

DECEMBER 22, 2010

On the above date at 10:00 A.M., the Luzerne County Board of Commissioners convened a special meeting with the following present: Maryanne Petrilla, Chairman; Thomas P. Cooney, Commissioner; Stephen Urban, Commissioner; Vito DeLuca, County Solicitor; Joan Pusateri, Chief of Budget and Finance; Joseph Gibbons, County Engineer; Andrew Check, Director of Human Resources; Frank Pugliese; Director, Purchasing;

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.

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

No Announcements

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

No Recognitions

PUBLIC COMMENT – AGENDA ONLY

Walter Griffith

Good Morning. I have some concerns. I see an increase in the budget from what was displayed. I was wondering if the Commissioners looked at some of my suggestions. I know there was a problem with the uniform allowance calculations. I think it would have been prudent to reduce the budget, not increase it. I was wondering if any consideration was given to the operating fund reduction where the per diems were discussed and I was wondering if you gave any considerations to the budget cuts I offered several weeks ago? Where is the \$200,000?

Commissioner Petrilla

Joan can explain the \$200,000. it was a decision that was made after meeting with those departments who budgets were cut substantially. As for the other suggestions you had, I believe the Commissioners discussed these cuts, but they weren't substantial enough and we always have big contingency issues out there we must be prepared for...But Joan, would you please explain to Walter the \$200,000?

Joan Pusateri

The change was with the Domestic Relations Department and it affects the county revenue stream. By cutting them we loose revenue as well as reducing the expense. But it hurts us because then we don't get revenue (inaudible) so we had to put it back in because otherwise we would loose revenue.

Walter Griffith

Well, that explains it then and I appreciate the explanation and I know this will be the last time to address the budget. I applaud the Commissioner for not increasing taxes, but I am still not a big fan of using revenue from the sale of Valley Crest. I believe there are still areas that can be cut...maybe next year!

Another issue on the Agenda is the Personnel Policy. I am not annoyed, I am happy that the Commissioners are doing all that they are doing to have the Personnel Policy occur, but I would like to see a little more of a review by myself and others because of the concerns that we had. This policy is six years old. I am just surprised this policy was placed on the Agenda without anyone getting to review it. I can certainly understand the point...”let’s look at it after it’s voted on and approved, then make changes”. But my concern is that over the past 6 years there were changes that had to be made when people brought the issues to the table and it was always, “wait” until we have the complete document. I certainly hope this is the case today. If there are concerns from individuals in the County...fix them and make changes instead of waiting for the entire document to be redone. There have been concerns about bad Personnel Policies in the past, but changes were not made. I think Andy worked hard to get this done. We always need to have policy for people to follow in the county. Thank you.

Commissioner Urban

Andy, can you tell us how many nights and weekends you put into this work?

Andy Check

Three or 4 months of work---that is the nature of the beast. I would make the following point---at the beginning of this project---HR had sent a copy of the existing policy and you received one Walter and you responded. At the front end of the process we were soliciting department input about what worked; what didn’t work; what was right; what was wrong and we incorporated these changes into the Policy and I would add it went to all the Department Heads who are responsible for implementing Personnel Policy and I would state that we received very little input. So I would also say that the Personnel Policy is pretty comprehensive and has addressed those issues targeted by guys like you over the past 3 – 4 months. I am comfortable with the fact that your input was considered.

Walter Griffith

And I appreciate your hard work because I know it wasn’t an easy task. After this meeting I will get a chance to look at it and if there are any issues, I know you will be happy to entertain them. Merry Christmas, everyone.

