

On the above date at 10:00 A.M., the Luzerne County Board of Commissioners convened their regularly scheduled meeting with the following present: Gregory A. Skrepenak, Chairman; Todd A. Vonderheid and Stephen A. Urban, Commissioners; Samuel T. Guesto, County Manager for Legislation/Chief Clerk; James Blaum, County Solicitor; Joseph Loftus-Vergari, Director of Human Services; James Miller, Administrator of Valley Crest; Michael L. Morreale, Treasurer; Stephen L. Flood, Controller; James J. Brozena, County Engineer; John J. Glushefski, Director of Road & Bridge; William P. Burke, Director of Property and Supply; Adrian F. Merolli, Director of Planning; Sandra Russell, Director of Community Development; Russell Arnone, Director of Budget /Finances.

Mr. Skrepenak called the meeting to order and asked everyone to join in saying the Pledge of Allegiance followed by a moment of Silent Prayer. It is noted that all meetings are electronically recorded.

Commissioner Skrepenak reviewed the protocol for Public Comment and directed Mr. Samuel Guesto, Chief Clerk, to ensure the five-minute time limit is adhered to.

Commissioner Skrepenak advised bids would be opened at this time in the Controller's Office.

PUBLIC COMMENT

Linda Stets questioned Commissioner Skrepenak on the hiring of Sam Hyder to the position of Deputy Warden at the Luzerne County Correctional Facility. Ms. Stets inquired about Mr. Hyder's qualifications and physical capabilities of performing his duties, specifically the impact of those injuries sustained during his previous employment at the Luzerne County Prison in which he was released from duty and received Workman's Compensation. Ms. Stets also questioned the overall selection and hiring process, Mr. Hyder's relationship with Commissioner Skrepenak, why all 34 applicants were not interviewed and why were two of the Prison Board members absent from the interviews. Commissioner Skrepenak acknowledged a friendship with Mr. Hyder and responded Mr. Hyder was cleared by his physician to return to work and fully met the qualifications for the position. Commissioner Skrepenak further commented a fair process was put in place in which all resumes were reviewed for qualifications by Warden Fischi, Sam Guesto and other senior management and those who best met the search criteria were selected for interviews. Commissioner Urban commented he did not believe the process was not implemented properly citing that the Board did not authorize a selection committee and based on his review of the resumes others may have been more qualified than those hired. Commissioner Urban also questioned the absence of two of the Board members during the interview process. In response to the absentee Board members, Commissioner Skrepenak responded that both were invited but unable to attend but did give their approval for the interviews to be performed in their absence. Commissioner Skrepenak stated he stand by his decision and noted that both positions were approved by a 4-1 vote of the Prison Board.

Ms. Stets questioned the Severance Policy Resolution on today's agenda, is this resolution to end the practice to pay \$3,000 to each employee who leaves county employment. Ms. Stets recommended the Commissioners bring suit against the previous employees who accepted the Severance Pay and the individual(s) who authorized and signed the checks. Commissioner Skrepenak responded this practice was set forth by previous administrations and would be held up in court as a past practice. The Commissioners are stopping this past practice today. Attorney James Blaum commented that the two new Commissioners' were not on the Board at that time. Commissioner Urban commented, as a member of the Board at that time, that Steve Flood became aware of a policy and stopped the payment of the checks, James Torbik, Chief Clerk at the time, forwarded correspondence citing past practice, to pay Louis Kemmerer and Frank Pizzella. Mr. Flood paid Ms. Kemmerer but did not pay Mr. Pizzella in April 2002, thereby, in Commissioner Urban's opinion, ending past practice. Commissioner Urban further added that he would only support a resolution ending the Severance Policy that is retroactive to April 2002. Commissioner Urban also commented it is his belief that it was the responsibility of the County Solicitor to properly advise the Board, when Mr. Flood stopped issuing the checks, to vote on a policy or to end the practice. Commissioner Urban stated he concurred with Mr. Flood to stop the payments in March 2002 when there was no policy in place and the former Commissioners refused to act to implement a policy.

