

OCTOBER 1, 2010

On the above date at 11:00 A.M., the Luzerne County Board of Commissioners convened a regularly scheduled 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; Frank Pinnacoli, Deputy Controller; Joe DeVizia, Human Services; Frank Pugliese, Director of Purchasing; Frank Castano, Director, Children & Youth; Jacqueline Musto Carroll, District Attorney

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

No Recognitions

PUBLIC COMMENT – AGENDA ONLY

Ed Chesnovitch

On the Home Rule printing motion; I don't know why it's here because the state requires, the law requires it be disseminated. I know Mr. Urban made a comment that it's online. Does everybody have a computer? How are you going to print out 72 pages? I have to complement the Times Leader for offering do it at no cost. If you turn this down I don't know what type of backlash you will get from the public.

Commissioner Petrilla

Mr. Chesnovitch you're coming up with an assumption it's going to be turned down, as did the Times Leader. The Times Leader assumed it was going to be voted down and came forward to chastise us without even giving us the time to be able to make a vote. Now they come forward and said they were going to print it for free. For us to vote here today to put it in the Times Leader and the Citizens Voice is basically opening the window and throwing out \$4,000.00 because the Leader has said they will print it for free. So for us to vote now to pay them to print it; how fiscally irresponsible is that?

Ed Chesnovitch

If they didn't come forward where would you be?

Commissioner Petrilla

No one gave us the chance. The meeting is today. Why assume?

Ed Chesnovitch

Inaudible

Commissioner Petrilla

You want to assume, but today is the day we're taking the vote. The Times Leader came forward and said they are going to vote no so we're printing it anyway. Well now I can't vote to print it in the Times Leader and open the window and throw \$4,000 tax dollars out the window.

Ed Chesnovitch

Nobody's asking you to put it in both papers. This is half the cost. It was bid out at \$11,700. It's \$6,000. I'm not asking you to put it in the Times Leader because they came forward. I give them all the credit.

Commissioner Petrilla

I thank them whole heartedly for saving us \$4,000 but the Board of Commissioners would have voted to put it in both papers. They came forward and said they're printing it anyway. So why would we vote to put it in both papers?

Ed Chesnovitch

I'm not saying that. Don't put a spin on this. You're feeling was it's out there, Steve's feeling was it's out there, let the people go out and print 72 pages. I hope it passes because look for the repercussions if you don't do this. This is government at its worst.

Commissioner Urban

I have to disagree with Mr. Chesnovitch's comments. I want to go back 18 months ago. A group of people came into this meeting and asked us not to go out and circulate petitions. They asked us to please vote to allow them to do a home rule study commission without having to go out and circulate petitions and get a couple of thousand signatures. This board voted overwhelmingly 3-0 to do that. I was totally disappointed, everything I commented on, they ignored it.

Ed Chesnovitch

What did you comment on?

Commissioner Urban

I commented on what I believe you should have, an elected executive and an elected council. Two bodies of government. Ed, we don't have our legislatures at the state level appointing a governor, nor do we have the Congress of the United States or Senate appoint a President. But you're telling me I should vote for something where we are going to elect 11 council people that are going to work part time, one meeting a month, and then they are going to appoint a manager. He's going to have so much authority to hire and fire everybody. You're going to do away with the Prison Board. We just got the Prison Board put in place with the other 3rd Class Counties about a year now. We had to work with Lisa Baker for seven years to get rid of the antiquated prison system. So now we're going to have a manager running a prison with no input from the courts, no input from the District Attorney, no input from the Controller on spending, and no input from anyone but one person. You are creating a monarch in this county with this Home Rule Charter.

Commissioner Petrilla

Gentlemen, this is not a Home Rule debate.

Ed Chesnovitch

The last time the home rule was up in 2003, what would it have been? Would it have been elected?

Commissioner Urban

It would have been elected.

Ed Chesnovitch

And who said they would run for the position?

Commissioner Urban

I have no idea.

