



**COUNTY of LUZERNE**  
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**LUZERNE COUNTY**  
**ACTING COUNTY MANAGER**  
ROMILDA P. CROCAMO, ESQ.

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Luzerne County  
Accountability, Conduct and Ethics Commission  
Public Meeting- April 8, 2022  
Council Meeting Room

The meeting was called to order. The Pledge of Allegiance was recited.

The following members were present: Thomas Mosca, Chair; Walter Griffith, Controller; Diane Dreier, Sam Sanguedolce (notified the Commission he would be late to the meeting), District Attorney; Danielle Cunningham, Designee for Romilda Crocamo

Also Present: Jennifer Thomas, James Bobeck, Esq.

Walter Griffith stated the ACE Code did not allow for a designee to sit at a meeting, according to his interpretation of the code. It allows for a designee if a member has a conflict and it is on a case by case basis.

**Motion to not allow designees to attend meetings on a voting basis.**

Moved by: Walter Griffith

Motion failed for lack of a second.

Tom Mosca stated that it was clear from the ACE Code that designees are permitted for the Controller, District Attorney, and County Manager.

**Motion to approve the minutes from the February 11, 2022 meeting.**

Moved by: Diane Dreier

Seconded by: Walter Griffith

Vote: Unanimous (Mosca, Griffith, Dreier, Cunningham)

**Public Comment**

Walter Griffith questioned if he could name a designee of his choosing for the next meeting. He would like to name a citizen to be his designee for all meetings.

Mr. Mosca asked the solicitor to provide a legal opinion on this.

Diane Dreier Diane Dreier asked for clarification on the recommendation that was sent to Council in December and January on the responsibilities of the Commission regarding enforcement. ie – penalties to be applied when a member of county council is found to have violated county charter. Does it mean that Council has the responsibility to apply penalties or is it merely a recommendation to council to apply penalties?

Jim Bobeck responded that the Committee has no enforcement power – the Commissions job is to make recommendations to County Council. Enforcement sits with Council.

There was a discussion on recommendation / impose / enforcement power of the Commission.

### **Discussion on changes to or deletion of the group ACE Commission email address on the County website**

Mr. Mosca stated that the email link was removed because it was incomplete.

Mr. Griffith stated that link was set up for people to talk to members of the commission.

Discussion on the need for other departments to have access to the ACE Commission email.

Discussion on having an email designated for ACE Commission group.

Discussion regarding having an ACE Commission email vs. filing formal complaints.

Discussion to create an email link for all members of the Commission vs. Commission members receiving individual emails.

Discussion to include a link to file formal complaint to ACE Commission website.

Discussion to create an auto response to emails received. – including link for formal complaints – make a note that unless you file the attached complaint, no further action will be taken on this matter.

Discussion to include information regarding the public meetings and provide information that ACE Commission meetings are open to the public.

Discussion regarding the process of determining if a formal complaint makes its way to the Commission for review.

Preparation of DRAFT email response to ACE Commission email submissions with direct link for filing a formal complaint and notification ACE Commission meetings are open to the public include a link to main calendar.

ACE Commission Email Auto response:

The ACE Commission is in receipt of your email. Please be advised that the ACE Commission cannot directly act without a formal complaint being filed. Click on the link below and it will take you to the form and procedure to file a complaint. If you have any comments, questions or concerns you may attend an ACE Commission meeting to be heard during Public Comment. A link to the schedule of meetings is below.

At 2:30 P.M. Sam Sanguedolce entered the meeting.

**Motion to Restore Link for email on ACE Commission page to include all Commission Members emails and create an auto reply to any emails received.**

Moved by: Tom Mosca

Seconded by: Walter Griffith

Vote: Unanimous

A discussion was held regarding what the procedure will be if an email is received that is not addressed with the auto response how to handle such emails. Who will respond to emails that are not handled with the auto response? And what will the appropriate response be?

**Discussion of ACE Commission Procedural Rules**

Mr. Mosca prepared some points regarding ACE Commission Rules for the group to agree upon to protecting due process and preventing situations from occurring.

\*Communication regarding Notices of Complaints shall be made via email

\*Service of Complaint – email with acceptance of service form; mail with signature receipt; personal service (via Sheriff/ Coroner).

\* Notice of Default – Answer to Complaint

Discussion was held regarding the forms of service – constable service as only form of service vs. email service

Discussion was held to create a procedure and provide to prosecuting attorney – Prosecuting Attorney will follow procedure on processing and service of complaints.

This item is returning to the next meeting Agenda for further discussion.

**Discussion on Recommendations to be sent to Code Review Committee**

Discussion was held regarding an Enforcement Attorney;

Code Review Committee meet with ACE Committee;

Send concerns to Code Review Committee for their review;

ACE Committee members attend Code Review Committee meeting.

**Pending Complaints**

Mr. Mosca stated that another envelope was received at the County Manager's office (due to the power outage at Penn Place- Jennifer was unable to obtain the envelope to bring to the meeting) Mr. Mosca requested that Jennifer place this complaint with the other 2 complaints that they have received for review – pending review by an ACE Attorney.

Discussion to create RFP for ACE Enforcement Attorney

Discuss on how to address complaints – council amendments to Code? Request Council to lay out procedure to open complaints? Need for enforcement attorney.

Request Council to Amend the Code to allow the ACE Commission to address complaints as a body in lieu of the fact that the Commission does not have an enforcement attorney.

Discussion was held regarding the procedure to create an RFP.

Discussion to create an RFP for 3 Enforcement Attorneys.

**Next Meeting Date**

June 10, 2022 at 3PM in the Council Meeting Room.

**Motion to Adjourn:**

Moved by: Diane Dreier

Seconded by: Walter Griffith

Vote: Unanimous

Respectfully submitted,

*Jennifer Thomas*

Recording Secretary