

JANUARY 20, 2010

On the above date at 10:00 A.M., the Luzerne County Board of Commissioners convened a meeting with the following present: Maryanne Petrilla, Chairman; Thomas P. Cooney, Commissioner; Stephen Urban, Commissioner; Douglas Pape, Chief Clerk/County Manager; Vito DeLuca, County Solicitor; Tom Pribula, Chief of Budget and Finance; Michael Morreale, Treasurer; Walter Griffith, Controller, Joseph DeVizia, Human Services; Joseph Gibbons, County Engineer; Andrew Reilly, Office of Community Development; Frank Pugliese, Jr., Director of Purchasing; Adrian Merolli, Planning Commission.

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

Commissioner Petrilla asked for a moment of silence for the people in Haiti.

It is noted that all meetings are electronically recorded

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

No Announcements

RECOGNITIONS:.....Maryanne C. Petrilla

No Recognitions

PUBLIC COMMENT:

MARIO FURUCCI from Sugar Notch

I'm here to comment about the controversy at the Church in Sugar Notch. I remember when I was in D.C. there were Federal Programs to house the homeless. This is going back 20-25 years. Why isn't there a County, State, Federal, or combination of all 3 to funnel resources to these people? Can't they establish some sort of building facility or use an existing facility? To move 40 – 50 people around in the middle of winter from Church to Church doesn't seem very efficient for anyone including the homeless. I don't know if anyone can answer that question, but someone should start an investigation--- Maybe I can, but I don't know how much I can do being I'm a councilman in Sugar Notch. Does anyone have a comment?

COMMISSIONER PETRILLA

We have the Homeless Commission and we work very closely with CEO, the United Way and St. Stephens. We try to address the homeless situation constantly.

FURUCCI

These people don't know where they are staying from night to night; week to week. Isn't there any initiative---why aren't they in some sort of system??? Instead they are just out there floating around.

COMMISSIONER URBAN

Andy, how much money goes to CEO towards these programs?

Andy Reilly: We help fund for VISION and Ruth's Place. The issue has always been with Funding and Zoning...where is an appropriate place for a Shelter? We have been in contact with Joe DeVizia from Human Services and there are always conversations about where to locate such a facility and the funding for it. VISION is a roving center and although it is not a perfect situation, it functions pretty well.

Commissioner Urban: I know CEO has a program to help find permanent housing...

Andy Reilly: Well that is the goal---move them out of the shelter to a permanent facility.

COMMISSIONER PETRILLA

Thanks

FURUCCI

I feel that something has to be done---the situation is not going to get better---it is only going to get worse.

DAVID BONDON – Plymouth

I will defer to our President

MONTY EVELAND – Shavertown

I will defer to our President

THOMAS BYRD – MT. TOP, CLUB PRESIDENT

We've been up almost 30 years. When we first started Trinishefski almost defeated it and we were looking for a place to fly. We are the Wyoming Valley RC Flyers.

We also had a pavilion built up there, all our members built it. We have around 70 members and the shed up there cost us \$3,000. And we had a picnic and Rose Tucker was up there and we donated the keys of the shed to her. We also had a lot of Boy Scouts and Girl Scouts who came up there and also Make-A-Wish was there. We had 4 kids who we granted wishes to. We enjoy flying and other people do too. Two busloads of kids came up and one kid wanted to fly. I held his hand and when we got done, he said...

"I love it...I love it...I love it".

COMMISSIONER PETRILLA

I hope you understand Mr. Byrd that the decisions the County Commissioners are making are not easy ones. It's very, very difficult to balance a budget and to tell the 330,000 residents of Luzerne County that we have to raise their taxes. When we have services that are considered non-essential services we have to do what is best for the citizens. It is imperative that we find a good balance between raising taxes and funding services that are precious to you. We are doing everything we can help to keep it open for you. There is an RFP out on the street to manage Moon Lake with no cost to the county and maybe even turn a profit for the County. They are the kinds of things we are exploring now for the county---we want to keep tax increases to the absolute minimum due to the economy as it is. But I understand how you feel and we are going to do absolutely everything we can do to be able to enable you to use Moon Lake for your activities.

MR.BYRD

Thank you because we are having 60 Girl Scouts up there who want to learn about flying and we're thinking of getting a State Police Helicopter up there at the same time and for Make-A-Wish we had an Apache and Black Hawk come in.

COMMISSIONER PETRILLA

We understand how important it is and it's not something we are taking lightly.

BYRD

We have helped out the park and we are not just up there to fly planes, but to help out.

COMMISSIONER PETRILLA

We will set up a meeting to discuss just that. Thank you.

FRANK BURKE Flyers Club
LARRY WRIGHT Flyers Club
BRIAN RAY LACORTA Flyers Club

PAULA SCHNELLY AFSCME UNION 1398

Good morning everyone. I am President Paula Schnelly of AFSCME 1398 Union which represents over 520 Luzerne County employees. Around the room is a small representation of our Union that you are planning to lay off. I would like to give a little history of what has happened to this Union in particular. In 2004 AFSCME had 33 employees of this union laid off---only AFSCME employees. In 2008, 16 employees were laid off including some probation officers with the assurance that we would not be sitting here today dealing with the same dilemma. Now you want to lay off 10 of our employees and privatize the Security and Tax Administration Office---enough is enough already. These are people who provide services to this county and we are taking the hit repeatedly and repeatedly. We did not make this problem for the county and yet we are the ones who have to take the hit over and over. Of the employees you are looking to lay off, 2 of them have over 20 years experience with the County; 1 has 19 years; 1 has 16 years; and the remaining 5 have 1 to 5 years experience. This will amount to \$345,000 savings to the County in salaries, benefits, and longevity. Does this cut help you make your budget? I really don't have a lot to say---but it really hurts these people. You are not looking where you need to look to fix your budget and I have just one thing to ask you---How do you sleep at night?

COMMISSIONER PETRILLA

I think that you of all people know the struggle that we've had the past two years since I've been Commissioner. To try to balance this budget...to try to keep taxes down...to try to make some sense out of the mess we inherited. We were elected to do a job and the taxpayers of this County cannot take any more taxes. We have heard them loud and clear---make the cuts you need to make to balance the budget. We cannot afford any more taxes. And I have lost many, many, many hours of sleep over the hard decisions I have had to make to try to get the county straightened out. So I take this very hard when people have to loose their jobs because of years of mismanagement and misspending. It is very, very hard and very, very difficult, but I have to answer to 330,000 taxpayers. So it is a difficult decision.

SCHNELLY

Commissioner Petrilla, if I might add---we are taxpayers, too!

COMMISSIONER PETRILLA

I understand that, I understand it wholeheartedly.

