

DECEMBER 1, 2010

On the above date at 1:00 P.M., the Luzerne County Board of Commissioners convened a special meeting with the following present: Maryanne Petrilla, Chairman; Thomas P. Cooney, Commissioner; Stephen Urban, Commissioner; Douglas Pape, Chief Clerk/County Manager; Vito DeLuca, County Solicitor; Joan Pusateri, Deputy Director of Budget & Finance

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

No Recognitions

PUBLIC COMMENT – AGENDA ONLY

WALTER GRIFFITH

I have a passing concern about the Budget. First of all, I'd like to thank the Commissioners with coming up with a somewhat balanced budget. It doesn't look as if there is going to be a tax increase which was your pledge to the taxpayers and I appreciate that! My concern is the ability to use the money from the sale of Valley Crest---as we all know that is a situation we are concerned about---the money from Valley Crest---whether we get to use it or not is still up for speculation and we have an agreement that it has been put up for bid and all. But I am kinda concerned if the money doesn't come through what kind of situation we will be in next year. I hesitate on balancing the budget on things we're not certain about. So I have concerns with that aspect and I have another concern about the budget. I don't know if the Commissioners are willing to tell me how many times they met together to discuss this budget. The three of you met together in violation of the Sunshine Law.

COMMISSIONER PETRILLA

We had this conversation about the Sunshine Law many times Walter. And as long as there are no deliberations or decisions made, it is not against the Sunshine Law for us to be together. So the answer is ...never.

WALTER GRIFFITH

OK Thank you for that clarification because it seems as if the Controllers Office hasn't had much say in these Budget meetings, except for the one meeting we had. So I have some numbers that I would like to present to the Commissioners in order to save some taxpayer money and if we continue to use Valley Crest money to balance the budget, then I think there should be a tax reduction for the taxpayers of the County. Looking at some of the budgets---looking at miscellaneous funds...Magistrates Operating Funds, Newspaper Subscriptions, Operating

Expenses, Salaries, Per Diems, Traveling, Vehicle Fuel Expenses, Employee Overtime, District Attorneys Pay Raises, (which we have no control over because it is mandated by the Court) and Uniform Allowances. It seems to me that we budgeted considerable amounts on money on these items. We budgeted \$3 Million for the 2011 Budget and the year to date stats are only at \$1.9 Million. So I'm wondering if we have almost \$2 Million for miscellaneous funds and I am wondering if the Commissioners might consider scaling back these funds and using the money for a taxpayer reduction, if in fact you are going to use the Valley Crest money. The other option is to take some money to balance the budget and use the rest to balance the debt. But there seems to be some inflated numbers in this budget and I don't know if that's because departments requested more than they should have. Why can't we cut these numbers? There is a considerable increase in the uniform allowance for these employees and this increased their budget by \$56,000 this year. In my opinion, these line items can be cut drastically. If you would like this information....

COMMISSIONER URBAN

I'd like it Walter. Remember this is only the first reading of the Budget and it can go up or down 10%---any recommendation that can be made...that is why we put it on public display and talk to our Budget Officer and have her look at it.

WALTER GRIFFITH

That's why I brought it to your attention because there are something that possibly the Commissioners can look at and deduct and save money and not have a tax increase---but using some of that Valley crest money to pay down the debt because we might not see and we won't see next year. We have to use the money as wisely as we can. I am also aware that Tom Pribula has resigned and I must say that I don't think we'll find anyone better than Tom Pribula in the Budget Department. As a taxpayer advocate, I know that he was instrumental in giving the Commissioners a "straight and narrow road to follow" and I'm sure the Commissioners appreciated his hard work and he will be sorely missed. I also know how difficult it is to balance the budget. I sat in our first hearings and the numbers were just staggering. I give the Commissioners a lot of credit for whittling it down...

COMMISSIONERS URBAN

Walter, I ask you to lobby your State Reps/Senators to fully fund the Courts. \$18 Million in this budget should be paid by the Courts and the State of Pennsylvania has not helped the taxpayers of Luzerne County. They should fully fund the Courts in this county and magistrate's courts and judges. We had \$61,000 in budget reimbursements for 4 Staffers who work for 1 judge. This is totally ridiculous. Our State Reps/Senators have not done this county a service.

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

MOTION

Budget Transfer

Request a Motion to approve a 2010 General Fund budget transfer of \$5000.00 from 4184 Courts Administration to 4186 Central Court/District Justice.

