

March 3, 2004

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; Mark R. Dingman, County Manager for Administration/Deputy 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; Salvadore Diaz, Chief of Budget and Finance.

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.

### **PUBLIC COMMENT**

Stephen Flood, Controller, provided comment on the hiring of a Telecommunications Assessment Consultant and expressed his concern in spending the County's money on recommendations such as this. He cited the Controller's office review of the five Telecommunication companies two years ago and the money saved. Further, he recommended the Commissioners try to accomplish these tasks with the use of the Row Officers and Department Heads.

Mr. Flood provided comment on the Resolution for Severance, citing the recent discussion of the past practice of \$3,000 in severance pay. He questioned if this applies to management or union employees; are the funds available to accomplish and if so, where; status on the plan to reduce the tax to 8.1 mills. Also, Mr. Flood addressed the majority Commissioners on the status of the injunction suit that was to be dropped. Commissioner Skrepenak responded that it has been brought to the Commissioners attention that they could bring suit against Schnader, Harrison, Segal and Lewis for the legal fees they have received because they were not properly retained. Mr. Flood asked who gave the majority Commissioners this advice. Attorney James Blaum responded the Counsel for the Injunction Action is on record as Attorneys John Moses and Chris Jones. Attorney Blaum further commented that he is recluse from this case due to conflict of interest. Mr. Flood questioned whether Commissioner Skrepenak has met with Attorney Moses. Commissioner Skrepenak responded that the bottom line is to protect the people of this County as best as possible. We are engaged with this firm and are further investigating the original agreement and trying to resolve the issue of retaining them on a contingency basis.

Mr. Flood questioned when the ARC payment would be paid citing a loss, an average of 20-30%, with the delay. Commissioner Skrepenak deferred the question to Salvadore Diaz who responded that the budget is being reviewed and could not provide an exact date at this time. Commissioner Vonderheid responded that the payments are included in the budget would be made as soon as possible.

Mr. Flood revisited the Valley Crest Separation pay, stating he would not pay the \$3,500 to each of these employees and questioned how the vacation and sick pay would be calculated and awarded.

Attorney Jason Matteroli, firm of Menora & Menora, hired by the concern of the taxpayers and pensioners of Luzerne County. Addressed issue to Commissioner Skrepenak, as of January 1, 2003 the pension fund have paid approximately \$500,000 to the Schnader firm for the representation of a certain legal matter under an existing contract. Under a new contract this firm will be retained on a contingency basis. The concern of the taxpayers is that since they have already lost \$17 million and do not want to lose another half million. They would like to have the contingency plan go into effect, however, they would like not one more penny spent and the \$500,000 reimbursed and put back into the fund before any new contract is put in place.

**PUBLIC COMMENT: (cont.)**

Commissioner Skrepenak acknowledged this is the concern of the majority Commissioners that neither group loses any money. He further added it should be a full contingency basis. The majority Commissioner's concerns are that have been addressed.

Commissioner Urban, addressing the attorney's concerns, Mr. Jones had filed an action with NASDA, 203 million number in 1999. The fund went down consistently from 203 to 187 to 165 to 153 to 141 before the managers were changed. Number one Mr. Jones did not have permission from the Board of Commissioners to file that action with NASDA. He did have permission to file an action in the Court of Common Pleas and that is on record as of April 2, 2003. Nor did he bring that action to Commissioner Urban. Mr. Jones did submit a detailed bill and is named as a solicitor on particular items. I have a conflict of a loss of 17 million dollars and cited a chart that was presented to the Retirement Board and invited the attorney to the Retirement Board meeting at 1:00 PM. Mr. Flood commented referring to the Daily News, Philadelphia Enquirer or the New York Times everything is going along the same the RICO Act and the lawsuit that we have - we are spending \$500,000 to make \$75 million. The fund had made \$24 million since the majority took over the Retirement Board.

Arlene Holloway, Sugarloaf Township, provided comment on the proposed housing for the elderly and handicapped project. Ms. Holloway said she lives on East County Road, where the Luzerne Housing Authority wants to construct the Villas of Sugarloaf, a complex of 24, one-story, single homes. She said elderly people who would live there would have no common place to congregate unless they chose "to battle the elements" to visit with another resident.