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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 Meeting held on December 15, 2010.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

MOTION

Automated Time and Labor Management System

Request a Motion of the Luzerne County Board of Commissioners to authorize the proper officials to execute a contract with ACS Enterprise Solutions, Inc. of Waite Park, Minnesota to provide the County with the Kronos[®] time and labor management system, as well as implementation and hosting services, subject to solicitor review and approval. The County team that has been evaluating time and labor management system proposals has determined that the Kronos[®] system best addresses the County's requirements, and the ACS proposal for implementation and hosting services for the time and labor management system included an offer for the Kronos[®] software at a discounted price (\$9,375 less than purchasing directly from Kronos). The cost breakdown is as follows:

- Kronos[®] software and time clocks: \$233,405
- Implementation services: \$228,990
- System maintenance: \$44,775 (one year term commencing on the contract start date)
- Hosting services: \$5,000 per month (sixty (60) month term commencing six (6) months after the contract start date)

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Luzerne County Personnel Policy

Request a Motion of the Luzerne County Board of Commissioners to approve/ratify the revisions to the Luzerne County Personnel Policy effective January 1, 2011.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Luzerne County Insurance Policies

Request a Motion to approve Great American Insurance Company as provider for Property, Inland Marine, Boiler and Machinery and Crime; National Fire Insurance Company of Hartford as provider for General Liability, Employee Benefits Liability, Auto Liability and Physical Damage; and American Alternative Insurance Corporation as provider for the Umbrella. All policies are effective January 1, 2011 to January 1, 2012 through Joseph J. Joyce Associates, Inc. The costs associated with these policies are \$430,000.00 which includes an agent's fee of \$40,000.00. The County may choose to renew these policies for an additional term provided "comparable" coverage and pricing structure is being offered.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
"AYES" PETRILLA, COONEY, URBAN

MOTION

Insurance Policy Renewals

Request a Motion to approve the following renewals, effective January 1, 2011 to January 1, 2012 through Joseph J. Joyce Associates, Inc.:

<u>Provider</u>	<u>Policy</u>	<u>Costs</u>
Rockhill Insurance Company	Lead Abatement	\$ 5,093.00
American Alternative Ins. Corp.	MH/MR Prof. Liability/Sexual Abuse, MH/MR General Liability & Employee Benefit Liability	\$16,765.00

NOTE: The above costs include the annual agent's fee.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
"AYES" PETRILLA, COONEY, URBAN

MOTION

Luzerne County Excess Workers Compensation Insurance

Request a Motion to approve Safety National Casualty Corporation as provider for the County's Excess Workers Compensation Insurance, effective January 1, 2011 to January 1, 2012 through Joseph J. Joyce Associates, Inc. The cost associated with this policy is \$101,980.00 which includes an agent's fee of \$3,000.00.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
"AYES" PETRILLA, COONEY, URBAN

MOTION

Medical Stop Loss Insurance

Request a Motion to approve Presidio Excess Insurance Services and Ace American Insurance Company through Eastern Insurance Group as Medical Stop Loss Insurance provider effective January 1, 2011 through December 31, 2011. Proposal is based on enrollment numbers of 563 Single and 929 Family which may change to reflect actual enrollment numbers on effective date of January 1, 2011. The monthly premium rate for Single is \$14.54 and \$36.36 for Family. "Estimated" annual premium is \$503,574 based on these enrollment numbers with a "minimum of \$428,037 plus the Agent's annual fee of \$35,000.

The County may choose to renew this policy for an additional term provided “comparable” coverage and pricing structure is being offered.”

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

MOTION

Support of Local Share Account Application

Request a motion of the Luzerne County Board of Commissioners to execute a letter of support for the proposed Helicopter Parking Area at the Wyoming Valley Airport. The Borough of Forty Fort will be submitting a Local Share Account application to the Commonwealth Financing Authority for funding consideration. The project is intended to benefit the Forty Fort-Kingston Consolidated Fire & Emergency Services by allowing Lifelight at the airport.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

Execute Auctioneer Services Task Order 11-1

Request permission to execute Auctioneer Services Task Order 11-1 as per terms of the Master Agreement. The auction will be for various furniture, medical equipment, approx. 8 vehicles, and other misc. items.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

2011 Tax Millage

Request a motion to accept **RESOLUTION 12222010A** that there will be a tax levied on all real estate property and for the general County purpose, including the payment of interest and principal of the funded debt, in the total amount of 5.2150 mills.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

RESOLUTION

NO. 122210A

BE IT RESOLVED AND ENACTED, that the tax levy for the year 2011 for Luzerne County to provide the funds set forth in the said budget be and it is hereby fixed at 5.2150 mills, as the assessed valuation of taxable property in Luzerne County to provide for general and sinking funds purposes.

