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Fayette commissioners cancel 1st meeting because schedule wasn't advertised

By Liz Zemba
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Fayette County commissioners canceled their first meeting of the year within 15 minutes of its 10 a.m. start on Tuesday because it was not advertised.

The three elected officials then embarked on an hour-long finger-pointing session over the county jail that pitted Vincent Zapotosky and Angela Zimmerlink against Al Ambrosini.

Zapotosky and Zimmerlink are pursuing a plan to address overcrowding at the jail that calls for renovations and an addition to the century-old facility. Ambrosini continues to work on the scuttled \$32 million Justice and Rehabilitation Center, which he insists will ultimately be built.

The meeting was canceled when a resident, Marybeth Homistek of Fairchance, pointed out that legal ads announcing the time, dates and locations for the 2015 commissioners meetings had not been placed.

The newspaper ads are placed at the start of a new year and are required by the state's Sunshine Act, according to Melissa Bevan Melewsky, media law counsel for the Pennsylvania NewsMedia Association.

"If they had held an unadvertised meeting, they could have been open to liability under the Sunshine Act for failure to provide public notice," Melewsky said. "The act requires the regular meeting schedule to be advertised at the beginning of the year, at least three days before the first meeting."

Chief Clerk Amy Revak said she notified commissioners via email on Jan. 13 of the need to run an ad prior to Tuesday's meeting but said she didn't hear back from any of them.

"That's why I sent the email, so I could advertise the meetings," Revak said. "I got no response."

Zapotosky said the oversight marks the second time Revak failed to run such legal ads. The meetings were not advertised at the beginning of 2014, forcing the cancellation of the board's May meeting.

"Your comment then was, 'I wasn't told to advertise,'" Zapotosky said. "I said, 'Amy, that's part of your job.' If we have to tell you everything we need done, then what's the use of you being here?"

Resident Jerry Mazza of Franklin Township demanded there be "consequences" for the oversight. Zapotosky said it would be addressed as a personnel matter, the outcome of which is unlikely to be made public.

The meeting was canceled and tentatively rescheduled for 10 a.m. Friday at the Public Safety Building in Uniontown, but all three commissioners remained in the room. For more than an hour, they entertained often contentious public comment and verbally sparred over their competing plans to build a jail or to renovate the existing prison.

Zapotosky and Zimmerlink are pursuing a plan to renovate the jail and build an addition near the courthouse in Uniontown. Ambrosini continues to plan for the failed \$32 million Justice and Rehabilitation Center, which was halted when Zapotosky withdrew his support following two years and \$2 million spent on architect and engineering fees.

Ambrosini said his vision for a prison will be realized next year, possibly under different county leadership.

"This facility will eventually be built, probably next year," Ambrosini said. "It doesn't matter whether I'm here or not, if common sense prevails."

All three commissioners' terms expire at the end of the year.

Zapotosky said the county can't afford to borrow \$40 million for a new jail that Ambrosini has said would ease overcrowding and implement various programs aimed at curbing recidivism. For now, Zapotosky said, the goal is to stop paying rent to outlying counties to house overflow inmates.

"We have to put butts in beds, then that \$600,000 annually won't be going to Bedford County. It won't be going to Greene County, and it won't be going to whatever county," Zapotosky said. "That's our first and foremost priority, and I challenge anybody to disagree with me."

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