

JANUARY 14, 2009

On the above date at 10:00 A.M., the Luzerne County Board of Commissioners convened their regularly scheduled meeting with the following present: Maryanne Petrilla, Chairman; Gregory Skrepenak, Commissioner; Stephen Urban, Commissioner; Douglas Pape, Chief Clerk/County Manager; Vito DeLuca, County Solicitor; Tom Pribula, Chief of Budget and Finance; Michael Morreale, Treasurer; Anthony J. Martinelli, Acting Controller; Joseph DeVizia, Director of Human Services; Gregory Hunsinger, Director of Purchasing; Joseph Gibbons, Engineer; Andrew Reilly, Office of Community Development; Adrian Merolli, Planning Commission; Larry Saba, Probation Services

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.

BID OPENINGS:

No Bids

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

No Announcements

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

No Recognitions

PUBLIC COMMENT:

Martin Holloway stated he wanted to discuss the reassessment on his mother’s property. He stated that the property was 1.5 acres of total flood plane and 2.21 acres that was 50% flood plane. Mr. Holloway stated the value was listed as \$62,000. Mr. Holloway stated that less than two in a half miles away there is a property with a 4.3 acre lot, which is prime building, valued at \$37,000. Mr. Holloway questioned why they now had to go through another process. Tony Alu responded that Mr. Holloway needed to go to the Court of Common Pleas and go through the mediation process. Mr. Alu stated that he would look into the matter and see what he can do to help.

Ray Clarke, Board Chairman of the Huber Breaker Society, stated that he spoke with Al Roman and was informed that Mr. Roman would be willing to consider accepting payments on the property.

Terry Best stated that he was here on behalf of his son requesting that the Commissioners put on the May Primary Ballot the following question: “Shall a government study commission of seven, nine, or eleven members be elected to study the existing form of government of Luzerne County; to consider the advisability of the adoption of an optional form of government or a home rule charter; to recommend the adoption of an optional form of government, or to draft and recommend a home rule charter? Mr. Best stated that this would give them more time to educate the people in the county. He also stated that it would be safer for the senior citizens by not having someone knocking on their door. Commissioner Urban stated that anyone who will want to be on the commission will need to go out and obtain signatures. Mr. Best stated that they will be having public signings and most likely someone would go to people they know to obtain the signatures.

Charles Hatchko asked that the Commissioners put the Home Rule question on the ballot. Mr. Hatchko stated that a change is needed in county government. Mr. Hatchko stated that home rule will make

Luzerne County a better place. Mr. Hatchko stated that the taxpayers cannot handle all the taxation. Mr. Hatchko stated that Home Rule would benefit the seniors and taxpayers of Luzerne County.

Jack Schumacher stated that he was a member of Kingston Counsel. Mr. Schumacher asked the Board to think over the levee tax. Mr. Schumacher stated that it was not fair to these communities just because they lived by the river. Mr. Schumacher stated that Kingston Counsel voted unanimously to protest this levee tax.

Commissioner Urban responded that this was a Flood Protection Authority issue. He stated that Mr. Brozena was working on different ways to raise this money. Commissioner Urban explained that prior to 1996 the levees were maintained by the different municipalities. When the Core of Engineers came around and looked at them they saw that some of the pumps were not being maintained. They then signed an agreement with a previous Board of Commissioners in 1996 that stated once the levee raising project was complete the levees and pumps would be maintained by the county. Commissioner Urban stated that he was ready to go back to Mr. Brozena with a fifth option, which would be all the municipalities that have levees come up with a check to reimburse the county for the cost of operating and maintaining the levees. Commissioner Urban stated then they would not have to impose the levee tax. Commissioner Urban stated that when the responsibility fell onto the county to maintain these stations the municipalities came into a windfall of funds. Commissioner Urban stated that the Solicitor had also inquired into this matter and has determined that the county cannot pass this tax off to the entire county because the entire county does not get a direct benefit from the levees.

Jack Scuumacher stated that he still didn't think it was right. He stated that he was asking the members to not vote for it. He stated that Kingston will not go along with it and the county will end up with another lawsuit.

Jack Schumacher questioned the hiring of a former 21st Century employee in the Assessors Office. Commissioner Petrilla stated that they could not discuss personnel matter at a public meeting. Mr. Schumacher responded that it wasn't fair or right and it has now caused a lot of dissention in the Assessors Office.