PUBLIC COMMENT: (cont.)

Commissioner Skrepenak questioned if this was the same as the Pension Board entering into an agreement with Schnader and Harris with no engagement letter in place. Commissioner Urban responded the Pension Board voted to pay Schnader and Harris but admitted there was no engagement letter. Commissioner Skrepenak cited the legality of past practice and without a Board vote the County is legally bound to pay until such time as a vote is taken. Commissioner Skrepenak stated this practice would end today with the resolution. Commissioner Urban disagreed with Commissioner Skrepenak's opinion.

Robert Reilly, Clerk of Courts, questioned the Schedule "A", purchase of furniture for Penn Place, the space issue status and the move of his office. Commissioner Skrepenak responded he believes the space issue should be resolved by next month.

Mr. Reilly, addressing Steve Flood, requested a meeting with all Row Officers to discuss clarification of the implementation of the ACS computer system citing that some of the requests may not be able to be met due to legal restrictions. Mr. Flood agreed and will coordinate a meeting for next week.

Mr. Reilly, as an elected official for the past sixteen years, commented on the Severance Pay policy, citing it has been in place for sixteen years and is regarded as a past practice which legally binds the County to pay until such time as a policy to end it is voted in place. Mr. Reilly further commented, citing Mr. Pizzella's case, that stopping payment with the proper authorization in place costs the County more money in interest and court fees. Commissioner Urban responded that he believes that solicitor should have advised the Board of the implications.

Tom Dombroski commented on the Severance Pay policy, that there should be no bonus from a non-profit organization and supports the Commissioners' action stop this policy. Mr. Dombroski commented on the recent hirings at the Correctional Facility. Mr. Dombroski requested Commissioners Skrepenak and Vonderheid should address Commissioner Urban's concerns regarding the process of these hirings.

Mary Kamp questioned the two refunds for the Assessors' Office. Anthony Alu provided the detail of the reimbursements. Ms. Kamp requested that the details of the motion be included in the packets. Commissioner Skrepenak concurred. Ms. Kamp questioned who are the applicants for the Luzerne County Conservation District. Commissioner Skrepenak reminded everyone that Work Sessions are held the Monday prior to the Commissioner Meeting and provide detail on all items on the agenda. Commissioner Urban responded that due to the structure of the Conservation District Board it has struggled to retain a full board. At this time, three applications for appointment to this Board have been received. Commissioner Urban also agreed details of all addenda items should be attached in Board Packets. Ms. Kamp questioned the allocations for the Bureau of the Aging and are they audited. Commissioner Urban responded that these all have contracts for in home health services, if patients are eligible then Mr. Vergari will bring forth the contracts. Further, these programs are funded through state, not county, dollars. Joe Loftus-Vergari responded the audit is performed annually and are turned into the state for their review. Ms. Kamp questioned the MH/MR. Mr. Vergari responded those changes are made because the Human Services does not receive the final rates until six months after the end of the fiscal year, making it necessary to revise when the new rates are received.

Attorney Blaum responded to the earlier comments made earlier against the County Solicitor. The Solicitor's office works for the County Board of Commissioners. To the best of his knowledge, this office was not asked to prepare any type of resolution to end any policy at Valley Crest. Mr. McCormick was present because he had negotiated a settlement of a lawsuit of those policies at Valley Crest and presented the essence of the settlement for Board approval. To Attorney Blaum's knowledge, Mr. McCormick was never requested by anyone to prepare or present a resolution terminating any policy at Valley Crest. To his understanding, when the former Commissioners left they had expressed no desire to terminate any policy at Valley Crest. Commissioner Urban commented that Attorney Blaum was not present at the Executive Session in which Mr. McCormick was present when this subject was addressed. Attorney Blaum responded that there was no comment from any of the Board to question where the resolution pertaining to this issue was or why it was not being presented at the December 30, 2003 meeting.

PUBLIC COMMENT: (cont.)