CERTIFICATION

This is to certify that the foregoing Resolution was duly adopted by the Board of Commissioners of the County of Luzerne on the 22nd day of December, 2010.

Douglas A. Pape
County Manager / Chief Clerk

MOTION

2011 General Fund Budget/Resolution

Request a motion to approve the 2011 General Fund Budget.

Commissioner Cooney **Abstained** stating a family member and/or I are associated with A+E Group, Inc. (A+E). A+E has agreements to perform design services with Luzerne County Community College, Luzerne County Road & Bridge Department and the Luzerne County Housing Authority.

Commissioner Urban

Walter, I just want to say that I got your email and went through those items, particularly the uniform allowance. I sent out an email to every department questioning the on it. The biggest increase in uniform allowance was at the prison. That was a result of an arbitration agreement raising the uniform allowance. That’s why the big increase hit at the prison. A lot of these agreements have uniform allowances in them and we’re required to pay them.

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

RESOLUTION

NO. 122210B

WHEREAS, there was presented to the Board of Commissioners of the County of Luzerne on December 1, 2010, a proposed budget for the year 2011; and

WHEREAS, said proposed budget was made available for public inspection as required by law, and public notice was given as required by law; and

WHEREAS, the Board of Commissioners has given mature consideration to said proposed budget and has recommended the adoption of the budget of \$125,245,684 as now proposed; and

NOW, THEREFORE, BE IT RESOLVED, that the Budget for Luzerne County for the year 2011, as proposed, be and it is hereby adopted; and

BE IT FURTHER RESOLVED AND ENACTED, that for the expenses of Luzerne County appropriated from the revenue available from the year for the specific purposes set forth below, which amounts are more totally itemized in the County Budget Form on file in the Office of the Luzerne County Commissioners, Hazleton Library, and the Luzerne County Law Library.

OPERATION FUNDS SUMMARY – Estimated Receipts

Cash and Securities for Appropriation	\$ 4,031,097
Receipts from Tax Levy	94,243,877
Intergovernmental Revenues	4,021,478
Fines and Forfeits	105,000
Charges for Services	8,202,401

Other Financing Sources	14,641,831
<i><u>Total Available for Appropriation</u></i>	\$ 125,245,684
Operations and Maintenance	\$ 103,352,592
Debt Service	21,893,092
<i><u>Total Estimated Expenditures</u></i>	\$ 125,245,684

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This is to certify that the foregoing Resolution was duly adopted by the Board of Commissioners of the County of Luzerne on the 22nd day of December, 2010.

Douglas A. Pape
County Manager / Chief Clerk

MOTION

2011 Liquid Fuels/Bridge Account Budgets/Resolution

Request a motion to approve the 2011 Liquid Fuels/Bridge Account Budgets.

Commissioner Cooney **Abstained** stating a family member and/or I are associated with A+E Group, Inc. (A+E). A+E has agreements to perform design services with Luzerne County Community College, Luzerne County Road & Bridge Department, and the Luzerne County Housing Authority.

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

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WHEREAS, said proposed budget was made available for public inspection as required by law, and public notice was given as required by law; and

WHEREAS, the Board of Commissioners has given mature consideration to said proposed budget and has recommended the adoption of the budget of \$125,245,684 as now proposed; and

NOW, THEREFORE, BE IT RESOLVED, that the Budget for Luzerne County for the year 2011, as proposed, be and it is hereby adopted; and

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Douglas A. Pape
County Manager / Chief Clerk

MOTION

2003 Capital Projects Bond Issue – 2003D-64

Request a motion to acknowledge the transfer of \$116,980.00 from the 2003, Capital Projects Bond Issue Series D.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

2003 Capital Projects Bond Issue – 2003D-64

Request a motion to approve payment of \$116,980.00 from the 2003, Capital Projects Bond Issue Series D.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

BUDGET TRANSFER

Request a motion to approve a 2010 General Fund Budget Transfer of \$89,400.00 from the Insurance – Property (4850) to the Inter Governmental/Appropriations to Governmental (4810).