Walter Griffith thanked the Commissioners for putting the Home Rule Vote on the agenda. Mr. Griffith stated that Salary Board Meetings should be held monthly. Mr. Griffith pointed out the newspaper article in which the County's Solicitor stated that the county violated PA Law by not having a Salary Board meeting in January. Commissioner Petrilla responded that Attorney DeLuca in his research found that the county had not followed protocol of the Salary Board for the last several years. She stated that as a result there is a volume of work that needs to be done for the first meeting. Commissioner Petrilla stated that she will call a Special Salary Board Meeting next week so the county can be in compliance with the law.

Mr. Griffith read from the county code section 1620 on Salary Boards.

Commissioner Skrepenak questioned what Mr. Griffith was specifically referring to in regard to a salary not created by the Salary Board. Mr. Griffith provided example of the Court Stenographer receiving an increase in pay. Mr. Griffith stated that this should have come before the Salary Board. Commissioner Skrepenak responded that if the position already exists and a salary is associated with that position then that would not be a Salary Board issue. Mr. Griffith stated that he disagreed with Commissioner Skrepenak. He stated that the county code does not state that in the wording. Commissioner Skrepenak responded that that if the position is on the books and it is funded Salary Board is not needed.

Commissioner Petrilla stated that Solicitor DeLuca has been researching this issue extensively. Solicitor DeLuca stated that this was something Commissioner Petrilla directed him to research. He stated that it took a lot of time to review the many cases as well as the county code. Solicitor DeLuca reviewed a Bucks County case which stated that the Salary Board does create positions and affix salaries, however since that time Bucks County has reversed its position on the matter. Solicitor DeLuca quoted another case which stated that the Salary Board does not make specific decisions as to people, it make it's decisions on the positions. Solicitor DeLuca stated that when he checked the on the \$21,000 raise given to the Court Stenographer it was an existing position with a salary that was already fixed. He stated that he didn't believe the county would have a legal standing to object to it. Solicitor DeLuca stated that there are other issues related to the Salary Board in regard to other actions that have been taken recently in which he believes the county is in a position to object to.

Mr. Griffith commented that the county was not saving any money by hiring people for positions that were left vacant by the early retirement buyout. Commissioner Skrepenak stated that the hiring process goes through the Commissioners other than the hiring in the Row Offices. Commissioner Skrepenak stated that the Commissioners did not have to fund a position even though it is on the books. Commissioner Skrepenak stated that a position can be eliminated by the Salary Board.

Tom Dombroski stated that he was happy to see more people question the operating of Luzerne County Government. Mr. Dombroski stated at last months meeting he asked the Commissioners if they knew what real time accounting, cash accounting, and accrual accounting was. Mr. Dombroski stated that no one answered his question. Mr. Dombroski stated that right now no one in the county knows the current financial situation. He stated that if he asked the Treasurer or Controller what the current financial situation is they would not be able to provide an answer. Acting Controller, AJ Martinelli stated that the county is on accrual accounting and they do have the current financial information. Budget Director, Tom Pribula responded that the county is on a modified accrual accounting. He stated that he could tell Mr. Dombroski a balance on a daily basis.

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

Minutes

MOTION

Request a Motion to approve the minutes of the Commissioner’s Meetings held on December 17, 2008, December 23, 2008 and December 30, 2008.

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

Vouchers

MOTION

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

PNC Bank, Vouchers 473191GF – 47319411F
County General Fund for 2008/2009 to Date

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

PNC Bank, Vouchers 502816LF – 502825LF
Liquid Fuels Fund for 2008/2009 to Date

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

Wachovia Bank, Vouchers 400359WC – 400360WC
Worker’s Compensation for 2008/2009 to Date

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING STATE OF EMERGENCY EVENTS AND THEIR DATES AS LISTED:

Hazleton and Hazle Township

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 dated: January 7, 2009; January 14, 2009; January 21, 2009; January 28, 2009; February 4, 2009; February 11, 2009.

Luzerne County State of Emergency – Bridges

Request a Motion to adopt a Resolution declaring the existence of a State of Emergency in the County of Luzerne relating to all county – owned bridges. Resolution dated: January 7, 2009; January 14, 2009; January 21, 2009; January 28, 2009; February 4, 2009; February 11, 2009.

Luzerne County State of Emergency – EMA Flooding

Request a Motion of the Luzerne County Board of Commissioners to approve/ratify continuing the State of Emergency from June 26th, 2006 due to flash flooding and flooding from the Susquehanna River. This motion is for the weeks of January 5, 2009; January 12, 2009; January 19, 2009; January 26, 2009; February 2, 2009; February 9, 2009 and February 16, 2009.

Luzerne County State of Emergency – EMA Flash Flooding

Request a Motion of the Luzerne County Board of Commissioners to approve/ratify continuing the State of Emergency from November 16TH, 2006 due to flash flooding. This motion is for the weeks of January 5, 2009; January 12, 2009; January 19, 2009; January 26, 2009; February 2, 2009; February 9, 2009 and February 16, 2009.

