

SEPTEMBER 15, 2010

On the above date at 1:00 P.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; Walter Griffith, Controller; Michael Morreale, Treasurer; Joe DeVizia, Human Services; Andrew Reilly, Office of Community Development; Joseph Gibbons, County Engineer; Andrew Check, Director of Human Resources; Adrian Merolli, Director, Planning Commission

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.

CALL TO ORDER.....Maryanne C. Petrilla, Chairman

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

No Announcements

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

No Recognitions

PUBLIC COMMENT – AGENDA ONLY

Thomas Concert

Commissioner Petrilla

Are you agenda items or non-agenda items?

Thomas Concert

It's agenda.

Commissioner Petrilla

What exactly on the agenda?

Thomas Concert

MH/MR, stuff like that. Liability issues for MH/MR (inaudible) Children and Youth. It's getting close. The story is coming out. I'm not here to argue about it or point fingers at anyone.

Commissioner Petrilla

Mr. Concert with all due respect, if there's a particular agenda item that you want to address now is the time to do it.

Thomas Concert

It's Human Services, MH/MR, which they oversee.

Commissioner Petrilla

I'm not saying you can't tell us what's on your mind but it will happen after the general meeting. If its something that we're voting on and you want to speak, speak about it now.

Thomas Concert

You are voting on this liability issue. We have to start working on the issues with the parents and families that are involved. We are still going to need services for these families to make them whole. I'm not only speaking for myself, I'm speaking for many others. So in moving forward, ok, we saw the problem now move forward, we have a game plan. We have to turn around and say lets not forget about what took place. There was an impact. You don't understand the impact of families involved. Now they say your children at this age. People haven't seen their children. They don't know what direction to look for their children. When they go to the agency they're told don't call here or bang bang get out of our room. That is not how we are going to handle this. I'm going to make sure as a spokesman for a lot of families things are going to be on the up and up and we're not going to overlook it because a lot of issues took place and that is on the agenda. OK. Liability. Resources and services need to be provided. It wasn't our fault these judges did this. It wasn't our fault Commissioner Petrilla, now don't get upset, that these judges told you this and that or your political career may be..... you know.... And that was a quote taken out of the paper. How many other people did the judges go to and say this is how it's going to go. You can agree with me or you will no longer be affiliated with government.

Commissioner Petrilla

Mr. Concert I fail to see what the agenda has to do with this. If you would like some more time after the meeting to speak that would be fine.

Thomas Concert

I'm glad we're having this meeting today before Skrepenak heads off to do his two years.

Commissioner Petrilla

Anything else?

Thomas Concert

I'll wait until after the meeting. There's a lot more that needs to be addressed.

Walter Griffith

On the agenda I have a question on page 10 regarding the cell phone policy. I'm hoping to get this resolved because if we don't have a policy we'll have to check on these accounts to make sure this is county business. I wish this would have been on the work session and get the information before today.

Commissioner Petrilla

Yesterday Doug spoke with the woman from Verizon and she said the House Bill 4994 would repeal all those IRS actions. The reason for suspending the implementation of the policy is because in the event we charge the employees with the taxes for having cell phones and then this IRS issue is reversed, we would then be faced with reimbursing all these employees for that tax we took out and then we would have to go back to the IRS to get the money back. It would be an administrative nightmare. So being that it's something that is going to be addressed in the House Session we thought it was more prudent of us to suspend it until the outcome of that.

Walter Griffith

Item #24 Sheriff's Department for five police vehicles. I tried to bring this up at the work session but I wasn't permitted to discuss it so I'll discuss it now. With all due respect to the new Sheriff this has nothing to do to reflect on his abilities to do what's right at this point, but looking back in January when we had this whole issue the problem with police cars was the fact when serving civil process they would be identified. The reason they couldn't use Sheriff vehicles was because they would be identified and now I see we're going to buy five police cars to allow us to serve civil process. I don't understand in February why we couldn't use police cars because they would be identified and now we can buy police cars. I thought the whole issue of the civil process was cost effectiveness, and we're buying police vehicles. I would think it would be more cost effective to buy regular vehicles that don't require cages, lights, sirens, or any of that stuff. I understand for transport but the reason why we're going with 5 police vehicles when we have enough vehicles for transport from what I understand. The issue was with civil process with the

vehicles. So I don't understand why we are buying police cars instead of regular cost efficient vehicles to serve civil process much like what their doing with their own personal vehicles.

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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. August 18th and August 30th, 2010.

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 495714GF – 497582GF
\$2,680,032.63
County General Fund for 2010

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

PNC Bank, Vouchers 503835LF – 503880LF
\$48,536.95
Liquid Fuels Fund for 2010

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

Wachovia Bank, Vouchers 400447WC – 400449WC
\$4,888.00
Worker’s Compensation for 2010

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: September 15, 2010; September 22, 2010; September 29, 2010; October 6, 2010; October 13, 2010; October 20, 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: September 15, 2010; September 22, 2010; September 29, 2010; October 6, 2010; October 13, 2010; October 20, 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 October 4, 2010, October 11, 2010, October 18, 2010, and October 25, 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: October 4, 2010, October 11, 2010, October 18, 2010, and October 25, 2010.

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

MOTION

Fiduciary Liability Insurance – Extension of Policy Period

Request a Motion of the Luzerne County Board of Commissioners to approve an extension to the Fiduciary Liability Insurance policy, provided through Philadelphia Indemnity Insurance Company, from August 26, 2011 until January 1, 2012 through Joseph J. Joyce Associates, Inc. The additional costs will be \$799.00.

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

MOTION

MH/MR Professional Liability & General Liability Insurance

Request a Motion of the Luzerne County Board of Commissioners to approve American Alternative Insurance Corporation, as Professional Liability and General Liability Insurance provider for a total of \$4,798.60, which includes a \$340.00 agent’s fee, effective September 15, 2010, from September 26, 2010 to January 1, 2011 through Joseph J. Joyce Associates, Inc. with an optional one year renewal, provided the same pricing and coverage structure are offered. Please note that pricing will be contingent on claims activity.

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

MOTION

Permission to Advertise – Risk Management Services

Request a Motion of the Luzerne County Board of Commissioners to approve the advertisement of a Request for Proposals (RFP) for Insurance Risk Management Services.

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

MOTION

Permission to Advertise – Luzerne County Insurance Policies

Request a Motion of the Luzerne County Board of Commissioners to approve the advertisement of a Request for Proposals (RFP) for the County's Insurance including the following policies Property, Inland Marine, Systems Breakdown, Crime, General Liability, Employee Benefits, Auto, Umbrella, and Public Officials/Employment Practices/Network Security & Privacy Liability and Stop Loss.

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

MOTION

HAVA Amendment

Request a Motion of the Luzerne County Board of Commissioners to approve a blanket amendment, effective September 15, 2010, to the County's Help American Vote Act (HAVA) grant agreements. The term of these agreements will expire on June 30, 2016.

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

MOTION

DCED Single Application for Assistance

Request a motion of the Luzerne County Board of Commissioners authorizing a resolution regarding the submission of an application to the Pennsylvania Department of Community and Economic Development (PA DCED), effective September 15, 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 Luzerne/Lackawanna Bi-County Comprehensive Plan. This is the third application being submitted to DCED for assistance to defray the costs associated with the preparation of this Bi-County Plan.

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 September 15, 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 \$38,553.00.

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

MOTION

Verizon Foundation Grant – District Attorney

Request a motion of the Luzerne County Board of Commissioners authorizing the submission of an application to the Verizon Foundation through the Greater Wilkes-Barre Chamber of Business and Industry, effective September 15, 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 Verizon Foundation grant funds including a Cooperation Agreement. These funds will be used to purchase equipment related to the County's Internet Crimes Against Children Task Force.

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

MOTION

District Attorney's Annual Maintenance Agreement for District Attorney Software

The Luzerne County District Attorney's Office requests a motion of the Luzerne County Board of Commissioners to approve the Annual License and Maintenance Agreement between Corrections Development Inc. and Luzerne County in the amount of \$11,257.50 effective January 1, 2011, for the Prosecutorial Management System used by the District Attorney's Office; as well as authorization for the Board of Commissioners to execute any and all documents.