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Arbitration Award/LIUNA PSEU Local 1310 (Correctional Facility)

Request a motion to ratify and approve the Act 195 Interest Arbitration Award entered relative to Luzerne County and LIUNA PSEU Local 1310 (Correctional Facility) effective January 1, 2009 only to the extent said award effects calendar year 2011 and to declare that the remaining terms of said award shall be deemed by the Luzerne County Commissioners to be advisory only and subject to future action of the Board of Commissioners.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Barrett Sports Group Appraisal

Request a motion to engage Barrett Sports Group, LLC to conduct an appraisal of the fair market value of the Triple-A Scranton/Wilkes-Barre Yankees at a fee of \$50,000 plus expenses as per the terms of its proposal.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

END OF COMMUNICATIONS

DEPARTMENT HEAD REPORTS

ENGINEER’S OFFICE – JOSEPH GIBBONS

MOTION

Authorize the Proper Officials to execute a lease agreement with Swoyersville Borough, 675 Main Street, Swoyersville, PA 18704 to provide for approximately 1,500 square feet of occupancy space by Magisterial District Court 11-1-06 located at the same address for the following terms and rates:

January 1, 2011 Thru December 31, 2011	\$1,000.00/mo.
January 1, 2012 Thru December 31, 2012	\$1,000.00/mo.

The lease agreement includes two additional 2-year optional renewals at the same terms and rates. The lease will be subject to approval by the Luzerne County Solicitor.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Authorize the Proper Officials to execute a lease agreement with Pittston City, 35 Broad Street, Pittston, PA 18640 to provide for approximately 1,500 square feet of occupancy space by Magisterial District Court 11-1-04 located at the same address for the following terms and rates:

January 1, 2011 Thru December 31, 2011 \$1,000.00/mo.
January 1, 2012 Thru December 31, 2012 \$1,000.00/mo.

The lease agreement includes two additional 2-year optional renewals at the same terms and rates. The lease will be subject to approval by the Luzerne County Solicitor.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Authorize the Proper Officials to execute a lease agreement with Freeland Borough, Center and Walnut Streets, PO Box F, Freeland, PA 18224 to provide for approximately 1,500 square feet of occupancy space by Magisterial District Court 11-3-05 located at the same address for the following terms and rates:

January 1, 2011 Thru December 31, 2011 \$1,000.00/mo.
January 1, 2012 Thru December 31, 2012 \$1,000.00/mo.

The lease agreement includes two additional 2-year optional renewals at the same terms and rates. The lease will be subject to approval by the Luzerne County Solicitor.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

Request a motion to go off of the agenda.

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

Public Comment: None

Request a motion to advertise for the replacement of (2) 500 gallon water storage tanks at the Luzerne County Correctional Facility.

Commissioner Urban

You brought this up at the Prison Board Meeting.

Commissioner Cooney

It went from 1 to 2.

Warden Joe Piazza

The second one is going to go; it’s just a matter of time. Only one is currently open at this time.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

PERSONNEL

REQUEST A MOTION TO APPROVE THE FOLLOWING RETIREMENT AT:

PUBLIC DEFENDER’S:

Thomas McTague, Chief Investigator, effective December 31, 2010.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

REQUEST A MOTION TO APPROVE THE FOLLOWING TERMINATION AT:

LUZERNE COUNTY 911:

William Singley, Telecommunicator, effective December 22, 2010

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

DECEMBER 22, 2010

BOARD APPOINTMENTS

**REQUEST A MOTION TO APPROVE THE FOLLOWING BOARD RE-APPOINTMENTS/
APPOINTMENTS AT:**

LUZERNE COUNTY CONSERVATION DISTRICT BOARD:

RE-APPOINT:

Commissioner Stephen A. Urban, Commissioner Director, 166 Willow Street, Wilkes-Barre, PA, effective January 1, 2011 to December 31, 2011.

