

June 30, 2009

On the above date at 1:00 P.M., the Luzerne County Board of Commissioners convened a special meeting with the following present: Maryanne Petrilla, Chairman; Gregory Skrepenak, Commissioner; Stephen Urban, Commissioner; Via telephone, Douglas Pape, Chief Clerk/County Manager; Vito DeLuca, County Solicitor; Tom Pribula, Chief of Budget and Finance; Doug Richards, Director, Human Resources

Maryanne Petrilla called the meeting to order and asked everyone to join in saying the Pledge of Allegiance.

It is noted that all meetings are electronically recorded.

Commissioner Petrilla stated for the record that Commissioner Stephen Urban was in attendance via conference call.

BID OPENINGS:

No Bids

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

No Announcements

RECOGNITIONS:.....**Maryanne C. Petrilla**
Commissioner/Chairman

No Recognitions

PUBLIC COMMENT:

Drew Magill questioned what KOZ's were on the agenda for a vote. Commissioner Petrilla responded that there were two. One was for Duryea Borough Keystone Opportunities and the other was for the Hazleton Airport Keystone Opportunity Zone extension.

Mr. Magill questioned if there were any properties in the Grimes Industrial Park for Robert Mericle on the agenda for consideration. Commissioner Petrilla responded that there was not.

Mr. Magill stated that he wanted to commend Commissioner Urban for voting no at the last meeting on the KOZ's for residential development in Hanover Township. Mr. Magill stated that there is no strong evidence that KOZ's benefit the community. Mr. Magill stated if any property on the agenda today had anything to do with undeveloped open space or if the property is in need of new infrastructure to make it profitable, they should not be approved. Mr. Magill stated when KOZ's are designated where there is no existing infrastructure, that infrastructure has to be built and is therefore paid by the taxpayers and property owners.

Mr. Magill loaned a book titled "Great American Job Scan" to the Commissioners for them to read.

COMMUNICATIONS – DOUGLAS A. PAPE, COUNTY MANAGER/CHIEF CLERK3

 McCabe v. Luzerne County3

 Duryea Borough Keystone Opportunity Zone Program3

 Hazleton Airport Extension of Keystone Opportunity Zone Program3

 Payment - Commission of Economic Opportunity4

DEPARTMENT HEAD REPORTS4

 DEPT. OF PROBATION SERVICES – MICHAEL VECCHIO, DIRECTOR.....4

COMMUNICATIONS – DOUGLAS A. PAPE, COUNTY MANAGER/CHIEF CLERK

MOTION

McCabe v. Luzerne County

Request a Motion to Authorize Proper Officials to Execute Settlement Agreement in the Case of McCabe v. Luzerne County, No. 3:09-CV-0796. There is no expenditure of County funds pursuant to this settlement agreement.”

Vito DeLuca stated that this was a lawsuit filed on the collection of the Fair Share Fee. He stated that the county was sued along with the Teamsters Union. Mr. DeLuca stated that the Teamsters had agreed to pay the attorneys fees for the other side and resolve the issue. He stated that the county would have to pay for their own attorney’s fees; however that amount would be under \$2,000.

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

MOTION

Duryea Borough Keystone Opportunity Zone Program

Request a Motion adopting a resolution extending the term of real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in the Borough of Duryea designated as a Keystone Opportunity Zone in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of Luzerne County, Duryea Borough, Pittston Area School District, Commonwealth of Pennsylvania, upon certain terms and conditions.

Commissioner Urban commented that this was a mine scarred piece of property owned by the Redevelopment Authority and the Pittston Chamber of Commerce.

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

MOTION

Hazleton Airport Extension of Keystone Opportunity Zone Program

Request a Motion adopting a resolution extending the term of real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in Hazle Township in the County of Luzerne designated as a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone or Keystone Opportunity Improvement Zone in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of the County of Luzerne Commonwealth of Pennsylvania, upon certain terms and conditions.

Commissioner Urban commented that these properties were owned by the City of Hazleton. He stated that the city is trying to develop and market these properties.

Commissioner Petrilla questioned if the school district and municipality gave their approval prior to the vote today. A representative from Hazleton City stated that they had.

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

MOTION

Payment - Commission of Economic Opportunity

Request a Motion to ratify and confirm the payment of \$105,000.00 to the Commission on Economic Opportunity (CEO) for the Cost of Nutritional Services delivered by the Weinberg Regional Food Bank. This is the County’s second installment for 2009.