Commissioner Petrilla

When we were at the work session this was mentioned that these two motions were sole source. How is it that they are sole source?

Steve Englot, IT Director

They are system developed in cooperation with the District Attorney Association. It's proprietary software. The developer is the only one that can supply the maintenance.

Commissioner Urban

How long has the association been handling this contract?

Steve Englot, IT Director

It was developed with funds from PCCD and the District Attorneys Association back in the late 90's. It is used pretty much by all counties throughout the state.

Commissioner Urban

It has been proprietary since the 90's?

Steve Englot, IT Director

Yes

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

MOTION

District Attorney's Annual Savin Maintenance and Service Agreement

The Luzerne County District Attorney's Office requests a motion of the Luzerne County Board of Commissioners to approve the Annual Savin Maintenance and Service Agreement between the Pennsylvania District Attorney's Institute and Luzerne County in the amount of \$6,515.49 effective January 1, 2011; as well as authorization for the Board of Commissioners to execute any and all documents. This system provides telephone and/or e-mail notifications to registered individuals about the release of an inmate housed in a county or state facility.

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Criminal Justice Program Affiliation Agreement

Request a Motion of the Board of Commissioners to enter into an execute a Criminal Justice Program Affiliation Agreement between Luzerne County and Luzerne County Community College This Affiliation Agreement addresses interns, from Luzerne County Community College, that will be placed in the District Attorney’s office.

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. The motion was approved as follows:

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

MOTION

Tax refund-Assessment Appeals Office/ Mr. Edward Trovitch, Jr.

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

Name: Mr. Edward Trovitch, Jr.
Address: 128 Crystal Ridge Ct., Hazle Township, PA 18202
Property Location: PIN: 26-U7S2—003-001-000 / Plate # 26-2-1561-6
Amount Due: \$ 331.20

Reason for Refund: Mr. Trovitch was due abatement (# 5021 of 2005) on paid county taxes for that year that was never processed.

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

MOTION

Tax refund-Assessment Appeals Office/ Trustees Nescopeck Evangelist Church

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

Name: Trustees Nescopeck Evan Church
Address: PO Box 361
Nescopeck, Pa. 18635-0361
Property Location: 509 E Third Street, Nescopeck
Pin # 43-P3SW4-004-020/ Plate # 43-98-1
Amount Due: \$475.06
Reason for Refund: 2009 Board decision for tax exemp

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

MOTION

Tax refund-Assessment Appeals Office/ Grudkowski, David & Arline

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

Name: Grudkowski, David & Arline.
Address: 53 Sedlar Lane
Dallas, Pa. 18612
Property Location: 53 Sedlar Lane, Dallas Twp
Amount Due: \$ 227.98
Reason for Refund: 2009 Board Decision

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

MOTION

Tax refund-Assessment Appeals Office/ Konefal, Laura

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

Name: Konefal, Laura
Address: 50 Jones Lane
Edwardsville, Pa. 18704
Property Location: 46-50 Jones Lane, Edwardsville
Amount Due: \$ 176.70
Reason for Refund: Double Assessed

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

MOTION

Assessment Appeals Office/ Rescheduling Fee

Request a Motion to add a \$10.00 rescheduling fee to the Board of Assessment Appeals.

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

MOTION

Tax Refund-Assessment Appeals Office Court Mediation

Request a Motion to approve the total amount of \$46,241.00 for the month of September, 2010 due to Court Mediation.

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

MOTION

Terminate Existing Contract For Presort Mailing Services

Request a Motion of the Luzerne County Board of Commissioners to terminate the contract with Immediate Mailing Services, Inc. for presort mailing services in accordance with terms of contract pertaining to early termination. It has been determined that there are significant cost advantages to obtaining presort mail services from another source.

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Presort Mailing Services Utilizing Costars

Request a Motion of the Luzerne County Board of Commissioners to approve the procurement of presort mailing services from Pitney-Bowes Presort Services under COSTARS contract 4400007056 for “Centralized Automated Mail Services”. Luzerne County will save approximately \$20,000 annually by utilizing this contract in place of the contract with Immediate Mailing Services, Inc.

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

MOTION

Amend Courthouse Exterior Restoration Design Agreement

Request a Motion to Amend the Courthouse Exterior Restoration Design Agreement with Eyerman, Csala, Hapeman & Handman, 69 Public Square, Suite 1000, Wilkes-Barre, PA 18701 in the amount of \$12,408.00 for additional roof inspection services for the construction phase of the exterior restoration project.

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

MOTION

Amend the Luzerne County Courthouse Hydronic Baseboard Heating Replacement System

(A) Replace Air Handlers

Request a Motion to Amend the Luzerne County Courthouse Hydronic Baseboard Heating Replacement System design agreement with Borton Lawson, 613 Baltimore Drive, Suite 300, Wilkes-Barre, PA 18702 in the amount of \$73,590.00 for additional design work to replace all air handlers as part of 2009 ARRA-EECBG program. The amendment will be subject to approval by the United States Department of Energy. Funding for the project is 100% federal.

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

MOTION

Amend the Luzerne County Courthouse Hydronic Baseboard Heating Replacement System

(B) Abatement Specifications

Request a Motion to Amend the Luzerne County Courthouse Hydronic Baseboard Heating Replacement System design agreement with Borton Lawson, 613 Baltimore Drive, Suite 300, Wilkes-Barre, PA 18702 in the amount of \$5,346.00 for additional design work to test and develop abatement specifications for hazardous material as part of 2009 ARRA-EECBG program. The amendment will be subject to approval by the United States Department of Energy. Funding for the project is 100% federal.

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

MOTION

Service Agreement Phase 1 Space Study Services/ Luzerne County Records Retention Project

Request a Motion to Authorize the proper officials to execute Task Order No. 2010-01 with Quad 3, 37 North Washington Street, Wilkes-Barre, PA 18701 in accordance with the terms and conditions of the two-year open end design services agreement in the amount of \$13,679.00. The task order provides for phase 1 space study services for the Luzerne County Records Retention Project.

Commissioner Urban

Joe, this will be funded by the Records Retention Committee Funds?

Joe Gibbons

Yes

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

MOTION

2003 Capital Projects Bond Issue – 2003D-59 (Appendix Page 33)

Request a Motion to acknowledge the transfer of \$72,658.39 from the 2003, Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-59

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

MOTION

2003 Capital Projects Bond Issue – 2003D-59 (Appendix Page 33A)

Request a Motion to approve payment of \$72,658.39 from the 2003, Capital Projects Bond Issue Series D for items identified on Schedule “A” of Requisition 2003D-59.

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. The motion was approved as follows:

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

MOTION

2003 Capital Projects Bond Issue – 2008B-6 (Appendix Page 34, 34A, 34B)

Request a Motion to approve payment of \$20,633.02 from the 2008 Capital Projects Bond Issue Series B for items identified on Schedule A of Requisition 2008B-6.

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. The motion was approved as follows:

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

MOTION

2008 Capital Projects Bond Issue – 2008B-7 (Appendix Page 35, 35A, 35B)

Request a motion to approve payment of \$1,370,699.00 from the 2008 Capital Projects Bond Issue Series B for items identified on Schedule A of Requisition 2008B-7.

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. The motion was approved as follows:

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

MOTION

911 - End User Purchase Agreement

Request permission from the Luzerne County Commissioners for the proper 911 officials to sign and authorize the END USER PURCHASE AGREEMENT FOR POST-INSTALLATION SUPPORT SERVICES through Plant CML. Documents to be signed after solicitor’s review.

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

MOTION

911 Agreement /Concordia Communications Corp., My Tel Co, Inc., Northstar Telecom , Inc.

Request permission from the Luzerne County Commissioners for the proper 911 officials to sign and authorize the AGREEMENT WITH CONCORDIA COMMUNICATIONS CORP., MY TEL CO, INC. AND NORTHSTAR TELECOM , INC. for the remittance of late Emergency 911 fees. Document to be signed after the final review and approval of the Solicitor.

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

MOTION

911 - Transfers from the 9-1-1 Wireless 250 Account

Request permission from the Luzerne County Board of Commissioners to authorize the proper 9-1-1 officials to process the following budgetary transfers from the 9-1-1 WIRELESS 250 Account:

\$16,221.88 for unpaid network professional services to be transferred into budget account # 240.4287.000.3120.