Attorney Blaum responded that at no time did he authorize a \$3,000 payment to any individual. Attorney Blaum explained that an individual did return a check stating that she was unaware of the policy and he was instructed by the Commissioners to return the check.

COMMUNICATIONS – SAMUEL T. GUESTO, JR., CHIEF CLERK

Request a motion to approve ratify and confirm payment of the following vouchers:

Wachovia Bank, Vouchers 401907GF – 402593GF
County General Fund for 2004

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID “ABSTAIN” URBAN

PNC Bank, Vouchers 400065LF – 400110LF
Liquid Fuels for 2004

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Wachovia Bank, Vouchers 40007WC – 400016WC
Workman’s Compensation for 2004

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to adopt a Resolution continuing a declaration of a state of emergency within the City of Hazleton and Hazle Township, Luzerne County, Pennsylvania. (**Resolution No. 02112004** attached dated January 28, 2004 and **Resolution No. 02182004** attached dated February 18, 2004)

It was moved by Commissioner Urban, seconded by Commissioner Vonderheid.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to accept the contract for Adolescent Intensive Out-Patient Services and School Outreach Counseling. The proposed contract would run from March 1, 2004 to the end of the fiscal year of Wyoming Valley Alcohol and Drug Services, Inc.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to accept the contract for Adolescent Intensive Out-Patient Services and School Outreach Counseling. The second proposed contract, which is identical in nature and scope, would run from July 1, 2004 to June 30, 2005

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to authorize payment to Frank Pizzella in the amount of \$3,600.00 representing \$3,000.00 severance pay and interest thereon from January 2002 upon recommendation of insurance counsel representing Luzerne County in the Federal litigation of Frank Pizzella v Thomas A. Makowski et al.

Attorney Blaum introduced Attorney O’Brien to outlined the Pizzella v Makowski et al. Attorney O’Brien recommended the settlement be resolved by payment for the following reasons that the history prior to this administration for the \$3,000 payment and although there was no formal policy in place but there was a long standing past practice that would be difficult to defend in court.

COMMUNICATIONS: (cont.)

Attorney O'Brien further stated that he believes this to be a good strategy in defending the other part of this lawsuit that the Commissioners acted improperly in eliminating his position and finally the expense of disputing this part of claim in court. Attorney O'Brien anticipates this case will go to trial in the fall or early next year on the right of the Commissioners to eliminate his position, which he plans to aggressively defend the County's position.

Commissioner Urban commented that the Board never eliminated this position by the Salary Board. Attorney O'Brien responded that it was a Budgetary action in which funding was not allocated for this position as is the prerogative of the Commissioners.

Attorney Blaum advised that an Executive Session was held on February 5, 2004 on the issue of litigation with Attorney O'Brien.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

"AYES" SKREPENAK, VONDERHEID "ABSTAIN" URBAN

Request a Motion to adopt s resolution terminating past unwritten severance policy for management employees upon departure from county employment effective February 18, 2004.

Commissioner Urban commented he never concurred with the past administrative practice or voted to authorize \$3,000 severance payment further he would only support a resolution ending the Severance Policy that is retroactive to April 2002 and since it is not reflective of his opinion he cannot support it.

Commissioner Vonderheid commented it is important that what the Board is trying to end a bad past practice. The issue today is not to weigh how good or bad the practice was in the past but the financial decision for Luzerne County, whether to pay \$60,000 to claimants or potentially pay \$100,000 plus for interest and legal fees. That is the decision we are faced with today. . Commissioner Vonderheid stated he supports this legislation because it stops the process today, moves us forward and quantifies our risk and exposure. Mr. Flood questioned if this action authorizes the Controller to pay the twenty-five people who have claims. Commissioners Skrepenak and Vonderheid responded no. Commissioner Urban commented that this action would shift the burden of legality to the Controller's office that has no policy or documentation authorizing him to make payment. Attorney Blaum recommended that issue would be for a future meeting. He further added that he has researched this issue and does not believe that this Board would be on weak legal ground to undue a past practice prior to their swearing in. Attorney Blaum will research if the policy could be retroactive to January 7, 2004. Commissioner Vondereheid stated he believed there are four people eligible under the past practice of which only two would not be filing claims.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

"AYES" SKREPENAK, VONDERHEID "ABSTAIN" URBAN

Request a Motion to approve the attached refunds through the assessor's Office in the aggregate amount of \$544.80.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

"AYES" SKREPENAK, VONDERHEID, URBAN

Request a Motion to authorize the transfer of \$157,902.44 from the 2002 Capital Projects Bond Issue for items identified on Schedule "A" of Requisition 2002-23 that is attached.

