

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; Stephen L. Flood, Controller; James J. Brozena, County Engineer; John J. Glusheski, Director of Road & Bridge; William P. Burke, Director of Property and Supply,; Adrian F. Merolli, Director of Planning; Andy Reilly, Deputy 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.

Mr. Flood announced bids are open in the Treasurers' Office.

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 introduced Kathy Bozinski and Samuel Guesto for the presentation of the Proclamations.

Mr. Williams presented the Community Progress Award to the Board of Commissioners and Adrian Merroli, Director, Luzerne County Planning Commission.

Kathy Bozinski introduced Virginia Augello, Director, Tax Claim Bureau, to provide an account of the events which transpired which led to the Board of Commissioners recognizing the following employees with County Proclamations in their honor. Two weeks ago, Stewart Bender, Tax Claim Bureau employee, suffered a heart attack while at work. He was found lying on the floor; his face was blue and no pulse. Nadine Price called 911, Cathy Schappert, assisted by Beth Ann Christian, and administered CPR. David Roberts, Prothonotary's office, a trained first responder, rushed downstairs to assist Ms. Schappert to help resuscitate Mr. Bender twice. Paramedics arrived and transported Mr. Bender to the hospital where he subsequently recovered and returned to work this week. Other tax Claim employees cleared out boxes and files to make way for the paramedics while others escorted customers out of the office in calm, polite manner. Mr. Bender stated "I want to thank God for giving everybody the ability to save my life, I'm glad to be here."

Request a Motion to adopt the Resolution to extend thanks, praise and congratulations to all Employees of the Tax Claim Bureau for their heroic actions, their teamwork, and selfless decision to help their fellow man.

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

"AYES" SKREPENAK, VONDERHEID, URBAN

Request a Motion to adopt the Resolution to extend thanks, praise and congratulations to David Roberts for his heroic actions, and selfless decision to help his fellow man.

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

"AYES" SKREPENAK, VONDERHEID, URBAN

Request a Motion to adopt the Resolution to extend thanks, praise and congratulations to Beth Ann Christian for her timely and heroic actions, which helped save a life.

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

"AYES" SKREPENAK, VONDERHEID, URBAN

Request a Motion to adopt the Resolution to extend thanks, praise and congratulations to Nadine Price for her timely and heroic actions, which helped save a life.

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

"AYES" SKREPENAK, VONDERHEID, URBAN

Request a Motion to adopt the Resolution to extend thanks, praise and congratulations to Cathy Schappert for her heroic actions, and selfless decision to help her fellow man.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Commissioner Skrepenak, on behalf of the Commissioners, congratulated each of employees and expressed admiration of these individuals in saving a life noting no words could express. He congratulated Stewart Bender on his recovery and welcomed him back. Finally, Commissioner Skrepenak commented on situations such as this demonstrates the caliber of individuals the County has working for them.

Tom Williams, Greater Wilkes-Barre Chamber of Business and Industry, on behalf the organization's Government Affairs Committee, congratulated the Luzerne County Board of Commissioners for winning the Chamber's "Community Progress Award" for the recently adopted Luzerne-Lackawanna Open Space, Greenway and Outdoor Recreation Master Plan. Mr. Williams commented the Board of Commissioners should be commended for their vision and commitment to regionalism with this Open Space Plan, which is the first multi-county plan in the Commonwealth. This proactive effort, to achieve a balance between the natural environment and business development, will preserve the excellent Quality of Life enjoyed by the citizens of Northeastern Pennsylvania.

Mr. Williams presented the Community Progress Award to the Board of Commissioners and Adrian Merroli, Director, Luzerne County Planning Commission.

Commissioner Skrepenak added that most of the credit goes to the previous administration including Commissioner Urban for their efforts in making this project happen.

Commissioner Skrepenak reminded everyone that if you wish to address the Commissioners to see Ms. Bozinski and sign in.

PUBLIC COMMENT

Christine Katsock, Wilkes-Barre, publicly thanked Commissioners Skrepenak and Vonderheid for their involvement and support of the Colleen Shea Foundation Spring Fundraiser coming up next month. Ms. Shea was Ms. Kat sock's cousin and she personally appreciates the Commissioners for their willingness to take on this cause, noting Ms. Shea had a great love of children and with the support of this foundation it will continue. Commissioner Skrepenak commented he personally knew Ms. Shea and she was a wonderful person.

Ms. Katsock commented on the upcoming decisions of the Economic Development County money that would to be decided shortly and that projects were going to be ranked on their viability. Ms. Katsock offered her support for the Steam Heat Plant Project and its viability, citing the amount of new jobs it will bring to area, the quality and pay scale of those jobs, the opportunity to bring major corporations into the area through broadband, as well as the private entity money that has been provided for this project. Ms. Katsock urged the Commissioners, with the Governor visiting this week, for their great support for this project. Commissioner Skrepenak offering his support of the project further commented that although they would like to do everything, the Commissioners must to prioritize so they do not overlook anything. Commissioner Urban commented that he also supports this project. He noted that he has been to several meetings on this project and recollected the Governor's visit last year at the Woodland's and that the topic was discussed with the Governor and Councilman McCarthy of Wilkes-Barre City who was present to offer his strong support. Commissioner Urban further commented that if you want to build a business park, part of the infrastructure is putting the roads in, the phone lines and the utilities that are needed. If you want to bring in high tech jobs into the area, part of the process is having that high tech infrastructure - broadband, fiber optic communications infrastructure. Without such infrastructure he does not believe you can accomplish this. A project like this is the start of such a process and has his full support.

PUBLIC COMMENT: (cont.)