Sandra Russell, Community Development Director responded that they are a funding agency and do not have anything to do with the controversy between the township and Housing Authority. Ms. Russell further explained there is nothing the housing for the elderly and handicapped regulations that precludes the authority from building single homes and these are not elderly care homes just a more innovation approach to it.

Commissioner Vonderheid commented that this Board's only charge is to the creation, appointments and dissolving of an authority like the Housing Authority. This Board needs to deliberate on making new appointments or making alterations on that Board and then address the problematic issues and the Commissioners have heard these issues and trying to address them as swiftly as possible.

Will Toole, Pittston, addressing Mr. Flood, questioned his relationship with Attorney Cullen and the two personal lawsuits he is representing for Mr. Flood. Is there a conflict of interest or was there was a special consideration provided him when he was retained by the Retirement Board. Mr. Flood responded he retained Mr. Cullen's services in September 2003 after the Board had already retained him.

Mr.; Toole also requested to see the contract and bill for the \$500,000. He questioned Mr. Flood if there was a contract in place when the Retirement Board authorized the payment of the \$500,000. Mr. Flood responded that there was and encouraged Mr. Toole to attend the Retirement Board meeting at 1:00 PM. Commissioner Skrepenak also extended the invitation to attend the meeting.

Mike Gotcha, Bear Creek Township, as a former public official, expressed his concerns regarding the youth of our County and available employment. He questioned the Commissioners as to what plans they may have in place or what intentions they have to resolve this issue. He cited his own children, graduating from college and having to go elsewhere to find affluent employment. He also questioned whether the Commissioners screen every applicant as he has become aware of individuals who have applied for positions and never received any notification as to whether their application had been received. Commissioner Vonderheid addressed the latter point citing the new Human Resource Officer will be in place next week and will organized a screening system to review all applicants and respond accordingly. Commissioner Vonderheid addressed Mr. Gotcha's concern on the retention of the youth in this County, noting the number one issue is to make this community one where people want to stay and make it grow. He added, the recent announcements of Fairchild Semiconductor and Tobyhanna for increased hirings. Commissioner Skrepenak concurred.

Tom Dombroski questioned if the company hired to do the Reassessment is the same as the company who did Alleghany County. Commissioner Urban responded no it is not the same.

Mr. Dombroski provided comment on the Voluntary Separation pay stating that he does not believe people should be rewarded for leaving and cited the Controller's earlier comments.

**PUBLIC COMMENT: (cont.)**

Mr. Dombroski recommended Public Comment should be allowed during the Work Sessions and that may alleviate the longevity at the Commissioners' meeting. He provided comment on the right to comment on the "on the question" that the people should be allowed to comment not just the Commissioners. He recommended, if there is justification for consultants, they should be paid under the funding of the Community Development, which is 100%, funded.

Attorney Blaum respectively disagreed with Mr. Dombroski's recommendation for the "on the question" explaining that once the Board entertains a motion and a second, then it appropriate for debate of the Board members, under the Public Comment section of the agenda it the proper time for the public to respond. Commissioner Skrepenak noted that there are now work sessions prior to the Commissioners meeting that are open to the public and press something that has not been done in the past. Ms. Kamp requested that possibly the work session be changed to 10:00 am to make it more convenient and accessible to the public. Commissioner Skrepenak responded the Commissioners would investigate the possibility.

Robert Reilly, Clerk of Courts, for the record, introduced himself and provided his background. Mr. Reilly clarified that he did not previously speak with the Commissioners prior to the last meeting and was present at no one's request. He acknowledged, very proudly, that Commissioner Skrepenak is his cousin and that Commissioner Vonderheid is a friend, however that does not influence his choice to speak. He credited Commissioner Skrepenak for his acknowledgement of Sam Hyder as a friend and noted that other relationships may have been taken into consideration for appointments to Boards and Authorities. Mr. Reilly congratulated the Board on the progress that has been made in the first 60 days. Mr. Reilly provided comment on the phone system, the AOPC are going to come in June with the new computer system and start the implementation of the new system in September. The letter states that their office must have Verizon. Commissioner Vonderheid commented there are three phases to the RFP and that the second part is to understand the state mandates that are required and relate to IT. Mr. Reilly encouraged the Commissioners and Row Officers to forego the badgering as it affects everyone.

