

On the above date at 10:30 A.M. the Luzerne County Board of Commissioners convened a salary board meeting with the following present: Maryanne Petrilla, Chairman; Gregory Skrepenak, Commissioner; Stephen Urban, Commissioner; Douglas Pape, County Manager for Legislation/Chief Clerk; Vito DeLuca County Solicitor; Anthony J. Martinelli, Acting Controller; Wister Yuhas, Prison Board Chairman; Edward Casaldi, 911/Emergency Management; Joseph Gibbons, County Engineer; Andrew Reilly, Community Development; Stephen Englot, IT Department; Richard Wren, Veterans Affairs; Anthony Alu, Assessors Office; Andrew Shiner, Board of Assessment Appeals; Gregory Hunsinger, Purchasing Department; Andrew Gegaris, Recreation Department; Leonard Piazza, Bureau of Elections; David Skoronski, Mapping/GIS Department; Beth Ann Christian, Tax Claim Office; Joseph DeVizia, Human Services; Merle Mackin, Convention & Visitors Bureau; Adrian Merolli, Planning Commission; Richard Ammon, Workforce Investment Development Agency; Robert Reilly, Clerk of Courts; John Corcoran, Coroners Office; Michael Savokinas, Sheriff; Jacqueline Musto Carroll, District Attorney; Jill Moran, Prothonotary; James O'Brien, Recorder of Deeds; Dorothy Stankovic, Register of Wills; Michael Morreale, Treasurer; Basil Russin, Public Defender

CALL TO ORDER:.....Maryanne C. Petrilla, Chairperson

Commissioner Petrilla stated in preparation of the county's upcoming hearing it was determined by the Chief Solicitor, Vito DeLuca that Salary Board Meetings are to be held on the first Monday of every year to reappoint all positions within the County. Commissioner Petrilla went on to explain how each Department Head or Row Officer will vote for their department. Commissioner Petrilla stated that if a department or row office does not have a department head the voting member will be the County Manager/Chief Clerk, Doug Pape.

Commissioner Skrepenak asked for clarification on the voting members.

Commissioner Petrilla responded that the voting members were the County Controller, the three Commissioners, where applicable the Row Officer, where applicable the Department Head, and when there is no Department Head or Row Officer the Chief Clerk.

Commissioner Skrepenak asked the County Solicitor to verify this.

Vito DeLuca responded that the statute was very clear. He stated that the Department Head is a sitting member of the Salary Board when there is no Row Officer. He stated that when there is no Department Head the Chief Clerk would be the Chief Executive of that department. Commissioner Skrepenak questioned if there are always five members on the board. Mr. DeLuca responded that it is always five members.

PUBLIC COMMENT:

Walter Griffith asked for clarification from the Solicitor on the salaries of the court employees in regard to the injunction. Vito DeLuca stated that the Salary Board is a defendant in the case as well. He stated the injunction had indicated by agreement of the parties that the Courts would continue to be funded at the 2008 level. He stated that the process today was to put the County in complete compliance with the County Code.

Walter Griffith stated that the county is now under the 2009 budget. He stated that someone needs to direct the County Controller to pay the court employees under the 2008 budget.

Vito DeLuca stated that the Salary Board is also a defendant in the action and is also a party to the injunction. He stated the Salary Board is just as bound as the County to the injunction.

Mr. Griffith stated that his concern was how the Controller can issue paychecks when there is no documentation from the Commissioners stating that they are to be paid out of the 2008 budget.

Vito DeLuca responded that there is an agreement on the injunction signed by Judge Rehkamp in which the County is honoring.

Mr. Griffith questioned if that was signed after the mandamus. Mr. DeLuca responded yes, after the parties agreed the County was concerned that if there was a delay in the proceedings the entire County could have been in jeopardy of not being able to enact the 2009 budget with regard to any department or row office. He stated in trying to continue on with the rest of county government they came to an agreement with the courts that they would continue to be funded at the 2008 levels and the county would make no court layoffs or furloughs until a final hearing took place. Mr. DeLuca stated that the county is in a bizarre situation where we have what was to be a 2009 balanced budget and we are using 2009 budget figures for every other county department other than the courts.

Mr. Griffith stated that he was concerned that the courts were bullying the County and the Commissioners.

