

LUZERNE COUNTY HOME RULE TRANSITION COMMITTEE

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June 22, 2011

MINUTES

CALL TO ORDER/PLEDGE

The eighteenth meeting of the HRTC convened in the Commissioners Meeting Room at the Luzerne County Courthouse, 200 River Street, Wilkes-Barre, Pennsylvania. It was called to order by Chair Jim Bobeck at 6:45 pm.

ROLL CALL

PRESENT

Jim Bobeck, Chair
Rob Bakewell, Vice Chair, via telephone
Ronna Ciaruffoli, Secretary
Susan Shoval, Treasurer
Kick Heffron
Rick Morelli
Steve Urban, arrived late

ABSENT

CJ Kersey
Tom Cooney
Jim Haggerty
Maryanne Petrilla

ALSO PRESENT

Gloria Kijek, Clerk
Ken Mohr, Consultant
Adam Szumski, Intern

APPROVAL OF MINUTES

Motion to accept June 8, 2011 meeting minutes with two corrections. (Motion 1)

Motion Susan Shoval.

Second Rick Morelli.

Unanimous vote.

Motion carried.

Rob Bakewell abstained because he was not in attendance at this meeting.

CITIZEN COMMENT (agenda items)

Fred Heller, Mountaintop - Commented on the criticism leveled by some County Council candidates and their recent appearances at transition meetings.; also stated that committee is doing a good job with good intentions.

Ray Gustave, West Wyoming - Commented that although he is an advocate of open government he feels public disclosure of County Manager applicants may eliminate some good candidates.

Eileen Sorokas, Hunlock Creek - Asked Ms. Shoval regarding the basis of her comment last meeting that "75% of the applicants would not apply for the County Manager position if their names were made public.

Susan Shoval responded that figure wasn't scientific; it was just her very strong feeling based on her business experience over the years.

Therman Gaump, Edwardsville - Commented that anyone with experience hiring executives would say 75% was actually a conservative figure, and it would actually be a higher percentage; he further stated that he felt finding the best candidate for County Manager was more important than transparency.

Eugene Kelleher, Dallas Township – agreed that public disclosure of applicants would eliminate good qualified applicants, adding his conversation with a head hunter experienced in hiring for positions equivalent to the County Manager position felt at least 60% of the best candidates would not apply for the job. He suggested letting people know items subcommittees are working on before meetings, so they could have some time to think about it.

Kathy Dobash, Hazelton - Commented this would be a good idea and that correspondence is important and should not be ignored.

Salvatore Licata, Pittston - Asked committee members to please speak a little louder.

Ed Chesnovitch, Jackson Township - Commented that public disclosure of names would not be a good idea and we would gain nothing by doing this. He felt consultant's suggestion to possibly do this at a later date, after rating all the qualifications of candidates, would be a good idea and that this should be voted down.

Charles Hatchko, Jenkins Township - Commended the HRTC on the good job they are doing, on their good intentions, and his respect for them.

CONSULTANT REPORT

Ken Mohr reported he has been working on the following items: 1) Utilizing the EIP tracking sheets, 2) Reviewed and wrote report on Ethics Code, 3) Review and provided feedback on draft County Manager advertisement, County Manager targeted recruitment plan, and County Manager job description, 4) Reviewed intern's Administrative Code submission, 5) Attended meetings.

Jim Bobeck asked Ken Mohr where he felt the HRTC should direct their efforts on the efficiency study a stipulated as part of the DCED grant money. Ken Mohr suggested focusing on the efficiency of some of the offices being consolidated. Jim Bobeck asked committee members to give this some thought because it will be on next meeting agenda for discussion.

SOLICITOR REPORT

Jim Bobeck reported in the absence of Attorney Malak that he is working on some of the language in Ethics Code and researching penalties of elected officials.

TREASURER REPORT/APPROVAL OF EXPENSES

Susan Shoval reported on budget handout, submitting information to DCED for reimbursement on consultant expenses with grant money and requested approval for the following expense:

Motion to approve Attorney Malak, legal retainer \$500.00 and legal research \$312.70 (Motion 2).

Motion Ronna Ciaruffoli.

Second Rob Bakewell.

Unanimous vote.

Motion carried.

Motion to approve Gloria Kijek, clerical work \$75.00 (Motion 3).

Motion Susan Shoval.

Second Ronna Ciaruffoli.

Unanimous vote.

Motion carried.

SECRETARY REPORT

Nothing to report at this time.

DISCUSSION REGARDING HRTC MEETING SCHEDULE

Motion to approve keeping the HRTC meeting schedule to the second and fourth Wednesdays of the month, thru the end of August. (Motion 4)

Motion Rick Morelli.

Second Rob Bakewell.

Unanimous vote.

