

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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**LYCOMING COUNTY BOARD OF COMMISSIONERS
PUBLIC MEETING MINUTES
THURSDAY, FEBRUARY 2, 2023
10:00 A.M.**

Present: Commissioner Metzger, Commissioner Mussare Commissioner Mirabito, Director Matthew McDermott, and Solicitor Michael Wiley.

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

None

2.0 REPORTS

- 2.1 Kalen Barnes – Vote to ratify accounts payable cash requirement report through February 8, 2023 to be paid on February 2, 2023 in the amount of \$1,791,709.57

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

3.0 PERSONNEL ACTIONS

- 3.1 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 as outlined in Attachment (A).

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

Recess Commissioners' Public Meeting for the Salary Board

4.0 SALARY BOARD

- 4.1 Convene Salary Board.

- 4.2 Jessica Segraves –Vote to approve the following salary board actions as outlined in Attachment (B).

Ms. Gottschall moved to approve. Mr. Mussare 2nd the motion. Approved 4-0.

- 4.3 Adjourn Salary Board.

Reconvene Commissioners' Public Meeting

5.0 TDA ACTIONS

- 5.1** Jessica Segraves – Approve the following TDA actions as outlined in Attachment (C).

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

6.0 INFORMATION ITEMS

- 6.1** Mya Toon – Acknowledge the County will be requesting bids for the purchase of grave flags for Veterans Affairs Office (2023 budgeted item).

7.0 ACTION ITEMS

- 7.1** Mya Toon – Vote to approve 2020 Flood Mitigation Assistance Grant Program Agreement (2023 budgeted item).

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

- 7.2** Mya Toon – Vote to approve Private Title IV-D Attorney Agreement with Patricia Shipman, Esq. (2023 budgeted item).

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

- 7.3** Beth Baylor – (via telephone) Vote to approve Third Amendment to Agreement with PennCore Consulting, LLC. (2023 budgeted item).
Mr. Mirabito moved to approve. Mr. Mussare 2nd the motion. Approved 3-0

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

- 7.4** Jason Yorks – Vote to approve and award bid to R&L Development for the Site Utilities Project at the Landfill (RMS closure funds).

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

- 7.5** Jason Yorks – Vote to approve and award bid to Martz Technologies for the SCADA System Project at the Landfill (RMS closure funds).

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

8.0 COMMISSIONER COMMENT

Mr. Metzger: Read from his Media Release (See Media Release Attached)

Mr. Mirabito responded to Commissioner Metzger's statements regarding the filing of an appeal in response to the court's decision. Commissioner Mirabito advocated to file the appeal in order to get an interpretation of the law. He stated several reasons supporting his position to continue with the appeal which include the need for a checks and balance system within the county financial offices, the ability for the Commissioners to do their job to watch over the taxpayer's money and an interpretation and clarification for future Commissioners

and Controllers. Commissioner Mirabito also expressed his opinion that he feels that it is in the best interest of the constituents to get a final ruling from the appellate court. He discussed the cost of the appeals versus the original court filing. Commissioner Mirabito stressed that he respects the position of the Controller, her job duties and would continue to work toward a resolution. Commissioner Mirabito also provided hypothetical examples of situations that could arise if no legal interpretation is given.

Mr. Mussare stated the need to provide a service that is fluid between offices as well as future elected officials. He suggests to continue working toward that end goal by continuing to negotiate and trying to come to a mutual agreement between both parties before determining whether or not to proceed with the appeal.

Mr. Metzger indicated that he is ready to move forward on developing a permanent place for the Coroner's office. He envisions buying property and building the office to suit the needs of the Coroner.

9.0 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.

None

YouTube Public Comment:

T

10:30 AM [Thomas Adams](#) I think the Controller is wrong and she should stop wasting our money! Welcome to live chat! Remember to guard your privacy and abide by our community guidelines.

[LEARN MORE](#)

T

10:33 AM [Thomas Adams](#) I also think the judge is wrong and is taking the law out of its' contextual construct!

10.0 NEXT SCHEDULED MEETING

The next Commissioners Public Meeting will be held on **Thursday, February 9, 2023, at 10:00 A.M.** in the Commissioner's Board Room, 1st Floor, Executive Plaza, 330 Pine Street, Williamsport, PA 17701.

