. However, in my opinion, the cart is being placed well ahead of the horse. Just as a developer cannot simply place a building on a parcel of land without an approved plan, it is just as critical to work any proposal with respect to the public infrastructure status and future needs prior to any final decision. The taxpayers who have been and continue to write the checks should expect—and demand—nothing less.

Good Morning Commissioners

I am Gary Jones, Spring Farm Trust, 2394 Route 220 Highway, Pennsdale, PA and a resident of Muncy Township.

I am encouraged that there may be a group that would have the vision for a reshaping of the Lycoming Mall.

Over the past few years I have spoken with several professionals and friends in property management about the idea of a housing project at the Lycoming Mall. The general opinion has been that it would be too costly and that type of project would be more affordable building on a undeveloped site.

Although the negotiated price is probably only slightly more than a 135 acre parcel would cost in a highly visible commercial location. The additional cost of demolition would be a deterring factor.

I could not find out any information about Farmvest LLC, which lead me to believe that this entity has been established specifically for this project. If so, the county should inquire if any part of the 5 million dollar capital infusion by Farmvest comes from venture capital investors?

I assume that the present mall owners, Kohan Retail Investment Group, is pushing for a December 2022 closing in order to use the unadjusted 11 million dollar loss to offset gains they realized on the sale of other properties during 2022. Unfortunately, the deadline negotiated has put pressure on everyone to make decisions prior to completion of necessary and very common review process.

I was very surprised to hear that the county obviously has over 5 million dollars in their act 13 fund. Logic would be that funds would have been awarded in the form of grants over the years and only a minimal amount would be available, I fear this investment would begrudge local taxpayers access to their request for needed capital from the act 13 funds.

If the 5 million from Farmvest, 5 million from bank and 5 million from act 13 funds are used to purchase the land and existing buildings it would be necessary to align with other investors or businesses to fund the refurbishing and construction.

Our Township and School District has been severally penalized by the successful tax abatement handed down by the court. Unlike the State and County that have a larger base to absorb tax paybacks, small budget communities like Muncy Township feels the bite with increased local taxes by homeowners and Businesses alike. We can't absorb we must adjust tax bills...upwards. I realized a completed refurbished Lycoming Mall would ultimately realize the Muncy Township and School District more income in the form of property taxes and perhaps additional Earned Income taxes. We are presently blind to the details of the project and without assured approvals of any zoning variance necessary and planning commission approvals we could end up with a vacated property and the bank and the county would be landlords of an empty mall.