\$7,050.00 for VPI International, \$8,857.32 for unpaid tower site utilities and \$4,432.74 for generator maintenance to be transferred into budget account #220.4289.000.5501.

\$17,140.85 for unpaid tower rent to be transferred into budget account #240.4287.000.3850.

Above requested transfers are for unpaid wireless funds from the 2009-2010 wireless funding fiscal year, which were received in the 2010-2011 wireless funding cycle. Transfers are to be processed on a quarterly basis from July 1, 2010 thru June 30, 2011.

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

MOTION

911 -Purchase a 2011 Chevrolet Equinox All Wheel Drive

Request a Motion of the Luzerne County Board of Commissioners authorizing the proper 911 officials to purchase a 2011 Chevrolet Equinox All Wheel Drive, from Fairway Motors, Hazleton, PA. Total cost of vehicle is \$22,396.86. This purchase is off PA Co-Stars program. Vehicle will replace a 1996 Chevrolet Tahoe. Funds for this purchase will come from the 2008 A Capital Bond Projects.

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

MOTION

911 - APCO Institute Multi-purpose Emergency Dispatch System Software

Request a Motion of the Luzerne County Board of Commissioners to approve the APCO Institute Multi-purpose Emergency Dispatch System Software at 9-1-1. The total cost will be \$39,100.00. The cost for this is wire line eligible and will not affect the General Fund. The APCO Institute is the sole provider of this product. All contracts will be pending the County Solicitors review and approval.

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

MOTION

911- Medical Director’s Fee/APCO Institute Multi-Purpose Emergency Dispatch Program

Request a Motion of the Luzerne County Board of Commissioners to approve the Medical Director’s Fee as a component of the APCO Institute Multi-purpose Emergency Dispatch Program. The Initial Fee determined to be \$4500.00 (inclusive of first year of service) and renewable annual fee of \$2750.00. APCO Institute requires local Medical Direction of an Approved and Certified Emergency Room Physician with Regional Medical Command. Final contracts will be dependent upon the County Solicitors review and approval.

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

MOTION

Contract for Roof Repairs to the Minimal Offenders Building

Request a Motion of the Board of Commissioners to approve awarding a Contract for roof repairs to the Minimal Offenders Building to Eastern Roofing Systems, Jessup, PA who was the apparent low bidder at \$52,245.00, as approved at the September 13, 2010 Meeting of the Prison Board by a vote of 6-0.

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

MOTION

Luzerne County Cellular Device Policy and Procedure

Request a Motion of the Luzerne County Board of Commissioners to suspend the implementation of Appendix H—Luzerne County Cellular Device Policy and Procedure to the Luzerne County Personnel Policy, which was to go into effect on October, 1, 2010, pending the passing in the U.S. Senate of The Taxpayer Assistance Act (H.R. 4994).

Commissioner Urban

If this doesn't pass, if the Senate doesn't take action on it, we will re-implement this in November?

Doug Pape

Yes. I have a call into Senator Casey's Office so they are researching the agendas to see where this bill is at this point.

Commissioner Cooney

How many senators are sponsoring it?

Doug Pape

72. It has passed in the House with a vote of 399 to 9.

Commissioner Urban

At the end of November when the Senate and House recess these bills will die if they are not passed.

Doug Pape

We can also talk with Andy Check. He is doing the personnel policy if we need to beef up that policy in regard to cellular devices, we can do that as well.

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

MOTION

Children & Youth/Juvenile Probation 2011-12 Needs Based Budget

Request a Motion of the Luzerne County Board of Commissioners to approve the Children & Youth/Juvenile Probation 2011-12 Needs Based Budget. The local match of the county's proposal is \$6,260,090.

It was moved by Commissioner Urban, seconded by Commissioner Cooney
"AYES" PETRILLA, COONEY, 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: September 07, 2010

WACHOVIA BANK

Self Insured Workers Compensation Fund	147,592.26
Domestic Relations IV-D Fund.....	2,765,663.24
9-1-1 Construction Fund.....	341,115.63

9-1-1 Wire Fund.....	2,957,687.74
9-1-1 Wireless Fund.....	1,939,766.17
Hotel Room Rental Tax.....	237,268.18

PNC BANK

General Fund	\$19,891,591.41
Delinquent School Tax Fund	408,205.49
Delinquent Municipal Tax Fund	8,477.59
Real Estate Tax Sale	1,465,546.62
Transportation Department	994,460.25
Office for the Aging	1,778,496.69
Children & Youth Services.....	2,794,309.70
Mental Health/Mental Retardation.....	208,761.27
Human Services.....	271,711.80
Drug & Alcohol Program	168,878.35
Liquid Fuels Tax Fund.....	100,300.25
GWEIF Escrow Account	27,763.84
Juvenile Probation JCJC Grant-in-Aid	3,520.77
Juvenile Court Restitution.....	38,556.89
Act 44 Bridge Account	310,950.35
AID System to Roads & Bridges.....	0.00
2009 ARRA US DOE Entitlement.....	6,024.08
Coroner VSIA Act 2004-122 Account.....	106,087.37
PEMA Hazard Mitigation.....	0.00
Convention & Visitors Bureau.....	0.00
Series 2008 A Project Fund.....	20,947,500.91
Early Intervention.....	48.28
District Attorney Gun Buyback Program.....	2.33
HAVA Account.....	414,418.66
License Fee Account.....	374.65
Levee Account.....	250,408.50
Recorder of Deeds Restitution.....	7,001.47
Sheriff Real Estate Escrow.....	2,099,056.77
Sheriff Writs of Execution.....	31,086.47
Sheriff Old Writ of Execution Escrow.....	8,663.00
Sheriff DCED Grant.....	0.00
2009 Government Study Commission.....	38,950.58
District Attorney Federal ICAC Grant.....	99,336.77
Sheriff K-9 Donations.....	674.58
Cash in lieu of Performance Bond.....	43,519.43
FY 2009 Recovery Act JAG Program.....	1.44

CITIZENS BANK

Adult Probation Special Account.....	\$119,695.40
Bridge Fund	795.28
Hazardous Material Emergency Response Account	150,206.14
EMA Radiation Emergency Response Fund	34,788.26

FIRST NATIONAL COMMUNITY BANK

Convention and Visitors Bureau	\$147,619.68
Agencies Account.....	1,050,907.03
Solid Waste Recycling/Landfill Administration	380,517.09
Department of Probation (CPCMS System).....	314,929.96
Flood Protection Authority.....	953,007.64

FIDELITY DEPOSIT & DISCOUNT BANK

Wyoming Valley Airport Grant Account.....	\$66,399.72
Tri-County Airport Feasibility Study.....	2,553.79
Series 2002 A&B Capital Projects	49,040.32
Series 2003 A&B Capital Projects	175,546.57
Series 2003 D Capital Projects	54,298.42
Series 2008 B Sinking Fund.....	770,080.09
Flood Protection Project Impact.....	4,394.86

M & T BANK

Adult Probation Drug & Alcohol RIP Program.....	\$60,260.90
District Attorney Bad Check Restitution Fund.....	5,484.11
Riverfront-GG2.....	977,619.50
Nesbitt Park-DCNR.....	351,484.10
RACP Redevelopment Assistance.....	5,179.00
Sheriff's Old Real Estate Account.....	17,627.91
2008 LCIDA Bond Fund.....	446,104.16
2008 LCIDA Debt Service Reserve.....	6,100,000.00
2008 Series A Courthouse Fund.....	12,595,275.13
2008 Series B LCCC Project Fund.....	13,949,554.65
Hicks/Abrahams Creek.....	6,652.32

COMMUNITY BANK & TRUST

2008 Series A Project Fund.....	\$2,445,973.70
2008 Series A Sinking Fund.....	19.05

NATIONAL PENN INVESTORS TRUST CO.