RICHARD RENKO—Flyers Club
FRANK EVANOFSKI—Flyers Club

CAROL WEST---Pringle

I am nervous---I am very upset; this is very upsetting for me; this is very upsetting for me. Company has been so important to us. My husband would be here today but he just got a new job. You might not realize this, but we don't have money to go on a vacation. It's not very expensive---we've gone out there for many years. My daughter doesn't understand why they are closing her park. We go there every summer and she comes home with the best tan ever. How can you tell a 6 year old that they are closing down her park? We were out there the whole year until it closed. How do you explain to someone who has gone out there since she is 5 months old? The pool didn't open last year which I wasn't happy with, but this year I was ok with it. We brought a little pool and she swam by herself. At one time we had 9 campsites booked---all our friends came out for the whole weekend. How can you do this to the kids?

We don't have a lot of money to go on vacation---that is our vacation. We can't afford to put our dog in a kennel when we go away. How do you explain all of this to a 6 year old?

COMMISSIONER PERTILLA

As you have heard me say; it has been very, very difficult trying to balance a budget when you are looking at a \$24 Million deficit. And that is something the entire county has to endure. The county is so far back in debt right now that your daughter will be paying back when she is an adult. Maybe her children will be paying it too, if we don't stop the bleeding. That is what this Board of Commissioners is trying to do...to stop the bleeding to recover from the reckless spending of the past. It is our goal and hope that all these services that are temporarily closed will be reopened.

MRS. WEST

Don't you realize that people will go in there and vandalize it? And then you will have to take money to rebuild everything. People go in there after dark...they drink and they will start a fire!!! Can't you think of doing something like drilling for gas?

COMMISSIONER PETRILLA

We are exploring all those options, actively. Thank you.

ED CHESNOVITCH

Has there been any interest in the state taking over Moon Lake?

COMMISSIONER PETRILLA

We met with the State last year---they are not interested in taking over Moon Lake. We have a contract on the street to see if a private entity will take over Moon Lake.

ED CHESNOVITCH

Glad to hear that---this is going to be hard for everyone. People are losing their jobs ; people are losing recreation. Are we getting any closer to resolving the budget? Are we settling at 10% now?

COMMISSIONER PETRILLA

We are getting very close to getting on solid financial footing. I think when I became Commissioner we were in the \$140 Million area. Now we're down to the \$120 Million area. We have made remarkable strides with the budget---I know people don't think we have. We are going to keep on the same track until it is strengthened out. My goal is to reduce taxes for the residents of Luzerne County. I know that doesn't seem feasible but with the Gas Drilling and lessening I believe we will.

ED CHESNOVITCH

\$60,000 a day in interest...I was here when money was given to the Osterhout, Kirby, and the Lands at Hillside and at that time we spoke then and I said that I was concerned about Hillside. This was money that was left over from the Bonds. And now looking back, shouldn't we have put the money back where it belongs? Now we're in the hole because we gave all that money away. Where was Management then? How much could it have saved us if it went back to where it should have gone? I am not happy about the Riverfront and I read the paper and saw that you were part of the \$23Million in borrowing. Did we need that? Hopefully those gates will hold when we have the high water. And when the river comes up, we need to have someone down there to clean it. The Riverfront is such a "pie in the sky idea". Do you think that will bring in 400,000 people? And the Amphitheater---the largest employer in the county is Wyoming Valley Health Care---are they going to give us money for the Amphitheater? We don't have the industry to support these things. We spend money and now we have tax increases.

COMMISSIONER PETRILLA

Mr. Chesnovitch, I couldn't agree with you more.

COMMISSIONER URBAN

I want to comment on some of the things you said...I don't think the Times Leader report explained where all the \$23 Million went. It did not all go to the Riverfront. \$5M was used to buy Theta Lands to protect our watersheds. The Federal and State government refused to do anything with it so the former board went ahead and did something about it. It was a worthwhile cause. \$2M was set aside for the Exeter Flood Protection. The residents of Hicks Creek have been flooded for years because they didn't have a pump station. We are in the process of putting in the design for a pump station and I believe that this was a worthwhile project. No one but the county would do anything for these people. There was also an issue with their sewer lines that were put in...but not connected. Every time it rained these people would be flooded. I think that the Times Leader was not accurate in detailing where the money went. Some of it went to the Back Mountain Recreation Authority and that is well used out there now. So there are a lot of areas where that money was spent to keep kids off the street and for families. It is money well spent.

MR. CHESNOVITCH

Thank you Commissioner Urban for explaining where the money went.

GEORGE KOCHIS

FDR stated that the only thing we have to fear is fear itself. Let me tell you, we have a lot of fear out there. As our leaders, don't you fear what is happening to this county? In Haiti they had a natural disaster. We are having an economic disaster in Luzerne County and you should consider bankruptcy. You tell us you are \$460 Million in the hole and \$60,000 a day in interest? Can you tell me how long it will be to pay off this debt? What plan do you have where you don't have to raise taxes or lay people off? People need jobs. They need a job and are not responsible for what happened in this county. Now you want to save some money? I can't believe you pay people for sick leave. In the Federal Government you get 13 sick days a year sick leave. You can carry it over for whatever reasons. Say you accumulate 10 weeks of sick leave...if you have a major illness you have 10 weeks off. Now at the end of retirement, you get 2% added to your retirement. Why are you paying \$3,000 to people for 60 days of sick leave? That is ludicrous. They get annual leave, sick leave, and retirement leave. Mr. Pribula, you came from private industry and you must be shocked at what you are seeing here. The other day I read where Mr. Musto is looking for a job at \$80,000. Cut his salary, and not theirs. People should be marching in front of Judge Toole's house, Ciavarella's, Conahan's and all those other corrupt officials. Stealing is still going on in the Prothonotary's Office. You can't keep raising taxes to cover costs of corruption. That is bad management. How do you propose to balance this budget without raising taxes or laying someone off?

COMMISSIONER PETRILLA

Well, we have a plan and would be happy to sit down with you...we have to pay it off.

MR.KOCHIS

You and Steve decided to raise the dike fee. I had to pay for it. If you say to me---I need some money to keep these people working. I am all for it. But can we trust you to use our money carefully wisely? Aren't you fearful what is happening to this county? How can you just sit there like it doesn't matter?

COMMISSIONER PETRILLA

Mr. Kochis, I am quite proud of the accomplishments of the past 2 years---quite proud and I'll be happy to meet with you at any time and show you where I found it and where it is today.

KOCHIS

Well laying off people is not the answer. Find out where you can save money, reduce salaries of those making big bucks, don't pay sick leave and you can come up with a solution if you want to. Thank you.

WALTER GRIFFITH

I am glad that Mr. Kochis spoke about sick leave. One of the issues that I had when I assumed the position of Controller was the provision in the Personnel Policy that states upon termination, you don't get sick leave. I immediately passed out a directive to everyone that said effective January 14, 2010, sick leave would not be paid. There were some problems with that decision I made and I had a meeting with some people to decide whether that was an accurate assessment. Based on the terminology in the Personnel File, it clearly states that upon termination, an employee is not entitled to be issued sick leave so I addressed the issue. I was willing to make a compromise at that moment to say that the terminology meant "for cause". As the new guy on the block I wasn't there when that policy was written so I can only go by what is written. So my comment today is that terminology is clear---if you are terminated you don't get sick leave. So what I want to do is put it on the agenda so we can be clear whether we pay sick leave or we don't. Right now we are paying sick leave based on the interpretation that termination is for cause. Obviously that is not my interpretation and not my Solicitors either. It says for cause; it doesn't say for disciplinary or non disciplinary...What I would like the Commissioners to do is to go off the agenda to approve the revised language in the Personnel Policy to eliminate the ambiguity of that language to give me clear direction as the Controller whether I pay or don't pay. All I want is clarity so as Controller I know to pay people as they are supposed to be paid. So if I could get one of the Commissioners to go off the agenda, I have the revised policy language. In my estimation, I am not to pay the sick leave and the Solicitor of the county disagrees.