Carl Goodwin, Kingston Township, provided comment on the structure of the Commissioners' staff, referencing it as a million dollar staff, hired to do the work for the Majority Commissioners and leaving a trail of red ink in the County Treasury, referring to the Ordinances related to Budget and Financing and the Administrative Code. He noted that the Personal Policy would be adopted by Resolution not Ordinance. He expressed his dismay at this intention, noting he saw no stability in doing so, citing that if it is passed by Resolution, the Commissioners can change it at will at any meeting. And he found that is a direct conflict with the resolution passed by the Board of Commissioners at its January meeting. Mr. Goodwin, referring to the paragraph under Professional Services, specifically the language on advertising "time to time" as a loophole and would like to confirm if this is an attempt to protect one its biggest supporters. Mr. Goodwin also questioned which one of the Commissioners would be appointed to sit on the Greater Wilkes-Barre Chamber of Business and Industry Board. Commissioner Vonderheid responded he was appointed to that Board. Commissioner Skrepenak responded that there would be changes to the Administrative Code that will be announced by Mr. Guesto. Referring to the Personnel Policy, the reason the policy is not in place today, our Personnel person was not hired in time to put this into place within the first one hundred days. The Commissioners are moving slowly and deliberately to allow for the Department Heads and Row Offices to be consulted and there are no mistakes. The reason this policy is being passed as a Resolution is because we not want to handicap anyone that may come in after this administration and also allow this policy to change and grow with the times. As a Resolution, we will be afforded the opportunity to review the policy annually and make adjustments as necessary. Commissioner Skrepenak questioned Mr. Goodwin as to why he always directs his concerns to Commissioner Urban. Commissioner Urban responded Mr. Goodwin contacted the office requesting a copy of the Resolution and Atty. Blaum met him in the hall and Mr. Goodwin let him know he was there to see Commissioner Urban. Yesterday he asked for a copy of the original resolution to compare to what was in the Ordinance. Commissioner Urban further commented that Mr. Goodwin is a citizen like anyone else and has rights like any other citizen and should not be criticized for coming here and trying to make positive changes. Commissioner Urban expressed his concern of this Ordinance having any teeth and by teeth he was referring to penalties, such as monetary fines, for not following the rules. He further noted after reviewing the Ordinance he believe that the original resolution requested three separate Ordinances, Administrative, Personnel and Budget Process. When the Ordinance was presented, the he contacted the papers after they had contacted him earlier that day. Commissioner Urban added he would and will continue to be responsive to anyone who contacts him and as a citizen, Mr.. Goodwin has a right be here and bring things to the Commissioners' attention. He believes the newspaper item Mr. Goodwin brought to their attention was definitely worthwhile. Mr. Goodwin commented that the Ordinance is a direct retreat from your contract with the People of Luzerne County. Commissioner Skrepenak responded that in no way was he discouraging Mr. Goodwin from coming to see the Commissioner. He questioned that the document on the agenda was made public a week ago, and questioned why Mr. Goodwin did not come into the office sometime between then and prior to today's meeting and allow all three of the Commissioners to address those concerns. Commissioner Skrepenak added he would consider making the Personal Policy into an Ordinance, noting however, you can change an Ordinance with a little more effort than a Resolution and it is going to be at the mercy of the Commissioners and the administration that they serve. He added that they were trying to ensure the Commissioners would revisit the Personnel Policy when the administration reorganizes at the beginning of the year to ensure the policy is the best policy for this County.

Commissioner Vonderheid responded to the phrase "time to time" explaining this was meant to allow for some creativity on behalf of the newspapers so they may put together a package of their rates. He noted they want to encourage competition by packaging the rates. He referred to the last sentence of that clause where it states all advertising will be done at the lowest rate provided. Adding, that since this administration has taken office all classified ads have been placed in all three newspapers. Mr. Goodwin pointed out that the second sentence contains a major loophole that states the County reserves the right to use one or more newspapers, which could allow for a monopoly on County advertising by one of your biggest political supporters. Commissioner Vonderheid responded this allows for those, such as the large percentage of readers in the southern part of Luzerne County, whose newspaper might not win a package deal to still have the right to the information ensuring everyone is as informed as possible. Mr. Goodwin suggested it should be changed to any newspaper at any time could submit a proposal for advertising, but the way it is presently written, it does not provide that opportunity.

PUBLIC COMMENT: (cont.)

Mary Kamp, questioned the need for the eleven or twelve new appointments under the Human Services Department agenda and how this reflects the Commissioners commitment to trim County Government. Commissioner Skrepenak deferred the question to Mr. Joe Loftus-Vergari, Director, Human Services. Mr. Loftus-Vergari responded his Department is state and federal funded, supervised County managed system and they, the State and Federal, provide the funding, therefore requiring our agencies to provide the service or man the positions. Commissioner Vonderheid responded they will be doing their best to trim the numbers of full time employees, however, that does not mean it will be across the board, in fact some departments that have very little resources, such as the Human Services Department who are saving lives everyday are not the places to trim. Caseworkers and social workers are not the place to trim from this County Government it is a place, which needs to be empowered. Commissioner Skrepenak revisited the handicap parking issue brought up at the last meeting by Ms. Kamp and confirmed with Mr. Jim Brozena, County Engineer, that the rear of the building handicap parking area should be reopen by the end of May. Commissioner Urban commented on the parking for the public at Penn Place and noted with the movement of Tax Claim and the Treasurer Departments to Penn Place it will be a greater issue for adequate parking and believes a set number of spaces be available for the public. Commissioner Urban also recommended that the closet spots across the street from the Courthouse should be made available to the public and the reserved spots moved to the parking garage and believes this should be addressed as soon as possible. Adding he spoke to the Redevelopment Authority and John Glushefski concerning parking at Penn Place and the Authority owns land, the second track along Northampton Street, where quite a few number of spaces could be built for long term parking for the employees of Penn Place and the Authority is willing to work with the Commissioners.

Mr. Stephen Flood provided comment on a bill from Attorney Christopher Jones, the Special Counsel for former Commissioners Makowski and Pizano who was hired in February 2003 for approximately \$35,600. Upon review of the bill, a memo is included from Atty. Jim Blaum stating that immediate payment should be made. Atty. Jones received a \$10,000 retainer back in February to review the Merrill Lynch problems but it appears the billing is for work outside of his retention agreement and appears to include defending former Commissioners Makowski and Pizano, Jones and Crossin. In reviewing the billing sheet. Mr. Flood cited several items that did not appear to relate to the Merrill Lynch case but defense for the former majority Commissioners. Atty. Blaum referred to a retention letter of engagement, authorized by the former commissioners, Makowksi and Pizano, which outlined the scope of work, which included representing the County in any matter involving the Retirement Board. He added part of any attorney's scope of work is to gather information and evidence from witnesses to better their case, which is what the items are reflecting. Mr. Flood questioned whether Atty. Blaum was representing the defendants in the RICO matter. Atty. Blaum referred that this matter was addressed at a previous meeting, adding, Atty.. Jones was hired as a special solicitor to the Board of Commissioners. Atty. Blaum reviewed the letter of engagement with Mr. Flood. Atty. Blaum clarified that the bill being discussed is not \$35,600 but \$25,602.99. Mr. Flood read a memo from February 13th approving this bill and questioned the County Solicitor's authority to approve this bill. Atty. Blaum responded it has been the practice of his office to review all legal bills and approve, noting bills have been forwarded to his office from Dave Murowski, Deputy Controller, requesting such approval. Mr. Flood recommended, in light of the questions surrounding this bill, the Commissioners not pay the bill until independent counsel reviews it. Mr. Flood requested the Commissioners vote on the payment of this bill, as he will not pay it without their approval. Atty. Blaum advised the Board they do not have to vote for an individual bill but so that the matter does not go forward, noting he was going to request authorization to institute legal action to compel payment of this bill, recommended the Commissioners do so. Atty. Blaum strongly recommended that a motion be made concerning the payment of this bill. Atty. Blaum also noted that Mr. Flood did not make any objection within the time frame called for by the Code, which was relevant to his authority. Mr. Flood countered he did make several requests including the receipts to support the bill. Atty. Blaum commented that numerous billings have been processed and there has never been a request such as those related to this particular billing. Commissioner Urban reflected on Atty. Blaum's statement that Atty. Jones was retained as counsel to represent the Board of Commissioners. Commissioner Urban stated this order was issued before it was voted on by the Board and he had no knowledge before coming in here. This action was taken on February 5, 2003, when there was a vote taken that Atty. Jones was hired and what he was going to do. Commissioner Urban, despite several attempts, requested Atty. Jones brief him on what he was doing and/or provide him with any information.