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

MOTION

Cost Allocation

Request a Motion to appoint Cost Plans Plus, LLC to prepare the County of Luzerne’s Indirect Cost Allocation Plan in accordance with Office of Management and Budget Circular A-87 and ASMB C-10 for a fixed fee of \$8,700 for the calendar years ending December 31, 2008, 2009, and 2010.

Commissioner Skrepenak questioned if this item was put out for bid. Doug Pape responded that an RFP was done.

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

MOTION

Swap Valuation Services

Request a Motion to appoint PFM Asset Management LLC (“PFMAM”) to provide Swap Valuation Services to the County of Luzerne for a fee of \$5,000 for the period January 1, 2009 through December 31, 2009.

Commissioner Skrepenak questioned if the county was currently under contract with another group. Tom Pribula responded that the county was able to get out of that contract through a written notice. Mr. Pribula stated that the difference was the other contract was \$40,000, where this one is only \$5,000.

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

MOTION

2007 GF Audit Change Order

Request a Motion to execute a change order to the professional auditing services contract with Jones Kohanski & Co., LLC in the amount of \$30,000 to expedite the completion of the 2007 General Fund audit.

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

MOTION

Fee Accountant

Request a Motion to advertise for the services of a Fee Accountant in connection with the completion of Luzerne County’s Audit for the year ended December 31, 2008

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

MOTION

Single Application for Assistance – Saint Stanislaus Apartments (Appendix Page 24)

Request a Motion of the Luzerne County Board of Commissioners ratifying the submission of an application and authorizing a Resolution regarding the submission of an application to the Pennsylvania Department of Community and Economic Development (PA DCED), effective January 14, 2009, as well as authorization for the Chairman of the Board of Commissioners to execute any and all documents necessary for the application for and receipt of PA DCED funding in regards to the Housing and Redevelopment Assistance Program. This Single Application for Assistance is requesting \$500,000 that will pass through to Catholic Social Services and be used towards the Saint Stanislaus Apartment project located in Newport Township, Luzerne County.

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

MOTION

Public Defenders Liability Insurance

Request a Motion to approve The National Association of Salaried Professionals Purchasing Group (NASPPG), Lloyd’s of London as Public Defenders Liability Insurance provider for a total of \$10,750.00 effective February 1, 2009 to January 31, 2010 through Joseph J. Joyce Associates, Inc., with an optional one year renewal based on yearly percentage increase. This would be subject to the Solicitor’s review and approval.

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

MOTION

Luzerne County Capital Grant – Hoyt Library

Request a Motion of the Luzerne County Board of Commissioners to approve a Capital Grant in the amount of \$150,000 to the Hoyt Library for replacement of contents lost due to the roof collapse in February 2007. All grant funding must be drawn down within eighteen (18) months of approval.

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

MOTION

Luzerne County Capital Grant – White Haven Library

Request a Motion of the Luzerne County Board of Commissioners to approve a Capital Grant in the amount of \$50,000 to the White Haven Library for costs associated with construction. All grant funding must be drawn down within eighteen (18) months of approval.

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

MOTION

2003 Capital Projects Bond Issue – 2003D-39 – Transfer (Appendix Page 25)

Request a motion to acknowledge the **transfer** of \$228,139.15 from the 2003 Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-39

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

MOTION

2003 Capital Projects Bond Issue – 2003D-39 – Payment (Appendix Page 25A)

Request a motion to approve **payment** of \$228,139.15 from the 2003 Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-39.

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

MOTION

Discontinue Eminent Domain Proceedings

Request a Motion to direct the County Solicitor to discontinue eminent domain proceedings against Real Estate situated at 49 South Main Street, Ashley Borough, Luzerne County, PA.

Commissioner Urban stated that he wanted to make it clear that he supports this project but there is a proper way to move this project forward. Commissioner Urban stated that an appraisal needs to be done

first or the county may be subject to whatever Mr. Roman presents to the court. Commissioner Urban stated that the last document he saw had the value of the coal in the ground at \$7 million dollars. Commissioner Urban stated that the county did not have that kind of money. Commissioner Urban stated that he was giving his word that he would make a motion to advertise for an appraisal for the Huber Breaker property.

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

MOTION

Advertise for Insurance Policy renewals

Request a Motion to authorize the proper officials to advertise for Insurance Policy renewals for the Keystone Job Corps Center, Butler Township, PA.