COMMISSIONER PETRILLA

Mr. Griffith, as I explained to you in our multiple meetings, the Personnel Policy has several gray areas that have come to our attention. We will be hiring a new HR Director and that person's first task is to address the Personnel Policy. The Personnel Policy will be revised; it will be passed to the Commissioners for their review and input and feedback and will be studied thoroughly before it is finally adopted. So just to make a motion to address just one issue is not the process that needs to be followed. We need to revise all our policies and the Solicitor has given you a hearing on what the past practice has been and what you are asking will not be entertained in the form of a motion.

MR. GRIFFITH

In all due respect, I believe I am asking for a motion to go off the agenda and I think I have a right to do so.

VITO DE LUCA

We have met about this---I believe in my office---I know the administration has given you an extreme amount of courtesy when it comes to dealing with the number of issues you raised. This specific issue ...I don't know anyone who would read this language in such a hyper technical sense other than someone who is looking to create a problem and I think that's exactly what we have here. If Walter refuses to write the check and pay the bill, then let Walter Griffith live with the consequences. We met; I told you what my legal opinion was. I believe we had an agreement before we left the meeting that I was going to write a legal opinion as to what effect that language was from the Administration who wrote that language. That was an administration in 2004-05 and there was a practice throughout the county to treat that language as "term for cause". We had a discussion; I had numerous meetings with you over a number of issues that I consider to be minutia and a waste of my time. I met with you; I believed we discussed it. I believed we had an agreement and am sorry...its not even one and a half hours later I get a call from a newspaper quoting you as saying something entirely different from what we agreed in our meeting. All I am asking you for is a certain amount of courtesy before you raise these different issues and try to get them in a newspaper and speak at a public meeting about them. At least have the courtesy to sit down with me and if we have an agreement and I'm to write a legal opinion about the language of that agreement on the Personnel Policy

WALTER GRIFFITH

You had an agreement before you even had an agreement that the language in that Personnel Policy said exactly what I said...

VITO

The language says what it says Walter

WALTER

I had a meeting with you before the meeting with the Court personnel and you said that you would interpret the language exactly as I said.

COMMISSIONER PETRILLA

Well anyway, Walter, excuse me Walter...we will address the Personnel Policy when we get our new HR Manager. Is there any other public comment?

WALTER

I want to continue on this issue and I want to know why I am being accused of grandstanding when I'm not---that is not the case.

COMMISSIONER PETRILLA

We are not going to do it here...

WALTER

Oh, so far we've paid \$10K for sick leave and now you are going to lay people off and that OK?

VITO

If Walter Griffith refuse to sign or pay as Controller, that's his prerogative.

WALTER

That's exactly what I am going to do...

ANDY GEGARIS

My name is Andy Gegarlis and I am the Chief of Environment and Recreation for Luzerne County. I want to go on the record to commend the administration for the difficult decisions they have to make. I want to go on the record for the people that are suffering the consequences of the past. We want to run this place as a business. We provide a service and the jobs that are being eliminated under my departments today are seven jobs out of 1700 employees. Under no fault of their own, because it is not a mandated service, provide very passionate and tremendous services and amenities to the community. I hope as Commissioner Petrilla has alluded to, we have some contingencies in place if these services are able to continue. There is one thing that sticks with me. Commissioner Urban can I have you attention for one minute. I have tried to call you but you don't return my phone calls. I'm concerned, the Environmental Special Projects is completely grant funded and you propose taking those services to the Conservation District.

COMMISSIONER URBAN

It is not totally grant money. Andy Gegarlis: It could be. Commissioner Urban: It's not because the grant only covers 8 months of service. The rest is coming out of the county budget.

ANDY GEGARIS

We put a proposal in that the employees would only work for eight months to help you work through this problem. The stipend to the Conservation District, which you are a board member, would increase \$46,000. If we add that \$46,000 to the grants, the jobs could be here. Yes, we do have some expenses but the services of the West Nile...we are fortunate right now that they gypsy moth is fine. That's not luck; it's because of good work. The West Nile Virus program is not something you can pick up in a book. The

grants are not transferrable. The Conservation District needs to apply. This starts in April. Can they get certified people to do this and if not do we have a contingency plan in place? I put countless hours in to show that Moon Lake Park can open. It's going to cost some money but look at the services it provides. We had business people here last week talking about what it does to the economy. We're talking 8 jobs, the smallest department in the county. It's not taking one probation officer, it's eliminating three departments. I just hope due diligence was done. I don't want to see anyone lose their job but these employees do good work under these conditions. We were cut and we came back with proposals and solutions. I think we are doing a great disservice to these folks, myself included. We submitted our budget in September and we didn't get any feedback. I look at what was not communicated and we still rallied our people and did what we were supposed to do. And this is the reward we get. You have difficult decisions to make. We've had people approach us that said they would give us money to run the Forty Fort Recreation Center, but there is no consistency that it will be here next year. That park's budget is \$60,000. Now we're going to go out and work with organizations. Where are they going to get the money from? In a study I proposed there are over twenty facilities and they all say the state is good for acquisition, design, and building but they can't operate and maintain it. You are finding that out with the Levee. It's beautiful but we can't program it. This lady from Sweet Valley may not be able to get downtown. For three tenths of one percent of your budget.

COMMISSIONER URBAN

We are not in the position to take on twenty parks in this county. Andy Gegaris: I didn't ask you to do that but we're in a position to be a leader to build that. Commissioner Urban: We did lead and give to communities to build parks. The county gave \$200,000 to Nescopeck Twp to build a park. They capitalized on the money we gave them and applied for grants. We are not in the position to pick up twenty parks and create a giant Recreation Department in this county. Andy Gegaris: Can't we lead and become a focal point for these folks to come together.

COMMISSIONER PETRILLA

We are exploring every option to keep the parks open and available to the public.

CLARENCE MICHAEL

I've been listening and I have a couple questions. I voted for Walter Griffith. I don't know who that gentleman is but I didn't vote for him. So when he says minutia I have a problem with that. I want you in there doing your job and that's why I voted for you. What he thinks minutia is, I think that's how this county go into trouble. So you perform your job. How long have you been on it? 4-5 years? No, minutia that's what got this place into trouble. Secondly, I just got back from San Antonio which has a river walk. The water isn't very clean but they have a lot of activities going on. Who is in charge of activities over there? You have a beautiful thing to bring people in but where the entertainment? Who is in charge of that to utilize it?