Mr. Toole, with permission from Commissioner Skrepenak, after some skepticism, applauded the majority Commissioners on their decision to hire Sam Hyder, as he has heard nothing but positive things since his appointment.

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

Request a motion to approve the minutes of the Commissioner's Meeting held on February 4, 2004, February 13, 2004, and February 18, 2004

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

Request a motion to approve ratify and confirm payment of the following vouchers:  
Wachovia Bank, Vouchers 40G2594GF – 403042GF  
County General Fund for 2004

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

PNC Bank, Vouchers 400111LF – 400158LF  
Liquid Fuels for 2004

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

**COMMUNICATIONS: (cont.)**

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. 02252004** attached dated February 25, 2004 and **Resolution No. 03032004** attached dated <arch 3, 2004)

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

Request a Motion to adopt a resolution for a onetime **Voluntary Separation** program countywide effective March 4, 2004.

Commissioner Urban could not support the package, saying no cost/savings projections were presented and he couldn't make a decision without numbers.

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

Request a Motion to accept this **Purchase of Service Agreement** (“Agreement”) made the 1<sup>st</sup> day of July, 2003, between Luzerne County Juvenile Probation whose principle place of business referred to as the “County” and **PERSUES HOUSE**, whose principle place of business is **1511 PEACH TREE STREET, ERIE, 16501**, and shall be in force and effect from **July 1, 2003 through June 30, 2004**, inclusive.

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

Request a Motion to forgive Warrior Run Borough's 2000 County real estate taxes due on their property on Front Street, PIN: J8SE4-005-010. The Luzerne County Board of Assessment Appeals has granted tax-exempt status for the year 2001 and forward.

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

Request a Motion to approve the attached refund through the Assessor's Office in the amount of \$822.61.

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

Request a Motion to ratify a Letter of Engagement between the County of Luzerne and Lion Abstract Limited Partnership for:

1. Performance of title searches on multiple properties encompassing approximately 4,805 acres of land in Luzerne County for acquisition from the The Conservation Fund at a cost not to exceed \$15,000, including an amount not to exceed \$2,000.00 for cost; and
2. Issuance of an owner's title insurance policy with coverage in the amount of \$4,000,000.00 covering the land referred to above at a fixed premium cost of \$10,735.38.

Payment on each service to be provided to be made at time of closing of the County's purchase of the said land.

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

Request a Motion to adopt a policy insuring a positive work environment free of **HARASSMENT IN THE WORKPLACE**.

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

**COMMUNICATIONS: (cont.)**

Request a Motion to approve the proposal for Information Technology and Telecommunications Assessment.

Commissioner Urban requested Steve Englot, Director, Data Entry, to clarify the necessity of this request. Mr. Englot responded the advances in technology and telecommunication state mandates cited this action as a cost saving measure for the County.

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

Request a motion to purchase off State Contract 8 exterior and 23 interior security cameras in addition to the existing security system for use on Blocks at the Luzerne County Correctional Facility – Main Prison per design specifications/requirements of the County Engineer.

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

Request a Motion for the Luzerne County Commissioners to execute and submit to the Pennsylvania Commission on Crime and Delinquency a grant application on behalf of the Luzerne County Juvenile Probation Department in the requested amount of **\$92,832.00** to continue funding of its **Truancy Reduction Initiative Project**.

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

Request a Motion to adopt a Resolution designating the Chairman of the Luzerne County Board of Commissioners, or in his absence, the Vice Chairman of the Board of Commissioners as the person to act on behalf of Luzerne County as the **“APPLICABLE ELECTED REPRESENTATIVE”** within the meaning of the Internal Revenue Code of Development Authority of a project for the benefit of the Children’s Service Center of Wyoming Valley; authorizing such Chairman or Vice Chairman to take certain actions on behalf of the County as such **“APPLICABLE ELECTED REPRESENTATIVE”**; and authorizing other necessary and appropriate action.

