

LUZERNE COUNTY COUNCIL

January 10, 2012
6:01 PM
Council Meeting Room
200 North River Street
Wilkes Barre, PA 18711

CALL TO ORDER/PLEDGE

The Luzerne County Council convened in the Courthouse Council Meeting Room on January 10, 2012 at 6:01 PM.

The meeting commenced with the Pledge of Allegiance led by Chair, James Bobeck.

ROLL CALL

James Bobeck
Edward Brominski
Elaine Maddon Curry
Harry Haas
Linda McClosky Houck
Eugene Kelleher
Timothy McGinley
Rick Morelli
Stephen A. Urban
Stephen J. Urban
Rick Williams

ABSENT

ALSO PRESENT

Colette Check, Clerk to Council
Tom Pribula, Manager
Brian Bufalino, Solicitor

PUBLIC COMMENT

Mr. John Newman from Nanticoke commented on terms of employment for County Manager.

Ms. Kathy Dobash from Hazleton commented on proposed time limits for public comment.

Mr. Brian Shiner from Kingston commented on the proposed time limits for public comment.

Mr. Ed Chesnovitch from Kingston commented on Interim position of Clerk to Council benefits.

MOTION:

Motion to accept the minutes from the January 2, 2012 meeting

Motion – McGinley

Second – Brominski

Ayes on motion.

Motion carried unanimously.

COUNTY MANAGER REPORT:

Mr. Pribula commented that a week has passed and there are no interruptions in services. He stated that his budget proposal will offer suggestions with short, medium, and long term strategic initiatives.

MOTIONS

A. Motion to amend Council's Rules of Order concerning public comment period:

Limit of public comment periods on agenda and non-agenda items as follows: If 5 or fewer individuals comment, each will have a maximum of 5 minutes. If more than 5 individuals comment, the maximum time for each will be 3 minutes.

Motion – Brominski

Second – Kelleher

Ayes on Motion.

Motion carried unanimously.

B. Motion to approve the creation of a Parliamentarian Position and appointment of Parliamentarian:

Parliamentarian Position created to provide guidance regarding meeting protocol, and appointment of Mr. Rick Williams to this position.

Motion – Curry

Second - Houck

Ayes on Motion.

Motion carried unanimously.

C. Motion to publicly release the five finalist names/resumes for County Manager:

Release of information about the selection process for the County Manager and the names and relevant information about the 5 finalists to occur at the conclusion of the meeting.

Motion – Kelleher

Second – Morelli

Roll call vote: 1 opposed (Brominski). All others in favor.

Motion carried 10 – 1.

D. Motion to approve continued negotiations with County Manager candidates:

Motion – Morelli

Second – Houck

Ayes on Motion.

Motion carried unanimously.

E. Motion to approve resolution confirming Salary of Interim County Manager:

Interim County Manager set at \$2,000 a week with benefits same or comparable to other County employees and include use of a County laptop and County cell phone.

Motion – Kelleher

Second – Curry

Ayes on Motion. 1 Abstention (Stephen A. Urban). All other in favor.

Motion carried. 10-0-1.

F. Motion to approve resolution confirming Salary of Interim Clerk to Council:

Interim Clerk to Council salary set at \$35,000 a year with benefits same or comparable to other County employees.

Motion – Houck

Second – McGinley

**Ayes on Motion. 1 No (Brominski), 1 Abstention (Stephen A. Urban), All others in favor.
Motion carried. 9-1-1.**

G. Motion to approve voting procedure for Council to make Council appointments to Authorities, Boards, and Commissions:

Procedure includes specific procedures for breaking of ties in selecting from among more than 2 candidates.

Motion – Brominski

Second – Williams

Roll call vote: All in favor.

Motion carried unanimously.

H. Motion to approve resolution appointing Councilman Tim McGinley as Council Representative to the Joint Airport Board for a four-year term:

Motion – Haas

Second – Brominski

Ayes on Motion.

Motion carried unanimously.

J. Motion to approve resolution appointing Councilman Rick Williams to the Luzerne County Conservation District for one-year term:

Motion – Kelleher

Second – Haas

Ayes on Motion.