Mr. DeLuca responded that anyone who has viewed the situation and would state that the Commissioners are intimidated by the courts was not paying attention. He stated that the Commissioners were not intimidated and they would continue to go forward with the lawsuit.

Mr. Griffith replied that he didn't mean to allude that they were being intimidated, he just wanted to give them tools to try and hold the budget where it needs to be.

Thomas Concert stated for eighteen years he has been trying to deal with the family resources within the County. Mr. Concert stated that his questions and concerns have been put on the back burner. He stated that individuals do not follow their protocol or procedures within their duties. He stated in his situation something simple turned into a criminal investigation by an individual working for the County. Mr. Concert stated that he has two children he is trying to bring home. He stated that there are many parents and grandparents trying to reach the same goal. He stated that he is looking for a Court of compassion not intimidation to lead parents in the right direction.

**COMMUNICATIONS::.....Douglas A. Pape
County Manager/Chief Clerk**

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

LUZERNE COUNTY CORRECTIONAL FACILITY AS LISTED EXHIBIT 1 AND 1A:

It was moved by Wister Yuhas, seconded by Commissioner Skrepenak

Commissioner Petrilla and Commissioner Urban voted "NO" on the deputy warden position. All other positions were approved unanimously by the following vote:

"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, YUHAS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

SECURITY DEPARTMENT AS LISTED EXHIBIT 2:

It was moved by Edward Casaldi, seconded by Acting Controller Martinelli

"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, CASALDI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

BUILDING AND GROUNDS DEPARTMENT AS LISTED EXHIBIT 3:

It was moved by Joseph Gibbons, seconded by Commissioner Petrilla

"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, GIBBONS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

EMERGENCY MANAGEMENT AGENCY AS LISTED EXHIBIT 4:

It was moved by Edward Casaldi, seconded by Acting Controller Martinelli
“AYES” PETRILLA, SKRPENAK, URBAN, MARTINELLI, CASALDI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

COMMISSIONERS OFFICE AS LISTED EXHIBIT 5 AND 5A:

It was moved by Douglas Pape, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, PAPE

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

COMMUNITY DEVELOPMENT OFFICE AS LISTED EXHIBIT 6 AND 6A:

It was moved by Andrew Reilly, seconded by Commissioner Petrilla

Acting Controller Martinelli **abstained** from voting on Kristen Martinelli’s position. All other positions were approved unanimously by the following vote:

“AYES” PETRILLA, SKREPENAK, URBAN, MARTINEELI, REILLY

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

IT DEPARTMENT AS LISTED EXHIBIT 7:

Create: One (1) Information Technology Specialist at an annual salary of \$37,623, effective January 1, 2009.
One (1) Information Technology Specialist at an annual salary of \$32,800, effective January 1, 2009.

Eliminate: One (1) System Operator at an annual salary of \$34,623, effective January 1, 2009.
One (1) System Operator at an annual salary of \$29,800, effective January 1, 2009.

It was moved by Stephen Englot, seconded by Commissioner Petrilla

“AYES” PETRILLA, URBAN, MARTINELLI, ENGLOT “NAY” SKREPENAK

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

VETERANS AFFAIRS OFFICE AS LISTED EXHIBIT 8:

It was moved by Richard Wren, seconded by Acting Controller Martinelli
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, WREN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

911/EMERGENCY MANAGEMENT OFFICE AS LISTED EXHIBIT 9 AND 9A:

It was moved by Edward Casaldi, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, CASALDI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

BOARD OF ASSESSMENT APPEALS AS LISTED EXHIBIT 10 AND 10A:

It was moved by Andrew Shiner, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, SHINER

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

PURCHASING DEPARTMENT AS LISTED EXHIBIT 11:

It was moved by Gregory Hunsinger, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, HUNSINGER

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

MOON LAKE PARKS AS LISTED EXHIBIT 12:

It was moved by Andrew Gegaris, seconded by Acting Controller Martinelli
“AYES” PETRILLA, SKREPENAK, MARTINELLI, GEGARIS “NAY” URBAN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

BUREAU OF ELECTIONS AS LISTED EXHIBIT 13:

It was moved by Leonard Piazza, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, PIAZZA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

RECREATION DEPARTMENT AS LISTED EXHIBIT 14:

It was moved by Andrew Gegaris, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, MARTINELLI, GEGARIS “NAY” URBAN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