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

MOTION

RFP for 9-1-1

Request a Motion for permission to release an RFP for 9-1-1 Tower Site and Radio System Maintenance and Professional Services

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

MOTION

Home Rule Charter

Request a Motion to place the following question on the ballot:

“Shall a government study commission of (seven, nine or eleven) members be elected to study the existing form of government of Luzerne County; to consider the advisability of the adoption of an optional form of government or a home rule charter; to recommend the adoption of an optional form of government, or to draft and recommend a home rule charter?”

Commissioner Urban stated that he had a few legal questions. Solicitor DeLuca responded that it was his intention for the Board members to choose between the seven, nine, or eleven members. Commissioner Urban stated that the home rule book states there are two ways to put this on the ballot. The first is to collect signatures and the second is to initiate by ordinance. Commissioner Urban questioned if this motion could be voted on today without advertising the ordinance in the paper. Solicitor DeLuca stated that he was asked to prepare the motion. He stated that he did not do any research on the ordinance.

Commissioner Petrilla questioned if the Board could vote on the motion and amend it to read “prepare and adopt the ordinance at the next public meeting.”

Commissioner Skrepenak stated that the difference between a resolution and ordinance ultimately is the ordinance needs to be on public display for a certain amount of time.

Request a motion to adopt and put on display an ordinance to read as follows:

“Shall a government study commission of eleven members be elected to study the existing form of government of Luzerne County; to consider the advisability of the adoption of an optional form of government or a home rule charter; to recommend the adoption of an optional form of government, or to draft and recommend a home rule charter?”

Commissioner Petrilla stated that she has gone on record as stating she thought this would be a good idea to have this come from a grass roots effort like any other candidate who wants to run for public office. She stated with everything that is going on in the county she thinks this particular issue is very important and the commissioners need to show a unified front. Commissioner Petrilla stated that she would support this motion as well.

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

END OF COMMUNICATIONS

TREASURER’S OFFICE – MICHAEL L. MORREALE

FINANCIAL STATEMENT

Request a Motion to accept the following Treasurer’s Report:

CHECKING ACCOUNT BALANCES

As of: January 05, 2009

WACHOVIA BANK

General Fund (Old Account)	\$204,542.74
School, Road & Institutional (Old Account).....	552.77
Real Estate Tax Sale Account (Old Account)	0.00
Self Insured Workers Compensation Fund	252,747.68
Domestic Relations IV-D Fund	1,191,067.15
Patients’ Personal Fund Account	7,551.89
9-1-1 Construction Fund	885,436.31
9-1-1 Operational Fund	648,996.48
9-1-1 Wire Fund	2,418,198.96
9-1-1 Wireless Fund	650,143.84

PNC BANK

General Fund (New Account)	\$212,711.67
Schools (New Account)	1,414,936.11
Towns (New Account)	140,663.43
Real Estate Tax Sale (New Account)	1,411,187.12
Transportation Department.....	318,642.82
Office for the Aging.....	2,928.89
Children & Youth Services	131,901.46
Mental Health/Mental Retardation.....	18,939.06
Human Services.....	9,329.37
Drug & Alcohol Program	92,035.72
Liquid Fuels Tax Fund	661,896.65
GWEIF Escrow Account	27,672.93
Juvenile Probation JCJC Grant-in-Aid	51.92
Act 44 Bridge Account	151,349.87
Redevelopment Assistance.....	0.00
Coroner VSIA Account.....	37,156.00
Hicks/Abrahams Creek	0.00
PEMA Hazard Mitigation.....	0.00
Convention & Visitors Bureau.....	0.00

CITIZENS BANK

Adult Probation Special Account	\$425,434.56
Bridge Fund	793.24
Hazardous Material Emergency Response Account.....	53,243.43
EMA Radiation Emergency Response Fund	20,669.30

FIRST NATIONAL COMMUNITY BANK

Convention and Visitors Bureau	\$68,989.18
Agencies Account	908,520.55
Solid Waste Recycling/Landfill Administration.....	178,991.48
Property Tax Collection	188,069.84

FIDELITY DEPOSIT & DISCOUNT BANK

Wyoming Valley Airport Grant Account	\$39,946.57
Tri-County Airport Feasibility Study	2,553.79
Series 2002 A & B Capital Projects.....	48,914.82
Series 2003 A & B Capital Projects.....	175,102.27
Series 2003 D Capital Projects.....	358,218.93
Series 2008 B Settlement Fund.....	0.00
Series 2008 B Sinking Fund.....	6.26
Series 2008 B Project Fund.....	21,208,182.30