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

Sam Guesto requested a Motion to go off the agenda.

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

Request a Motion to adopt Note Resolution authorizing issuance of **Supplemental Tax and Revenue Anticipation Note, Series 2004**, with terms set forth therein, to PNC Bank; and to authorize the Luzerne County Commissioners and its Chairman to execute all documents necessary to accomplish said issuance.

There was no Public Comment.

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

Commissioner Skrepenak requested a Motion to return to the Agenda.

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:

**LUZERNE COUNTY TREASURER’S OFFICE  
FINANCIAL STATEMENT  
March 3, 2004**

**WACHOVIA BANK**

General Fund.....	670,306.55
School, Road & Institution District.....	89,331.71
Real Estate Tax Sale Account .....	176,278.17
Self Insured Workers Compensation Fund.....	234,861.79
Court of Common Pleas - Domestic Relations IV-D Fund .....	635,599.83
Patients’ Personal Fund Account .....	105,476.58
911 Construction Fund.....	52,414.24
911 Operational Fund.....	262,109.41

**PNC BANK, NORTHEAST, PA.**

**Luzerne County Fiscal Agencies:**

Office for the Aging .....	\$ 86,162.77
Children & Youth Department.....	310,721.40
Mental Health/Mental Retardation.....	17,252.03
Drug & Alcohol Program.....	10,070.34
Office of Human Services.....	4,256.57
Human Services Agencies/Transportation Department.....	19,997.35
Liquid Fuels Tax Fund .....	113,877.06
Luzerne County GWBIF Escrow Account.....	27,239.03
1997 Series Parking & Office Relocation Fund .....	10,694.34

**CITIZENS BANK**

Adult Probation Special Account .....	\$ 241,186.47
Luzerne County Bridges.....	10,709.26
Hazardous Material Emergency Response Account .....	57,713.40
EMA Radiation Emergency Response Fund.....	26,613.22

**FIRST NATIONAL COMMUNITY BANK**

Luzerne County Convention and Visitors Bureau .....	\$ 41,200.90
Luzerne County Agencies Account .....	983,349.54
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 .....	76,169.89
Tri-County Airport Feasibility Study .....	110,304.82
Luzerne County 2002 Capital Projects.....	164,078.17
Workman’s’ Compensation Insurance Reserve Account .....	308.87
Luzerne County 2003 Capital Projects.....	433,949.27

**LUZERNE COUNTY TREASURER’S OFFICE  
CERTIFICATES OF DEPOSIT  
MARCH 1, 2004**

School, Road & Institute	\$ 1,315,000.00
Court of Common Pleas – Domestic Relations IV- D – Fund	\$ 600,000.00
911 Construction Fund	\$ 3,025,000.00
<b>Luzerne County Fiscal Agencies:</b>	
Office for the Aging	\$ 500,000.00
Children & Youth Department	\$ 750,000.00
Mental Health/Mental Retardation	\$ 7,650,000.00
Drug & Alcohol Program	\$ 435,000.00

**TREASURER’S: (cont.)**

Office of Human Services	\$ 230,000.00
Transportation Department	\$ 1,093,000.00
Liquid Fuels Tax Fund	\$ 450,000.00
Adult Probation Special Account	\$ 1,100,000.00
Hazardous Material Emergency Response Account	\$ 190,000.00
Luzerne County Agencies Account	\$ 945,000.00
Total	\$18,738,900.00

Commissioner Skrepinak requested Mr. Dominic DePolo, to provide a brief explanation of the Certificates of Deposit (“CD”) presented. Mr. DePolo commented that each Department indicates the amount and the duration of their respective deposit. The Treasurer’s Office researched all available rates daily and invests accordingly. Most CDs are short term and rates fluctuate weekly.

