

LUZERNE COUNTY HOME RULE TRANSITION COMMITTEE

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July 13, 2011

MINUTES

CALL TO ORDER/PLEDGE

The nineteenth 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 6:30 pm.

ROLL CALL

PRESENT

Jim Bobeck, Chair
Ronna Ciaruffoli, Secretary
Tom Cooney
Maryanne Petrilla
CJ Kersey
Kick Heffron
Rick Morelli
Steve Urban

ABSENT

Susan Shoal, Treasurer
Rob Bakewell, Vice Chair
Jim Haggerty

ALSO PRESENT

Gloria Kijek, Clerk
Ken Mohr, Consultant
Adam Szumski, Intern
Jeff Malak, Attorney

APPROVAL OF MINUTES

No motion made until next meeting when everyone has a chance to review 6/22 minutes.

CITIZEN COMMENT (agenda items)

Walter Griffith, Wilkes-Barre –Ethics Subcommittee did good job on the Ethics Code, however, addressed perceived shortfalls in accountability and family member relationships. He also feels that he as controller, and the DA, should have been asked to be on the Ethics Committee.

Ronna Ciaruffoli responded anyone interested could have come forward and volunteered to work on any subcommittee.

Kathy Dobash, Hazelton – Questioned if the HRTC answers to the PA State Ethics Commission. She feels there is conflict of interest with some committee members having family ties to County tax dollars and some members using seat on HRTC for their County Council candidacy.

Salvatore Licata, Pittston - Commented that he feels the committee should reopen agenda item 10. He feels advertising names of County Manager applicants may hinder some good people from applying.

Jim Bobeck responded that there has to be a motion made to reopen this agenda item.

Bill James, Exeter Township – Commented that agenda item 10 has been discussed at past meetings and he feels the committee needs to move on to other subjects.

Therman Gaump, Kingston – He feels controller findings is not an ethics code issue.

Ray Gustave, West Wyoming – Commented that the Ethics Code looks good. However he feels complete position descriptions of all County should be in Ethics Code.

Jim Bobeck responded that this was discussed and is addressed in Ethics Code but it is not specific. The Personnel Policy is a more appropriate place for employee description and annual review process. It may be best to address when County Manager and Human Resources Manager are appointed. Rita Boyle, Mountaintop – Commented that she sat on ethics committee and they worked hard and did a good job. She feels it is a culture change and suggested the County invest in employee training. Rich Sorokas, Hunlock Creek – Feels confidentiality should be addressed in Personnel Code. He provided the committee with flowchart detailing the complaint process in Ethics Code.

CONSULTANT REPORT

Ken Mohr reported he has been working on the following items: 1) Reviewed Budget section of Admin Code, 2) Provided and revised County Manager Advertisement Alternative “C” and Clerk to County Council Job Description, 3) Reviewed and discussed PEL Intern’s Admin Code submission regarding Budget and requested he itemize Home Rule Charter items requiring 2012 Budget action, 4) Revised Comprehensive Plan to reflect changes as acted on by HRTC at 6/22/11 meeting, and 5) Attended meetings.

SOLICITOR REPORT

Attorney Malak reported he is continuing to review the Admin and Ethics Codes.

- a. Discussion regarding Authorities’ membership under Home Rule

Attorney Malak reported he is going to wait until he receives the By-Laws necessary to do a full analysis.

- b. Discussion regarding initial recruitment process under Charter s.4.06 and 12.06

Attorney Malak reported that 12.06 identifies the specific process of how first appointment of County Manager will be made. Section 4.06 addresses the process subsequent to the hiring of the first non intern County Manager. He said that the HRTC can choose to use this process but they are not required to. However going forward, the County Council must use this process.

TREASURER REPORT/APPROVAL OF EXPENSES

Jim Bobeck reported in the absence of Susan Shoal, requested approval for the following expense:

Motion to approve Gloria Kijek, clerical work \$68.75 and supplies \$3.45. (Motion 1)

Motion Mary Ann Petrilla.

Second Ronna Ciaruffoli.

Unanimous vote.

Motion carried.

Motion to approve Citizens’ Voice, legal ad \$37.57 (Motion 2).

Motion Mary Ann Petrilla.

Second Tom Cooney.

Unanimous vote.

Motion carried.

Motion to approve Ken Mohr, Consultant services \$3,572.50 (Motion 3).

Motion CJ Kersey.

Second Ronna Ciaruffoli.

Unanimous.

Motion carried.

Rick Morelli suggested a more itemized consultant invoice.

Jim Bobeck said he has no problem with the Consultant's billing format. He reviews invoice and e-mails to members for review before bringing up for approval at the HRTC meeting. If anyone has any questions or issues about the invoice, it should be discussed before the meeting.

SECRETARY REPORT

Ronna Ciaruffoli reported that if any members have anything to post on web page, get them to her so she can forward to Steve Englot for posting.

DISCUSSION WHETHER COMMITTEE SHALL RECONSIDER ITS VOTE ON APPROVAL OF COUNTY MANAGER JOB ADVERTISEMENT

Jim Bobeck recapped how the County Manager advertisement was approved at the previous meeting by 4 to 2 vote.

The only concern with the advertisement was the statement "The position finalists must be willing to allow public disclosure of their resumes in order to move forward in the process" at the bottom of the ad.

Motion to reconsider the following language at the bottom of County Manager advertisement "The position finalists must be willing to allow public disclosure of their resumes in order to move forward in the process." (Motion 4).

Motion Rick Morelli.

Second Mary Ann Petrilla..

Ken Mohr commented that the motion must be made by someone in the prevailing decision.

Motion Withdrawn by Rick Morelli.

Jim Bobeck asked if any of the prevailing votes that are present would like to make that motion?