M & T Bank

Adult Probation Drug & Alcohol RIP Program.....	\$41,283.27
Riverfront-GG2.....	602,195.51
Nesbitt Park-DCNR.....	75,480.61
2008 LCIDA Bond Fund.....	405,237.69
2008 LCIDA Settlement Fund.....	0.00
2008 LCIDA Project Fund.....	0.00
2008 LCIDA Revenue Fund.....	0.00
2008 LCIDA Debt Service Reserve.....	6,126,119.75

Community Bank & Trust

2008 Series A Settlement Fund.....	\$0.00
2008 Series A Project Fund.....	37,692,988.56
2008 Series A Sinking Fund.....	51.20

CERTIFICATES OF DEPOSIT

(Principal Values only)

As of: January 05, 2009

Liquid Fuels Tax Fund	\$600,000.00
9-1-1 Construction Fund	\$200,000.00
Domestic Relations IV-D Fund	\$1,785,000.00
Transportation Dept	\$150,000.00
Mental Health/Mental Retardation	\$2,550,000.00
Office of Human Services	\$325,000.00
Hazardous Material Emergency Response Account	\$160,000.00
Solid Waste Recycle Account	\$800,000.00

Agencies Account

\$2,575,000.00

Total:

\$9,145,000.00

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

CONTROLLERS REPORT- ACTING CONTROLLER, ANTHONY J. MARTINELLI

CONTROLLER’S REPORT

Acting Controller, AJ Martinelli requested that all motions be accepted as presented. Mr. Martinelli stated that the only change made since the work session was the amount payable to the Penn State Cooperative Extension.

1. Request a motion to authorize the Controller to make the following payments under the Luzerne County Community Development Program for various services and projects:
 - \$ 268,187.63 Community Development Block Grant Program
 - \$ 369,574.57 Business Development Loan Program
 - \$ 28,942.95 Emergency Shelter Grants Program
 - \$ 27,235.00 HOME Investment Partnership Program

2. Request a motion to ratify and confirm the payment of **\$16,141.67** to the Penn State Cooperative Extension, 16 Luzerne Ave., Suite 200, West Pittston, PA. This is the County’s appropriation for the month of January 2009.

3. Request a motion to ratify and confirm the payment of **\$514,166.67** to the Luzerne County Community College, 1333 Prospect St., Nanticoke, PA. This is the County’s appropriation for the month of January 2009.

4. Request a motion to ratify and confirm pre-payment of the following vouchers:
 - Transportation Department:
 - Voucher No. 534978 to 535109 inclusive in the amount of \$ 1,129,540.34

 - Bureau for the Aging:
 - Voucher No. 722795 to 723096 inclusive in the amount of \$ 678,440.00

 - Children and Youth:
 - Voucher No. 740254 to 741059 inclusive in the amount of \$ 1,225,438.07

 - Mental Health / Mental Retardation:
 - Voucher No. 744950 to 745055 inclusive in the amount of \$ 6,429,004.52

 - Human Services:
 - Voucher No. 750962 to 750986 inclusive in the amount of \$ 2,192,701.11

Drug and Alcohol:
Voucher No. 761311 to 761339 inclusive in the amount of \$ 535,423.85

Domestic Relations IV-D:
Voucher No. 400224 to 400225 inclusive in the amount of \$ 924,470.00

County Agencies:

Voucher No. 400893 to 400899 inclusive in the amount of \$ 1,005,602.40

Adult Probation Special:
Voucher No. 400339 inclusive in the amount of \$ 6,002.00

Adult Probation D&A RIP Program:
Voucher No. 1011 inclusive in the amount of \$ 13,977.15

9-1-1 Construction:
Voucher No. 400445 to 400449 inclusive in the amount of \$ 46,252.67

9-1-1 Wire:
Voucher No. 1015 to 1018 inclusive in the amount of \$ 16,041.03

Hazardous Material Emergency Response:
Voucher No. 400186 to 400187 inclusive in the amount of \$ 11,638.48

EMA Radiation:
Voucher No. 400107 inclusive in the amount of \$ 11,638.48

Schools:
Voucher No. 405136 to 405148 inclusive in the amount of \$ 466,595.88

Towns:
Voucher No. 406625 to 406695 inclusive in the amount of \$ 59,590.41

Real Estate Tax Sale:
Voucher No. 401058 to 401059 inclusive in the amount of \$ 750,353.30

Convention & Visitors Bureau:
Voucher No. 403366 to 403395 inclusive in the amount of \$ 33,011.89

Flood Protection Authority:
Voucher No. 400600 to 400605 inclusive in the amount of \$ 2,529,315.69

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

DEPARTMENT HEAD REPORTS

HUMAN SERVICES – JOSEPH DEVIZIA, DIRECTOR

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

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>FROM</u>	<u>TO</u>
<u>AREA AGENCY ON AGING:</u>				
Abington Alert	Emergency	7/1/08-6/30/09	\$9,200	\$16,000