Motion carried.

Gloria Kijek will email committee members one week before each meeting to poll members for anticipated attendance, and Attorney Malak will advertise schedule.

SUBCOMMITTEE AND WORKING GROUPS REPORTS

AUTHORITIES, BOARDS, AND COMMISSIONS SUBCOMMITTEE

Jim Bobeck reported in the absence of CJ Kersey that at this time there is nothing to report.

ADMINISTRATIVE CODE SUBCOMMITTEE

Susan Shoal reported Administrative Code Subcommittee last met June 20, and they worked on the budget and financial section and procurement and purchasing. They are also reviewing information from Kick Heffron on legislative and executive branches. Meetings are first and third Monday, however no meeting July 4.

ETHICS CODE SUBCOMMITTEE

Rob Bakewell reported Ethics Subcommittee last meet June 16 to do a final markup of the code based on suggestions made by Ken Mohr and Attorney Malak. They also worked out some of the lingering issues that some of the subcommittee members had concerns about. Draft will be sent to the Ethics Code Subcommittee for final review prior to being presented to the HRTC.

LIAISON SUBCOMMITTEE

Nothing to report.

PERSONNEL CODE SUBCOMMITTEE

Jim Bobeck reported Attorney Malak is doing a legal review of certain provisions of the Personnel Code.

PERSONNEL AND RECRUITING SUBCOMMITTEE

Rick Morelli reported Personnel and Recruiting Subcommittee last met June 14 and next meeting will be June 23.

a. Personnel Recruiting

i. Discussion/Approval regarding County Manager job description

Committee discussed and felt it was a good job description with minor word change.

Motion to accept County Manager job description with those three stipulated word changes in line items 2, 3 and 4. (Motion 5).

Motion Susan Shoal.

Second Rob Bakewell.

5 in favor, 1 opposing vote of Kick Heffron.
Motion carried.

ii. Discussion on County Manager job advertisement and public disclosure of applicants.

Rick Morelli explained subcommittee used the same advertising template the County uses as well as trying to keep wording in advertisement consistent with the wording in the job description. Also, September 15 is a date subcommittee came up with as a deadline for accepting applications but that is flexible. Committee discussed at great length whether the wording “applicant information may be provided to the public at some point in the evaluation process” should be in the advertisement or not. Subcommittee recommended two options, either using this wording or using no wording referring to public disclosure. Committee discussed other wording options. Committee also felt it is important to keep in mind that the County Council can accept or refuse any recommendation that the HRTC makes. Motion to accept County Manager job advertisement with the wording at the bottom that would read “position finalist must be willing to allow public disclosure of their resumes in order to move forward in the process”. (Motion 6)

Motion Susan Shoval.

Second Ronna Ciaruffoli

Susan Shoval also commented that she would like as part of her motion that the language can be revised as long as the intention of not releasing names other than the finalist names is retained as part of the motion.

Motion to accept the County Manager job advertisement as stated above but with the amendment of the word “finalist” to “all candidates”.(Motion 7)

Motion Rick Morelli.

No Second.

Motion failed.

Motion to table Motion 6, to accept advertisement of County Manager job, until future meeting when full committee is present or until better wording is worked out. (Motion 8)

Motion Rob Bakewell.

No Second.

Motion failed.

Roll call vote taken on Motion 6.

Motion to accept County Manager job advertisement with the wording at the bottom that would read “position finalist must be willing to allow public disclosure of their resumes in order to move forward in the process”. (Motion 6)

4 in favor, 2 opposing votes of Jim Bobeck and Rick Morelli.

Motion carried.

Some committee members felt uncomfortable making this decision when so many of the members were not present. Jim Bobeck suggested this issue can be revisited by motion at the July 13 meeting because the agreed deadline on advertisement was July 15. However, if no one makes that motion at next meeting it will stand as is. Committee agreed to take no action yet on this motion. Susan Shoval suggested that if anyone has any other suggestions on the language please get them to her by next meeting.

DISCUSSION/RECOMMENDATION REGARDING COMMITTEE’S LEVEL OF INVOLVEMENT IN REVIEWING COUNTY MANAGER APPLICANTS PRIOR TO THE COUNTY ELECTS JOINING HRTC

Committee discussed in great length how far HRTC should go in the hiring process of County Manager. Rick Morelli reported Personnel/Recruiting Subcommittee recommends that the HRTC does nothing in this process, except screen out applicants, until the County Council takes office. Ken Mohr reminded HRTC that his original proposal suggested he do the initial screening/rating of applicants, then turn it over to the committee for further screening out of applicants so that the HRTC could provide a ‘short list’ to the County Council elect. Kick Heffron felt committee should stick to how the Charter spells out how a Manager will be hired. Committee discussed the Charter process of hiring and how it would work and also the consultant process of ranking and how that would work. Also discussed how HRTC might screen applicants and work with a spreadsheet showing applicants qualifications.