COMMISSIONER PETRILLA

We are very active with that right now. We are waiting for the construction to be finished. Once that is done the construction company will turn the entire Riverfront over to the County. We expect to have activities down there everyday.

CLARENCE MICHAEL

The courts have always been a bugaboo with me. It's a dysfunctional place. You are talking about bringing someone in for \$8,000 and these people are making \$25,000. Why don't you find someone to do it for \$40,000? Ask me, I'll come in for \$40,000 but don't tell me someone around this county cannot get that job for less money. That will save some jobs. I saw in the newspaper Steve Urban mentioned something about a tip staff. What is a tip staff?

Commissioner Petrilla: Judge Burke will be here shortly for the Salary Board. You can certainly talk to him about that. We have a constitutional obligation to fund the courts. We have cut the courts about \$4 million dollars since I became commissioner. We are continuing to work with the courts. We're finally getting cooperation from the courts, which we didn't have two years ago. They recognize the dire straits

the county is in and they have cut their budget substantially, however I do agree with you that salaries have to be adjusted.

Clarence Michael: It was \$300,000 and \$400,000 for a tipstaff.

Commissioner Petrilla: That is for a compliment of ten judges

Clarence Michael: These things need to be looked at. Look at the minutia or we're going to be in trouble.

COMMUNICATIONS – DOUGLAS A. PAPE, COUNTY MANAGER/CHIEF CLERK	11
Minutes.....	11
Vouchers	11
Hazleton and Hazle Township	12
Luzerne County State of Emergency – Bridges.....	12
Luzerne County State of Emergency – EMA Flooding.....	12
Luzerne County State of Emergency – EMA Flash Flooding	12
Web Security System Upgrade	12
Communications Network Equipment Maintenance	12
Local Economic Development Assistance (LEDA) Program.....	13
Pennsylvania Fish & Boat Commission Education Grant	13
Tax Refund-Assessment Appeals Office - Court Mediation	13
Tax Refund-Assessment Appeals Office – Marcy Cemetery Assoc.	13
Tax Refund-Assessment Appeals Office – Epstein, Yoel	14
Tax Refund-Assessment Appeals Office – Montante, Anita & Angelo	14
Tax Refund-Assessment Appeals Office – Saras, William P.	14
Resolution/Consumer Workforce Council (Appendix Page 25).....	14
2003 Capital Projects Bond Issue – 2003D- 51 Transfer (Appendix Page 26)	15
2003 Capital Projects Bond Issue – 2003D-51 Payment (Appendix Page 26A).....	15
Tax and Revenue Anticipation Note, Series A of 2010.....	15
Veteran Affairs Bureau - VIMS Maintenance Agreement	15
Advertise - Courthouse Exterior Renovations Project.....	15
District Attorney’s Office and Veteran’s Affairs Office Carpet Replacement Project.....	16
Advertise – Park Management Services	16
Advertise for Auction Services/Surplus County Equipment	16
Advertise - RFP’s for Security Services	16
Collective Bargaining Agreement - Luzerne County & Court Appointed Professional Unit ..	16
Furlough Positions – 2010 Budget.....	17
RESOLUTION NO. 11-20-2010-C	17
TREASURER’S OFFICE – MICHAEL L. MORREALE	18
FINANCIAL STATEMENT	18
CERTIFICATES OF DEPOSIT & OTHER INVESTMENTS	19
CONTROLLERS REPORT – WALTER GRIFFITH	20
DEPARTMENT HEAD REPORTS	22
HUMAN SERVICES – JOSEPH DEVIZIA, DIRECTOR	22
ROAD AND BRIDGE DEPARTMENT – JOSEPH GIBBONS, ENGINEER	25
COMMUNITY DEVELOPMENT – ANDY REILLY, DIRECTOR	26
PLANNING COMMISSION – ADRIAN MEROLLI	26
PURCHASING DEPARTMENT: FRANK A. PUGLIESE, JR., DIRECTOR.....	27
PERSONNEL.....	29
APPENDIX SHEET	32

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 31, 2009

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

Vouchers

MOTION

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

PNC Bank, Vouchers 487547GF – 488275GF
County General Fund for 2009/2010 to Date

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

PNC Bank, Vouchers 503425LF – 503476LF
Liquid Fuels Fund for 2009/2010 to Date

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

Wachovia Bank, Vouchers 400419WC – 400420WC
Worker's Compensation for 2009/2010 to Date

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

Request a Motion to approve and release payment for the following amount:

PNC Bank, \$7,801.67
County General Fund for 2009/2010 to Date

It was moved by Commissioner Urban, seconded by Commissioner Cooney
"AYES" PETRILLA, COONEY, 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 12, 2010; January 19, 2010; January 26, 2010; February 2, 2010; February 9, 2010; February 16, 2010

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 12, 2010; January 19, 2010; January 26, 2010; February 2, 2010; February 9, 2010; February 16, 2010

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 25, 2010, February 1, 2010, February 8, 2010, February 15, 2010 and February 22, 2010.

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 25, 2010, February 1, 2010, February 8, 2010, February 15, 2010 and February 22, 2010.

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

MOTION

Web Security System Upgrade

Request a Motion of the Luzerne County Board of Commissioners to advertise for an upgraded web security system. The existing network device currently being used for this purpose does not meet requirements. A more cost effective solution that may involve a combination of hardware, software and subscription services is desired.

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

MOTION

Communications Network Equipment Maintenance

Request a motion of the Luzerne County Board of Commissioners to advertise for a one (1) year maintenance contract for the various Cisco network communications devices that are used throughout the County’s computer network. The one year maintenance contract will cover repair services and parts replacement.

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

MOTION

Local Economic Development Assistance (LEDA) Program

Request a Motion of the Luzerne County Board of Commissioners authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development (PA DCED), effective January 20, 2010, 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 Local Economic Development Assistance (LEDA) Program. The LEDA Application is requesting assistance in the amount of \$35,221.00.

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

MOTION

Pennsylvania Fish & Boat Commission Education Grant

Request a Motion of the Luzerne County Board of Commissioners authorizing the submission of an application to the Pennsylvania Fish & Boat Commission, effective January 20, 2010, 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 Pennsylvania Fish & Boat Commission funds in regards to the Sport fishing and Aquatic Resource Education Grant Program. This application will request \$5,000; no matching funds are required.

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

MOTION

Tax Refund-Assessment Appeals Office - Court Mediation

Request a Motion to approve the refunds due to court mediation process in the total amount of \$5,282.61.

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

MOTION

Tax Refund-Assessment Appeals Office – Marcy Cemetery Assoc.

Request a Motion to approve the following refund through the Assessment Appeals Office:

Name: Marcy Cemetery Assoc
Address: 917 Foote Ave, Duryea Pa. 18642
Property Location: 917 Foote Ave, Duryea
Amount Due: \$117.23
Reason for Refund: Correction of error. Improvement was removed in 2008.