PUBLIC COMMENT: (cont.)

He has seen Atty. Jones demonstrate his working for the Board of Commissioners, noting Atty. Jones has never sat down with the Commissioners in an Executive Session. Commissioner Urban stated he gave Atty. Jones a copy of the order from Judge Olszewski, stating that he was to be informed of any Executive Sessions and any violation of this order would be seen as contempt. Atty. Blaum responded that he personally knows of no Executive Sessions between Atty. Jones and the former Commissioners. Commissioner Urban cited several items on the bill and their relation to what Atty. Jones was hired to do. Atty. Blaum explained that legal actions are very complex and attorneys will seek information and evidence relevant to the matter before the court. Everything listed on the bill is related to the Retirement Board, which is included in the letter of engagement. Commissioner Urban commented on an article saying that the reason this bill was so high was because Atty. Jones had to prepare a NASD submission and noted that Atty. Jones never came to the Board for their approval to do this and secondly, the NASD item is listed on the bill as one hour. One of the problems, the Commissioner stated, is Atty. Jones is not laying out the facts, isolating only certain facts. His facts seem to present only what Mr. Jones wants to present not all the facts and without a vote of the Board. Commissioner Urban questioned if Atty. Jones is signing on behalf of the Board of Commissioners and there have been no meetings, does he have the authority to file any motion he wants because he is hired as special counsel? Commissioner Skrepenak requested Atty. Blaum to set up a meeting with Atty. Jones and have an Executive Session to clear this matter. Commissioner Urban questioned who gave Atty. Jones authority to file the second contempt charge against Mr. Flood for simply coming to a meeting. Atty. Blaum responded that when you hire an attorney to represent you and do his or her best effort in a particular matter, the attorney does not have to necessarily come to the client for every correspondence or filing. Commissioner Urban responded on a defense he is in an agreement as the attorney is out to defend, but if he is initiating new actions he does not agree. Atty. Blaum responded that it was not a new action and was under the same docket number. Commissioner Skrepenak reminded the Board that Atty. Cullen has made new numerous filings without the acknowledgement of the Board. Commissioner Urban responded that is because Mr. Jones is defending not initiating actions and there is a difference. Atty. Blaum responded that Atty. Jones is willing to enter into a straight contingent fee agreement on the NASD matter. Commissioner Skrepenak responded the Commissioners will revisit this issue and everything will be taken under consideration.

Tom Dombroski, Kingston Township, provided comment that one of the reasons he has offered his assistance on the work sessions to Mr. Samuel Guesto, Jr., was to get rid of situations like this. Mr. Dombroski complimented Mr. Guesto on his efforts. He also complimented Mr. Brozena for his efforts and working with him with regards to additional funding. Mr. Dombroski expressed his disappointment on a response to his questions directed to Mr. Jim Miller and the consultants for Valley Crest. He also referenced the article on Mr. Fischi and the Prison Budget, citing that the figures are not correct and he would be willing to meet with Mr. Salvatore Diaz, Chief of Budget and Finance, to go over these numbers. In regards to the matter just discussed, he recommended they go back to the Retirement Board and work on it there. He complimented the current administration for listening and taking the time to consider recommendations. Commissioner Skrepenak responded the Commissioners are reviewing Valley Crest and will be hiring a consultant. In regards to Gene Fischi, he believed Mr. Dombroski was referring to the overtime analysis. Mark Dingman responded Mr. Diaz would be working with the Warden to go over the figures to ensure the accuracy. Commissioner Skrepenak commented that he spoke to Mr. Guesto regarding the changes to the work session and Mr. Guesto has implemented several of those changes Mr. Dombroski had recommended. Commissioner Urban agreed there are discrepancies with the overtime analysis and it did not appear to include the financial impact of benefits.

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

Mr. Guesto responded that he had a copy of the new work session format recommended by Mr. Dombroski.

Mr. Guesto announced two Executive Sessions held one on April 7, 2004 for Personnel Issues and one on April 19, 2004 for Personnel Issues.

COMMUNICATIONS: (cont.)

Request a Motion to approve the minutes of the Commissioner's Meetings held on March 3, 2004 and March 17, 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 404232GF-404926GF
County General Fund for 2004

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

PNC Bank, Vouchers 400221LF – 400256LF
Liquid Fuels for 2004

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

Wachovia Bank, Vouchers 400023WCF-400027WC
Workman's Compensation

It was moved by Commissioner Vonderheid, 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. 04142004** attached dated April 14, 2004 and **Resolution No. 04212004** attached dated April 21, 2004)

Commissioner Urban commented that last week people of Hazleton chartered a bus and went down to meet with Rep. Eachus who in turn took everyone to meet with the Governor, but due to a scheduling conflict they met with representatives of the Governor's office. Commissioner Urban reported he and three Hazleton residents are scheduled to meet with Rep. Eachus and the Governor's Chief of Staff to address issues they have before them.

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

Request a Motion to adopt an Ordinance establishing an Administrative Code and Operational Structure, a Purchasing Manual, a Budget and Finance Code and authorizing creation of a Personnel Policy for the County of Luzerne, effective April 21, 2004 noting the following changes since it's public release on April 14, 2004.

- 1) Page #22: Senior Reporting Chart – slight change to more clearly illustrate the relationship between the Chief of Budget & Finance and the other Division Chiefs.
- 2) Page #23: Organizational Chart – The addition of the "Women's Commission" to the Department List, instead of its listing to the Advisory Boards, Councils and Commissions box.
- 3) Page # 23 Organizational Chart – The addition of the Valley Crest Advisory Board in the Advisory Boards, Councils and Commissions box.
- 4) Page #37: Purchasing Code – the addition of the following in Section 3:13.1 "(10) Those related to professional services involving professional expertise that are to be provided to customers of a County program or initiative where the following applies: (i) the costs of the services are to paid, or reimbursed to the County, from state or federal funds (ii) the service provider has been pre-approved by the state or federal government as an authorized service provider for such services and (iii) the customer has chosen the service provider from a list of pre-approved service providers.

This section has been added to allow federally and state funded county agencies/programs to allow for mandated “customer choice” of service providers.