Ed Chesnovitch

Well I'll send you the article. It would have been Skrepenak. It was a popularity contest. I'll send you the article.

Commissioner Petrilla

Gentlemen this is not an argument on home rule.

Commissioner Urban

This is a bad charter. Home Rule is a good concept but this is a bad charter.

COMMUNICATIONS – DOUGLAS A. PAPE, COUNTY MANAGER/CHIEF CLERK5
Request for Proposals for County-Wide Time Management System.....5
DEPARTMENT HEAD REPORTS5
HUMAN SERVICES – JOSEPH DEVIZIA, DIRECTOR.....5
PURCHASING DEPT. - FRANK PUGLIESE, JR., DIRECTOR.....6

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

MOTION

Request for Proposals for County-Wide Time Management System

Request a Motion of the Luzerne County Board of Commissioners to advertise a request for proposals for hosting and implementation of a county-wide time management system.

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

END OF COMMUNICATIONS

DEPARTMENT HEAD REPORTS

HUMAN SERVICES – JOSEPH DEVIZIA, DIRECTOR.

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

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>RATE / CONTRACT CAP</u>
<u>CHILDREN & YOUTH</u>			
Luzerne County District Attorney's Office	Youth Aid Panel Coordinator(Salary plus Benefits)	10/1/10-6/30/11	\$29,233.62

Commissioner Petrilla

Since we didn't have a work session on this, Jackie can you explain what's going on here?

DA Jackie Musto Carroll

The DA's Office is interested in starting a Youth Aid Panel Program here in Luzerne County. It's a diversionary program where if a juvenile commits a minor act they would not go before a Juvenile Judge. They would not come into the system; his case would be diverted to a Youth Aid Panel, which would be made up of volunteers from the community. They have them in 21 other counties. So if this child goes before this panel of 3-4 volunteers and admits to the act that they did, and given a list of conditions they have to follow such as writing an essay or letter of apology, or do chores at home, etc. If the child does that within the 6 weeks they can come back before the panel and if the panel is satisfied the charges would be dismissed. It's a way to keep cases from going through the system that don't need to be in the system. We are looking for a person who would be the coordinator of this program. The program is in the works right now. We may have panels in different magisterial districts or different school districts. We have to make that decision. This person will coordinate all these panels to make sure everything is running appropriately.

Joe DeVizia, Director of Human Services

I'm very pleased Frank was able to find this in his budget. (inaudible)

DA Jackie Musto Carroll

The salary would be \$21,500 a year plus benefits. But being the way the fiscal budget runs for Children & Youth. I believe it asks for \$49,000 for half a year.

Frank Castano, Director of Children & Youth

8 months.

Commissioner Urban

How long will this position be in effect?

DA Jackie Musto Carroll

I hope this position can be sustained because we will need this person once the panels are up and running. We were told by (inaudible) the NE Regional Director of Children & Youth and Families that the money is there in the budget because placements are down. So I understand there is enough money for two years and at that time we hope we can find money to sustain the position.

Commissioner Urban

Do you want to put a ceiling or cap on this position for two years?

DA Jackie Musto Carroll

It would be better to just keep it open.

Frank Castano, Director of Children & Youth

There is a cap until June 30th.

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

MOTION

CHILDREN & YOUTH:

Request a Motion to approve an Agreement between the County of Luzerne, the University of Pittsburgh, and the following Luzerne County Children & Youth Services’ employee to participate in the Child Welfare Education for Leadership (CWEL) Program:

Christine R. Porzucek

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

PURCHASING DEPT. – FRANK PUGLIESE, JR., DIRECTOR

MOTION

Request a Motion to approve the printing of the Home Rule Charter in the Citizens Voice at the cost of \$6,250.00

Commissioner Urban

This verges on the line of campaigning. I don’t think we ever published a copy of the county code and put it in the newspaper. If anybody wants it they have to buy it from the state. That’s how they are available through the Senate and House members or through DCED online. You have to pay for them. You’re asking us here today to put something for free when my opinion is it verges on the line of campaigning. I think this charter is so bad, when I read it twice now; the people really need to see it for themselves. So I’m going to support putting it in the paper because people need to see how bad it is. They need to know they are going to take their right to vote away from them and create a monarchy in this county. With one person ruling everything and a part time council getting \$8,000. They are going to take away the Prison

Board, a body I believe is important for managing that prison up there. They are going to take away the Salary Board so there won't be any controls on spending or raising salaries. These caps they are talking about in the charter, the 8%, they know it's unconstitutional. There is case law in Lackawanna County about it. But we're still going to publish it.