Commissioner Urban noted he vote to accept this motion, with the exception of Item 6, Schedule "A", Invoice #3224958, Luzerne County Prison Hot Water Heater Replacement Project.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

"AYES" SKREPENAK, VONDERHEID, URBAN

COMMUNICATIONS: (cont.)

Request a Motion to authorize the transfer of \$122,157.83 from the 2003 Capital Projects Bond Issue Series A for items identified on Schedule “A” of Requisition 2003A-10 that is attached.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to authorize the transfer of \$270,784.12 from the 2003 Capital Projects Bond Issue Series A for items identified on Schedule “A” of Requisition 2003B-5 that is attached.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to accept an agreement between the County of Luzerne (the “County”) and the Court of Common Pleas of Luzerne County (the “Court”) and PA Child Care

Commissioner Urban questioned why the placement budget has gone up and requested Mr. McGarrity provide a copy of all potential detention centers, both public and private, in the Commonwealth of Pennsylvania with the costs of those centers.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

“AYES” SKREPENAK, VONDERHEID “NAYES” URBAN

Request a Motion to **TABLE** appointment of a Public Director to the Luzerne County Conservation District.

Commissioner Urban commented that the normal meetings of the Luzerne County Conservation District are held on the second Thursday of the month, he recommended the action be tabled until the next Commissioners’ Meeting.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve ZA Consulting, Harrisburg, PA to compete all forms and schedules and file Medical Assistance and Medicare cost reports for Valley Crest Nursing Home. Cost is \$5,000 plus out of pocket expenses total cost not to exceed \$8,000.00.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

“AYES” SKREPENAK, VONDERHEID, URBAN

TREASURER’S OFFICE – MICHAEL L. MORREALE, TREASURER

Request a Motion to accept the following Financial Statement as submitted:

WACHOVIA BANK

General Fund	421,835.48
School, Road & Institution District	84,643.85
Real Estate Tax Sale Account	176,265.67
Self Insured Workers Compensation Fund.....	118,508.94
Court of Common Pleas - Domestic Relations IV-D Fund	412,124.61
Patients’ Personal Fund Account	107,781.06
911 Construction Fund	51,480.91
911 Operational Fund.....	11,276.05

PNC BANK, NORTHEAST, PA.

Luzerne County Fiscal Agencies:

Office for the Aging.....	\$ 176,485.54
Children & Youth Department	449,731.13
Mental Health/Mental Retardation.....	24,501.80
Drug & Alcohol Program	8,232.93
Office of Human Services.....	13,392.77

TREASURER’S: (cont.)

Human Services Agencies/Transportation Department	4,420.90
Liquid Fuels Tax Fund	150,577.58
Luzerne County GWBIF Escrow Account	27,239.03
1997 Series Parking & Office Relocation Fund.....	11,225.94

CITIZENS BANK

Adult Probation Special Account.....	\$ 273,779.38
Luzerne County Bridges.....	10,709.26
Hazardous Material Emergency Response Account.....	43,989.70
EMA Radiation Emergency Response Fund.....	26,591.80

FIRST NATIONAL COMMUNITY BANK

Luzerne County Convention and Visitors Bureau.....	\$ 32,477.31
Luzerne County Agencies Account.....	943,051.13
Luzerne County Solid Waste Recycle Account.....	27,329.52
Luzerne County Property Tax Collection	103.78