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

MOTION

Tax Refund-Assessment Appeals Office – Epstein, Yoel

Request a Motion to approve the following refund through the Assessment Appeals Office:

Name: Epstein, Yoel
Address: 51 Forest Road Unit 203 PMB 63 Monroe, NY 10950
Property Location: 161-163 Charles Street Wilkes-Barre, Pa
Amount Due: \$277.31
Reason for Refund: Correction of error. House assessed on lot 12A

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

MOTION

Tax Refund-Assessment Appeals Office – Montante, Anita & Angelo

Request a Motion to approve the following refund through the Assessment Appeals Office:

Name: Montante, Anita & Angelo
Address: 190 Erie Street W Pittston, Pa. 18643-2656
Property Location: 190 Erie Street
Amount Due: \$319.52
Reason for Refund: Board Decision for 2009

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

MOTION

Tax Refund-Assessment Appeals Office – Saras, William P.

Request a Motion to approve the following refund through the Assessment Appeals Office:

Name: Saras, William P
Address: 447 East County Road, Drums, Pa. 18222
Property Location: East County Road
Amount Due: \$2,156.39 (Penalty)
Reason for Refund: Bldg picked up prior to completion

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

MOTION

Resolution/Consumer Workforce Council (Appendix Page 25)

Request a Motion to adopt a Resolution requesting the Commissioners joining the County Commissioners Association of Pennsylvania in requesting that if the Commonwealth is to consider the issue of A Consumer Workforce Council it should be a matter of Legislative consideration.

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

MOTION

2003 Capital Projects Bond Issue – 2003D- 51 Transfer (Appendix Page 26)

Request a Motion to acknowledge the transfer of \$251,089.07 from the 2003, Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-51.

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

MOTION

2003 Capital Projects Bond Issue – 2003D-51 Payment (Appendix Page 26A)

Request a Motion to approve payment of \$277,597.23 from the 2003, Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-51.

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

MOTION

Tax and Revenue Anticipation Note, Series A of 2010

Request a Motion authorizing the adoption by the Board of Commissioners of a Resolution of the County of Luzerne, Pennsylvania, authorizing the issuance of its Tax and Revenue Anticipation Note, Series A of 2010 (the “2010 **TRAN**”) in the principal amount of Nineteen Million Three Hundred Thirty-Five Thousand Five Hundred Seventy-Two Dollars (\$19,335,572); authorizing certain actions to be taken with regard to the execution, sale and delivery of the 2010 **TRAN** and approving the execution of all necessary documentation in connection with the issuance of and the incurrence of the debt associated with the 2010 **TRAN**.

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

MOTION

Veteran Affairs Bureau - VIMS Maintenance Agreement

Request a Motion of the Luzerne County Board of Commissioners for the Veterans’ Affairs Bureau to renew the VIMS Maintenance Agreement with Sterling Solutions, Inc. for \$700 for the period of January 1, 2010 to December 31, 2010.

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

MOTION

Advertise - Courthouse Exterior Renovations Project.

Request a Motion to Authorize the Proper Officials to advertise for the Courthouse Exterior Renovations Project.

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

MOTION

District Attorney's Office and Veteran's Affairs Office Carpet Replacement Project

Request a Motion to Authorize the Proper Officials to award the District Attorney's Office and Veteran's Affairs Office carpet replacement project to Color-World, 701 Pittston Bypass, Pittston, PA 18040 in the amount of \$21,062.00.

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

MOTION

Advertise – Park Management Services

Request a Motion to Authorize the Proper Officials to advertise for Park Management Services for the Forty Fort Recreation Complex.

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

MOTION

Advertise for Auction Services/Surplus County Equipment

Request a Motion to Authorize the Proper Officials to advertise for Auction Services for the disbursement of surplus county equipment.

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

MOTION

Advertise - RFP's for Security Services

Request a Motion of the Luzerne County Board of Commissioners to advertise for a request for proposals for security services for county owned buildings and property.

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

MOTION

Collective Bargaining Agreement - Luzerne County & Court Appointed Professional Unit

Request a Motion to ratify the Collective Bargaining Agreement between Luzerne County and the Court Appointed Professional Unit effective January 1, 2010 through December 31, 2014.

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

MOTION

Furlough Positions – 2010 Budget

Request a Motion to authorize Proper County Officials to issue furlough notices to positions that will not be funded in the 2010 budget.

Department	Positions	Salary Amount
Environmental Special Projects	4	\$88,100.16
Recreation	1	\$61,799.92
Solid Waste	1	\$31,100
Moon Lake	4	\$118,800
Assessor's	1	\$19,500
Information Technology	1	\$25,800
Security	1	\$19,500

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

MOTION

RESOLUTION NO. 11-20-2010-C

Request a Motion to adopt the following Resolution No. 011-20-2010-C.

BE IT RESOLVED, that February 12, 2010, be and the same is hereby set, as the date for the final adoption of the amended budget for the year 2010. The Chief Clerk is hereby directed to make the proposed amended budget available for public inspection in his office, the Office of the Luzerne County Commissioners, Hazleton Courthouse Annex, and the Luzerne County Law Library at any time during regular business hours from January 29, 2010 until final adoption.

BE IT FURTHER RESOLVED, that the Chief Clerk be and is hereby directed and authorized to give such public notice as required by law.

It was moved by Commissioner Cooney, seconded by Commissioner Petrilla
“AYES” PETRILLA, COONEY “NAY” 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 11, 2010

WACHOVIA BANK

School, Road & Institutional (Old Account).....	\$744.60
Self Insured Workers Compensation Fund	532,614.93
Domestic Relations IV-D Fund	1,167,697.72
9-1-1 Construction Fund	381,857.25
9-1-1 Wire Fund	2,867,932.32
9-1-1 Wireless Fund	351,443.29
Hotel Room Rental Tax.....	127,215.29

PNC BANK

General Fund.....	\$8,616,198.60
Schools (New Account)	476,970.14
Towns (New Account).....	16,490.93
Real Estate Tax Sale	1,912,779.69
Transportation Department.....	455,146.74
Office for the Aging.....	1,932,161.71
Children & Youth Services	1,558,415.14
Mental Health/Mental Retardation.....	73,826.42
Human Services.....	185,159.57
Drug & Alcohol Program	630,825.09
Liquid Fuels Tax Fund	225,539.07
GWBIF Escrow Account	27,736.13
Juvenile Probation JCJC Grant-in-Aid.....	153.01
Juvenile Court Restitution.....	20,648.85
Act 44 Bridge Account	177,094.00
AID System to Roads & Bridges.....	0.00
2009 ARRA US DOE Entitlement.....	0.00
Coroner VSIA Act 2004-122 Account.....	70,544.21
Hicks/Abrahams Creek	0.00
PEMA Hazard Mitigation.....	0.00
Convention & Visitors Bureau.....	40,897.00
Series 2008 A Project Fund.....	20,898,954.64
Early Intervention.....	48.17
District Attorney Gun Buyback Program.....	2.33
HAVA Account.....	322,187.78
License Fee Account.....	1,267.00
Levee Account.....	503,002.03
Recorder of Deeds Restitution.....	4,995.82
Sheriff Real Estate Escrow.....	1,850,575.69
Sheriff Writs of Execution.....	20,622.76
Sheriff DCED Grant.....	0.00
2009 Government Study Commission.....	14,271.00
District Attorney Federal ICAC Grant.....	78,084.01
Sheriff K-9 Donations.....	174.02
Cash in lieu of Performance Bond.....	0.00