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

END OF COMMUNICATIONS

DEPARTMENT HEAD REPORTS

DEPT. OF PROBATION SERVICES – MICHAEL VECCHIO, DIRECTOR

MOTION

Request a Motion of the Luzerne County Board of Commissioners to approve/ratify the lease for parking at Northampton and Wilkes-Barre Boulevard (Market Street Square Property) for a term of twelve months (June 1, 2009 through May 31, 2010) with the Redevelopment Authority of Luzerne County for the sum of \$10,000.00.

Commissioner Skrepenak questioned what property this was. Michael Vecchio responded that this was the parking lot used by the Penn Place Building employees. Mr. Vecchio stated that it was the Market Street Property now owned by the Redevelopment Authority.

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

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

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>RATE/ CONTRACT/CAP</u>
BI Incorporated	House Arrest Electronic Monitoring Program	07/01/2009–06/30/2010	Offender funded. Rate: \$15.00 per day paid by clients
Luzerne County Courts with Catholic Social Services.	Community Service Program		Rate: \$50 per person paid by clients
Luzerne County Courts with Catholic Social Services.	Comprehensive Alcohol Highway Safety Program		Rate: paid by clients CRN evaluation \$50., Community Service

\$50., Alcohol Highway
Safe Driving School
\$325.,
Drug/
Alcohol Evaluation
\$160.

Commissioner Skrepenak stated that he raised this issue at the last Commissioners Meeting. He stated that he had talked to everyone involved and he was still getting two different stories. Commissioner Skrepenak stated that according to the numbers he had received the revenue collected has been close to \$50,000 on these programs.

Michael Vecchio responded so far this year the potential profit will be \$40,696. He stated that some of the expenses listed were estimates.

Commissioner Skrepenak responded according to the numbers he was given from the state, so far this year the county had collected \$319,000, which would extend the potential for revenue. He stated in addition to that he thought there was more outstanding. Commissioner Skrepenak questioned if the outstanding bill was sent to a collection agency or did the county aggressively pursue that money.

Mr. Vecchio responded that any unpaid debt is turned over at some point.

Commissioner Skrepenak stated that the number he had was \$451,000. He stated at the end of December of last year the amount was over \$500,000. Commissioner Skrepenak stated after the expenses are deducted that's still over \$250,000 in lost revenue. He stated that he talked to Catholic Social Services and the state and he kept getting conflicting reports. He stated that he was just asking for accurate information.

Mr. Vecchio responded that the amount he had provided came from their department's system. He stated that the amount was \$248,929.

Commissioner Skrepenak stated that the numbers he had did come from the system being used by the Probation Department. Commissioner Skrepenak stated that he was not there to say who should or shouldn't get the contract but that was a lot of revenue. He stated that he knew that this program was not a revenue generating program but how could a commissioner turn down \$250,000 of possible revenue dollars.

Commissioner Petrilla questioned if Commissioner Skrepenak was including the fact that six employees were laid off and that expense would come out of that revenue.

Commissioner Skrepenak responded that it didn't matter, that was the amount that was collected to date.

Michael Vecchio commented that the program was running at the expense of other services in the Probation Department. He stated that they were not running a DUI operation. He stated that they have many other offenders that need to be supervised. He stated that one day a week his office is stretched to the max handling the DUI's coming in the door. He stated that was not the intent of the Probation Services Department. He stated that the Probation Department was not there to generate revenue for the county they were there to provide services.

Commissioner Skrepenak responded that he understood however, during these economic times the county is looking for places to pick up revenue.

Mr. Vecchio stated that that the people who brought this program in house seemed to feel that the probation employees had free time on their hands. He stated that the staff was working before the DUI program and still continues to work diligently.

Commissioner Skrepenak questioned what the state had told them. Mr. Vecchio responded that he didn't know what the state could say. He stated that there was a DUI association that may or may not be happy with the program, however the DUI association does not run the Luzerne County Courts.

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

Request a motion to adjourn:

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

Respectively submitted,

A handwritten signature in black ink that reads "Jennifer Thomas". The signature is written in a cursive style with a long, sweeping tail on the "s".

Jennifer Thomas, Recording Secretary