FIDELITY DEPOSIT & DISCOUNT BANK

Wyoming Valley Airport Account.....	\$ 6,967.09
Adult Probation/Offenders Supervision Fund	48,705.89
Tri-County Airport Feasibility Study.....	110,304.82
Luzerne County 2002 Capital Projects	87,874.42
Workman’s’ Compensation Insurance Reserve Account	308.87
Luzerne County 2003 Capital Projects	57,247.32

Commissioner Urban requested the Treasurer’s Report include Certificate of Deposits to provide a full scope of the County’s finances.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

CONTROLLER’S OFFICE – STEPHEN L. FLOOD, CONTROLLER

Request a Motion to ratify and confirm payment of the following vouchers:

Transportation Department:	
Voucher No. 400089TR to 400139TR inclusive	in the amount of \$546,317.82
Patients; Personal Fund:	
Voucher No. 400032PP to 400584AG inclusive	in the amount of \$23,752.39
Bureau for the Aging:	
Voucher No. 400393CY 400584AG inclusive	in the amount of \$1,524,759.89
Children and Youth:	
Voucher No. 400623CY to 400462CY inclusive	in the amount of \$2,009,513.29
Mental Health/Mental Retardation:	
Voucher No. 400197MM to 400315MM inclusive	in the amount of \$6,329,048.30
Human Services:	
Voucher No. 400040HS to 400061HS inclusive	in the amount of \$82,359.79
Drug and Alcohol:	
Voucher No. 400047DA to 400073DA inclusive	in the amount of \$177,198.05

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to authorize the Controller to make the following payments under the Luzerne County Community Development Program for various services and projects.

\$438,760.33	Community Development Block Grant Program
\$273,493.40	Business Development Loan Program
\$23,894.62	Emergency Shelter Grant Program
\$31,700.00	Home Investment Partnership Program

CONTROLLER'S: (cont.) It was moved by Commissioner Urban, seconded by Commissioner Vonderheid.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to ratify and confirm the payment of \$12,071.37 to the Penn State Cooperative Extension, 16 Luzerne Ave., Suite 200, West Pittston, and PA. This is the County's appropriation for the month of February.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to ratify and confirm the payment of \$490,000.00 to the Luzerne County Community College, 1333 Prospect St., Nanticoke, PA. This is the County's February 2004 appropriation.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to accept the following bids for tabulation subject to review by the county solicitor.

It was moved by Commissioner Urban, seconded by Commissioner Vonderheid.

“AYES” SKREPENAK, VONDERHEID, URBAN

VOTER SERVICES:

Delivery and Re-Delivery of Voting Machines, Specimen Ballots, Emergency Ballots, Party Lever Cards, Party Indicator Cards and Diagrams, Return Sheets for the Election Boards, election Tabulation Sheets, Voting Machine Ballot Labels, and Official Absentee Ballots, etc.

COURT ADMINISTRATION:

Phase II Luzerne County Court System IP Network Video Conferencing Solutions

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

“NAYES” SKREPENAK, VONDERHEID, URBAN

ROAD & BRIDGE DEPARTMENT:

- Anti-Skid Materials
- Pressure Treated Bridge Planks
- Ready Mixed Concrete
- Gasoline and Diesel Fuel Oil
- Traffic Line Painting
- Bituminous Paving Materials
- Crushed Stone and Rock Lining Materials
- High Density Polyethylene Drainage Pipe
- Precast Concrete Inlets and Accessories
- Lubricants

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.

“AYES” SKREPENAK, VONDERHEID, URBAN

HUMAN SERVICE – JOSEPH LOFTUS-VERGARI, DIRECTOR

A MOTION TO APPROVE/RATIFY THE FOLLOWING PERSONNEL ACTIONS:

CHILDREN & YOUTH:

The Appointment of Krista Nickeson, Sugar Run as a Caseworker 2 (ps# 21-Y740-L0624-0086) at an annual salary of \$26,825 effective February 23, 2004.

February 18, 2004

HUMAN SERVICE'S: (cont.) The Resignation of Judy Sprouse, Caseworker 2 (ps# 21-Y740-L0624-0026) effective February 19, 2004.