It was moved by Commissioner Urban, seconded by Commissioner Vonderheid.  
**“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. 400140TR to 400183TR inclusive in the amount of **\$1,758,499.95**

**Patients; Personal Fund:**

Voucher No. 400064PP to 400073PP inclusive in the amount of **\$3,856.49**

**Bureau for the Aging:**

Voucher No. 400590AG to 400779AG inclusive in the amount of **\$1,284,113.23**

**Children and Youth:**

Voucher No. 400763CY to 401237CY inclusive in the amount of **\$949,502.59**

**Mental Health/Mental Retardation:**

Voucher No. 400316MM to 400390MM inclusive in the amount of **\$2,277,697.59**

**Human Services:**

Voucher No. 400062HS to 400084HS inclusive in the amount of **\$1,044,389.29**

**Drug and Alcohol:**

Voucher No. 400074DA to 400100DA inclusive in the amount of **\$1,123,859.34**

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

\$114,061.69	Community Development Block Grant Program
\$408,388.00	Business Development Loan Program
\$17,960.60	Emergency Shelter Grant Program

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

Mr. Flood reported there were no bids.

**HUMAN SERVICE – JOSEPH LOFTUS-VERGARI, DIRECTOR**

**A MOTION TO APPROVE/RATIFY THE FOLLOWING PERSONNEL ACTIONS:**

**AGING:**

A Family Medical Leave of Absence for Mary Lou Perez, Aging Case Aide 2 (ps# 10-G140-L0609-0004) effective February 17, 2004.

**HUMAN SERVICE: (cont.)**

**CHILDREN & YOUTH:**

A Return from Family Medical Leave of Absence for Peter James, Social Services Aide 3 (ps# 21-Y740-L0622-0012) effective February 9, 2004.

**TRANSPORTATION:**

A Family Medical of Absence Without Pay for John Breznitsky, Driver (ps# 86-LWCTD-9201-0021) effective February 11, 2004.

The Resignation of Samuel Austin, Part Time Driver, (pd# 86-LWCTD-9202-0051) effective January 23, 2004.

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

**“AYES” SKREPENAK, VONDERHEID, URBAN**

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

<b><u>PROVIDER</u></b>	<b><u>SERVICES</u></b>	<b><u>TERM</u></b>	<b><u>RATE</u></b>
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**MENTAL HEALTH/MENTAL RETARDATION:**

Dana Henning, Ed.D., FAAMR	MR Annual Awareness Speaker/Workshop Presenter	3/18/04-3/19/04	\$1,000
The Council on Quality & Leadership	MR Training & Consultation	4/29/04-4/30/04	\$1,500

**OFFICE OF HUMAN SERVICES:**

Commission on Economic Opportunity	Housing Homemaker CHORE Home Delivered Meals	7/1/03-6/30/04	\$108,850 \$39,250 \$41,000 \$106,200
Luzerne/Wyoming Co. Drug & Alcohol	Inpatient	“ “	\$31,000
Luzerne/Wyoming Transportation Dept.	Transportation	“ “	\$151,000
Victims Resource Center	Court Related Services	“ “	\$24,300
United Cerebral Palsy	In Home Life Skills	“ “	\$28,396
Empowerment, Choice & Options	Adult Day Care	“ “	\$11,042
Family Service Asso.	Information & Referral	“ “	\$156,068
Child Development Council	“Unconditional” Child Care	“ “	\$20,000
Reach	Family Advocacy Program	“ “	\$16,000



**HUMAN SERVICE: (cont.)**

<b><u>PROVIDER</u></b>	<b><u>SERVICES</u></b>	<b><u>TERM</u></b>	<b><u>RATE</u></b>
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**OFFICE OF HUMAN SERVICES: (Continued)**

Project Remain	High-Rise Outreach	7/1/03-6/30/04	\$28,000
Catholic Social Services	Homeless Emergency Shelter	“ “	\$20,000
Luzerne County Children & Youth	Counseling/Intervention	“ “	\$38,000

**TRANSPORTATION:**

William Davis	Personnel Training and Support	4/1/04-6/30/04	\$100/day
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It was moved for all Contract items with the exception of the item under Transportation by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

**“AYES” SKREPENAK, VONDERHEID, URBAN**

It was moved for the Contract item listed under Transportation by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

**“AYES” SKREPENAK, VONDERHEID “NAYES” URBAN**

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

<b><u>PROVIDER</u></b>	<b><u>SERVICES</u></b>	<b><u>TERM</u></b>	<b><u>RATE</u></b>	
			<b><u>FROM</u></b>	<b><u>TO</u></b>