Motion to approve that the HRTC won’t do any specific interviewing of any of the County Manager candidates prior to the County Council joining the HRTC. (Motion 9)

Motion Rick Morelli.

Second Jim Bobeck.

6 in favor, 1 opposing vote of Kick Heffron.

Motion carried.

Committee next discussed who should be involved in the screening/ranking of applicants. Ken Mohr commented that he has experience doing this and creating this type of spreadsheet.

Motion to approve Ken Mohr, consultant, to do the initial /screening ranking of applicants for County Manager.

Motion Steve Urban.

Second Rick Morelli.

6 in favor, 1 opposing vote of Kick Heffron.

Motion carried.

Rick Morelli and Ken Mohr spoke on the variety of ways/places to advertise the County Manager position. They asked committee to look it over and provide feedback.

OLD/NEW BUSINESS

Nothing reported.

CITIZEN COMMENT

Richard Sorokas, Hunlock Creek - Suggested an overhead projector would help for audience to see handouts.

Jim Bobeck expressed this was a good idea.

Eugene Kelleher, Dallas Township – Commented he would appreciate anything that will be discussed at the meeting be put on website before meeting so folks attending could print out and follow along better.

Kathy Dobash, Hazleton - Asked what two meetings Attorney Malak’s legal retainer is for?

Susan Shoal explained two meetings a month are included in retainer.

Bill James, Exeter Township - Asked Jim Bobeck to explain ‘revisiting’ the public disclosure of applicant’s motion?

Jim Bobeck explained how this would work according to Robert’s Rule.

Ed Chesnovitch, Jackson Township - Asked about the Boards and Authorities appointments that the commissioners made, if they will continue when Home Rule goes into effect?

Steve Urban referred to the Charter explanation of this which says no member of County Council can sit on a Board or Authority and that those others already appointed can serve out their term at which time the County Council will appoint.

Ed Chesnovitch stated his issue was not with general appointments to Boards and Authorities; but with the Commissioners retaining their positions on the Boards and Authorities earned by virtue of their position as Commissioner, which will go with Home Rule coming in.

Jim Bobeck commented that this is going to be put on the agenda for next meeting for Attorney Malak to address.

Tom Dombroski, Trucksville – Commented that the Commissioners should come up with the actual debt in Luzerne County because no one seems to know. He also suggested that a forensic audit should be done before County Council takes over. And asked how much of the EIP has been implemented.

Steve Urban suggested he speak to Joan Pusateri, the budget officer, she has a book of all bonds taken out by County.

Adam Szumski responded that debit amount changes; there is a formula that is used.

Unknown Citizen, - Commented she would like to see all 11 HRTC members vote on the County Manager advertisement and can proxies be used?

Jim Bobeck responded that according to the Charter proxies cannot be used but members can call in.

Richard Sorokas, Hunlock Creek - Commented on public comments at meetings should stick to agenda items.

Jim Bobeck responded that the committee passed a motion that there would be public comment on agenda items at beginning of meeting and at end of meeting public could comment on anything.

Salvatore Licata, Pittston - Commented on newspaper reports, what is the purpose of the County Council, and committee vote on the advertisement of County Manager job position should have vote of majority plus one.

Therman Gaump, Edwardsville - Commented on County Manager advertisement.

Ray Gustave, West Wyoming – Commented on the county’s current practice as far as disclosing job applicant’s names and asked about system for evaluating County Manager applicants.

Steve Urban responded that sometimes County releases names and sometimes they don’t.

Ken Mohr explained the ranking system used to evaluate job applicants.

Charles Hatchko, Jenkins Township - Commented that a forensic audit should be done and County Manager should come from out of state.

Rick Williams, Slocum Township - Commented that HRTC should make it clear if information on applicants will be disclosed when it will be, and make it clear if it’s not going to be.

Jim Bobeck said the County Council can change the committee’s decision if they chose to.

Alexander Mulanis, Wilkes-Barre Township – Asked what other Counties have done in regards to disclosing of applicants?

Ken Mohr said as far as he knows, no other County in PA has disclosed resumes for public. Sometimes when it comes down to the finalists they may ask candidates if they can disclose.

Unknown Citizen - Commented that with the Right to Know Law, won’t resumes become open record anyway?

Jim Bobeck said no.

CONCLUDING REMARKS

Nothing reported.

ADJOURNMENT

Motion Susan Shoval.

Second Ronna Ciaruffoli.

Unanimous vote.

Motion carried. Meeting adjourned at 9:30.

Respectfully Submitted,
Chairman Jim Bobeck