The Resignation Rhonda Allen, Caseworker 2 (ps# 21-Y740-L0624-0086) effective February 20, 2004.

The Resignation of Kimberly Goyne, Social Worker 1 (ps# 21-Y740-L0630-0002) effective February 20, 2004.

MENTAL HEALTH/MENTAL RETARDATION:

The Appointment of Stephanie Derby, Luzerne as a Caseworker 2 (ps# 21-M440-L0624-0023) at an annual salary of \$26,996 effective February 20, 2004.

TRANSPORTATION:

A Family Medical Leave of Absence for John Breznitsky, Driver (ps# 86-LWCTD-9201-0012) effective December 29, 2003.

The Appointment of Francis Hall, Wilkes-Barre, as a Part Time Driver (ps# 88-LWCTD-9202-0090) at an hourly rate of \$8 effective February 10, 2004.

It was moved by Commissioner Urban, seconded by Commissioner Skrepnak.
"AYES" SKREPENAK, VONDERHEID, URBAN

A MOTION TO APPROVE/RATIFY THE FOLLOWING CONTRACT AMENDMENTS FOR THE PROVIDERS, SERVICES, TERMS AND RATES SPECIFIED:

<u>PROVIDER</u>	<u>SERVICES</u>	<u>TERM</u>	<u>FROM</u>	<u>RATE</u>	<u>TO</u>
<u>AGING:</u>					
New Horizons	Title V Training	7/1/03-6/30/04	\$9,000		\$10,000
Erwin's Private Duty	Personal Care	" "	\$150,000		\$250,000
<u>MENTAL HEALTH/MENTAL RETARDATION:</u>					
Step-By-Step, Inc.	MH/MR Residential & MR Day Options	7/1/03-6/30/04	\$5,289,844		\$5,361,939
ARC of Wyoming County	MR Residential	" "	\$892,625		\$902,715
Salisbury Behavioral Health, Inc.	MR ADT & CE	" "	\$233,845		\$271,472
Community Counseling Srvs.	MH Comm. Srvs., ICM, Outpatient, Day Treatment, Comm.Emp., Soc. Rehab, Residential, Crisis, Res. Coord., Adm. Mgt., Emergency, MR ADT, Family Driven, HBW & PFDS Waiver	7/1/02-6/30/03	\$4,506,032		\$5,572,507
Suncom Industries	MR ADT & CE	" "	\$18,176		\$24,654

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HUMAN SERVICE'S: (cont.)

<u>PROVIDER</u>	<u>SERVICES</u>	<u>TERM</u>	<u>FROM</u>	<u>RATE</u>	<u>TO</u>
Keystone Adult Day Care	MR ADT	“ “	\$80,000		\$128,437

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

A MOTION TO APPROVE/RATIFY THE FOLLOWING TRAININGS AT A TOTAL COST OF APPROXIMATELY \$1,987.00:

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>APPROX. COST</u>
<u>AGING:</u>				
Lynne Cronauer Linda Lucas	Basic Protective Services Training	Camp Hill	3/2-3/4/04	\$300
Gerry Chiccheletti Angelo Grasso Kathy Warren	HIPAA Update	Scranton	3/10/04	\$120
Anne Rappaport Mary Lou Zerfoss	PANSSCPD State Meeting	State College	3/11-3/12/04	\$245
Barbara DaSilva	Basic Supervision	Wilkes-Barre	3/15/04	\$179
Linda Lucas	Options Core Trng.	State College	3/16-3/17/04	\$58
Philip Semenza Ron Williams	Sr. Comm. Serving Employment Program Conference	State College	3/16-3/17/04	\$282
Joe Giebus Anne Rappaport	Apprise Annual Conference	State College	3/17-3/18/04	\$194
Linda Kohut	Manage Multiple Locations	Wilkes-Barre	3/23-3/24/04	\$395
Gerry Chiccheletti Lynne Cronauer Angelo Grasso Debbie Milz	PASSR Review	Scranton	4/14/04	\$160