**MENTAL HEALTH/MENTAL RETARDATION:**

Valley Crest Adult Day Care	MR ADT	7/1/03-6/30/04	\$6,000	\$21,000
CCS-First Hospital Division	MH Inpatient Srvs.	7/1/02-6/30/03	\$450,000	\$475,157
Institute for Human Resources	MH/MR Residential	“ “	\$3,718,986	\$3,694,376
Impact Systems, Inc.	MR CE & Residential	“ “	\$3,143,365	\$3,269,790
Family Care Consortium	MR Residential	7/1/02-6/30/03	\$100,421	\$100,867
Step-By-Step, Inc.	MH/MR Residential, MR CE, FSS & FFDS	“ “	\$5,415,910	\$5,743,252
ARC of Wyoming County	MR Residential	“ “	\$900,625	\$896,144
Goodwill Industries	MH MR CE, MR Residential	“ “	\$1,727,629	\$1,836,418
National Mentor Healthcare	MR Residential	“ “	\$1,089,718	\$1,017,778

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

**“AYES” SKREPENAK, VONDERHEID, URBAN**

**HUMAN SERVICE: (cont.)**

**A MOTION TO APPROVE/RATIFY THE FOLLOWING TRAININGS AT A TOTAL COST OF APPROXIMATELY \$2,400:**

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>APPROX. COST</u>
<b><u>CHILDREN &amp; YOUTH:</u></b>				
Mark Schrode	Luzerne County Housing Symposium	Nanticoke	2/18/04	\$30
Jamie Stuart Ainslie DeYoung Grace Jones Cindy Jones Nancy O’Kane Ken Smith Mark Malkemes Marcia Barnes Rozanne Ciavarella Marissa Remers Holly Jones Lisa Jennings	The Sage Model-Trauma Informed Intervention	Forty-Fort	2/19/04-12/2/04 (once monthly)	\$1,750

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>APPROX. COST</u>
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**CHILDREN & YOUTH: (Continued)**

Nicole Litstansky Olga Araujo	Counseling Victims of Sexual Trauma	Dunmore	3/19/04	\$272
June Smith Sandra Moosic	Solutions for the Treatment of Resistant Client	Scranton	3/18/04	\$218
Jennifer Hagen	Cognitive Behavioral	Wilkes-Barre	2/23/04	\$60

**MENTAL HEALTH/MENTAL RETARDATION:**

Tammy Barber Stacy Brown Judy Kresky Marilee McDonough Karen Patterson Gail Stredny Carol Wilkes	Autism and Young Children Workshop	Sunbury	4/7/04	\$70
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It was moved by Commissioner Vonderheid, 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:

Tina Turner 52 Sheridan St. Wilkes-Barre, Penna.	CNA-7-3	Effective 2/21/04 Resignation
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March 3, 2004

**VALLEY CREST: (cont.)**

Patricia Thieman Box 16 Dallas Mobile Home Park Dallas, Penna.	Environmental Services	Effective 3/12/04 Retirement
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Lyle Kerrick 75 Durkee Street Forty Fort, Penna.	Dietary Manager	Effective 3/13/04 Resignation
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Richard Thomas 141 William Street Plains, Penna.	CNA-11-7	Effective 3/13/04 Retirement
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It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

**“AYES” SKREPENAK, VONDERHEID, URBAN**

**PERSONNEL ACTION**

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

John Burns 110 E. Lafayette Place Wilkes-Barre, Penna.	CNA-7-3	Effective 2/23/04 Returned from FMLA
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Elaine Pachamovitch 854 Broadway Road Shickshinny, Penna.	Scheduling Coordinator	Effective 3/30/04 Requesting an 8 week FMLA
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It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.

**“AYES” SKREPENAK, VONDERHEID, URBAN**

**ENGINEERING DEPARTMENT – JAMES J. BROZENA, COUNTY ENGINEER**

Request a Motion to award the Traffic Line Painting Contract to the low bidder, Interstate Road Marking Corporation, Hazleton, in the amount of \$67,290.00

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

**“AYES” SKREPENAK, VONDERHEID, URBAN**

Request a Motion to award the Anti-Skid Material, Gasoline & Diesel Fuel Oil, Lubricants, Precast Concrete Inlet Boxes, Pressure Treated Bridge Plank, and High Density Polyethylene Pipe Contracts to the low bidder, as indicated on the attached bid tabulation sheets.