Short-Term Asset Management Accounts

As of: September 07, 2010

Liquid Fuels Tax Fund	\$689,692.79
9-1-1 Construction Fund	302,071.92
Hazardous Material Emergency Response Account	161,141.52
Housing Trust Fund	2,742,934.12
Solid Waste Recycle Fund	906,062.38
MH/MR Program	3,713,443.24
Human Services	353,215.50
<hr/>	
Total:	\$8,868,561.47

FIRST NATIONAL COMMUNITY BANK

NOW Investment Accounts

As of August 09, 2010

General Fund	\$15,004,931.51
Adult Probation Special Fund	400,098.63
Mental Health/Mental Retardation	2,749,543.57
Drug & Alcohol Program	250,054.79
<hr/>	

Total: \$18,404,628.50

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

CONTROLLERS REPORT- WALTER GRIFFITH

Controller Walter Griffith requested that his report be accepted as listed.

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:
 - \$ 57,542.49 Community Development Block Grant Program
 - \$ 177,062.47 HOME Investment Partnership Program
 - \$ 48,116.27 Business Development Loan 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 September 2010.

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 September 2010.

4. Request a motion to ratify and confirm pre-payment of the following vouchers:
 - EMA Radiation Emergency Fund:
Voucher No. 400162 to 400164 inclusive in the amount of \$ 8,339.68

 - Hazardous Material Emergency Fund:
Voucher No. 400245 inclusive in the amount of \$ 29.68

 - Wyoming Valley Airport:
Voucher No. 400177 to 400178 inclusive in the amount of \$ 1,122.50

 - FPA – Operations:
Voucher No. 1188 to 1192 inclusive in the amount of \$ 1,509,908.97

 - Adult Probation D&A RIP:
Voucher No. 1079 inclusive in the amount of \$ 21,446.86

 - Hicks Abrahams Creek:
Voucher No. 1000 to 1001 inclusive in the amount of \$ 27,796.00

 - Solid Waste Recycling:
Voucher No. 400954 to 400962 inclusive in the amount of \$ 7,331.75

 - County Records Improvement, in the amount of \$ 72.00
Recorder of Deeds Archive, in the amount of \$ 12,636.00
Housing Trust Fund: in the amount of \$ 1,624.69
Voucher No. 401070 to 401072 inclusive

 - Convention & Visitors Bureau:

Voucher No. 4042570 to 404288 inclusive	in the amount of \$ 30,147.86
2009 Government Study Commission: Voucher No. 1042 to 1045 inclusive	in the amount of \$ 3,882.22
Human Services: Voucher No. 751540 to 751570 inclusive	in the amount of \$1,175,739.77
VSIA Act 2004-122: Voucher No. 1003 inclusive	in the amount of \$ 975.00
Real Estate: Voucher No. 401235 to 401242 inclusive	in the amount of \$ 35,398.47
ARRA US DOE Entitlement: Voucher No. 1002 inclusive	in the amount of \$ 20,995.10
Juvenile Probation Grant in Aid: Voucher No. 1029 to 1048 inclusive	in the amount of \$ 4,425.24
Juvenile Court Restitution: Voucher No. 1043 inclusive	in the amount of \$ 77.00
Treasurer License Fee: Disbursement No. 21 to 26 Voucher No. 6059 to 6060 inclusive	in the amount of \$ 62,895.60
Levee Fee: Voucher No. 1477 to 1516 inclusive	in the amount of \$ 51,296.15
Transportation Department: Voucher No. 538226 to 538382 inclusive	in the amount of \$ 222,816.63
Sheriff Real Estate Escrow: Voucher No. 4038 to 4082 inclusive	in the amount of \$ 58,647.48
Writ of Execution Escrow: Voucher No. 1665 to 1725 inclusive	in the amount of \$ 12,560.29
Bureau for the Aging: Voucher No. 734213 to 734799 inclusive	in the amount of \$1,128,554.52
Children and Youth: Voucher No. 758700 to 759708 inclusive	in the amount of \$4,523,773.95
Mental Health / Mental Retardation: Voucher No. 748438 to 748566 inclusive	in the amount of \$4,509,450.74
Drug and Alcohol: Voucher No. 762018 to 762053 inclusive	in the amount of \$ 270,226.84
Domestic Relations IV-D: Voucher No. 400281 to 400282 inclusive	in the amount of \$ 348,985.00
9-1-1 Construction: Voucher No. 400560 inclusive	in the amount of \$ 2,495.00
Hotel Rental Tax: Voucher No. 477 to 479 inclusive	in the amount of \$ 222,932.77
9-1-1 Wire: Voucher No. 1681 to 1713 inclusive	in the amount of \$ 35,838.70

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

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

END OF CONTROLLER’S REPORT

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 AND JUVENILE PROBATION SERVICES:</u>			
Presbyterian Children’s Village	Foster Care	9/1/10-6/30/11	\$39.13/day

CHILDREN & YOUTH:

G S and Associates	2010 Audit Services	7/1/10-6/30/11	\$36,500.00
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MENTAL HEALTH/MENTAL RETARDATION:

Steven Kafriksen, M.D.	Inpatient Srvs.	7/1/10-6/30/11	\$7,000
Tae I. Shynn, M.D.	Inpatient Srvs.	“ “	\$7,000
Thomas Fiume, M.D.	Inpatient Srvs.	“ “	\$2,000
Jyoti Shah, M.D.	Inpatient Srvs.	“ “	\$1,000

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

REQUEST 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 FROM:</u>	<u>TO:</u>
<u>CHILDREN & YOUTH:</u>				
Children’s Behavioral Health	Comprehensive Family Assessments, Consultation To staff, Court Testimony	7/1/09-6/30/10	\$40,000.00	\$41,139.80

MENTAL HEALTH/MENTAL RETARDATION:

Luz-Wyo. Cty. Transp.	Transport Srvs.	7/1/09-6/30/10	\$309,905	\$323,705
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Dept.

Luz. Cty. District Attorney	Admin. Mangmt.	“	“	\$21,980	\$23,502
Senior Care Centers of Luzerne County, Inc.	Comm. Habilit.	1/18/10-6/30/10		\$6,918	\$7,875
Four Winds Community Residential		5/1/10-6/30/10		\$62,000	\$16,000

(The above contract approved on the 6/16/10 meeting terms have changed for service dates and total amount)

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>RATE</u>		
			<u>FROM:</u>	<u>TO:</u>	
<u>MENTAL HEALTH/MENTAL RETARDATION:</u> (Continued)					
Northeast Counseling Services	Comm. Srvs., ICM, OP, Day Treatment, Crisis, Soc. Rehab., RC, Adm. Mangmt., Housing Support & Emergency	7/1/10-6/30/11		\$2,977,000	\$3,435,333
Luz-Wyo. Cty. Transp. Dept.	Transport Srvs.	“	“	\$283,311	\$423,311
Susan Gratalo D/B/A Castle Transp.	Transport Srvs.	“	“	\$45,200	\$52,200
United Rehabilitation Srvs.	Employ. Srvs., Voc. Rehab. & Pre- Voc. Srvs.	“	“	\$930,522	\$942,522
Conyngham Care Center	Housing Support	“	“	\$500,000	\$41,667

OFFICE OF HUMAN SERVICES:

Commission on Economic Opportunity	Housing	7/1/10-6/30/11		\$104,840	\$96,404
	Homemaker	“	“	\$ 58,965	\$54,543
	CHORE	“	“	\$ 25,000	\$23,125
	Home Delivered Meals	“	“	\$ 57,723	\$53,394
	Life Skills	“	“	\$ 24,000	\$22,200
	Case Management	“	“	\$ 97,524	\$96,678
	Rental Assistance	“	“	\$629,470	\$624,008
Child Development Council of NE PA	“Unconditional” Child Care	“	“	\$ 14,000	\$12,950
Luzerne/Wyoming Counties Drug & Alcohol Program	Inpatient Non-Hospital	“	“	\$ 5,000	\$ 4,625
Family Services	Information & Referral	“	“	\$127,000	\$117,475
REACH, Inc	Family Advocacy	“	“	\$ 14,000	\$ 12,950
Project REMAIN	High Rise Outreach	“	“	\$ 19,000	\$ 17,575
Luzerne/Wyoming Counties Transportation Dept.	Transportation	“	“	\$ 8,260	\$ 7,640
Victims Resource	Court Related Services	“	“	\$ 20,000	\$ 18,500

Catholic Social Services	Homeless Emergency Shelter	“	“	\$ 18,000	\$ 16,650
Domestic Violence	Bridge Housing	“	“	\$159,584	\$158,199

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING AGREEMENTS AND AUTHORIZATIONS FOR:

AREA AGENCY ON AGING:

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>APPROX. COST</u>
Genetti’s Hotel & Conference Center	Foster Grandparent Annual Holiday Luncheon	12/17/10	No Cost to County

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING GRANT RENEWAL:

MENTAL HEALTH/MENTAL RETARDATION:

Pennsylvania Commission on Crime and Delinquency (PCCD) – Mental Health Court Grant Renewal
 Request a motion of the Board of Commissioners authorizing the continuation application of Pennsylvania Commission on Crime and Delinquency (PCCD), Mental Health Court Grant #18939-2 effective September 15, 2010, as well as authorization for the Chairman of the Board of Commissioners to execute any and all documents necessary for the continuation application for renewal of Mental Health Court Grant funds. The required matching funds will be provided by the MH/MR Program.