- 5) Page #37 & 38: Purchasing Code – the correction of Section 3:14.2. Change from 3:132 Professional Services Prior to the award of any contract that is more than \$7,500 and that is exempted from bidding pursuant to Sections 3:13.1 (5) to “3:13.2 Professional Services Prior to the award of any contract that is more than \$7,500 and that is exempted from bidding pursuant to Sections 3:13.1(7), 3:13.1(8) and 3:13.1(9).

This exclusion in the 4/14/04 version was a simple typo.

Commissioner Urban commented he revisited what was said in January 2004 which stated there would be three (3) separate ordinances, (1) Administrative Code, (2) Personnel, and (3) Budget and Finance. Had that been accomplished he would have supported the Budget and Finance Ordinance today and the limited Personnel Policy, as he believed the Commissioners are committed to implementing a Personnel Policy. Commissioner Urban stated he would not support the administrative Code as he did not see consolidation taking place in the sub sections of the county and does not see any spelling out of that being done. Took departments and put them under the head of a new manager. In the public, he hears complaints that the County has a million dollar staff and hasn't done much to consolidate the sub elements in County Government and eliminate middle managers that are needed in departments. Because of that and the fact that it is package together he cannot support adding another million dollars of overhead. One of the reasons he did not support Home Rule because it created a big staff without consolidating functions there were also several other reasons including that the legislative districts were democrat and there probably would have been a Democrat as Executive and it would have been a one party rule. The Administrative Code creates high-level positions without the consolidation of functions within those departments and without cutting expenditures he will not support it because it is package. He noted that he does support bidding out services and we just need to better of writing specifications outlining what we want. Commissioner Skrepenak questioned Commissioner Urban to clarify how the Administrative section relates to consolidation. Commissioner Urban responded that big staff positions and place individuals under those individuals but there is no indication of consolidation. The real issue is new positions have been created and moved individual department heads under those managers but nothing has been done to consolidate within those departments. He has not seen those savings outlined in January 2004. Commissioner Skrepenak responded his perspective provides a clear chain of command, a process which will allow the Commissioners to consolidated the departments when it examine what needs to be done. He added this document provides the foundation to build a better structure for Luzerne County and eventually realize those savings. Commissioner Vonderheid commented that he understands Commissioner Urban's concerns with consolidation of departments. That is the entire intent the creation of these positions happened on January 6, 2004 at the Salary Board meeting. What happens today is the clear delineation of powers and authorities of those positions. We have taken ninety odd units of government including Boards and authorities and created 9 operating divisions. We have reporting systems and enable consolidation of departments. Commissioner Vonderheid, on behalf of at least Commissioner Skrepenak and himself, thank the volunteer committee, which included Charles Watters, PEL, John Semanski, College Misericordia, Don Senate, Allied Services, Bill Jones, Volunteers of America and Murray Ufberg, Rosenn, Jenkins and Greenwald for their assistance. He also acknowledged the staff for their support and recommendations.

Atty. Blaum provided clarification that the Personnel Policy being created and amended by Resolution, there is in the ordinance the mandate of the policy, the mandate of the annual evaluation and the annual review of the policy but the recommendation for the Personnel Policy being adopted by resolution came from the Solicitor's office and the Human Resource's office as they are unaware of any county that has a Personnel Policy as an ordinance and can be unwieldy and can create problems when changes are need and resolution is the best method. Commissioner Vonderheid responded that any changes that need to be made must come before the Board it stills binds the Board of Commissioners come before the public for an open discussion. Any changes have to be adopted annually and amended during the reorganization meeting of this body. Mr. Flood congratulated the three Commissioners for what they done and appreciates the open line of communication that is being established.

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

“AYES” SKREPENAK, VONDERHEID “NAYES” URBAN

COMMUNICATIONS: (cont.)

Request a Motion to approve the cost of three searches at \$50.00 each from \$125.00 to \$175.00 each. The properties are for John and Donna Bonk and two for Larry and Carol Llewellyn.

Commissioner Urban confirmed this is a one-time event.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to authorize the Board to execute a written agreement for a one year period with Gus Genetti for a section of parking at the Genetti’s property off Penn Avenue for a flat rate of \$30,000. The agreement would provide up to 200 spaces for Penn Place employees parking.

Commissioner Urban recommended proceeding with investigation of more available handicap parking at Penn Place.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to reduce the charge for a full day at Valley Crest Adult Day Center from \$48.00 per full day to \$44.00 per full day. Rate to be effective May 3, 2004.

Commissioner Urban questioned Jim Miller on how these prices compare to similar facilities in the area. Mr. Miller responded the price decrease makes this facility the best with the lowest price. Mr. Miller noted he conferred with Mike Wilt, County Commissioners Association of Pennsylvania prior to this request.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve the following appointments to the Area Agency on Aging Advisory Council from April 21, 2004 thru December 31, 2004: Margaret May Fischer, Wilkes-Barre; Dorothy Shea Yazurio, Laflin.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve appointments to the Luzerne County Children and Youth Services Advisory Board: Kimberly Martin Koehl, 188 Kimberly Drive, Trucksville; Jennifer Jones Nolly, 19 Orchard Place, Forty Fort; Virginia Crossing, 565 Gibson Avenue, Kingston; Melissa Janoski, 199 Church Street, Dallas; Richard Amico, 105 Philadelphia Avenue, West Pittston; Bob Dourand, 9 Walden Drive, Mountaintop. Membership is for a three (3) year term, effective April 2004.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to appoint the following to the Luzerne Conservation District Public and Farmer Director appointments.

Timothy J. Connolly, Jr., P.E.
15 Connolly Drive
Edwardsville, PA
Effective Date April 21, 2004
Expiration Date December 31, 2007 (Public)

William C. Letwinsky, P.E.
80 Atherton Avenue
Wyoming, PA
Effective Date April 21, 2004
Expiration Date December 31, 2006 (Public)

Leonard J. Burge, Jr.
398 St. John's Road
Drums, PA
Effective Date April 21, 2004
Expiration Date December 31, 2006 (Farmer)

Carl R. Urbanski
73 Second Avenue
Kingston, PA
Effective Date December 31, 2007 (Farmer)

Commissioner Urban requested advisement from Atty. Blaum if there is a conflict since he is a current member of the Conservation District Board. Atty. Blaum responded he saw no conflict.

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

Request a Motion to approve a refund in the amount of \$5,752.80 of an overpayment of taxes for 2002 and 2003, which were paid by the following property owner: Rocco Domiano, 3 E. McClure Avenue, Old Forge, PA 18518; PIN: J9-000-01A/Plate #25-C-R3-D15-1, property located at R. South Main Street, Hanover Township, PA. This property has been granted KOZ tax benefits for the years 2002 and 2003.

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

Request a Motion to approve a Family Medical Leave for Ellen DeAngelo, 50 Grant Street, Exeter, with Luzerne County 9-1-1. Effective April 2, 2004.