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

RE-APPOINT:

Leonard J. Burger, Jr., Farmer Director, 398 St. John’s Road, Drums, PA, effective January 1, 2011 to December 31, 2014.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

APPOINT:

John Jay Wilkes, Jr., Public Director, 150 Jesse Road, Jackson Township, Pa effective January 1, 2011 to December 31, 2014.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

LUZERNE COUNTY HOUSING AUTHORITY

APPOINT:

Commissioner Stephen Urban, 166 Willow Street, Wilkes Barre, PA 18702 to a five year term effective immediately through August 19, 2013.

Commissioner Cooney **Abstained** stating a family member and/or I are associated with A+E Group, Inc. (A+E). A+E has agreements to perform design services with the Luzerne County Housing Authority.

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

LUZERNE COUNTY CONVENTION CENTER AUTHORITY

APPOINT:

Angelo Answini, 19 East Saylor Avenue, Wilkes Barre, PA 18702, to the unexpired term held by Patrick Judge, effective immediately through December 31, 2011.

Donna Cupinski, 401 Ransom Road, Dallas, PA, whose term expires December 31, 2010 to continue by completing the unexpired term held by Thomas F. Torbik, effective immediately through December 31, 2012.

Kathleen M. Lambert, 18 Colonial Ct., Wyoming, PA. 18644 to a five year term effective January 1, 2011 through December 31, 2013.

John C. Aciukewicz, 458 Wyoming Avenue, Suite 201, Kingston, PA to a five year term effective January 1, 2011 through December 31, 2013.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

PUBLIC COMMENT – NON-AGENDA

No Public Comment.

Commissioner Urban

Merry Christmas and Happy New Year to everyone. I look forward to working with you in the upcoming year.

Commissioner Petrilla

I want to thank everyone in the administration and for the tremendous job they do all year long. I'm proud to be a part of this administration. Happy New Year!

MOTION TO ADJOURN:

It was moved by Commissioner Cooney, seconded by Commissioner Urban
“AYES” PETRILLA, COONEY, URBAN

Respectfully submitted,



Jennifer Thomas, Recording Secretary

SCHEDULE A (2003D-64)

Name of Payee	Amount	Purpose for Which Obligation was Incurred
	to be Paid	
Day Ford, Inc.	23,396.00	2011 Ford Crown Victorian - Serial # 2FABP7BV5BX119632 - PO # 14726
Day Ford, Inc.	23,396.00	2011 Ford Crown Victorian - Serial # 2FABP7BV7BX119633 - PO # 14726
Day Ford, Inc.	23,396.00	2011 Ford Crown Victorian - Serial # 2FABP7BV3BX119631 - PO # 14726
Day Ford, Inc.	23,396.00	2011 Ford Crown Victorian - Serial # 2FABP7BV9BX119634 - PO # 14726
Day Ford, Inc.	23,396.00	2011 Ford Crown Victorian - Serial # 2FABP7BV0BX119635 - PO # 14726
TOTAL	\$ 116,980.00	

LUZERNE COUNTY, PENNSYLVANIA
GENERAL OBLIGATION BONDS
Series D of 2003

REQUISITION NO. 2003D-64

As defined by the Ordinance of the Board of Commissioners of the County of Luzerne, Pennsylvania and The Project Fund & Capitalized Interest Fund Agreement by and between Luzerne County, Pennsylvania (the "County") and The Fidelity Deposit and Discount Bank, (the "Paying Agent"), the undersigned duly authorized officer of the County hereby requests that payment be made from the Capital Projects Fund by the Paying Agent, and in connection therewith, certifies as follows:

1. The persons to whom payment is due, the amounts to be paid and the purposes for which the obligations were incurred are set forth on Schedule A hereto; and
2. Each obligation set forth on Schedule A has been incurred properly by the County, is a proper charge against the Capital Projects Fund, is unpaid and has not been the basis of any previous withdrawal

Respectfully submitted,

LUZERNE COUNTY

By _____

Maryanne C. Petrilla
Chairman

Attest: _____

Douglas A. Pape
Chief Clerk