	Response				
Luzerne/Wyoming Counties Transportation	Transportation	“	“	\$28,000	\$42,000
Transportation	Rate Increase	11/108-6/30/09		\$1.70-\$13.40/trip	\$2.15-\$18.50/trip

CHILDREN & YOUTH and JUVENILE PROBATION:

George Jr. Republic In PA	MA Rates	7/1/08-6/30/09			
	General Residential-Room & Board Only			\$63.55/day	\$65.82/day
	Special Needs-Room & Board Only			\$95.37day	\$106.74/day
	Community Based Group Home			\$35.01/day	\$43.33/day
	-Room & Board Only				
	Drug and Alcohol			\$60.03/day	\$68.81/day
	-Room & Board Only				

DRUG & ALCOHOL:

Luzerne County Sheriff's Dept	Tobacco-Second Hand Smoke (Luz Co)	7/1/08-6/30/09		\$ 0	\$2,500
Serento Gardens	Tobacco-Second Hand Smoke (Luz Co)	“	“	\$27,900	\$26,650
WVADS, Inc.	Tobacco-Second Hand Smoke (Luz Co)	“	“	\$34,500	\$33,250

MENTAL HEALTH/MENTAL RETARDATION:

Community Res. Unit	Housing Support	7/1/07--6/30/08		\$325,000	\$338,660
The ReDCo Group	Comm. Habilit. & Transport Svcs.	“	“	\$565,659	\$577,330
United Rehab. Svcs.	Comm. Habilit., Employ. & Pre-Voc.	“	“	\$2,772,463	\$2,780,532
Step-By-Step, Inc.	Residential, Employ., Comm. Habilit. & Housing Support	“	“	\$7,026,138	\$7,314,496
Goodwill Ind. of . NE PA	Employmt., Transp., & Residential Svcs.	“	“	\$1,786,562	\$1,864,847
Nat'l Mentor Healthcare	Home & Comm. Hab., \Respite & Res. Svcs.	“	“	\$1,332,301	\$1,247,277
Jennifer Menichini D/B/A Keystone ADC	Comm. Habilit. & Transport Svcs.	“	“	\$502,003	\$614,614
Cori's Place, Inc.	Comm. Habilit	7/1/07-6/30/08		\$220,965	\$216,074

The Advocacy Alliance	Comm. Srvs., Family Support & Admin. Srvs.	“	“	\$111,000	\$108,808
ARC of Wyoming County	Residential	“	“	\$999,764	\$1,055,347
Institute for Human Resources & Services	Residential	7/1/08-6/30/09		\$5,181,600	\$5,241,507
Step-By-Step, Inc.	Residential, Employ., Comm. Habilit. & Housing Support	“	“	\$7,252,543	\$7,306,431
Community Counseling	Comm. Srvs., ICM, OP, Day Treatmt., CE, Soc. Rehab., Crisis, Res., RC, Adm. Mangmt., Emergency, Comm. Habilit., & P/FDS Wv.	“	“	\$5,576,624	\$5,565,665

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING REPORTS FOR:

MENTAL HEALTH/MENTAL RETARDATION:

To approve the Annual County Income and Expenditures Report for Mental Retardation Services, fiscal year 2007-2008 submitted to the Department of Public Welfare (DPW), Bureau of Financial Operations (BFO).

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

To approve the Annual County Income and Expenditures Report for Mental Health Services, fiscal year 2007-2008 submitted to the Department of Public Welfare (DPW), Bureau of Financial Operations (BFO).

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

To approve the Annual County Income and Expenditures Report for Early Intervention Services, fiscal year 2007-2008 submitted to the Department of Public Welfare (DPW).

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

To amend the Annual County Income and Expenditures Report for Mental Retardation Services, fiscal year 2007-2008 submitted to the Department of Public Welfare (DPW), Bureau of Financial Operations (BFO) due to a revised year end cost settlement.

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

ENGINEER'S OFFICE – JOSEPH GIBBONS, ENGINEER

MOTION

Request a Motion to authorize the proper officials to advertise for the construction of the Nesbitt Park Access Roadway as part of the Pennsylvania DCNR and Pennsylvania Fish and Boat Commission Grant.

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

MOTION

Request a Motion to authorize the Proper Officials to advertise for the Courthouse HVAC Project to include the following items of work:

- Courthouse Chiller Reconstruction
- Courthouse Cooling Tower Renovation
- Courthouse interior Water Line Replacement

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

MOTION

Request a Motion to authorize the Proper Officials to advertise for the Wyoming Valley Levee System Sluice Gate Rehabilitation Project as part of the 2007 PaDEP Growing Greener Grant.