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

Request a Motion to approve a Family Medical Leave for Kelly Meade, 106 Meyer Street, Edwardsville, with Luzerne County 9-1-1. Effective March 29, 2004

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

Request a motion to authorize the transfer of \$177,926.39 from the 2003 Capital Projects Bond Issue Series A for items identified on Schedule "A" of Requisition 2003B-7 that is attached.

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

Request a motion to authorize the transfer of \$34,889.82 from the 2003 Capital Projects Bond Issue Series A for items identified on Schedule "A" of Requisition 2003A-12 that is attached.

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

Request a motion to authorize the transfer of \$198,987.09 from the 2002 Capital Projects Bond Issue for items identified on Schedule "A" of Requisition 2002-25 that is attached.

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

COMMUNICATIONS: (cont.)

Request a motion to approve the fee for Ogden Consulting, 24 Maple Street, Ashland, PA, for Grant Writing Package Program. Services at 48 hours at a cost of \$50.00 per hour for a total of \$2,400.00.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a motion to accept the Lease Agreement between Luzerne County Emergency Services Department and White Haven Municipal Authority regarding property located in Foster Township more particularly described in as Parcel No. 3 in Luzerne County Deed Books 1120 Page 40.

Commissioner Urban noted the previous Board of Commissioners approved this contract in November 2003 but no original copies are available.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve the following General Fund Budget Transfer:

FROM:		AMOUNT
10-4115-211-00	Personnel/Budget Miscellaneous	\$333,500
TO:		AMOUNT
10-4110-211-00	Commissioners – Contracted Services	\$333,500

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve the following General Fund Budget Transfer:

FROM:		AMOUNT
10-4115-111-00	Personnel/Budget - Salaries	\$39,808
TO:		AMOUNT
10-4110-111-03	Commissioners – Salaries/Clerks	\$39,808

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to approve the following General Fund Budget Transfer:

FROM:		AMOUNT
10-4940-240-06	Refunds – General Fund/Contingency	\$43,378
TO:		AMOUNT
10-4195-212-00	Prothonotary -Masters	\$43,378

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to ratify the renewal of Boiler and Machinery Insurance Policy with Harford Steam Boiler Inspection an Insurance Company for annual premium of \$16,461 effective April 18, 2004.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

TREASURER'S OFFICE

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

**LUZERNE COUNTY TREASURER'S OFFICE
FINANCIAL STATEMENT
April 21, 2004**

WACHOVIA BANK

General Fund.....	4,052,163.19
School, Road & Institution District.....	92,693.12
Real Estate Tax Sale Account	182,045.48
Self Insured Workers Compensation Fund.....	65,074.01
Court of Common Pleas - Domestic Relations IV-D Fund	483,776.17
Patients' Personal Fund Account	100,381.16
911 Construction Fund.....	457,632.85
911 Operational Fund.....	8,116.60

PNC BANK, NORTHEAST, PA.

Luzerne County Fiscal Agencies:

Office for the Aging	\$ 1,088,456.74
Children & Youth Department.....	1,694,696.97
Mental Health/Mental Retardation.....	21,971.35
Drug & Alcohol Program.....	55,467.91
Office of Human Services.....	164,126.61
Human Services Agencies/Transportation Department.....	8,727.55
Liquid Fuels Tax Fund	78,008.09
Luzerne County GWBIF Escrow Account.....	27,247.96
1997 Series Parking & Office Relocation Fund	10,694.34

CITIZENS BANK

Adult Probation Special Account	\$ 449,047.67
Luzerne County Bridges.....	10,727.70
Hazardous Material Emergency Response Account	75,189.63
EMA Radiation Emergency Response Fund.....	24,017.48

FIRST NATIONAL COMMUNITY BANK

Luzerne County Convention and Visitors Bureau	\$ 58,011.72
Luzerne County Agencies Account	1,031,180.84
Luzerne County Solid Waste Recycle Account	88,724.85
Luzerne County Property Tax Collection	371,631.33

FIDELITY DEPOSIT & DISCOUNT BANK

Wyoming Valley Airport Account.....	\$ 42.73
Adult Probation/Offenders Supervision Fund	31,335.08
Tri-County Airport Feasibility Study	91,034.72
Luzerne County 2002 Capital Projects.....	6,281.37
Workmans' Compensation Insurance Reserve Account.....	332.64
Luzerne County 2003 Capital Projects.....	57,351.07

**LUZERNE COUNTY TREASURER'S OFFICE
CERTIFICATES OF DEPOSIT
April 16, 2004**

General Fund	\$ 9,000,000.00
School, Road & Institute	\$ 3,475,000.00
Court of Common Pleas – Domestic Relations IV- D – Fund	\$ 600,000.00
911 Construction Fund	\$ 2,025,000.00
 Luzerne County Fiscal Agencies:	
Children & Youth	\$ 1,750,000.00
Mental Health/Mental Retardation	\$ 4,150,000.00

TREASURERS: (cont.)

Drug & Alcohol Program	\$ 900,000.00
Office of Human Services	\$ 400,000.00
Transportation Department	\$ 775,200.00
Liquid Fuels Tax Fund	\$ 400,000.00
Adult Probation Special Account	\$ 1,100,000.00
Hazardous Material Emergency Response Account	\$ 190,000.00
Luzerne County Agencies Account	\$ 945,000.00
Luzerne County Solid Waste Recycle Account	\$ 452,400.00
Total	\$26,162,600.00

Michael Morreale and Dominic DePolo are away at a Conference. Request to accept as presented.

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. 400273TR to 400332TR inclusive in the amount of **\$1,131,442.48**

Patients; Personal Fund:

Voucher No. 400126PP to 400145PP inclusive in the amount of **\$11,675.70**

Bureau for the Aging:

Voucher No. 401227AG to 401365AG inclusive in the amount of **\$164,379.33**

Children and Youth:

Voucher No. 401981CY to 402478CY inclusive in the amount of **\$4,176,401.09**

Mental Health/Mental Retardation:

Voucher No. 400368MM to 400777MM inclusive in the amount of **\$2,469,411.95**

Human Services:

Voucher No. 400140HS to 400154HS inclusive in the amount of **\$859,703.86**

Drug and Alcohol:

Voucher No. 400148DA to 400162DA inclusive in the amount of **\$2,024,247.93**

It was moved by Commissioner Vonderheid, 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.

\$98,166.70	Community Development Block Grant Program
\$2,586.08	Emergency Shelter Grant Program
\$19,971.00	HOME Investment Partnership Program

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

“AYES” SKREPENAK, VONDERHEID, URBAN

Request a Motion to ratify and confirm the payment of \$13,173.58 to the Penn State Cooperative Extension, 16 Luzerne Ave., Suite 200, West Pittston, PA. This is the County’s appropriation for the month of April.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

CONTROLLER’S: (cont.)

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 appropriation for the month of April.

