

LUZERNE COUNTY HOME RULE TRANSITION COMMITTEE

January 12, 2011

MINUTES

The sixth meeting of the HRTC convened in the Commissioners Meeting Room at the Luzerne County Courthouse, 200 River Street, Wilkes-Barre, Pennsylvania. It was called to order by Chairman Jim Haggerty at 6:30pm.

Members in attendance were Rob Bakewell, Vice-Chair Jim Bobeck, Secretary Ronna Ciaruffoli, Tom Cooney, Chairman Jim Haggerty, Kick Heffron, C J Kersey, Rick Morelli, Maryanne Petrilla, Treasurer Susan Shoval and Steve Urban.

The Minutes of the 5 January 2011 meeting were passed with no dissenting votes.

Citizen Comment was proffered by the following individuals, subjects as noted:

Kathy Dobash from Hazleton – Open subcommittee meetings and support of Walter Griffith's position on control of county funds.

Walter Griffith from Wilkes-Barre – Required details of citizen comment noted in minutes, Executive Session as Agenda Item, and use of Luzerne County Website

George Kochis from Kingston – Workshops and subcommittees open to public

Tom Dombroski from Swoyersville – Open meetings and use of Executive Sessions

Mike Giamber from Fairmount Twp – Clarification on ramifications of Sunshine Law

Ray Gustave from West Wyoming – Subcommittees' standing relative to Sunshine Law

Charles Hatchko from Jenkins Twp – Observance of Sunshine Law

Solicitor Report – Atty Malak addressed compliance requirements with Resolution R-2011-01 (banking and check authorization), and the need for an Open Records Officer and a formal address for the Home Rule Transition Committee.

Discussion Regarding Transition Committee Funding and Banking

Susan Shoval briefed the conditions of M & T Bank as being the most favorable identified by her and Jim Haggerty's survey of local banking institutions; that being 1.25% interest on savings for 3 months, free checking, and no fees. Susan Shoval made a motion to establish M & T as the Transition Committee's depository, seconded by Ronna Ciaruffoli. The motion passed with no dissenting votes.

Reports Regarding Sub-Committee & Working Group Organization & Functions

Jim Bobeck introduced an "Omnibus Motion concerning the operation of Home Rule Transition Subcommittee Meetings" (attached to January 25, 2011 minutes), seconded by Tom Cooney. Rick Morelli disagreed with and raised a motion to modify Omnibus Motion paragraph 5. There was no second. After much discussion and clarification, the motion passed with a 10-1 vote, with Steve Urban being the sole dissenting vote.

Rob Bakewell briefed progress of the Ethics Code Subcommittee. He made contact with citizen volunteers and Wilkes University Political Science Dept, and is scheduled to meet with faculty from King's College later this week. The subcommittee is planning time & place to regularly meet, and anticipate meeting adjacent to Administrative Code and Personnel Code subcommittees to optimize notification, location, and attendance logistics. Subcommittee members are Rob Bakewell, Jim Bobeck, Ronna Ciaruffoli, Kick Heffron, and Rick Morelli.

Jim Bobeck suggested combining the Personnel Code and Ethics Code subcommittees because of related objectives. Jim Haggerty stated Personnel Code requirements as specified in the Charter dictated autonomy, thereby requiring separate subcommittee efforts. Steve Urban suggested the subcommittee contact the State Ethics Committee and get copies of all Union agreements. Subcommittee members are Jim Bobeck, Jim Haggerty, CJ Kersey and Rob Bakewell.

Susan Shoval briefed she was in contact with King's College regarding their assistance in Administrative Code Subcommittee activities involving a HR program major project. She thanked Steve Urban for forwarding copies of the Personnel and Administrative Codes to HRTC members. Subcommittee members are Susan Shoval, Jim Bobeck, Ronna Ciaruffoli and Rick Morelli.

Rick Morelli briefed he selected citizen participants of the Personnel and Recruiting subcommittee - - Sam Guydish, Ed Brominski, Elizabeth Leo and Joe Rish. Meetings will be held in the Commissioners Meeting Room of the Luzerne County Courthouse; dates and times to be decided. Subcommittee members are Rick Morelli, Maryann Petrilla, Jim Haggerty and Kick Heffron.

CJ Kersey briefed he is reviewing resumes of interested citizens to participate in the Authorities, Boards and Commissions subcommittee. Dates, times, and places of meetings have yet to be determined. Subcommittee members are CJ Kersey, Susan Shoval, Tom Cooney and Kick Heffron.

Kick Heffron solicited members and citizens interested in working with him and Ronna Ciaruffoli on liaison activities to identify individuals or groups who could provide assistance to HRTC and subcommittee efforts. Susan Shoval stated she had several referrals she felt would provide valuable cooperation.

Discussion Regarding Clerical Assistant

Ronna Ciaruffoli briefed the job description for the part time admin clerk was being reviewed by Atty Malak and would be advertised in the Citizens' Voice and Standard Speaker.

Discussion Regarding Meeting Schedule

A poll of committee members regarding frequency of meetings showed more support for bi-weekly meetings than weekly meetings by a vote of 10 – 1, with Rick Heffron being the sole dissenting vote. The next HRTC meeting is scheduled for 6:30pm on Wednesday, 26

January 2011 at the Commissioners' Meeting Room in the Luzerne County Courthouse. Members will decide at that meeting the date/frequency of the next meeting.