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

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

MENTAL HEALTH/MENTAL RETARDATION:

Request a Motion of the Luzerne County Board of Commissioners to approve the submission of a project modification, effective September 15, 2010, to the Pennsylvania Commission on Crime and Delinquency regarding grant number 18939 which funds costs associated with the Luzerne County Mental Health Court. This modification will reallocate funds within the different grant categories.

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING AGREEMENTS, REPORTS, APPLICATION/SUBMISSIONS FOR:

MENTAL HEALTH/MENTAL RETARDATION:

Pennsylvania Commission on Crime and Delinquency (PCCD) – Mental Health Court Grant Project Modification Requests (PMR)

Request a Motion of 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 September 15, 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 PCCD Grants #19067-2 and #19067-3. The County's MH/MR Program is requesting modification to Grant #19067-2 to extend the grant/funding from September 30, 2010 to January 31, 2011 and modification to Grant #19067-3 to change the end date from December 1, 2010 to the new date of February 1, 2011.

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

REQUEST A MOTION TO APPROVE/RATIFY THE FOLLOWING PURCHASE AGREEMENT and authorize the chairman of the board of commissioners to sign.

MENTAL HEALTH/MENTAL RETARDATION:

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>COST</u>
Guyette Communications	Phone Maintenance NEC Aspire 384i phone system.	Month to Month Agreement to be cancelled at any time	\$378.00 per mo.

(see attached Guyette Communications Maintenance Agreement for signature by the chairman of the board of commissioners)

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

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

MENTAL HEALTH/MENTAL RETARDATION:

MOTION

Request a Motion to authorize the Board of Commissioners to execute a Settlement Agreement by and among Luzerne County (the “County”), the Commonwealth of Pennsylvania Department of Public Welfare, Office of Developmental Programs (“DPW”) and J.L. whereby the parties shall settle two (2) actions respectively filed in the Commonwealth Court of Pennsylvania and the Court of Common Pleas of Luzerne County and whereby the County and DPW will reimburse J.L.’s parents the sum of \$61,222.87 for J.L.’s placement in the State of New Hampshire for the period from July 1, 2009 through April 30, 2010 and whereby the County and DPW shall directly fund J.L.’s placement in the State of New Hampshire for the period on and after May 1, 2010. The annual amount of the direct funding for this placement is \$94,954 and can only be increased if there is a corresponding increase in the per diem rate charged by the facility to the general public for the same mix of services. No such increases can exceed four percent (4%) per year.

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

ENGINEER’S OFFICE – JOSEPH GIBBONS

MOTION

Request a Motion to Award the 2010 Utility Auditing Services Project to the following firms:

- Telecommunications Auditing Services-Fortune Consulting, 121 Rt. 36, Suite 240, West Long Branch, NJ 07764. Compensation Rates will be 35% for all recovery and 35% for all future cost savings, accepted and implemented by the County, for a period not to exceed 12 months.
- Natural Gas and Electricity Auditing Services-Edens Revenue Recovery Associates, 115 Chestnut Street, Philadelphia, PA 19106. Compensation rates will be 33% for all recovery and 33% for all future cost savings, accepted and implemented by the County, for a period not to exceed 12 months.

- Water and Sanitary Sewer Auditing Services-Edens Revenue Recovery Associates, 115 Chestnut Street, Philadelphia, PA 19106. Compensation rates will be 33% for all recovery and 33% for all future cost savings, accepted and implemented by the County, for a period not to exceed 12 months.

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

MOTION

Request a Motion to Award the following seasonal HVAC agreement to the following low responder:

- Luzerne County Boiler Plant Water Treatment, Nalco Company, PO Box 640863, Pittsburgh, PA 15264 in the amount of \$6,830.26.

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

MOTION

Request a Motion to Ratify the award the following copier service agreement to the following firm:

- Wyoming Valley levee System Copier, Topp Business Solutions, 1110 Saginaw Street, Scranton, PA 18505 in the amount of \$239.58 per year.

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

ROAD AND BRIDGE DEPARTMENT – JOSEPH GIBBONS, ENGINEER

MOTION

Request a Motion to Authorize the proper officials to execute Agreement No. 04400210 with the Commonwealth of Pennsylvania, Department of Transportation to accept dedication of both structures, scheduled for construction, as indicated within the new airport connector roadway between the Grimes Industrial Park and the Wilkes-Barre/Scranton International Airport. The project is located within Dupont Borough and Pittston Township. The agreement will be subject to approval by the Luzerne County Solicitor and the County Engineer

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

MOTION

Request a Motion to Authorize the proper officials to execute an agreement with the Wilkes-Barre/Scranton International Airport Authority to fully reimburse Luzerne County for all maintenance, repair and replacement costs of both structures, scheduled for construction, as indicated within the new airport connector roadway between the Grimes Industrial Park and the Wilkes-Barre/Scranton International Airport.

The project is located within Dupont Borough and Pittston Township. The agreement will be subject to approval by the Luzerne County Solicitor and the County Engineer

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

COMMUNITY DEVELOPMENT – ANDY REILLY, DIRECTOR

MOTION

Request a Motion approving the following demolition grant under the Luzerne County Scattered Site Demolition Program:

101-103 East Broad Street, West Hazleton

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

PLANNING COMMISSION-ADRIAN MEROLLI, DIRECTOR

MOTION

Request permission to advertise for the purchase of a new office vehicle to replace a 1988 Chevy van with over 144,000 miles. The vehicle will be utilized for PaDOT contracted work activities and zoning/subdivision field inspections. This purchase is authorized in the 2010 County budget and approved for state grant funding at the 92% level.

Commissioner Petrilla

What happens to the old one?

Adrian Merolli

We will turn it over to the vehicle fleet manager.

Commissioner Petrilla

And when they are no longer drivable we put them out for bid?

Joe Gibbons

Yes

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 advertise for bids:

Court House:

Laser Paper

Carpet Rentals

Vehicle Repair

Destruction of Valley Crests records

Magistrates:

Lexmark Cartridges

Solid Waste Management:

Printing of 2,000 Residential Recycling Guides

Printing of 150 Luzerne County Municipal Waste Management Plan Updates

Prothonotary's:
3 - Server Upgrades

Controllers:
Document Scanning Services

LCCF:
Stab Vests

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

MOTION

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

Area Agency on Aging:

Janitorial Service – Falls senior center:

Jan Pro	Total Bid \$4,464.00
1108 Route 315	
Wilkes Barre, Pa 18702	

Unsuccessful Bidders:

Dust Bunnies	Total Bid \$12,960.00
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Prothontary's Office:

Folders:

One Point	Total Bid \$27,360.00
101 Poplar Street	
Scranton, Pa 18509	

Unsuccessful Bidders:

Tabb	Total Bid \$57,240.00
L.V. Office Solutions	39,400.00
GBS Corporation	31,599.00
Avail Business Systems	28,440.00

Sheriff's Department:

5-Police Cars

Day Fleet Sales	Total Bid \$116,980.00
1600 Golden Mile Highway	
Monroeville, Pa 15146	

Unsuccessful Bidder:

Kovatch Ford Inc.	Total Bid \$124,684.15
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It was moved by Commissioner Urban, seconded by Commissioner Cooney
“AYES” PETRILLA, COONEY, URBAN

MOTION

Assessors:

Request a Motion to award Apex Software the annual maintenance agreement for Sketching Software.
Total Contract: \$1,505.00
Contract period: 10-1-2010 to 10-1-2011

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Mapping/GIS Department:

Request a Motion to award IT Plus the annual maintenance agreement for the Plotter.