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak

**“AYES” SKREPENAK, VONDERHEID, URBAN**

Request a Motion to award the Crushed Stone & Rock Lining materials, Bituminous Paving materials, and Ready Mixed Concrete Contracts to the successful bidders as indicated on the attached bid tabulation sheets.

It was moved by Commissioner Urban, seconded by Commissioner Skrepenak

**“AYES” SKREPENAK, VONDERHEID, URBAN**

**ROAD AND BRIDGE DEPARTMENT – JOHN J. GLUSHEFSKI, DIRECTOR**

No Agenda.

**PROPERTY AND SUPPLY – WILLIAM P. BURKE, DIRECTOR**

Request a Motion to approve the following contracts for the providers for service specified:

**Valley Crest Nursing Home:**

Pressure Reduction Mattresses:

Speciality Medical 50 Pennsylvania Ave. Malvern, PA 19355	Total Bid <b><u>\$11,621.25</u></b>	<b>75 Mattresses @ \$154.95 each</b>
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<u>Unsuccessful Bidders:</u>	Medline Industries	\$13,500.00
	Chestnut Ridge	\$10,729.50
	Harbor Linen	\$ 7,678.50

Low bidder did not supply a sample, nor did they meet specifications.

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

E-Z Fall Mats:

Speciality Medical 50 Pennsylvania Ave. Malvern, PA 19355	Total Bid <b><u>\$5,003.54</u></b>	<b>75 Mats @ \$66.72 each</b>
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<u>Unsuccessful Bidders:</u>	Med Plus	\$ 5,246.25
	Chestnut Ridge	\$ 4,574.25
	Harbor Linen	\$ 4,470.00

Low bidder failed to meet specifications.

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

Central Supply:

Medline Industries One Medline Plus Mundelein, IL 60060	Total Bid <b><u>\$87,424.25</u></b>	<b>41 Items</b>	#2-3-4-5-6-7-8-9- 10-11-12-16-18- 21-22-39-40-41- 47-50-51-52-63- 64-65-66-67-69- 70-81-82-83-90- 91-92-93
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Mercy Surgical 102 Rathway Road McMurray, PA 15317	Total Bid <b><u>\$37,701.95</u></b>	<b>16 Items</b>	#33-34-35-55- 56-57-58-59- 60-61-79-84- 85-86-87-88-
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Druzak Medical 200 First Street Ambridge, PA 15003	Total Bid <b><u>\$27,611.80</u></b>	<b>13 Items</b>	#13-20-37-48- 25-26-27-29- 38-53-54-80
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Dailey resource 200 First Wheeler Avenue Dunmore, PA 18512	Total Bid <b><u>\$11,264.50</u></b>	<b>5 Items</b>	#13-20-37-48- 49
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Med Plus PO Box 155 Luzerne, PA 18709	Total Bid <b><u>\$6,158.75</u></b>	<b>3 Items</b>	#17-19-28
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**PROPERTY & SUPPLY: (cont.)**

XPEDX                                    Total Bid **\$558.60**            **1 Items**    #68  
211 House Avenue  
Camp Hill, PA 17011

Unsuccessful Bidder:            Master Chemical\$12,887.50

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

Request a Motion for permission to reject the following:  
Items #31-32-33 – MED, LG, XLG Diapers and Items #71 to 76 – Feeding Tubers were not  
accepted due to them not being beneficial to the patients care.

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

Request a motion to re-advertise the above items.