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

“AYES” SKREPENAK, VONDERHEID, URBAN

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

Valley Crest Nursing Home:

Oxygen Concentrators

1. Respiratory & Convalescent Spec.	\$573.75 per mo	Cash Ck
2. Dailey Resources LTD	\$573.75 per mo	Cash Ck

Register of Wills & Recorder of Deeds:

1. Stone Office Equip, Inc	\$103,355.25	Cash Ck
2. Creative Business Interiors	\$105,223.00	Bid Bond

Area Agency on Aging:

Janitorial Service

Charles T. Adams Center

1. K-Pat Karpet	\$6,588.00	Bid Bond
2. Klean Sweep	\$7,550.00	Cash Ck
3. Wilkes Barre Window Cleaning	\$8,700.00	Cash Ck

Dallas Center

1. Pioneer Cleaning Co	\$4,080.00	Cash Ck
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Edwardsville Center

1. K-Pat Karpet	\$6,480.00	Bid Bond
2. Wilkes Barre Window Cleaning	\$6,490.00	Cash Ck
3. Klean Sweep	\$6,950.00	Cash Ck

Pittston Center

1. Klean Sweep	\$7,475.00	Cash Ck
2. Wilkes Barre Window Cleaning	\$7,895.00	Cash Ck
3. K-Pat Karpet	\$6,588.00	Bid Bond

Nanticoke Center

1. Klean Sweep	\$7,650.00	Cash Ck
2. Wilkes Barre Window Cleaning	\$7,490.00	Cash Ck
3. K-Pat Karpet	\$7,188.00	Bid Bond

Mountaintop Center

1. Klean Sweep	\$4,175.00	Cash Ck
2. Pioneer Cleaning	\$4,236.00	Cash Ck

CONTROLLER’S: (cont.)

Plymouth Center

1. Klean Sweep	\$7,450.00	Cash Ck
2. Pioneer Cleaning	\$3,780.00	Cash Ck
3. K-Pat Karpet	\$6,388.00	Bid Bond

Kingston Center

1. Klean Sweep	\$8,000.00	Cash Ck
2. K-Pat Karpet	\$7,668.00	Bid Bond
3. Wilkes Barre Window Cleaning	\$8,295.00	Cash Ck

Tunkhannock Center

1. Pioneer Cleaning	\$7,980.00	Cash Ck
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It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepentak.
“AYES” SKREPENAK, VONDERHEID, URBAN

HUMAN SERVICE – JOSEPH LOFTUS-VERGARI, DIRECTOR

A MOTION TO APPROVE/RATIFY THE FOLLOWING PERSONNEL ACTIONS:

AGING:

The Appointment of Cheryl Yardchik, Duryea as a Clerk 2 (ps# 10-G140-L0012-0007) at an annual salary of \$18,163 effective April 26, 2004.

The Appointment of the following Aging Care Manager 2’s at an annual salary of \$25,325 effective April 26, 2004:

- (ps# 10-G140-L0635-0022) Judith Strish, Hanover Twp.
- (ps# 10-G140-L0635-0033) Erin Kasa, Nanticoke

A Family Medical Leave of Absence for Mary Lou Perez, Aging Case Aide 2 (ps# 10-G140-L0609-0004) effective March 24, 2004.

CHILDREN & YOUTH:

A \$250 Certification Pay Adjustment for Randi Setta, Social Services Aide 3 (ps# 21-Y740-L0622-0009) at an annual salary of \$21,472 effective August 15, 2003.

The Appointment of the following Caseworker 2’s at an annual salary of \$26,825 effective April 23, 2004:

- (ps# 21-Y740-L0624-0077) Paul Guido, Kingston
- (ps# 21-Y740-L0624-0096) Sabrina Pall, Hunlock Creek
- (ps# 21-Y740-L0624-0048) Wayne Woznikaitis, Wilkes-Barre
- (ps# 21-Y740-L0624-0085) Joseph Kloss, Hughestown

The Appointment of ShaQuan Wiggins, Kingston as a Caseworker 2 (ps# 21-Y740-L0624-0004) at an annual salary of \$26,825 effective April 26, 2004.

The Appointment of the following Caseworker 2’s at an annual salary of \$26,825 effective May 3, 2004:

- (ps# 21-Y740-L0624-0066) Tara McCutcheon, Kingston
- (ps# 21-Y740-L0624-0026) Deanne Reese, Kingston

A Return from Family Medical Leave of Absence for Gerard Muth, Fiscal Operations Officer 3 (ps# 21-Y740-L0317-0001) effective April 15, 2004.

HUMAN SERVICES: (cont.)

DRUG & ALCOHOL:

The Appointment of Lynda Frushon, Wilkes-Barre as a Drug & Alcohol Case Management Specialist (ps# 007-K040-L0686-0004) at an annual salary of \$25,325 effective April 30, 2004.

TRANSPORTATION:

The Resignation of Jose Cruz, Part-Time Driver (ps# 98-LWCTD-9202-0041) effective March 31, 2004.

The Appointment of Jeffrey Booth, Forty Fort, as a Part-Time Driver (ps# 98-LWCTD-9202-0041) at an hourly rate of \$8 effective April 6, 2004.

A Return from Family Medical Leave of Absence for Frank Pollick, Driver (ps# 86-LWCTD-9201-0069) effective April 13, 2004.

A Change in Status for Richard Synder from Substitute Full-Time Driver to Part Time Driver (ps# 95-LWCTD-9202-0006) at an hourly rate of \$8 effective May 6, 2004.

A Change in Status for Robert Steiner, from Part –Time Driver to Substitute Full-Time Driver (ps# 86-LWCTD-9201-9023) an hourly rate of \$8.50 effective May 7, 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:

<u>PROVIDER</u>	<u>SERVICES</u>	<u>TERM</u>	<u>RATE</u>
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CHILDREN & YOUTH:

Martha Andras	Sign Language Interpreting Services for Deaf/Hard of Hearing Families on an as Needed Basis	3/24/04-6/30/04	\$2,000
Devereaux Foundation	Residential Treatment Facility Billed to County	7/1/03-6/30/04	\$194/day \$77/day
United Way of Wyoming Valley	Family Service System Reform Grant	1/1/04-6/30/04	\$35,434
Children’s Behavioral Health Services	Psychological Eval.	12/1/03-6/30/04	\$5,000

MENTAL HEALTH/MENTAL RETARDATION:

Linda Benson	MR Administrative Services	5/21/04	\$500
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DRUG & ALCOHOL:

Multi-Media Advertising Solutions, Inc.	Tobacco-Counter-Marketing Tobacco-Statewide Programs	4/21/04-6/30/04	\$20,000 \$5,000
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HUMAN SERVICES: (cont.)

TRANSPORTATION DEPARTMENT:

Adopt a resolution authorizing the submission of the 2004-2005 Community Transportation Capital Equipment Grant Application to the Pennsylvania Department of Transportation, Bureau of Public Transportation.