Total Contract: \$2,200.00

Contract period: 10-1-2010 to 9-30-2011

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

District Attorney’s Office:

Request a Motion to start an a charge account with Gray Hound Bus Company.

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Court House Business:

Request a Motion to execute work order #1 for Auctioneer Services Valley Crest.

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Court House Business:

Request a Motion to modify Easy Pass Agreement approved at the March 17, 2010 meeting from Sheriff’s Department to general County use.

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

MOTION

Prothonotary:

Request a Motion to award Equitrac Direct Support the annual maintenance agreement for Support.

Total Contract: \$1,773.36

Contract period: 9-29-2010 to 9-28-2011

It was moved by Commissioner Urban, seconded by Commissioner Cooney

“AYES” PETRILLA, COONEY, URBAN

PROBATION SERVICES – MICHAEL VECCHIO, 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>
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**Probation Services
(ADULT)**

PA Board Prob/Parole	Grant-in-Aid Application I.D. NO 40-10/11-CP	07/01/10-06/30/11	
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*Amount to be determined by the submission of the application.

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

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

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>RATE/ CONTRACT/CAP</u>
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**Probation Services
(ADULT)**

PA Board Prob/Parole	Supervision Fee Fund I.D. NO 40-10/11-SF	07/01/10-06/30/11	
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Yearly Renewal of Agreement for and Receipt of Award in Regards to the County Adult Probation Services Supervision Fee Fund.

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

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

<u>PROVIDER</u>	<u>SERVICE</u>	<u>TERM</u>	<u>RATE/ CONTRACT/CAP</u>
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**Probation Services:
(JUVENILE DIVISION)**

JCJC GIA	Financial Statement - Funds Expended Under Grant-in-Aid Program For Juvenile Probation Services (Grantee Vendor ID# 141731 – Luzerne County)	07/1/09 – 6/30/1	\$94,975.00
	Financial Statement – Funds Expended Under Grant-in-Aid Specialized Probation Services (Grantee Vendor ID# 141731 – Luzerne County)	07/1/09 – 6/30/10	\$498,416.00

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

END OF DEPARTMENT HEAD REPORTS

PERSONNEL

SEPTEMBER 15, 2010

REQUEST A MOTION TO APPROVE THE FOLLOWING APPOINTMENTS AT:

LUZERNE COUNTY 9-1-1

Nicole Higdon, Shavertown, Telecommunicator @ an annual salary of \$24,000.00, effective October 4, 2010. To fill vacancy.

Tina Moran, West Hazleton, Telecommunicator @ an annual salary of \$24,000.00, effective October 4, 2010. To fill vacancy.

Loretta Rey, Wilkes-Barre, Telecommunicator @ an annual salary of \$24,000.00, effective October 4, 2010. To fill vacancy.

Jeff Sewesky, Forty Fort, Telecommunicator @ an annual salary of \$24,000.00, effective, October 4, 2010. To fill vacancy.

Barbara J. Wesley, Pittston, Telecommunicator @ an annual salary of \$24,000.00, effective October 4, 2010. To fill vacancy.

Kimberly Johnson, Nanticoke, Telecommunicator @ an annual salary of \$24,000.00, effective, October 15, 2010. To fill vacancy.

CHILDREN & YOUTH:

Tannille Copp, Pittston Twp., as a Caseworker 2, at an annual salary of \$31,295, effective September 7, 2010.

MENTAL HEALTH/MENTAL RETARDATION:

The Appointment of the following Caseworker 2's at an annual salary of \$31,641, effective September 13, 2010:

Renee Wanyo, Duryea
Tanya Griffin, Wilkes-Barre

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

REQUEST A MOTION TO REVISE THE FOLLOWING APPOINTMENT AT:

ROAD & BRIDGE:

John Verbinski, Shickshinny, Mechanic, at an annual salary of \$24,500.00, effective August 30, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING PROMOTION AT:

CHILDREN & YOUTH:

Renee Tessitore to Substitute Casework Supervisor, at an annual salary of \$48,589, effective August 26, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING PAY ADJUSTMENTS AT:

TRANSPORTATION:

Diane Dieter, Part Time Driver, at an hourly rate of \$9,00 effective, August 8, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING CHANGE IN STATUS AT:

AGING:

A Change from Alternate Senior Center Manager 1 to Part Time Senior Center Manager 1 for Catherine Jewell, at an hourly rate of \$12.18, effective September 7, 2010.

A Change from Part Time Senior Center Manager 1 to Alternate Senior Center Manager 1 for Charlotte Frederick, at an hourly rate of \$12.60, effective September 10, 2010

TRANSPORTATION:

A Change in Status from Part Time Driver to Full Time Driver for Diane Dieter, at an annual salary of \$19,240, effective August 23, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING TEMPORARY ASSIGNMENT AT:

AGING:

Victor Serhan, Aging Care Manager 2, at an annual salary of \$54,297, effective August 30, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING CORRECTIONS AT:

CHILDREN & YOUTH:

A Correction in the Resignation Date of Marion Hilleary, Caseworker 2, effective August 6, 2010.

A Correction in the Annual Salary for Diane Lonzetta, Fiscal Officer 2, at an annual salary of \$36,027, effective May 14, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING SUSPENSION AT:

ASSESSORS:

A Three Day Suspension Without Pay for Ronald Bertram, Real Property Field Investigator, effective September 7th, 8th and 9th, 2010.

TRANSPORTATION:

A One Day Suspension Without Pay for Lori Becker, Scheduler, effective September 22, 2010.

A Three Day Suspension Without Pay for Joseph Urevitch, Driver, effective September 22, 24 and 30, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING RESIGNATION AT:

ASSESSORS:

Ronald Bertram, Real Property Field Investigator, effective September 10, 2010.

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

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

TRANSPORTATION:

Willie Starnes, Part Time Driver, effective August 15, 2010.

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

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

AGING:

A One Day Leave Without Pay for Susan Harding, Aging Care Manager 2, effective August 17, 2010.

A Family Medical Leave of Absence for Mary DiLiberto, Community Health Nurse, effective August 5, 2010.

An Intermittent Family Medical Leave of Absence for Cynthia Berditus, Aging Case Aide 2, effective August 26, 2010.

An Intermittent Family Medical Leave of Absence for Mary Ellen Stevens, Aging Care Manager 2, effective August 27, 2010.

CHILDREN & YOUTH:

An Intermittent Leave of Absence for Diana Matrone, Social Services Aide 3, effective August 17, 2010.

MENTAL HEALTH/MENTAL RETARDATION:

An Intermittent Family Medical Leave of Absence for Florence Muth, Fiscal Officer, effective September 1, 2010.

SECURITY:

A Leave Without Pay for Marlene Prebish, Security Guard, effective August 18, 2010 , August 26, 2010 and September 2, 2010.

TRANSPORTATION:

A Family Medical Leave of Absence for Richard Williams, Driver, effective July 31, 2010 through August 23, 2010.

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

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

DEPARTMENT OF PROBATION SERVICES:

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATES</u>	<u>APPROX. COST</u>
Luzerne County Treatment Court Team Composed of 10 members	PA Assoc. of Drug Court Professionals Annual Training Conference	State College, PA	11-14-16, 2010	\$5112.00

*Federally funded by the Department of Justice, Bureau of Justice assistance (BJA), and permission to attend as well as the budget of \$5,112 has been pre-approved by Gale Farquhar, State Policy Advisor for BJA. and permission to attend as well as the budget of \$5,112 has been pre-approved by Gale Farquhar, State Policy Advisor for BJA.

Seven (7) Juvenile Probation Officers	2010 Pennsylvania Conference on Juvenile Justice	Harrisburg, PA	11-3-5-2010	\$2,509.24
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LUZERNE COUNTY EMA:

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATES</u>	<u>APPROX. COST</u>
4 LEPC Committee Members	EPA Emergency Preparedness and Prevention & Hazmat Spills Conference	Baltimore, Maryland	11-7-10, 2010	\$4,000.00

*The Act 165/Hazardous Materials Response Fund will be used to pay for this training as it is an eligible expense under Act 165 guidelines.