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

MOTION

2003 Capital Projects Bond Issue – 2003D-62 (Transfer)

Request a Motion to acknowledge the transfer of \$255,000.00 from the 2003, Capital Projects Bond Issue Series D.

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

MOTION

2003 Capital Projects Bond Issue – 2003D-62 (Payment)

Request a Motion to approve payment of \$255,000.00 from the 2003, Capital Projects Bond Issue Series D.

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

MOTION

Proposed General Fund Budget 2011

Request a Motion to accept the first reading of the Proposed 2011 General Fund Budget.

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

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

MOTION

Resolution /General Fund Budget

Request a Motion to adopt the following **RESOLUTION NO. 12012010A:**

**RESOLUTION
NO. 12012010A**

BE IT RESOLVED, that the proposed General Fund budget for the year 2011 be and the same is hereby adopted as submitted, said budget indicating revenues in the amount of \$125,036,854 and disbursements in the amount of \$125,036,854.

BE IT FURTHER RESOLVED, that December 21, 2010, be and the same is hereby set, as the date for the final adoption of the budget for the year 2011. The Chief Clerk is hereby directed to make the proposed budget available for public inspection in the Office of the Luzerne County Commissioners, the Hazleton Public Library, and the Luzerne County Law Library at any time during regular business hours from this date until final adoption. You may also refer to the County website (www.luzernecounty.org).

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

BE IT FURTHER RESOLVED, that there will be a tax levied on all real estate property and for the general County purpose, including the payment of interest and principal of the funded debt, in the total amount of 5.215 mills.

CERTIFICATION

This is to certify that the foregoing Resolution was duly adopted by the Luzerne County Board of Commissioners on the 1st day of December, 2010.

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

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

MOTION

Proposed 2011 Liquid Fuels/ Bridge Account Budgets

Request a Motion to accept the first reading of the Proposed 2011 Liquid Fuels/Bridge Account Budgets.

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

MOTION

Resolution Liquid Fuels/Bridge Account

Request a Motion to adopt the following **RESOLUTION NO. 12012010B**:

**RESOLUTION
NO. 12012010B**

BE IT RESOLVED, that the proposed Liquid Fuels/Bridge Account tentative budget for the year 2011 be and the same, is hereby adopted as submitted, said Liquid Fuels budget indicating revenues in the amount of \$1,115,788 and disbursements in the amount of \$1,792,147 and the Bridge Account indicating revenues in the amount of \$152,000 and disbursements in the amount of \$439,450.

BE IT FURTHER RESOLVED, that December 21, 2010, be and the same, is hereby set as the date for the final adoption of the budget for the year 2011. The Chief Clerk is hereby directed to make the proposed budget available for public inspection in the Office of the Luzerne County Commissioners, the Hazleton Public Library, and the Luzerne County Law Library at any time during regular business hours from this date until final adoption. You may also refer to the county website (www.luzernecounty.org).

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

CERTIFICATION

This is to certify that the foregoing Resolution was duly adopted by the Luzerne County Board of Commissioners on the 1st day of December, 2010.

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

Request a motion to go off of the agenda.

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

Request a motion to schedule a public hearing by the Luzerne County Commissioners to take public input at an advertised meeting for Luzerne County’s participation in the sale of the Yankee Franchise.

Public Comment: None

Commissioner Petrilla stated the meeting will be held on Wednesday, December 15th at 5:30 P.M. in the Commissioner’s Meeting Room.

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

END OF COMMUNICATIONS

PERSONNEL

DECEMBER 1, 2010

REQUEST A MOTION TO ACCEPT THE FOLLOWING VERBAL RESIGNATION AT:

AGING:

Mary Beth Farrell, Administrator III, effective November 24, 2010.

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

REQUEST A MOTION TO ACCEPT THE FOLLOWING RESIGNATION AT:

COMMISSIONERS:

Thomas Pribula, Chief of Budget and Finance, effective December 8, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING TERMINATIONS AT:

LUZERNE COUNTY 911:

James J. McFarland, Executive Director, effective November 18, 2010.

TRANSPORTATION:

Anthony DePolo, Director, effective November 18, 2010.

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

REQUEST A MOTION TO APPROVE THE FOLLOWING PROMOTION AT:

COMMISSIONERS:

Joan M. Pusateri, from Deputy Chief of Budget and Finance to Chief of Budget and Finance at an annual salary of \$67,999.88, effective December 8, 2010.

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

PUBLIC COMMENT – NON-AGENDA

None

MOTION TO ADJOURN:

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

Respectfully submitted,

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

Jennifer Thomas, Recording Secretary