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

MOTION

Request a Motion to Award the design agreement for the Wyoming Valley Airport Parallel Taxiway B to Borton Lawson Engineering, 613 Baltimore Drive, Suite 300, Wilkes-Barre, PA 18702-7903 in the amount of \$330,000.00 as part of the 2008 Aviation Block Grant awarded to Luzerne County by the Pennsylvania Department of Transportation, Bureau of Aviation. The grant requires a cost share of 95% federal, 2.5% STATE AND 2.5% local funds.

Commissioner Skrepenak questioned if this was advertised. Joe Gibbons responded yes.

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

ROAD AND BRIDGE DEPARTMENT – JOSEPH GIBBONS, ENGINEER

MOTION

Request permission to advertise for the following items:

- TRAFFIC LINE PAINTING
- ANTI-SKID MATERIALS
- BITUMINOUS PAVING MATERIALS
- CRUSHED STONE & ROCK LINING MATERIALS
- GASOLINE & DIESEL FUEL OIL DELIVERY
- LUBRICANTS
- PRESSURE TREATED BRIDGE PLANKS
- READY MIXED CONCRETE
- PRECAST CONCRETE INLETS
- HIGH DENSITY POLYETHYLENE DRAINAGE PIPE
- ROADWAY SIGNS
- GENERAL USE HERBICIDES
- LAWN AND LANDSCAPE MAINTENANCE
- DOUBLE SHREDDED BARK MULCH
- HYDRO SEEDING
- GRASS SEED, FERTILIZER AND GRANULATED LIME

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

MOTION

Request a Motion to authorize the proper officials to execute documents required for Luzerne County to participate in the 2009-2010 Sodium Chloride Procurement Contract under the Pennsylvania State Contract (COSTARS).

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

MOTION

Request a Motion to authorize the Proper Officials to amend the Sutton Creek Road Retaining Wall Repair Project (County Road #10) with Kriger Construction, Inc., 859 Enterprise Street, Dickson City, PA 18519 in the amount of \$46,060.50 for additional structural demolition, roadway restoration and bank stabilization.

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

COMMUNITY DEVELOPMENT - ANDY REILLY, DIRECTOR

MOTION

Request a motion to ratify the approval of the Luzerne County Community Development Action Plan for Fiscal Year 2009, and authorizing the Chairman of the Board of Commissioners to execute any and all documents relative to the application for and receipt of Community Development Block Grant, HOME and Emergency Shelter Grant Funds.

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

MOTION

Request a Motion for a partial release of mortgage for the following properties owned by the Luzerne County Housing Authority and acquired with funds from the Office of Community Development:

- 135 Main Street, Ashley Borough
- 102-104 Schooley Avenue, Exeter Borough
- 607-609 Fellowes Avenue, Hanover Township
- 561-563 North Wyoming Street, Hazleton City
- 105-107 Wyoming Street, Hazleton City
- 212-214 Main Street, Kingston
- 39 Cambria Street, Plymouth Borough
- 115-117 Nottingham Street, Plymouth Borough
- 621-623 Luzerne Avenue, West Pittston Borough
- 317 Berwick Street, White Haven Borough
- 201 Towanda Street, White Haven Borough
- 201 Wilkes-Barre Street, White Haven Borough
- 420 Northumberland Street, White Haven Borough

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

PLANNING COMMISSION – ADRIAN MEROLLI, DIRECTOR

MOTION

Request permission to advertise an RFP for surveying services for the County’s Agricultural Land Preservation Program for 2009. The cost of this service is entirely funded by the Pa. Department of Agriculture.

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

PURCHASE DEPARTMENT - GREG HUNSINGER, DIRECTOR

MOTION

REQUEST A MOTION TO APPROVE TO ADVERTISE FOR BIDS:

SOLID WASTE DEPARTMENT: Electronics Recycling

CONVENTION & VISITORS BUREAU: 2009 – 2010 Visitors Guides

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

PROBATION SERVICES - LARRY SABA, DIRECTOR

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>
Probation Services (ADULT)			
Catholic Social Services	Post Trial Services	01/01/09-12/31/09	\$52,000.00 Hourly Rate /\$50.00

Commissioner Skrepenak questioned if these were normal contracts. Larry Saba responded that this was a little different than what they had done in the past. He stated that it will not cost the taxpayers any money. He stated that this would be paid for by funds collected by Probation Services.

Doug Pape questioned if this was advertised. Mr. Saba responded that it was.