It was moved by Commissioner Vonderheid, seconded by Commissioner Skrepenak.
“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 TO</u>
<u>AREA AGENCY ON AGING:</u>				
Erwine's	Personal Care	7/1/03-6/30/04	\$263,000	\$260,000
Comfort Keepers	Personal Care	“ “	\$ 25,500	\$ 28,500
Caring Care	Personal Care	4/8/04-6/30/04	\$ 3,500	\$ 7,000

MENTAL HEALTH/MENTAL RETARDATION:

Keystone Adult Day Care	MR ADT & Respite	7/1/03-6/30/04	\$91,653	\$202,500
Luzerne Intermediate Unit 18	MR Early Intervention	“ “	\$20,000	\$32,000

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

A MOTION TO APPROVE/RATIFY THE FOLLOWING TRAININGS AT A TOTAL COST OF APPROXIMATELY \$2,584:

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>APPROX. COST</u>
<u>AREA AGENCY ON AGING:</u>				
Connie Andrews Lynn Brown Colleen Jones Carol Kay Sandy Longo Laura Pisarcik Linda Rondinella Dorothy Shaw Karen Weed	Managing Multiple Priorities	Wilkes-Barre	4/15/04	\$180
Tara Langan Brenda Lispi	Documentation & Case Recording	Harrisburg	4/23/04	\$80

HUMAN SERVICES: (cont.)

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>APPROX. COST</u>
Tara Langan Brenda Lispi	2004 Legal & Financial Issues	King of Prussia	5/6/04	\$240
Anne Rappaport Mary Lou Zerfoss	PANSSCPD Mtg.	State College	5/17-5/18/04	\$165
Philip Semenza	PA Partners	Hershey	5/19-5/21/04	\$595
Colleen Jones	Bone & Joint Disease	Scranton	6/14/04	\$100

CHILDREN & YOUTH:

Susan Martin	Addiction and Why We Can't Solve It	Scranton	5/18/04	\$114
Ann Marie Black Corrine Giodiano	Legal Advocacy in Domestic & Sexual Violence	Scranton	5/7/04	\$148
Rozanne Ciavarella	Research to Practice Forum 2004	State College	4/21/04	\$193
Gina Bellanca Maureen Taroli Evangeline White Donna Domiano	Anger Control Made Easy	Dunmore	4/19/04	\$591

MENTAL HEALTH/MENTAL RETARDATION:

Nancy Welsh Karen Patterson	New Immigrants, New Opportunities	Wilkes-Barre	4/28/04	\$20
Kathy Mortimer Winifred Serfass	Excel Basics	Wilkes-Barre	6/21/04	\$158

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

VALLEY CREST – JAMES MILLER, ADMINISTRATOR

SEPARATIONS

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

Bradley Wysocki C/O Abby Buckingham 6700 Northeast, 21 st Drive Fort Lauderdale, FL 33308	Maintenance	Effective 4/24/04 Termination
Heidi Sherlinski 57 E. Main Apt. 5 Plymouth, Penna.	Environmental Services	Effective 4/2/04 Terminated/Separation Program
Frances Dupak 133 Maffet Street, Apt. 102 Plains, Penna.	Environmental Services	Effective 4/2/04 Terminated/Separation Program

VALLEY CREST: (cont.)

Raymond Deiter 43 Poplar Street Plains, Penna.	Environmental Services	Effective 4/2/04 Terminated/Separation Program
Claire Parsons 158 W. Union Street Nanticoke, Penna.	RN-Restorative Care Manager	Effective 4/9/04 Terminated/Separation Program

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

APPOINTMENTS NONE

PERSONNEL ACTION:

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

Elaine Pachamovitch 854 Broadway Road Shickshinny, Penna.	LPN-Scheduling Manager	Eff. 4/12/04-Transferred to Restorative Care Manager
Karen Tombasco 279 S. Mountain Blvd. Mountaintop, Penna.	Scheduling Clerk	Eff. 4/12/04-Transferred to Scheduling Manager
Karen Beckley 613 Luzerne Avenue W. Pittston, Penna.	Social Service Clerk Typist	Eff. 4/12/04-Transferred to Scheduling Clerk

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

SEMINARS

Request a motion to approve the following seminars for Valley Crest Employees:

Request approval for James Miller and Noelle Kovaleski to attend a one day conference to maintain their Licensure Certification on May 6, 2004 in Scranton, Penna. Total Cost: \$198.00.

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 authorize the proper officials to execute an agreement with Borton Lawson Engineering Inc. in the amount of \$17,322.92 for engineering design services for the Wyoming Valley Airport Runway Profile Correction.

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

Request a Motion to authorize the proper officials to execute an agreement with L. Robert Kimball and Associates in the amount of \$126,400.00 to perform the Needs Assessment/Facility Assessment for the Luzerne County Correctional Facility.

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

ENGINEERING: (cont.)

Request a Motion to authorize the proper officials to execute an agreement with Eyerman, Csala, Hapeman & Handman in the amount of \$40,500 for Architectural Services for the Luzerne County Courthouse Exterior Restoration Project.

It was moved by Commissioner Vonderheid, 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 for permission to advertise the following for:

Property and Supply Department:

1994 Chevy Blazer, Tan – 73410MG, 71098 – Mileage (Front End, Brake Problems, Electric Problems)

1988 Chevy Celebrity, White - 75929MG, 43443 – Mileage (Needs Paint Job)

1992 Ford Club wagon, Blue #15 – 29843MG, 32094 – Mileage (Brake Booster, Rear End)

1992 Chevy Caprice, Blue – FHF1435, Mileage – Non-Available (Engine has bad miss an rap in it)

1992 Ford Crown VIC, Black – DYY-6057, 63184 – Mileage (Gas Tank and Sending Unit, Gas Lines Rotted, Frame Rotted in places)

1991 Chevy Lumina, Silver – 88324MG, 156563- Mileage (Complete Exhaust, Worn Out)

1991 Ford Crown VIC, Blue – No Plate, 150571 – Mileage (Worn Out)

Luzerne/Wyoming Counties Transportation Department

Four (4) Narrow Body Small Transit Buses

Commissioner Urban questioned Mr. William Burke where the vehicles are parked. Mr. Burke responded they are parked at the road and Bridge Department and will be noted in the Advertisement. Commissioner Urban questioned how many vehicles does the County currently have, how many are needed, how many are taken home, and how much mileage doe the vehicles, etc. Mr. Burke responded the vehicles they do not allow the vehicles for personal use and will be implementing mileage ,usage, and maintenance logs for all vehicles. Commissioner Vonderheid commented Mr. Diaz is working with our financial manager Public Financial Management on a multi-year plan a d part of that analysis is fleet management

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

“AYES” SKREPENAK, VONDERHEID, URBAN

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

Valley Crest Nursing Home:

Window Cleaning:

K-Pat Karpet
105 George Avenue
Wilkes-Barre, PA 18705

Total Bid: \$ 4,100.00

PROPERTY AND SUPPLY: (cont.)