MENTAL HEALTH/MENTAL RETARDATION:

Gina Galli Judy Kresky Pat Baran	Family Advisory Council Dinner Dance	Wilkes-Barre	2/8/04	\$54
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It was moved by Commissioner Urban, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

VALLEY CREST – JAMES MILLER, ADMINISTRATOR

SEPARATIONS

Request a Motion to approve the following separations at Valley Crest:

Brenda Wiard P.O. Box 134 Sybertsville, Penna.	CNA-11-7	Effective 1/28/04 Resignation
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HUMAN SERVICE'S: (cont.)

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.
“AYES” SKREPENAK, VONDERHEID, URBAN

PERSONNEL ACTION

Request a Motion to approve the following personnel actions at Valley Crest:

Patti Amos 188 E. Main Street Glen Lyon, Penna.	CNA-7-3	Effective 1/30/04 Returning from FMLA 02/05/04
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Commissioner Urban questioned when will action be taken to for the layoffs at Valley Crest. Jim Miller responded that a Committee has been formed which includes Mark Dingman, Attorney Joe Prociak, Mr. Vergari and Jack McCutcheon of the Personnel Office to create a timeline and review the process. Commissioner Urban reminded Mr. Miller that there is a governing Board that needs to be advised of status. Mr. Dingman stated he will provide a written report today regarding the status to date. Commissioner Urban commented there is not only a fiscal responsibility by a moral obligation to those individuals who may be affected by the layoffs and urged the committee to move swiftly.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.
“AYES” SKREPENAK, VONDERHEID, URBAN

ENGINEERING DEPARTMENT – JAMES J. BROZENA, COUNTY ENGINEER

Request a Motion to award the minimum offenders addition project fire alarm and CC TV Equipment Contract to Simplex Grinnell at state contract amount of \$144,200.00.

It was moved by Commissioner Urban, seconded by Commissioner Urban.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to request the Declaration of an Emergency at the Luzerne County Correctional Facility for rehabilitation of the chiller.

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.
“AYES” SKREPENAK, VONDERHEID, URBAN

ROAD AND BRIDGE DEPARTMENT – JOHN J. GLUSHEFSKI, DIRECTOR

Request a Motion to ratify the execution of a grant agreement between the County of Luzerne and the Pennsylvania Urban and Community Forestry Council for Tree Planting at the Luzerne County recreation Complex in the **NOT TO EXCEED AMOUNT \$8,000.00.**

It was moved by Commissioner Urban, seconded by Commissioner Vonderheid.
“AYES” SKREPENAK, VONDERHEID, URBAN

PROPERTY AND SUPPLY – WILLIAM P. BURKE, DIRECTOR

It was moved by Commissioner Vonderheid, seconded by Commissioner Urban.
“AYES” SKREPENAK, VONDERHEID, URBAN

PLANNING COMMISSION – ADRIAN F. MEROLLI, DIRECTOR

No Agenda.

COMMUNITY DEVELOPMENT – SANDRA RUSSELL, DIRECTOR

Request a Motion authorizing the adoption of a resolution by the Board of Commissioners of the County of Luzerne, approving one loan totaling \$75,000, for activities to be carried out through the County's Business Development Loan Program.

Commissioner Urban requested Sandy Russell to provide the scope of what the funds will be used for. Ms. Russell responded the funds would be used for the acquisition of the blighted former Blum Brothers property for eventual restoration and return to actual use.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion of the Board of Commissioners authorizing the submission of applications to the PA Department of Community and Economic Development, effective February 11, 2004, as well as authorization for the Chairman of the Board of Commissioners to execute any and all documents necessary for the application for and receipt of DCED funding for the following projects:

1. Application in the amount of \$500,000 for machinery/equipment and infrastructure improvements for projects to be carried out in various municipalities throughout the 119th legislative district.
2. Application in the amount of \$200,000 for equipment and infrastructure improvements for projects to be carried out in various municipalities throughout the 119th legislative district.
3. Application in the amount of \$250,000 for materials to complete necessary refurbishing of remaining unoccupied floors of the Markle Building in the City of Hazleton.