Vito DeLuca

Is this just the charter or the charter and report?

Commissioner Urban

Just the charter.

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

MOTION

Request a Motion to approve purchasing the following items from the low bidders as listed:

COMMISSIONERS:

Digital Multi Function Photo Copier:

Keystone Business Products	Total Bid \$6,842.80
2298 Broadhead Road	
Bethlehem, Pa 18020	

Unsuccessful Bidders:

Advanced Business	Total Bid \$7,493.00
Topp Business Solutions	6,851.11
Unified Office Equipment	6,950.00
Edwards Business Systems (rejected-charging cost per copy)	6,962.72
Bodnar Sales & Service (rejected-changed specifications)	6,759.00

PURCHASING:

Digital Multi Function Photo Copier:

Keystone Business Products	Total Bid \$6,842.80
2298 Broadhead Road	
Bethlehem, Pa 18020	

Unsuccessful Bidders:

Advanced Business	Total Bid \$7,493.00
Topp Business Solutions	6,851.11
Unified Office Equipment	6,950.00
Edwards Business Systems (rejected-charging cost per copy)	6,962.72
Bodnar Sales & Service (rejected-changed specifications)	6,759.00

CONTROLLERS:

Digital Multi Function Photo Copier:

Topp Copy	Total Bid \$9,616.67
1110 Saginaw Street	
Scranton, Pa 18505	

Unsuccessful Bidders:

Edwards Business Systems	(rejected-charging cost per copy)	Total Bid \$30,824.22
Keystone Business Products		27,988.45
Advanced Business		Total Bid \$18,559.00
Bodnar Sales & Service		13,118.00
Unified Office Equipment		12,639.00

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

END OF DEPARTMENT HEAD REPORTS

PUBLIC COMMENT – NON-AGENDA

Tom Dombroski

I have one comment brought out in the discussion with Mr. Chesnovitch. I didn't go to the study commission meetings because of personal reasons but I studied the charter. I studied the act too. Slot of people who should have studied the act didn't do it. Counsel Manager form is an optional form. Kingston Township has that. Kingston Borough has a mayor form. Wilkes Barre Township has an optional. I don't see any dictators in Kingston Township and I don't see any in Wilkes Barre Township. I'm not going to say how well they are running comparatively because there is a big difference between how Kingston Township is run and how Wilkes Barre Township is run and they are both charter operated. So I think you have to be careful of what you say because under the counsel manager form, if that manager steps out of line for one second he's out by the majority. Automatically out. As far as setting up a Prison Board and Salary Board, there's nothing in the charter that says that can't be done.

Commissioner Petrilla

Mr. Dombroski to be quite honest with you as Chairman of this Board I cannot allow these meetings to be consumed with home rule debate. If there's nothing else I'll ask for you to allow us to move on with the meeting.

Tom Dombroski

Mr. Urban brought it up. That's why I commented on it.

Commissioner Petrilla

I'm not going to allow these meetings to be consumed with home rule debate. Please have a seat unless you have something else.

Tom Dombroski

I have one other comment.

Commissioner Petrilla

Not if it has to do with home rule.

Tom Dombroski

It has to do with the commissioners and their employees. I think it's unlawful or at least unethical to have a management employee go out knocking the charter. I think it's the same for the commissioners.

Commissioner Petrilla

This is America and everyone is entitled to their opinion.

REQUEST A MOTION TO ADJOURN:

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

Respectfully submitted,

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

Jennifer Thomas, Recording Secretary