Old Business

Ronna Ciaruffoli briefed progress to date on the web page. Steve Englot (County IT) established a link from the Luzerne County home page to a HRTC web page. The page will be used to advertise meetings, post minutes and all other documents and announcements as identified by the HRTC members. She also briefed the ongoing development of an HRTC website that would be accessed directly, and thru the County webpage. Ronna briefed the importance of controlling what gets posted, to preclude erroneous or redundant information being posted on the page and site. Following discussion on how the page and <under development> site will be configured, CJ Kersey made a motion that Ronna Ciaruffoli and Maryanne Petrilla be the POCs to facilitate postings on the Luzerne County linked web page, and Ronna Ciaruffoli and Kick Heffron would be the POCs to facilitate postings on the <under development> web site; motion seconded by Rob Bakewell. The motion passed with no dissenting vote.

New Business

Rick Morelli raised a motion to have the solicitor seek a bond for the Chair and Treasurer; seconded by Maryanne Petrilla. The motion passed with no dissenting votes.

Steve Urban made a motion we utilize Luzerne County's Right to Know Officer as the HRTC Right to Know Officer; seconded by CJ Kersey. The motion passed 9-2 with Maryanne Petrilla and Kick Heffron dissenting. It was further clarified that Right to Know requests regarding HRTC activities would be forwarded to the HRTC Secretary to be addressed and coordinated with the Luzerne County RTK Officer.

Steve Urban suggested the Luzerne County Controller serve on the Ethics Code Subcommittee.

Kick Heffron raised a motion that the HRTC complete and submit a Letter of Intent to DCED to request technical assistance; seconded by Rob Bakewell. The motion passed with no dissenting vote.

Kick asked if the HRTC was covered under the County Errors and Omissions Policy. Maryanne Petrilla doesn't believe they are, but will verify to check. Atty Malak will pursue coverage.

Ronna Ciaruffoli made a motion that the official address of the HRTC be:

Home Rule Transition Committee
C/O Luzerne County Courthouse
200 N River St
Wilkes-Barre, PA 18711

The motion was seconded by Maryanne Petrilla and passed with no dissenting vote.

Citizen Comment (non-agenda items) was proffered by:

Christopher Jones of Citizens' Bank – noted lack of consideration of Citizens' Bank as HRTC banking institution.

Tom Dombroski from Swoyersville – Forensic Audit to address post-transition liability

George Kochis from Kingston – 2 weeks “off” before next committee meeting

Ed Warkiewicz from Lehman Twp – HRTC coverage under County Errors and Omissions Policy and Item #5 on the Omnibus Motion (attached)

Ed Halloran from Pittston – Need for an Ethics Code vs existence of code at state level.

Ed Chesnovitch from Jackson Twp – Citizen Comment afforded before and after agenda items and elaboration of New Business on Agenda

Ray Gustave from West Wyoming – Omnibus Motion and documentation of subcommittee activities

Walter Griffith – Use of County Right to Know Officer for HRTC Right to Know issues

Charles Hatchko from Jenkins Twp – Use of Controller on Ethics Code Subcommittee and Omnibus Motion

Concluding Remarks of Committee Members

Committee member Susan Shoval addressed the citizen audience expressing disappointment over the presumption we're (HRTC) working “business as usual” with a lack of transparency.

Upon motion by CJ Kersey, second by Ronna Ciaruffoli, and unanimous vote of the committee, the meeting was adjourned at 8:50pm.

Respectfully Submitted,
Chairman Jim Haggerty

Omnibus Motion concerning the operation of Home Rule Transition Subcommittee Meetings:

1. Home Rule Transition Subcommittees are created for the purpose of:
 - a. analyzing governmental issues designated to the subcommittee by the Home Rule Transition Committee (Hereinafter "HRTC")
 - b. Presenting suggestions and information on designated governmental issues to the HRTC.
2. The HRTC will solely retain the ability to vote on recommendations that will be proffered to the incoming Luzerne County Council and/or County Manager.
 - a. Subcommittees do not exercise any governmental authority or ability take official action, and the HRTC can alter and change any submitted recommendations.
3. Subcommittee meetings will be open to public citizens for attendance.
4. Subcommittee meetings will have regularly scheduled time intervals that will be advertised in a one-time notice for the year in a newspaper of general circulation at least three days prior to the first meeting, which will include the date, time, and place for the remaining regular meetings.
 - a. For any additional meetings or cancellations, notice will placed on the Luzerne County website at luzernecounty.org
5. Subcommittees retain the right to meet in work session groups without public notice for the purposes of drafting, performing research, and gathering information, including as outlined under Article 12 of the Luzerne County Home Rule Charter.
6. Each Subcommittee will be limited to a maximum five (5) members of the HRTC, but will allow for an unlimited number of citizen volunteers to aid the subcommittee in the performance of its designated responsibilities.
 - a. Each subcommittee will be responsible for reaching out to citizen volunteers to aid the subcommittee in the performance of its designated responsibilities.
7. The subcommittees will allow for a public comment period at the beginning of subcommittee meetings in which each speaker will have a two (2) minute time allotment to address the subcommittee on issues pertaining to the subcommittee.