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

**Court Administration:**

Phase II Luzerne County Court System IP Network Video Conferencing Solutions:

ISS                                        Total Bid **\$17,955.00**  
766 Sans Souci Parkway  
Box 184  
Wilkes-Barre, PA 18702

Unsuccessful Bidder: Custom Fit Inc.    \$20,688.00            Rejected – No Bid Security

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

**Voter Services:**

Specimen Ballots, Emergency Ballots, Party Lever Card, Party Indicator Cards and Diagrams, Return Sheets for the Election Boards, Election Tabulation Sheets, Voting Machine Ballot Labels, And Official Absentee Ballots, etc:

Creative Printing Service                    \$61,950.00  
280 South River Street  
Wilkes-Barre, PA

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

Permission to reject the delivery & re-delivery of voting machines for the April 27 and November 2, 2004 Election due to exceeded budget amount.

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

Permission to re-advertise the delivery & re-delivery of voting machines for the April 27 Election only.

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

**PLANNING COMMISSION – ADRIAN F. MEROLLI, DIRECTOR**

Request a Motion to revise Section 9.02 Schedule of Fees of the Luzerne County Zoning Ordinance.

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

request a motion to revise Section 7.11 Fee Schedule of the Luzerne County Subdivision/Land Development Ordinance.

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

Request a Motion for approval of a motion to adopt the Lackawanna and Luzerne Counties Open Space, Greenways & Outdoor Master Plan as a component of the Luzerne of the Luzerne County Comprehensive Plan.

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

**COMMUNITY DEVELOPMENT – SANDRA RUSSELL, DIRECTOR**

Request a Motion of the Board of Commissioners of the County of Luzerne authorizing the Luzerne County Office of Community Development to renew lead based paint liability insurance through Joyce, Jackman & Bell, at a cost of \$10,450 retroactive as of March 1, 2004. Funding insurance will be defrayed from the federally funded Office of Community Development housing budget.

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**

Request a Motion to approve the following Personnel actions:

**APPOINTMENTS:**

HUMAN RESOURCES OFFICE, KIMBERLI C. WEILAND, 3834 IRONWOOD LANE, TERRA HAUTE, IN., HUMAN RESOURCE OFFICER @ \$65,000 PER ANNUM. EFFECTIVE MARCH 8, 2004. TO FILL VACANCY

**SUSPENSION:**

VALLEY CREST NURSING HOME, ANTHONY J. DRIER, 149 NICHOLSON STREET, WILKES-BARRE, CASEWORKER. SUSPENSION WITHOUT PAY EFFECTIVE MARCH 2, 2004.

**RESIGNATIONS:**

VOTER SERVICES DEPARTMENT, JOHN R. HUK, 124 BUTLER STREET, WEST WYOMING, EFFECTIVE JANUARY 11, 2004.

LUZERNE COUNTY SECURITY PLANNING DEPARTMENT, JAMES J. WILSON, 20 NORTH ATHERTON AVENUE, KINGSTON, EFFECTIVE FEBRUARY 16, 2004.

LUZERNE COUNTY PLANNING COMMISSION, EDWARD W. GLAZENSKI, 360 EAST FIELD STREET, NANTICOKE. EFFECTIVE APRIL 15, 2004

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

Commissioner Skrepenak advised that an Executive Session was held on March 1, 2004 on Personnel issues.

March 3, 2004

**MEDIA**

Jennifer Learn-Andes, Times Leader, questioned whose responsibility it will be to investigate grievances reported under the new Harassment Policy. Mark Dingman responded the harassment statement was "a start toward a uniform policy for the county" intended to allow employees to report instances of harassment without fear of reprisal or firing.

The policy declares that the commissioners "will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment." Complaints will be filed with the Human Resource Officer, who in turn will brief the Commissioners as necessary.

**COMMISSIONER'S COMMENTS**

Commissioner Urban reflected on Mr. Gotchka's comments and his own commitment to retaining the youth of County. He cited Thom Greco's initiatives with Fiber Optics as just one the promising projects to influence the youth of this County to remain and/or return to the area.

Commissioner Vonderheid reflected on the many issues addressed at today's meeting and encouraged everyone to continue to remain optimistic and positive about the future of Luzerne County.

Commissioner Skrepenak, reflected on the accomplishments to date, stating the process does work and urged everyone to continue to become more open to positive steps being taken in County Government.

A Motion was entertained to adjourn the Commissioners' Meeting.

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

**"AYES" SKREPENAK, VONDERHEID, URBAN**

Respectfully,



Patricia Wilk, Recording Secretary