Commissioner Urban requested clarification of the said projects and to confirm the representative of the 119th District. Ms. Russell responded that because of the time restrictions the State has accepted general descriptions of the projects but details will be provided in the future. Ms. Russell confirmed that The Honorable John Yudichak is the State Representative of the 199th Legislative District.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak
“AYES” SKREPENAK, VONDERHEID, URBAN

**PERSONNEL – SAMUEL T. GUESTO, COUNTY MANAGER FOR LEGISLATION
AND CHIEF CLERK**

Sam Guesto requested a Motion to the Chairman, to go off the agenda.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to accept the RESIGNATION OF STACEY L. THOMA, LUZERNE COUNTY 911 CENTER, EFFECTIVE JANUARY 23, 2004.

Mr. Dombroski provided comment that resignations should be clarified as to whether they are voluntary or involuntary to protect the Commissioners and the citizens of Luzerne County from any liability.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“AYES” SKREPENAK, VONDERHEID, URBAN

PERSONNEL: (cont.)

Request a Motion to approve the following Personnel actions:

APPOINTMENTS:

COMMISSIONERS OFFICE:

KATHY BOZINSKI, 537 HIHG STREETM, HANOVER TOWNSHIP, PUBLIC INFORMATION OFFICER @ \$55,000.00 PER ANNUM. EFFECTIVE FEBRUARY 5, 2004. TO FILL VACANCY.

SALVADORE W. DIAZ, 15044 RUTHERFORD DRIVE, WESTFIELD, IN., CHIEF OF BUDGET AND FINANCE @ \$70,000.00 PER ANNUM. EFFECTIVE FEBRUARY 23, 2004. TO FILL VACANCY.

MICHELE L. SPARICH, 710 EAST MAIIN STREET, WEATHERLY, GRANT WRITER @ \$45,000.00 PER ANNUM. EFFECTIVE MARCH 5, 2004. TO FILL VACANCY.

Commissioner Urban commented he would vote for the hiring of all three positions with the exception of approval of Mr. Diaz's salary.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
"AYES" SKREPENAK, VONDERHEID, URBAN

RESIGNATIONS:

ASSESSORS OFFICE:

JOSEPH J. ROSEN, 26 WHITELTAIL DRIVE, DALLAS. EFFECTIVE FEBRUARY 19, 2004.

OFFICE OF COMMUNITY DEVELOPMENT:

JOSEPH M. DENOY, 922 PROSPECT STREET, NANTICOKE. EFFECTIVE FEBRUARY 6, 2004.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
"AYES" SKREPENAK, VONDERHEID, URBAN

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak
"AYES" SKREPENAK, VONDERHEID, URBAN

MEDIA

Jennifer Learn-Andes requested an update on the layoffs and if there have been any further developments on voluntary layoff incentives. Commissioner Skrepenak commented the layoffs are earmarked for April 1, 2004 and referred comment to Mark Dingman, County Manager for Administration/Deputy Chief Clerk. Mr. Dingman provided comment as referred to early in the meeting and reiterated a committee has been put in place to ensure incentive packages offered will be consistent for union and non-union employees and that all legal issues have been address to protect the County for any potential liabilities.

James Conmy, Citizens' Voice, questioned if the Commissioners would investigate the possibility of amending the Severance Policy passed today to be retroactive to January 6, 2004. Commissioner Skrepenak responded the Commissioners would investigate the legalities of such an amendment.

District Attorney David Lupas requested permission to address the Commissioners on Salary Issues affecting his office during the Salary Board meeting.

February 18, 2004

COMMISSIONER'S COMMENTS

No comment given.

A Motion was entertained to adjourn the Commissioners' Meeting.

It was moved by Commissioner Urban, seconded by Commissioner Vonderheid
“AYES” SKREPENAK, VONDERHEID, URBAN

Respectfully,

Patricia Wilk, Recording Secretary