CITIZENS BANK

Adult Probation Special Account	\$262,540.76
Bridge Fund	794.49

Hazardous Material Emergency Response Account..... 107,115.64
 EMA Radiation Emergency Response Fund 75,468.81

FIRST NATIONAL COMMUNITY BANK

Convention and Visitors Bureau \$82,407.02
 Agencies Account 906,978.95
 Solid Waste Recycling/Landfill Administration..... 250,833.24
 Property Tax Collection 3,986.99
 Department of Probation (CPCMS System).....286,941.47
 Flood Protection Authority.....3,014,431.53

FIDELITY DEPOSIT & DISCOUNT BANK

Wyoming Valley Airport Grant Account \$44,625.11
 Tri-County Airport Feasibility Study 2,553.79
 Series 2002 A&B Capital Projects 48,999.25
 Series 2003 A&B Capital Projects 175,401.14
 Series 2003 D Capital Projects 2,767.40
 Series 2008 B Settlement Fund.....0.00
 Series 2008 B Sinking Fund.....0.00
 Series 2008 B Project Fund.....0.00
 Flood Protection Project Impact.....4,391.21

M & T BANK

Adult Probation Drug & Alcohol RIP Program.....\$72,734.10
 District Attorney Bad Check Restitution Fund.....3,641.97
 Riverfront-GG2.....2,619.50
 Nesbitt Park-DCNR.....360,766.98
 RACP Redevelopment Assistance.....5,179.00
 Sheriff's Old Real Estate Account.....17,580.77
 2006 Series A Refunding Escrow.....367,981.26
 2008 LCIDA Bond Fund.....759,192.38
 2008 LCIDA Settlement Fund.....0.00
 2008 LCIDA Project Fund.....0.00
 2008 LCIDA Revenue Fund.....0.00
 2008 LCIDA Debt Service Reserve.....6,100,000.00
 2008 Series A Project Fund.....0.00
 2008 Series A Courthouse Fund.....12,583,551.30
 2008 Series B Project Fund.....0.00
 2008 Series B LCCC Project Fund.....14,642,198.86
 2008 Series C Settlement Fund.....0.00
 2008 Series D Sinking Fund.....0.00
 2008 Series E Sinking Fund.....0.00

COMMUNITY BANK & TRUST

2008 Series A Settlement Fund.....\$0.00
 2008 Series A Project Fund.....3,414,264.43
 2008 Series A Sinking Fund.....505,019.05

U.S. BANK

2000 Series A Refunding Escrow.....\$0.00

CERTIFICATES OF DEPOSIT & OTHER INVESTMENTS

(Principal Values only)

As of: January 11, 2010

Liquid Fuels Tax Fund	\$650,000.00
9-1-1 Construction Fund	\$300,000.00
Domestic Relations IV-D Fund	\$2,500,000.00
Hazardous Material Emergency Response Account	\$160,000.00
Solid Waste Recycle Account	\$900,000.00
Agencies Account	\$2,725,000.00
MH/MR Program	\$6,120,000.00
Human Services	\$400,000.00

Total: \$13,755,000.00

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

Mr. Griffith asked that the Controller’s Report be accepted as submitted.

CONTROLLERS REPORT – WALTER GRIFFITH

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:
 - \$ 965,942.37 Community Development Block Grant Program
 - \$ 549,900.00 Business Development Loan Program
 - \$ 27,856.70 Emergency Shelter Grants Program
 - \$ 104,699.80 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 2010. The amount is based on the allocation approved in the 2010 adopted budget.

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 2010. The amount is based on the allocation approved in the 2010 adopted budget.

4. Request a motion to ratify and confirm pre-payment of the following vouchers:
 - Transportation Department:
Voucher No. 536989 to 537122 inclusive in the amount of \$ 717,244.75

 - Bureau for the Aging:
Voucher No. 729867 to 730167 inclusive in the amount of \$ 960,645.63

 - Children and Youth:
Voucher No. 751709 to 751852 inclusive in the amount of \$1,760,371.27

 - Mental Health / Mental Retardation:
Voucher No. 747050 to 747176 inclusive in the amount of \$1,196,891.62

Human Services: Voucher No. 751319 to 751334 inclusive	in the amount of \$1,017,503.58
Drug and Alcohol: Voucher No. 761757 to 761774 inclusive	in the amount of \$ 197,236.17
Drug and Alcohol - RIP: Voucher No. 1048 to 1050 inclusive	in the amount of \$ 49,948.39
Domestic Relations IV-D: Voucher No. 400262 inclusive	in the amount of \$ 1,400,000.00
County Agencies: Voucher No. 401027 to 401034 inclusive	in the amount of \$ 30,132.67
Adult Probation Special: Voucher No. 400362 inclusive	in the amount of \$ 6,002.00
Juvenile Restitution: Voucher No. 1014 to 1015 inclusive	in the amount of \$ 250.00
9-1-1 Construction: Voucher No. 400537 inclusive	in the amount of \$ 2,621.00
9-1-1 Wire: Voucher No. 1408 inclusive	in the amount of \$ 45,032.19
Hazardous Material Emergency Response: Voucher No. 400234 inclusive	in the amount of \$ 1,643.50
License Fees: Voucher No. 6051 inclusive	in the amount of \$ 5,832.00
Schools: Voucher No. 405338 to 405351 inclusive	in the amount of \$ 825,367.70
Towns: Voucher No. 407621 to 407693 inclusive	in the amount of \$ 107,882.20
Real Estate Tax Sale: Voucher No. 401152 to 401162 inclusive	in the amount of \$ 47,488.62
Convention & Visitors Bureau: Voucher No. 403927 to 403948 inclusive	in the amount of \$ 26,691.14
Sheriff Writ of Execution: Voucher No. 1610 to 1627 inclusive	in the amount of \$ 4,059.85
Flood Protection Authority: Voucher No. 1114 to 1118 inclusive	in the amount of \$ 100,182.01
Levees: Voucher No. 1102 inclusive	in the amount of \$ 54,011.57
Aid System to Road & Bridge: Voucher No. 1004 to 1005 inclusive	in the amount of \$ 277,919.52
Government Study Commission: Voucher No. 1016 - 1020 inclusive	in the amount of \$ 8,966.00

Real Estate:
Voucher No. 401150 to 401162 inclusive in the amount of \$ 79,583.93

Commissioner Cooney stated that his company was doing design work for the LCCC project so he would be abstaining on that motion.