AREA AGENCY ON AGING:

<u>ATTENDEE</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>DATES</u>	<u>APPROX. COST</u>
Sandra Acornley Penelope Cruttenden Maureen Haydt Rebecca Kinnard Brenda Lispi Roberta Shendock	PASC Conference	State College	10/14-15/10	\$2,300

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

BOARD APPOINTMENTS:

REQUEST A MOTION TO RE-APPOINT/ APPOINT THE FOLLOWING INDIVIDUALS TO THE FOLLOWING COMMISSION AND BOARDS:

AREA AGENCY ON AGING FOR LUZERNE/WYOMING COUNTIES ADVISORY BOARD:

APPOINT:

Gary Shoepe, Drums, PA, Leslie Bullock, Noxen, PA, and Rodrigo Gereda, Kingston, PA, effective November 18, 2010 to December 31, 2013.

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

PUBLIC COMMENT – NON-AGENDA

Thomas Concert

The story is not coming out yet. You're going to have to address it to the point. You can't manipulate the story. We have to get to the truth and there's a lot more of the truth to be exposed. As I was starting the conversation earlier, being around the situation is not going to help because you are continuing to allow families to be neglected, abused, and exploited. You have a lot of families out there that still don't know where to turn and when they pick up a phone and call one of you it's like, not just one of you three, maybe an employee or a department head or director and then they receive correspondence, don't call here or a voice says we're going to have to do something about you, do not call here, do you hear us? These parents do not need that stuff. They need the resources and services you people are to provide. They are not receiving them. I'm witness to the fact. I experienced it. I went through it for approximately 10 years. I'm still searching high and low for two children. I went through a lot. I've been shackled down, put in a cage like Sean Connery in the rock. You people are not doing what you are supposed to do. Do you know where the ball bounces to? To you, you are the top, you are responsible. Like that letter that came out Mr. Urban. The letter from the Honorable Judge Muroski. You know what that letter said. I won't recite it to you. If the services and resources are not provided to these families you could be in contempt of court. I've been holding up that letter for a long time along with Senate Bill 97 and a special resolution that was designed and mandated in 1999. September 23rd it says 60 days there after. November 23rd that was a special rule, the task force stated all counties are responsible for their own. Every county. You had 2 judges running the county. You all had individual jobs, every one of you. The Inter Branch Commission said if people didn't turn their cheek in the eyes of justice this stuff wouldn't have happened. It happened. But even after it happened for those who address it and bring it forward, people think it's a joke. It's not a joke. We can't move forward until we repair the damage. If your vehicle breaks down, if you have an accident, you need a windshield; you take it to the repair shop. Luzerne County had a major accident. You need to repair these families. It's not just mine. Mine is damaged severely. I'm determined. I've gone to every one of you people. It's not about your political career. When you started your political career you said we're going to do the right thing. We're going to uphold the constitution of the Commonwealth. I have not seen that happen yet and I am able to prove it in several different ways. I'm able to prove it and certain individuals know who they are. When are these services and resources going to start?

Commissioner Petrilla

Mr. Concert there is a system in place for parents who feel their rights were being violated.

Thomas Concert

The system is broken.

Commissioner Petrilla

Mr. Concert you are done. There is a system in place for parents who feel their rights are being violated.

Thomas Concert

What kind of system do you call it? Answer the question.

Commissioner Petrilla

A system that is put in place to protect people's rights. Mr. Concert you're finished.

Thomas Concert

Where do you find it? I'm asking a question.

Commissioner Petrilla

Mr. Concert please, I don't want to throw you out of the meeting again. You're done.

Thomas Concert

For what? Speaking up? I'm not done, I've just begun.

Commissioner Petrilla

That's ok. Thank you, have a good day.

John Newman

I'd like to get some answers or clarification on the sale of the Mark II properties in Edwardsville, Dallas Twp., Wilkes Barre Twp., and Wilkes Barre City. Four properties. My understanding is they have been sold to a rather prominent firm in Luzerne County and the taxing bodies with the exception of Wilkes Barre Twp., and I found out later from Dallas Twp., have accepted an agreement of .73 cents on the dollar of back taxes owed since 2001. So my question is #1 Has that sale been made? #2 If we are accepting it, what does the 72.7 cents on the dollar amount to on taxes that are owed? Who authorized it? Who approved it? Why was it approved? Why were these not in a Sheriff's sale if back taxes were owed since 2001 or were they offered in a Sheriff's sale? Someone needs to have those answers. I believe there is a lot of revenue involved in this. As you know I believe heavily on protecting and collecting our revenue. That's why the county is in such dire straights. Since you made the change to a contractor we seem to be having some success in collecting back taxes. Any one care to answer my questions? I can repeat them.

Commissioner Petrilla

Obviously your questions require some research and we don't have those answers at our finger tips. We would have to work with the Tax Claim Office and do some research on what transpired. We will get back to you with an answer.

John Newman

When can I expect an answer?

Commissioner Petrilla

Within a week.

John Newman

Will someone call me or will I receive a letter?

Doug Pape

He should put in a right to know request.

Commissioner Petrilla

Doug is correct. After the meeting go to our Right to Know Office and put in writing what exactly the questions you need answered. That way the Right to Know Officer can get to the different agencies and get back to you. The law gives five days.

John Newman

I really do believe someone in this tribunal should know.

Commissioner Petrilla

You bring up great points.

John Newman

Someone should know how much of it happened, who made it happen, and why we're accepting less than the full amount of taxes owed.

Commissioner Petrilla

You bring up good points and we will do the research and you will have an answer within five days after you put in the right to know request.

John Newman

The last thing I would offer is the decision to go to a private contractor to replace the Tax Claim Bureau has been doing a good job, in fact a very good job if I can believe what I read and researched and perhaps you should use that as your poster child for contracting out other organizations in Luzerne County. If it worked there it can work in other places. Thank you.

Walter Griffith

Skrepenak is going to go to jail tomorrow which is a good thing for the county. My concerns are very much here in that his name seems to be on documentation (inaudible) has not been removed. I'd ask the commissioners to have that policy taken care of so it can be removed immediately.

Commissioner Petrilla

I agree. That policy was adopted by Commissioner Skrepenak so his name would be on it. Sometimes unfortunately people have letterhead in their word document and use that letterhead and don't even look to see if the letterhead is changed. We always bring it to their attention. We're trying to make people conscientious to make sure their letterhead is updated. If a policy is the only approved policy in place at this point in time, and a former commissioner has approved it that name will stay on this until a new one takes its place.

Walter Griffith

My concern is this personnel policy is handed out to new hires of the county. Skrepenak was the person who adopted it at the time but it is a pdf file, it's not a big deal to change the name in this document. The personnel policy should say what it says or take the names off totally. I think it's an embarrassment to me as a taxpayer having his name on a document when he is a convicted felon.

Commissioner Petrilla

I don't see the need to have any names on the document and quite frankly we can have that removed.

Walter Griffith

Also for Penn Place, I know Mr. Cooney has been in Penn Place many times as well as Commissioner Urban, if it were me I would be very upset to see Skrepenak's name on the roster over there instead of yours. His name should not be on that roster. Clearly from November of last year his name should have been removed.

Commissioner Petrilla

Where is that?

Walter Griffith

On the directory at Penn Place. There are directories on each floor.

Commissioner Petrilla

I don't get to Penn Place that often so it would have been great if someone brought that to our attention.

Walter Griffith

The ability to tape signs on the marquee. I think we can do better in this county than having a directory with attaching names (inaudible) make it more professional. I don't know how it is at the Courthouse but Penn Place they have the ability to tape signs up at will, paper signs. A policy that states we can't put paper signs up unless they are laminated would be better. It's disconcerting to me as an employee and certainly to the taxpayers when I come into the building and I see paper taped on the walls and highlights and caution tape across a door so you can't exit that door because an alarm will go off. I think it's disconcerting and embarrassing. You should not have caution tape across a door. It's a fire safety issue.

Commissioner Petrilla

Walter, I appreciate you bringing these things to our attention but I will just say you are a county employee like all of us. If you see things like this that need attention you can just call us. You don't have to wait for a public meeting and public comment. This could have been addressed, that Commissioner Cooney didn't have his name put up over Penn Place back when he was lucky enough to be appointed commissioner. I wish someone would have brought this to our attention.