Unsuccessful Bidders: GI Cleaning \$ 4,600.00
PJ Window \$ 4,190.00

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

Recreation Department:

Two (2) Buses for Summer Program for MH/MR (Moon Lake)

White Transit School Bus Total Bid: \$ 7,975.00
239 Old River Road
Wilkes-Barre, PA 18702

Unsuccessful Bidders:Nanticoke Public \$ 8,366.00
Service

Luzerne County Convention & Visitors Bureau:

Unigraphic Color Corp. Total Bid: \$12,615.00 \$315.38 Per 1,000 (40,000)
301 West Main Street
Plymouth, PA 18651

Unsuccessful Bidders:Offset Paperback \$18,575.00 (Rejected – No Bond)
Seaber Turner Assoc. \$15,611.00 (Rejected – No Bond)
Five Thousand Forms \$13,410.29
Dodge Graphic Press \$12,970.00
Graphicolor Corp \$12,865.00
Times Printing \$12,800.00

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

PLANNING COMMISSION – ADRIAN F. MEROLLI, DIRECTOR

Request a Motion for approval an execution of the PaDOT Annual Transportation Planning Grant for Fiscal Year 2004-05. the Grant is in the amount of \$288,340 and is funded by the Federal and State governments at the 88.7% level (\$255,807)

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

COMMUNITY DEVELOPMENT – ANDY REILLY, DEPUTY DIRECTOR

No Agenda.

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

Request a Motion to approve the following Personnel actions:

APPOINTMENTS:

Commissioners Office:

Cindy Shaw, 5742 Main Road, Hunlock Creek, Executive Assistant @ an annual salary of \$31,000. Effective April 12, 2004. To fill vacancy.

PERSONNEL: (cont.)

Department of Road and Bridge:

John P. Kramer, 69 Govier Street, Wilkes-Barre, Equipment Pump Operator @ an annual salary of \$22,000. Effective April 21, 2004. To fill vacancy.

Russell Kratz, 37 John Streer, Kingston, Equipment Pump Operator @ an annual salary of \$22,000. Effective April 21, 2004. To fill vacancy.

Albert Kowalski, 159 East Broadway Street, Larksville, Per Diem Laborer @ \$7.50 per hour. Effective April 21, 2004. To assist with the seasonal workload at the Levee/Recreation Complex.

Frank P. Duzen, 274 Schooley Avenue, Exeter, Per Diem Laborer @ \$7.50 per hour. Effective April 21, 2004. To assist with the seasonal workload at the Levee/Recreation Complex.

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

Motion to go off the agenda to discuss Atty. Christopher Jones issue.

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

Atty. Blaum made a recommendation for a motion to approve for payment an invoice from Attorney Christopher Jones, Esq., dated January 30, 2004, for professionally contracted legal services and expenses totaling \$25, 602.99 and to authorize the Solicitor to institute a legal action opposing the Controller’s refusal of payment if said invoice is not paid within five days of this approval.

Commissioner Urban commented that if Atty. Jones truly works for the Board of Commissioners he has not demonstrated that with him. Commissioner Urban added he had not been consulted for any of the activities on this list and he does not believe Atty. Jones had approval to engage in many of the activities listed. He noted that the Board of Commissioners approved two actions in April of last year, which were to file an injunction, which he voted against, and to file suit in the Court of Common Pleas against Merrill Lynch, both were approved by a 2-1 vote. Those are the only two actions he was aware of. Therefore he cannot approve this motion. Commissioner Vonderheid requested the motion before the Board be amended to include a Executive Session between Atty. Jones and the Board of Commissioners be scheduled within the next seven (7) days. Mr. Flood commented that the Commissioners should be very careful on what is being done and again recommended the retention letter should be carefully reviewed prior to paying this bill. Commissioner Skrepenak solicited Atty. Blaum’s opinion on the legality of this bill. He questioned if this is in the realm of the contract signed by the previous Board of Commissioners and if this were to go before the Court would there be any substance to lawsuit. Atty. Blaum offered his opinion that yes Atty. Jones would have a strong case against the County if payment of this bill is not immediately rectified.

Request a Motion to approve for payment an invoice dated January 30, 2004 for professionally contracted legal services and expenses totaling \$25, 602.99 and to authorize the Solicitor to institute a legal action opposing the Controller’s refusal of payment if not paid within five days of this approval.

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

Commissioner Vonderheid made the motion that a meeting between Atty. Christopher Jones and the Board of Commissioners be accomplished within the next seven (7) days.

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

OFF THE AGENDA: (cont.)

Motion to return to the agenda to discuss Atty. Christopher Jones issue.

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

MEDIA

Jennifer Learn-Andes, the Times Leader, questioned the right sizing of Valley Crest and what is the next step after the Voluntary Layoff Program was completed.. Commissioner Skrepenak responded that based on those earmarked who chose the Voluntary Layoff Program, which Mr. Miller responded were about half , will define the next step. Commissioner Urban questioned Mr. Miller as to what the end number, after all proposed positions are eliminated. Mr. Miller responded the total number of employees will be fewer than three hundred. Commissioner Skrepenak questioned what is the current census. Mr. Miller responded the current number is 192 and the projected was 210 for the first quarter. Commissioner Urban requested Mr. Miller provide the details of what will be done with the Budget to compensate for the shortfall.

COMMISSIONER’S COMMENTS

Commissioner Urban provided comment on the Administrative Code noting that Commissioner Vonderheid was correct when he referenced the Salary Board approval in January 2004, but noted he was not in favor of some of those positions. He further commented that there is a good dialogue with the Departments and Managers and added he was pleased with last month’s Retirement Board meeting and the receipt of the ARC payment.

Commissioner Vonderheid commented he was delighted to be part of a Board that has created the first real level of rules and regulations in Luzerne County History. He added the purchasing policy is stronger than what is required by the Commonwealth of Pennsylvania and an amazing Budget Ordinance that starts with why and not how much. Commissioner Vonderheid explained the first step of the budget process is for the Department Heads to define goals and objectives and provide a narrative interpretation of what each department is doing and why they are asking for money which allows this Board to make those decisions based on the overall goals and objectives of County government. He congratulated Mr. Diaz for drafting this Ordinance and is proud to have voted for it. Commissioner Vonderheid commented he looks forward to working with Kimberli Weiland in drafting a Personnel Policy. Finally, he added, he was pleased to acknowledge the retaining of Kimball and Associates, hired to do a long-term assessment of the overall corrections system noting this is a big step in the right direction.

Commissioner Skrepenak echoed Commissioner Vonderheid’s sentiments. He commented that there is no items on the Salary Board Agenda but understood that Commissioner Urban and Mr. Flood would be accompanying Mr. Brozena on a tour today to understand the necessity and salary requirements of the two levee electrician positions that will be proposed shortly.

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