Commissioner Cooney **Abstained** on motion #3 for LCCC. All other motions were approved as follows:

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

END OF CONTROLLER’S REPORT

DEPARTMENT HEAD REPORTS

HUMAN SERVICES – JOSEPH DEVIZIA, DIRECTOR

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>
------------------------	-----------------------	--------------------	---------------------------------------

MENTAL HEALTH/MENTAL RETARDATION:

W-B Behavioral Ventures D/B/A AWC Services	ISO Agency Choice	7/1/09-6/30/10	\$60,000
---	-------------------	----------------	----------

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

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>RATE</u>	
			<u>FROM</u>	<u>TO</u>

AREA AGENCY ON AGING:

McClure Comfort Care, Inc.	Personal Care	7/1/09-6/30/10	\$1,000.00	\$5,000.00
----------------------------	---------------	----------------	------------	------------

CHILDREN & YOUTH and JUVENILE PROBATION SERVICES:

Vision Quest	New Directions- Shelter	7/1/09-6/30/10	\$162.36/day	\$160.77/day
--------------	----------------------------	----------------	--------------	--------------

United Children’s	Group Home	1/1/10-6/30/10	\$114.00/day	\$116.00/day
-------------------	------------	----------------	--------------	--------------

DRUG AND ALCOHOL:

Serento Gardens	Intervention	7/1/09-6/30/10	\$44,455	\$38,637
-----------------	--------------	----------------	----------	----------

WVADS, Inc.	Intervention	“ “	\$40,415	\$28,051
-------------	--------------	-----	----------	----------

MENTAL HEALTH/MENTAL RETARDATION:

Northeast Counseling Services	Comm. Srvs., ICM, OP, Day Treatment, Crisis, Soc. Rehab., RC, Adm. Mangmt. & Emergency	7/1/08-6/30/09	\$3,213,300	\$3,497,110
Children’s Service Center	Comm. Srvs., ICM, OP, Crisis, RC, FB, Adm. Mangmt. & Emergency	“ “	\$1,235,200	\$1,133,323
CCS-First Hospital Division	Inpatient Services	“ “	\$266,300	\$374,988
Community Residential Unit	Housing Suppt. Srvs.	“ “	\$325,000	\$344,907
The Advocacy Alliance	Comm. Srvs. & Family Support	“ “	\$100,000	\$101,171
Conyngham Care Center	Housing Suppt. Srvs.	“ “	\$500,000	\$451,019
Luzerne County Dept. Probation Services	Admin. Mangmt.	“ “	\$32,935	\$39,229
Concern	Family Support	7/1/08-6/30/09	\$1,000	\$1,532
W-B Behavioral Hosp. D/B/A First Hospital	Inpatient Services	“ “	\$85,700	\$73,863
Step-By-Step, Inc.	Residential, Comm. Hab., Home & Comm., Housing Support & Employment	7/1/09-6/30/10	\$2,292,898	\$2,304,598
Melmark, Inc.	Comm. Hab. & Residential Srvs.	“ “	\$138,183	\$50,000
Luz. Intermediate Unit 18	Early Intervention	“ “	\$35,000	\$60,000

Commissioner Urban **Abstained** on the contract for United Children’s Home. All other contracts were approved as follows:

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

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

AREA AGENCY ON AGING:

Authorize the Chairman of the Board of Commissioners to execute a consent to the assignment of the agreement between the Area Agency on Aging for Luzerne-Wyoming Counties and Valley Crest Adult Day Center to Senior Care Centers of Luzerne County, Inc. d/b/a Senior Care of Plains, effective January 16, 2010, subject to solicitor review and approval.

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

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

AREA AGENCY ON AGING:

Authorize the Chairman of the Board of Commissioners to execute an agreement for the Area Agency on Aging to donate space in the Kingston, Pittston, Rose Tucker, Wyoming County, Charles T. Adams, and Hazleton Senior Centers to the U.S. Census Bureau for a period of seven weeks from 2/26/10-4/19/10 to gather census data.

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

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

MENTAL HEALTH/MENTAL RETARDATION:

The Luzerne County Board of Commissioners authorizing the ratification of two Project Modification Requests (PMR) to the Pennsylvania Commission on Crime and Delinquency (PCCD), effective January 20, 2010, as well as authorization for the Chairman of the Board of Commissioners to execute any and all documents necessary for the receipt of PCCD funding in regards to the Luzerne County Mental Health Court for project titles Luzerne County CJAB Initiative (Subgrant #: 2005-JG-04-18939) and Luzerne County MHC Initiatives-2 (Subgrant #: 2007/2008-JG/MH-02/ST-19067-2). The County's MH/MR Program is requesting a change to the budget line items, moving the case manager and coordinators positions from personnel to consultants. In addition, the County's MH/MR Program is requesting a change the trial assistant reimbursement from 25% to 13.68% and the probation officers reimbursement from 100% to 68% in order to represent the actual salaries of the personnel. There is no change to either grant's overall total funds.

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

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

OFFICE OF HUMAN SERVICES:

The Executive Director of the Luzerne County Office of Human Services to authorize the Memorandum of Understanding between the Luzerne County Office of Human Services and Family Services Association of Wyoming Valley for the High Risk Adult Reentry Program, dated January 11, 2010.

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

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

TRANSPORTATION:

Authorize the submission of the Luzerne/Wyoming Counties Transportation Department 2009-2010 MATP Service Plan and Assurance of Compliance to the PA Department of Public Welfare, Office of Medical Assistance Programs.

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

MOTION

Request a Motion to Ratify the Authorization of the Proper Officials to execute documents required for Luzerne County to participate in the 2010-2011 Sodium Chloride Procurement Contract under the Pennsylvania State Contract (COSTARS).

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 Cooney
“AYES” PETRILLA, COONEY, URBAN

Public Comment: None

MOTION

Authorize the proper officials to amend the sales agreement with Y. Judd Shoal, 24 South River Street, Wilkes Barre, PA. 18702 to allow for demolition of the rear storage building at 30 North Franklin Street, Wilkes Barre, PA (Springbrook Water Building) and the extension of the sales agreement to allow for the demolition until March 31, 2010. All costs and liabilities associated with the demolition will be the responsibility of the purchaser. This amendment will be subject to County Engineer and County Solicitor approval.

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

MOTION

Authorize the proper officials to amend agreement No. 048850 with PennDot to increase the funding for the reconstruction of County Bridge No. 26114, County Road No. 13, Jackson Twp. The amendment increases the Federal and State funding to finance the construction phase. The cost share for the project is 80% Federal, 20% State.

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

MOTION

Authorize the proper officials to amend agreement No. 048849 with PenDot to increase the funding for the reconstruction of County Bridge No. 26119, County Road No. 16, Jackson Twp. The amendment increases the Federal and State funding to finance the construction phase. The cost share for the project is 80% Federal, 20% State.

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

MOTION

Authorize the Chairman of the Luzerne County Board of Commissioners to execute and the County Manager/Chief Clerk to attest all documents necessary for County Roadway and Bridge Projects under or proposed for agreement with the Pennsylvania Department of Transportation.

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

COMMUNITY DEVELOPMENT – ANDY REILLY, DIRECTOR

MOTION

Request a Motion to ratify the submission of the Luzerne County Community Development Consolidated Plan for Fiscal Years 2010-2015, and the Action Plan for Fiscal Year 2010, 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.