None made by prevailing members.

Motion to change wording in County Manager advertisement stating "Finalists resumes may be released." (Motion 5).

Motion Rick Morelli.

Attorney Malak reminded the committee that a motion must be made first to stop the process of County Manager advertisement.

Motion to stop process of County Manager advertisement (Motion 6).

Motion Rick Morelli.

Second Jim Bobeck.

Committee discussed before taking final vote.

5 in favor, 3 opposing votes of Ronna Ciaruffoli, Steve Urban, and Kick Heffron.

Motion carried.

HRTC discussed options on wording of public disclosure and using the word 'must' or 'may' or having nothing, in regards to releasing applicants names/resumes, keeping in mind the committee cannot predict County Council decisions.

Motion to revise advertisement of County Manager with no wording relating to the public disclosure of applicants names (Motion 7).

Motion Mary Ann Petrilla.
Second Rick Morelli.
6 in favor, 2 opposing votes of Steve Urban and Kick Heffron.
Motion carried.

Motion to change deadline for receipt of applications for the County Manager position from September 15 to September 30 (Motion 8).
Motion Rick Morelli.
Second CJ Kersey.
Unanimous Vote
Motion carried.

DISCUSSION/MOTION REGARDING BEST OF USE OF EFFICIENCY STUDY AS CALLED FOR UNDER APPROVED DCED GRANT

HRTC discussed efficiency study options and felt budgetary and finance would be a good focus. Ken Mohr mentioned these previously suggested areas: 1) Finance, Treasurer and portion of the Controller's Office, 2) Consolidation of Row Offices, 3) Judiciary, 4) and the Law Department. Committee discussed choice of focusing on just one, or all four areas.

Motion to do efficiency study using \$10,000 of DCED grant on budget and finance (Motion 9).
Motion Rick Morrelli.
Second Ronna Ciaruffoli.
After continued discussion on what to focus study on, and if it should include Judiciary Rick Morelli withdrew Motion 9.

Motion to have consultant do, with consistency of DCED grant approval, an efficiency study using \$10,000, on Law, Budget and Finance, and judiciary services (Motion 10).
Motion Rick Morelli.
Second CJ Kersey.
Before motion officially carried, Attorney Malak recommended to committee to clarify the exact wording of Motion 10.
Motion 10 withdrawn by Rick Morelli.

Motion to direct consultant to initiate a study in the three areas as discussed; law department, budget and finance, and judiciary, and further refine such study on consulting report next week, consistent with the DCED grant (Motion 11).
Motion Tom Cooney.
Second Rick Morelli.
6 in favor, 2 opposing votes of Mary Ann Petrilla and Steve Urban.
Motion carried.

SUBCOMMITTEE AND WORKING GROUPS REPORTS
AUTHORITIES, BOARDS, AND COMMISSIONS SUBCOMMITTEE
Nothing to report.

ADMINISTRATIVE CODE SUBCOMMITTEE

Ronna Ciaruffoli reported in Susan Shoval absence that they are continuing to address Legislative and Executive issues and format of Admin Code.

LIASION SUBCOMMITTEE

Nothing to report.

PERSONNEL AND RECRUITING SUBCOMMITTEE

Rick Morelli reported Personnel and Recruiting Subcommittee will next meet on July 19 and that they are working on the job description of Clerk to County Council. He will email final copy to committee members before next meeting.

ETHICS CODE SUBCOMMITTEE

Jim Bobeck reported in Rob Bakewell absence. He asked everyone to review the draft Ethics Code and provide comments before the next meeting on July 27.

OLD/NEW BUSINESS

Nothing reported.

CITIZEN COMMENT

Ray Gustave, West Wyoming – Questioned the comment Attorney Malak made regarding the HRTC not being required to follow the procedure in Charter for appointing first County Manager but County Council does.

Attorney Malak referred to Article 12 which addresses and confirms this.

Eileen Sorokos, West Pittston – Questioned if results of efficiency study be made public.

Jim Bobeck responded yes; when it is submitted to DCED it is public record.

Kathy Dobash, Hazelton – Commented on HRTC members attendance at HRTC meetings, her interview with Children and Youth.

Walter Griffith, Wilkes-Barre – Referred to 12.14 in Charter and what determines a vacancy on the HRTC.

Attorney Malak responded that a vacancy on HRTC is only by letter of resignation. There is nothing in Charter that says how many meetings a member can miss.

Walter Griffith then commented he feels the study should be done on judicial budget also and asked for budget meeting and Ethics Subcommittee meeting dates.

Mr. Mohr responded next Tuesday for Budget meeting.

Jim Bobeck said no date set for next Ethics Subcommittee

Rick Morelli questioned why the County hasn't looked at judicial budget and finances before.

Walter Griffith said they have tried to and reminded County Council can cut the budget of judicial system.

Tom Dombroski, Trucksville – Agreed with Rick Morelli and Walter Griffith comments about judicial budget, and commented on the County vs State funding of judicial positions. Also commented the HRTC doesn't have to do a efficiency study of the Judiciary to make recommendations, and that the consultant could make recommendations of who should fill positions for the first 6 months, then County Council can change it after that if they want.

Therman Gaump, Kingston – Commented on the \$10,000 study and suggested university students may help with this. He also thanked HRTC for turning around the County Manager advertisement.

Jim Bobeck agreed this was a consideration, and stated Kings College students were involved in some HRTC issues.

Salvatore Licata, Pittston – Thanked HRTC for removing wording in County Manager advertisement.

CONCLUDING REMARKS

None.

ADJOURNMENT

Motion. Rick Morelli.

Second Mary Ann Petrilla

Unanimous vote.

Motion carried. Meeting adjourned at 8:00.

Respectfully Submitted,
Chairman Jim Bobeck