Walter Griffith

In all due respect commissioner, you are an employee as well, did you not see that?

Commissioner Petrilla

I did not see that. I don't get over to Penn Place.

Walter Griffith

Did you not see the concrete outside? Where someone can fall?

Commissioner Petrilla

I know we are addressing those issues.

Walter Griffith

The risk manager should be someone who is looking at that as well as we pay someone to do that. The risk manager should be looking at these things. I shouldn't be doing it. I have brought things to Mr. Holleran's attention and they have been addressed, but I've taken that tape down many times and it's been put back up. So I don't understand who gives the authority to put up a poster on the wall. Can anybody do that? If we want to say support no home rule can we put a poster up?

Commissioner Petrilla

No, that would be campaigning. Mr. Brozena is in charge of the signage and I'll have a conversation with him after this meeting to make sure all signs are looked at and updated.

Walter Griffith

In the personnel policy it states all vehicles must be plainly marked and I was wondering if we are going to follow that policy or are we not following that policy? Because if we are not following the policy vote no for home rule should be ok to put up. Because the policy says we can't do that but we're not following the policy. So can we do that or not?

Commissioner Petrilla

What are you talking about Walter?

Walter Griffith

It says in your personnel policy that all vehicles are to be plainly marked with the county seal. So we don't do that? I was wondering why that is not done when we purchase vehicles.

Commissioner Petrilla

We will work on getting that done. It's just an expense I don't know if we need to incur at this time.

Walter Griffith

The only reason it should be incurred is then people can't take the cars home and be identified.

Doug Pape

The only thing is the Sheriff and Probation Department has unmarked vehicles and that becomes a safety issue for the officers if they are rolling up on someone they need to take into custody.

Walter Griffith

The commissioners should take that under advisement and put it on an agenda item and pass it as such.

Commissioner Petrilla

We will see what vehicles need markings and those that require no markings we will document. You bring up a good point about people going where they are not supposed to.

Walter Griffith

The policy says all vehicles are marked so if there's an exception they should make a motion happen. Same as license plates. In this county there is an idea we can change license plates and put them on other vehicles. That's not approved by the commissioners. The commissioners are the governing body of the county so if anyone wants to change anything in this policy they should get approval from the commissioners.

I have one more item I'd like to address here in regard to some people making comments on Home Rule and I was not allowed to answer them. I think that was unfair to me. In the future if someone makes a comment to me that I am able to answer the comment.

Commissioner Petrilla

You can do it outside the meeting Walter but as Chairman of the Board I'm not going to allow these meetings to be disrupted with you getting into a confrontation with someone else. I gavelled that person down out of respect for you. So no, you're not going to get into a confrontation with someone at a commissioners meeting. It's a commissioners meeting to take action and if you're going to have a fight with someone I'm going to gavel that person down out of respect for you. My job as Chairman is to keep order during a meeting.

Walter Griffith

It would not be fighting it would be a rebuttal.

Lastly, a couple of months ago we had an issue of a couple of emails sent by Miss Petrilla regarding some people and the allegation was she didn't write those emails. I have an email here that was sent to me by mistake. It was sent to me from Maryanne Petrilla. It's clearly a very nasty email.

Commissioner Petrilla

It wasn't a nice email.

Walter Griffith

I'm not (inaudible)

Commissioner Petrilla

Walter, look I apologize for the email.

Walter Griffith

I'm not happy about it and I want to know if this is common practice for the chairman of this commission or for the commissioner chair to do this type of thing behind the back of each commissioner. Mr. Cooney were you consulted on a retirement issue?

Commissioner Petrilla

Yes, I went to Mr. Cooney and Mr. Morreale.

Walter Griffith

Did you talk to Commissioner Urban?

Commissioner Petrilla

I didn't get a chance because he just arrived at the meeting.

Walter Griffith

The letter says Mr. Urban was considered on this.

Commissioner Petrilla

Well it didn't. I said I went to the board members and told the board members.

Walter Griffith

My concern is; is this how we do business in Luzerne County? We go behind peoples backs to do what we want to do.

Commissioner Petrilla

No Walter. You are missing the point. You can go to every board member if you choose to. I can go to every board member if I choose to. That's the reason for the sunshine law. So you can talk to board members.

Walter Griffith

As a commissioner chair I don't think it's fair to go behind the scenes to get things done the way you want to have them done without having a public meeting.

Commissioner Petrilla

Walter you can go to.....

Walter Griffith

You are not going to allow Donny Karpowich to be removed from the Retirement Board because you said you know that.

Commissioner Petrilla

I said that I feel you were being nasty to Donny about the issues.

Walter Griffith

I was not, my letter is right here and I will give a copy to Mike and Jen.

Commissioner Petrilla

You should read.....

Walter Griffith

My letter is right here. I was not nasty to Donny. I wanted clarification.

Commissioner Petrilla

Walter you should read your emails. You feel you can tell Donny or anyone else what to do and they are supposed to do it.

Walter Griffith

As Secretary of the Board I asked Donny to research a matter.

Commissioner Petrilla

You want him to go to the legislature to change the law.

Walter Griffith

I have every right to ask Donny a question.

Commissioner Petrilla

You want him to go to the legislature to change the state law. That is something the entire Board should request him to do. Do you want to start to have Retirement Board Work Sessions? If you do we will.

Walter Griffith

I did not ask for that. My concern is I don't think it's appropriate for a Commissioner Chair to go behind the scenes to get what they want. That goes exactly to what happened with the taxes back in January. When we allowed people to take the Homestead Act away. You think you have supreme power to do what you think is right. Based on this email that is exactly.....

Commissioner Petrilla

That is a totally different issue. I feel you are well within your rights to go to Commissioner Urban, which I know you have done in the past, and talk to him about agenda items.

Walter Griffith

I think I have treated you with the most respect since I've been here.

Commissioner Petrilla

I feel you have every right to go to another board member and talk to them about an issue that is coming up to their attention. I have every right to, you have every right to. You ranted to the press last week stating we broke the sunshine law as we were trying to have a meeting. So obviously we can't do that. So the only way we can discuss things amongst ourselves is when we are not in a quorum. I was not in a quorum when I spoke to Commissioner Cooney today and I was not in a quorum when I spoke to Mr. Morreale. I didn't have an opportunity to talk to Commissioner Urban or I would have, not in a quorum, privately.

Walter Griffith

So as a member of the Retirement Board I can do the same?

Commissioner Petrilla

Absolutely.

Walter Griffith

I can go to each member to see if I can swing a vote.

Commissioner Petrilla

Absolutely.

Walter Griffith

Behind the scenes?

Commissioner Petrilla

Absolutely. You can go to each member as long as you are not in a quorum.

Walter Griffith

Swing the vote the way you want it?

Commissioner Petrilla

You can talk to other board members.

Walter Griffith

And that's exactly why the county is \$5 million in the hole because people do these types of things. A commission should decide as a body not one on one, swinging votes behind the scenes.

Commissioner Petrilla

Walter if you want to have a work session pre Retirement Board I'd be happy to.

Walter Griffith

I'm not going to continue with this. I just want to say I'm very upset you would write a letter like that even though it came to me by mistake. For someone in your capacity to write something like that is beyond my comprehension. It's what you wrote that is the problem.

Commissioner Petrilla

I apologize for that.

Walter Griffith

I find it reprehensible. That goes to the fact it is in fact what you wrote months ago that was out in the press that you said you never wrote. So there's proof you probably did write it.

Commissioner Petrilla

Be careful Walter.

Walter Griffith

That's all I have to say. Be careful? Don't caution me Maryanne.

Request a motion to adjourn.

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

Respectfully submitted



Jennifer Thomas, Recording Secretary

APPENDIX SHEET

2003 Capital Projects Bond Issue – 2003D-59 – Transfer.....Page 33

2003 Capital Projects Bond Issue – 2003D-59 – Payment.....Page 33A

2003 Capital Projects Bond Issue – 2008B-6 – Payment.....Page 34, 34A, 34B

2008 Capital Projects Bond Issue – 2008B-7 – Payment..... Page 35, 35A, 35B