Commissioner Urban stated that he was contacted in late December by Nuangola. He stated that they have a sewer project they are putting in place and they believe they will need additional funds for the planning. Commissioner Urban asked that they be kept under consideration if additional funds become available due to other projects coming in under cost.

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

PLANNING COMMISSION – ADRIAN MEROLLI

MOTION

Request action on the rezoning application of Stanley and Patricia Savitsky, 416 Ice Harvest Dr., Mountaintop, Pa., to rezone a portion of property on the east side of Center St., about 170 Ft. North of

Newport St., Newport Township, from a Mining District to a Two Family Residence District to have consistent zoning classification on the property and allow a residential use.

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

MOTION

Request a Motion to adopt an official zoning map for West Wyoming Borough and incorporate it into the Luzerne County Zoning Ordinance which will now have zoning jurisdiction over the properties in the Borough.

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

MOTION

Request a Motion to approve and execute an Agreement of Sale between the County of Luzerne and Mark and Sharon Bacewicz to purchase a 2,537 Sq. Ft. portion of property from the County’s Valley Crest parcel in Plains Township and authorize the Chairman of the Board of County Commissioners to execute all documents relating to the required subdivision application and land transfer. The price of the land will be \$ 5,532.94 and the buyer will assume all duties and costs associated with the subdivision and legal requirements. This transaction has been reviewed by the County Engineer, Mr. Joseph Gibbons, as Chairman of the County’s Land Sales Committee and by County Solicitor, Atty. Steven Menn for legal appropriateness.

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 Cooney
“**AYES**” **PETRILLA, COONEY, URBAN**

Public Comment: None

Request a motion for permission to advertise an RFP for surveying services for the County’s Agricultural Land Preservation Program for 2010.

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

PURCHASING DEPARTMENT: FRANK A. PUGLIESE, JR., DIRECTOR

MOTION

REQUEST A MOTION TO APPROVE THE FOLLOWING CONTRACTS FOR THE PROVIDERS FOR SERVICE SPECIFIED:

CORRECTIONAL FACILITY:

HVAC FILTERS:

YENASON MECHANICAL
132 DARLING STREET
WILKES BARRE, PA 18702

TOTAL BID \$8,681.12

UNSUCCESSFUL BIDDER:

POWER ENGINEERING CORPORATION TOTAL BID \$12,681.69

LUZERNE COUNTY VISITORS BUREAU:

DESIGN FOR OFFICIAL 2010-2011 VISITORS GUIDE:

KK MEDIA TOTAL BID \$4,450.00
25 EVERGREEN LAKE DRIVE
MOUNTAIN TOP, PA 18707

UNSUCCESSFUL BIDDER:

HAPPENINGS COMMUNICATIONS GROUP TOTAL BID \$7,300.00

IT DEPARTMENT:

PRINTING OF TAX BILLS:

AUTOMATION AIDES TOTAL BID \$6,550.00
420 BABYLON ROAD
SUITE B
HORSHAM, PA 19044

UNSUCCESSFUL BIDDERS:

DIVERSIFIED BUSINESS FORMS	TOTAL BID \$ 9,520.00
ONE POINT	7,750.00
SAFEGUARD	7,765.00
ABK (REJECTED – NO BID BOND)	7,548.00
PGI	7,475.00

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

MOTION

REQUEST A MOTION TO ACCEPT THE BID FOR SURPLUS FURNITURE FROM VALLEY CREST NURSING HOME:

COMPLETE HEALTH CARE	6 LOVE SEATS	\$210.00
1551 EAST END BLVD.	7 ARM CHAIRS	105.00
WILKES BARRE, PA 18701	7 ROUND DINING TABLES	210.00
	21 BURGUNDY CHAIRS	315.00
	CASH CART	50.00
	HOYER LIFT	100.00
	TOTAL BID	\$990.00

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

REQUEST A MOTION TO GO OFF OF THE AGENDA:

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

Public Comment: None

Request a motion to advertise for the Sheriff’s Sale brochure.

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

END OF DEPARTMENT HEAD REPORTS

PERSONNEL

January 20, 2010

REQUEST A MOTION TO APPROVE THE FOLLOWING APPOINTMENTS AT:

CHILDREN & YOUTH:

Linda Mlodzienski, Avoca as a Clerk 2, at an annual salary of \$20,442, effective January 22, 2010.

COMMISSIONERS OFFICE:

Randi Audi-Davis, Mountain Top, as the Human Resources Director, at an annual salary of \$55,000 , effective February 5, 2010 to fill a vacancy.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING PAY ADJUSTMENTS AT:

TRANSPORTATION:

John Babuscak, Part Time Driver, at an hourly rate of \$8.25, effective January 4, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING APPOINTMENT REVISION AT:

ROAD & BRIDGE:

Genaro O. Suarez, Hazleton, as a Truck Driver, at an annual salary of \$20,500, effective January 6, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING SUSPENSION WITHOUT PAY AT:

ROAD & BRIDGE:

Diane Aponte, a Two Day Suspension Without Pay, effective January 4, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING RESIGNATIONS AT:

AGING:

Eleanor Rezykowski, Alternate Senior Center Manager 1, effective January 4, 2010.

CHILDREN & YOUTH:

Yurri Lynn Harden, Casework Supervisor, effective January 21, 2010.

HUMAN SERVICES:

William F. Anzalone, Jr., Psy.D., MH Court Forensic Coordinator, effective January 20, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING TERMINATION AT:

TRANSPORTATION:

William Shaw, Part Time Driver, effective January 5, 2010.

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

REQUEST A MOTION TO REMOVE FROM THE PERSONNEL ROSTER DUE TO DEATH AT:

LUZERNE COUNTY 911

Ryan M. Broghamer, Telecommunicator, effective January 12, 2010

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

REQUEST A MOTION TO APPROVE THE FOLLOWING LEAVE OF ABSENCE AT:

AGING:

An Intermittent Family Medical Leave of Absence for Theresa Graham, Aging Care Manager 2, effective January 4, 2010.

A Family Medical Leave of Absence for Mary Ruth, Clerk Typist 2, effective January 19, 2010.

A Family Medical Leave of Absence for Elaine Zambetti, Distributed Systems Specialist 2, effective January 19, 2010.

CHILDREN & YOUTH:

A Leave Without Pay for Nancy O'Kane, Casework Supervisor, effective December 30, 2009 through January 1, 2010.

DRUG & ALCOHOL:

A One Day Leave Without Pay for Ruth Parry, D&A Case Management Supervisor, effective December 18, 2009.

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

REQUEST A MOTION TO ADJOURN.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Thomas".

Jennifer Thomas, Recording Secretary

APPENDIX SHEET

RESOLUTION/CONSUMER WORKFORCE COUNCIL.....25
2003 CAPITAL PROJECTS BOND ISSUE— 2003D-51 TRANSFER26
2003 CAPITAL PROJECTS BOND ISSUE —2003D-51 PAYMENT.....26A