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

END OF DEPARTMENT HEAD REPORTS

PERSONNEL

JANUARY 14, 2009

REQUEST A MOTION TO APPROVE THE FOLLOWING APPOINTMENTS AT:

AGING:

Daniel O’Brien, Mountain Top as a Substitute Aging Case Aide 2, at an hourly rate of \$11.82, effective January 12, 2009.

Rebecca Kinnard, Wilkes-Barre as a Senior Center Manager 2, at an annual salary of \$24,795, effective January 26, 2009.

WORKFORCE INVESTMENT DEVELOPMENT AGENCY:

Diane Blazure, Dallas, as an EARN Technician, at an annual salary of \$26,000, effective January 9, 2009 to fill a vacancy.

Kristen M. Topolski, Drums, as a Customer Support Specialist, at an annual salary of \$19,500, effective January 16, 2009 to fill a vacancy.

Susan Miedaner, Drums, as an Intake Specialist/Exit Analyst, at an annual salary of \$26,000, effective January 16, 2009 to fill a vacancy.

Tracy L. Gasper, Hanover Township, as an Employment Counselor, at an annual salary of \$27,500, effective January 26, 2009 to fill a vacancy.

Commissioner Petrilla commented that all these positions are state funded.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING PAY ADJUSTMENTS AT:

TRANSPORTATION:

A Pay Adjustment for the following Part Time Drivers, effective December 29, 2008:

Paul Davies, at an hourly rate of \$8.25
Diane Dieter, at an hourly rate of \$8.25
Joseph Man, at an hourly rate of \$8.75

Commissioner Skrepenak questioned the solicitor if these classifications and adjustments would need to go before the Salary Board. Solicitor DeLuca responded yes they would need to go before the Salary Board. Mr. DeLuca questioned if someone knew the old salary amounts. Doug Pape responded that the part time drivers start at \$8 per hour. They then move up in six month increments or on the allotted amount of hours they work. Mr. DeLuca questioned if the Salary Board members ever voted on these adjustments. Doug Richards responded yes, about two years ago when the positions for part time drivers changed. Mr. DeLuca questioned if they were put into a range. Mr. Richards responded that for the drivers it is a flat amount, however if you are there for so many months or hours then it was something like a bonus system where they would get an additional .50 increase. Mr. DeLuca stated that since there was going to be a Salary Board Meeting he would suggest that these be put on the agenda.

Request a motion to table the pay adjustments for the Transportation Department until the Salary Board is convened.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING RECLASSIFICATION AT:

VETERAN AFFAIRS:

Caroline Youells to Clerk Typist II, at an annual salary of \$19,800, effective December 16, 2008.

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

CHILDREN & YOUTH:

Frank Castano Gerard Muth	PCYA Training	Harrisburg	1/21-1/22/09	\$788
Joanne Meshanski	Managing Emotions & Thriving Under Pressure	Wilkes-Barre	1/23/09	\$150

DRUG & ALCOHOL:

Michael Donahue	PACDAA Quarterly Conference	Hershey	1/14-1/16/09	\$790
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MENTAL HEALTH/MENTAL RETARDATION:

Grace Bradshaw Gail Stredny	Mental Retardation Supports Coord. Work Session	Mechanicsburg	1/16/09	\$140
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Commissioner Petrilla stated that these trainings were all reimbursed by the state.

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

BOARD APPOINTMENTS

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING BOARD

APPOINTMENTS/RE-APPOINTMENTS:

CHILDREN AND YOUTH ADVISORY BOARD:

REQUEST A MOTION TO APPOINT:

Juanita Namey, Wilkes-Barre

Ciro Cinti, Plains

For a three year term effective February 1, 2009 through January 31, 2012.

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

MOTION

WYOMING VALLEY LEVEE RAISING PROJECT MITIGATION ADVISORY BOARD:

REQUEST A MOTION TO RE-APPOINT:

Commissioner Maryanne C. Petrilla, Chairman, 55 Aristocrat Circle, Sugarloaf
Commissioner Gregory A. Skrepenak, 325 West Center Hill Road, Dallas
Commissioner Stephen A. Urban, 166 Willow Street, Wilkes-Barre
Adrian Merolli, 79 North Lehigh Street, Shavertown
Christopher Belleman, 620 Gisbon Avenue, Kingston

For a one year term
Effective January 1, 2009 through December 31, 2009.

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

END OF PERSONNEL

Request a motion to go off of the agenda.

Public Comment: None

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

Request a motion to advertise for an appraisal for the Huber Breaker Property.

Public Comment: None

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

MOTION TO ADJOURN:

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

Respectively submitted,

A handwritten signature in black ink that reads "Jennifer Thomas". The signature is written in a cursive, flowing style.

Jennifer Thomas, Recording Secretary