MAPPING/GIS DEPARTMENT AS LISTED EXHIBIT 15:

It was moved by David Skoronski, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, SKORONSKI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

TAX CLAIM BUREAU AS LISTED EXHIBIT 16 AND 16A:

It was moved by Beth Ann Christian, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, CHRISTIAN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

LEVEES AS LISTED EXHIBIT 17:

It was moved by Joseph Gibbons, seconded by Commissioner Petrilla
"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, GIBBONS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

ROAD AND BRIDGE AS LISTED EXHIBIT 17:

It was moved by Joseph Gibbons, seconded by Acting Controller Martinelli
"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, GIBBONS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

ENGINEERS OFFICE AS LISTED EXHIBIT 17:

It was moved by Joseph Gibbons, seconded by Commissioner Petrilla
"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, GIBBONS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

BOILER PLANT AS LISTED EXHIBIT 17:

It was moved by Joseph Gibbons, seconded by Acting Controller Martinelli
"AYES" PETRILLA, SKREPENAK, URBAN, MARTINELLI, GIBBONS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

HUMAN SERVICES AS LISTED EXHIBIT 18:

Create: One (1) Human Resource Analyst 2 at an annual salary of \$44,616, effective January 1, 2009.
One (1) Human Resource Assistant 2 at an annual salary of \$31,025, effective January 1, 2009.

Eliminate: One (1) Human Resource Assistant 2 at an hourly rate of \$22.88, effective January 1, 2009.
One (1) Human Resource Assistant 1 at an hourly rate of \$15.91, effective January 1, 2009.

Commissioner Petrilla questioned if going from an hourly salary to an annual salary would be reflective in the 27th pay. Deputy Budget Director, Joan Pusteri responded that the hourly rate will remain the same, but the total annual salary will increase overall by the one additional pay period (27th pay) in 2009. Commissioner Skrepenak questioned if an elected officials salary would fall under the 27th pay period. Budget Director, Tom Pribula responded that it would not because an elected official's salary is set and they cannot be paid more. Mr. Pribula stated that the county should look at converting their payroll to the 15th and end of each month so every year will be consistent.

Human Resources Director, Doug Richards responded that he was not familiar with the regulations in regard to an elected official's salary however he did review two court actions with the same situation in which both counties lost the case. Mr. Richards stated that not only does this come up every eight or nine years but the county is also in a situation where we have a lot of people hired as salary employees. He stated if you would look at your paycheck there is an hourly rate listed. Mr. Richards stated that he understood the Commissioner's concern about the employees salaries being approved on a 27 pay rate but the county is bound by law to pay the employees' that hourly rate. Mr. Richards stated that the county's payroll system requires that an hourly rate be inputted even though we are salary. He stated that all the salaries were put into the approved budget.

It was moved by Joseph DeVizia, seconded by Acting Controller Martinelli
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

Commissioner Skrepenak stated on the previous Engineers motions there was an exhibit for a Public Safety Flood Authority position in the line item. He questioned if the Board was voting on this position. Commissioner Urban responded that Jim Brozena was being paid out of the bond. Commissioner Skrepenak stated that the position still needed to go before the Salary Board. Joseph Gibbons stated in the authority bylaws the Executive Director is named as a single employee. Commissioner Urban responded that the funds go through the County treasury so it should go through the Salary Board.

REQUEST A MOTION TO GO OFF OF THE AGENDA:

It was moved by Commissioner Urban, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI

REQUEST A MOTION TO APPOINT JAMES BROZENA AS THE FLOOD PROTECTION EXECUTIVE DIRECTOR:

It was moved by Commissioner Urban, seconded by Joseph Gibbons
“AYES” PETRILLA, URBAN, MARTINELLI, GIBBONS “NAY” SKREPENAK

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

CHILDREN AND YOUTH AS LISTED EXHIBIT 19 AND 19A:

It was moved by Joseph DeVizia, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

LUZERNE/WYOMING TRANSPORTATION DEPARTMENT AS LISTED EXHIBIT 20:

It was moved by Joseph DeVizia, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

CONVENTION AND VISITORS BUREAU AS LISTED EXHIBIT 21:

It was moved by Merle Mackin, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, MACKIN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

ENVIRONMENTAL SPECIAL PROJECTS AS LISTED EXHIBIT 22:

It was moved by Andrew Gagaris, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, GEGARIS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

PLANNING COMMISSION AS LISTED EXHIBIT 23 AND 23A:

It was moved by Adrian Merolli, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, MEROLLI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

AREA AGENCY ON AGING AS LISTED EXHIBIT 24 AND 24A:

It was moved by Joseph DeVizia, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

MENTAL HEALTH AND MENTAL RETARDATION AS LISTED EXHIBIT 25:

It was moved by Joseph DeVizia, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

SOLID WASTE AS LISTED EXHIBIT 26:

It was moved by Andrew Gegar, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, GEGARIS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

LUZERNE COUNTY WORKFORCE INVESTMENT DEVELOPMENT AGENCY AS LISTED EXHIBIT 27:

It was moved by Richard Ammon, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, AMMON

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

DRUG AND ALCOHOL AS LISTED EXHIBIT 28:

It was moved by Joseph DeVizia, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, DEVIZIA

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

CLERK OF COURTS AS LISTED EXHIBIT 29:

Robert Reilly requested that the board put off voting on this item until the court action is finished. Commissioner Skrepenak asked the Solicitor to give his advice on the matter. Vito DeLuca responded that Mr. Reilly had just requested to be added to the lawsuit. He stated that permission has not been granted from the court. Mr. DeLuca stated that there was no reason why the board should not proceed with this motion.

It was moved by Commissioner Urban, seconded by Commissioner Petrilla
“AYES” PETRILLA, URBAN, MARTINELLI “NAY” SKREPENAK “ABSTAIN” REILLY

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

CONTROLLERS OFFICE AS LISTED EXHIBIT 30:

It was moved by Commissioner Skrepenak, seconded by Commissioner Urban
“AYES” PETRILLA, SKREPENAK, URBAN “ABSTAIN” MARTINELLI

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

CORONERS OFFICE AS LISTED EXHIBIT 31:

It was moved by John Corcoran, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, CORCORAN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

SHERIFF’S OFFICE AS LISTED EXHIBIT 32:

Commissioner Urban stated that the Sheriff’s salary was incorrectly listed. He stated that the salary for an elected official was \$36,562.

Request a motion to amend the salary listed for the Sheriff.

It was moved by Commissioner Skrepenak, seconded by Michael Savokinas
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, SAVOKINAS

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

DISTRICT ATTORNEY’S OFFICE AS LISTED EXHIBIT 33:

It was moved by Jacqueline Musto Carroll, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, MUSTO CARROLL

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

PROTHONOTARY’S OFFICE AS LISTED EXHIBIT 34:

Jill Moran questioned the salaries for the Deputy and Solicitor positions. Ms. Moran stated that she thought the amounts were different from the ones she provided the Human Resources Office. Doug Richards stated that they used the figures that were provided to them by each office. Commissioner Skrepenak stated that they could vote on all the other positions and ratify those positions after the matter has been researched.

It was moved by Jill Moran, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, MORAN

Commissioner Petrilla noted that ratification will be needed for the Deputy and Solicitor positions.

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

RECORDER OF DEEDS OFFICE AS LISTED EXHIBIT 35:

It was moved by James O’Brien, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, O’BRIEN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

REGISTER OF WILLS OFFICE AS LISTED EXHIBIT 36:

It was moved by Dorothy Stankovic, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, STANKOVIC

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

TREASURERS OFFICE AS LISTED EXHIBIT 37:

It was moved by Michael Morreale, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, MORREALE

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

PUBLIC DEFENDERS OFFICE AS LISTED EXHIBIT 38:

It was moved by Basil Russin, seconded by Commissioner Skrepenak
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI, RUSSIN

REQUEST A MOTION TO AFFIRM THE FOLLOWING SALARY BOARD ACTIONS FOR:

RETIREMENT OFFICE AS LISTED EXHIBIT 39:

It was moved by Commissioner Skrepenak, seconded by Commissioner Petrilla
“AYES” PETRILLA, SKREPENAK, URBAN “ABSTAIN” MARTINELLI

END OF SALARY BOARD

MOTION TO ADJOURN:

It was moved by Commissioner Skrepenak, seconded by Acting Controller Martinelli
“AYES” PETRILLA, SKREPENAK, URBAN, MARTINELLI

Respectively submitted,



Jennifer Thomas, Recording Secretary