To view this meeting follow the link below:

<https://www.youtube.com/watch?v=YupMkOEol0Y>

ATTACHMENT (A)

PERSONNEL ACTIONS:

- Juvenile Probation Office – Matthew Yonkin, Chief of Juvenile Probation, Full-Time Transfer, \$37.58 per hour, 75 hours per Pay Period, Anticipated Transfer Date: February 5, 2023.
- Domestic Relations Office – Name Redacted, Domestic Relations Investigator, Part-Time Replacement, \$23.66 per hour, not to exceed 1000 hours in a year, Anticipated Start Date: February 1, 2023.
- Department of Public Safety – Angela Reome, Telecommunicator Trainee, Full-Time Replacement, \$18.72 per hour, 80 hours per Pay Period, Anticipated Start Date: February 6, 2023.
- Department of Public Safety – Jessica Ivankina, Telecommunicator Trainee, Full-Time Replacement, \$18.72 per hour, 80 hours per Pay Period, Anticipated Start Date: February 6, 2023.
- Planning and Community Development – Alexa Bixel, Natural Resources Planner, Full-Time Replacement, \$22.61 per hour, 75 hours per Pay Period, Anticipated Start Date: February 6, 2023.
- Prison – Michael Gomez, CO I Relief, Full-Time Replacement, \$20.00 per hour, 80 hours per Pay Period, Anticipated Start Date: February 20, 2023.
- Prison – Christopher Dagostino, CO I Relief, Full-Time Replacement, \$20.00 per hour, 80 hours per Pay Period, Anticipated Start Date: February 20, 2023.

ATTACHMENT (B)

SALARY BOARD ACTIONS:

- Conservation District – Request to change Part-Time position Soil Con Special Projects from a Paygrade 9 to a Paygrade 8
 - Mark Davidson to change from a Paygrade 9 to a Paygrade 8.

- Department of Public Safety - Title Change from Telecommunicator III to Communications Supervisor per the Comp Policy Adjustments (Publicly Approved to move to a Paygrade 8 to Paygrade 9 on 12/15)
 - Stephanie Andrus and Jacob Winter all to be adjusted to new title.

ATTACHMENT (C)

TDA ACTIONS:

- Conservation District – Request to change Part-Time position Soil Con Special Projects from a Paygrade 9 to a Paygrade 8
 - Mark Davidson to change from a Paygrade 9 to a Paygrade 8.

- Department of Public Safety - Title Change from Telecommunicator III to Communications Supervisor per the Compensation Policy Adjustments (Publicly Approved to move to a Paygrade 8 to Paygrade 9 on 12/15).
 - Stephanie Andrus and Jacob Winter all to be adjusted to new title.

- Department of Public Safety – Title Change to Richard Whalen
 - Richard was hired under a Telecommunicator I with Experience title and will be moving a Telecommunicator II position. No pay will change.

- Coroner’s Office – Reclassifications/Title Changes
 - Retitle all Deputy Coroner positions to Deputy Coroner/Investigator. No change in pay.

 - Eliminate Deputy Coroner/Admin Position, change to just a Deputy Coroner/Investigator position.

Media Release by Commissioner Scott Metzger in reference to the lawsuit with Lycoming County Commissioners and Lycoming County Controller

I have voiced my opposition of filing an appeal following the decision handed down by Judge Leete. I fully appreciate and respect my colleagues' position that this is an issue of principle and one that is grounded by the interpretation of law, of which no precedence exists, and I fully respect my colleagues' position. Half the counties in the state are organized as to where the Controller oversees the functions in question and the other half of the counties where the Commissioners oversee these very same functions. The statute in question here is not exacting in its identification as to which counties are organized correctly and which ones are not. My original concern with this case, and the difference of interpretation of the statute between the Commissioners and the Controller was due to the Lycoming County Controller's threat to remove her signature from the county checks which would have put payroll for our employees and payments to our vendors and constituents in jeopardy. The judge made it clear that the Controller would have to follow through with her threat of removing her signature before a legal remedy could be available.

I had concluded after Judge Leete's original decision that it was no longer prudent to continue this conflict and any appeal actions moving forward. Our residents witness constant conflict daily in Harrisburg and Washington. My opinion is that this behavior does not continue in our county. I have discussed my position with my two colleagues in efforts to seek a common-sense approach to this issue. We have met with the Controller to work together towards a common-sense approach towards a resolution. If these functions are organized and designated by way of Letter of Agreement, then the Commissioner's office, the Controller and the Office of Budget and Finance can work in unity to achieve our organizational goals. To continue to fight this issue in court, only allows more conflict to continue which is unnecessary and costly. It is my position that an appeal to Commonwealth court is an additional and substantial expense that I feel is not warranted. I would ask my colleagues to join me to developing an amenable solution that places these departments working in unity for the citizens of Lycoming County. Thank you.