Motion carried unanimously.

I. Motion to open nominations for Council representative to Retirement Board for a four-year term:

a. Nomination of Rick Morelli

Nomination – Stephen J. Urban

Second – Stephen A. Urban

b. Nomination of Eugene Kelleher

Nomination – Bobeck

Second – Haas

c. Nomination of Edward Brominski

Nomination – Haas

Second – Curry

No further nominations.

Ayes to close nominations. Nominations closed.

Roll call vote:

3 in favor of Morelli: Stephen A. Urban, Stephen J. Urban and Morelli

4 in favor of Kelleher: McGinley, Haas, Bobeck, and Kelleher

4 in favor of Brominski: Curry, Houck, Williams and Brominski

Tie between Kelleher and Brominski. Morelli eliminated.

Roll call vote to select between Brominski and Kelleher.

0 in favor of Brominski;

9 in favor of Kelleher: Brominski, Curry, Haas, Houck, Kelleher, McGinley, Morelli, Williams, Bobeck.

2 Abstentions: Stephen A. Urban, Stephen J. Urban

Eugene Kelleher was named Council Representative for the Retirement Board by a vote of 9-0 with 2 abstentions.

J. Motion to approve conducting interviews with all persons making application for Board of Elections and Registration, Board of Assessment Appeals, and Ethics Commission:

Group interviews will be scheduled for Elections and Assessment Appeals Boards on January 18 and for Ethics Commission on January 23 and all will be conducted in open work sessions.

Motion: Brominski

Second: Kelleher

Ayes on Motion.

Motion carried unanimously.

L. Motion recognizing the filing with the Office of the Clerk to County Council of the Controller's Designation Letter per Section 3.05 regarding Controller's designated employee to exercise the Powers/duties of officeholder in any temporary absence or incapacity of Controller.

Motion: Houck

Second: Haas

Ayes on Motion.

Motion carried unanimously.

PUBLIC COMMENT:

Mr. Walter Griffith, County Controller, thanked Council for moving meeting to EMA, questioned benefits for Interim Clerk and questioned recent court hires.

Ms. Kathy Dobash of Hazleton made reference to section 10.1 of the Sunshine Law and questioned candidates for employment and selection of Chair of Council.

Mr. Ed Warkiewicz of Lehman stated that inexperience does not mean someone is not qualified.

Ms. Gina Nevengolosky from Fairview Township asked if Council members have resigned from political committees.

Councilman Haas confirmed that he had.

Mr. Thomas Dombroski from Kingston Township stated that work sessions are the arena where Council can receive ideas from the public.

Mr. George Kochis from Kingston commented on stipends for Council relative to the amount of work, commented on recent court hires, and encouraged former Commissioner Stephen A. Urban to take a leadership role in the new Council.

Councilman Stephen A. Urban responded that he has offered his advice.

Mr. John Newman of Nanticoke encouraged a 1% Sales Tax for counties to raise revenues and commented on prudent action concerning the Baseball Franchise.

Mr. Mike Giamber from Sweet Valley encouraged Council to act as a team and respect majority vote.

Mr. Brian Shiner expressed his concern about some Councilmen abstaining from voting.

Mr. Fred Heller from Fairview Township asked Council to investigate alleged misconduct by a Council member.

Mr. Ed Holleran from Pittston encouraged public comment at meetings and noted the number of talented people in the county.

Mr. Ed Chesnovitch commented on a Council member's public confirmation of Manager candidates' names.

Ms. Betsey Husain from Lehman Township commented on confirmation of Manager names after the Council voted against release and called for approval of the Ethics Committee before the new Manager arrives.

Ms. Renee Taffera stated that the authority of Council was broken by release of names when Council voted against it.

Mr. Therman Guamp explained the definition of insubordination.

Mr. Heffron from Dallas stated that the Charter gives the option of appointing an interim person to the Retirement Board.

CLOSING REMARKS FROM COUNCIL:

Councilman Brominski stated he feels betrayed, and that Council members are individuals but have to stand by vote of majority. He declared he will not look backward, but is going to look forward and called Council the "Continental Congress of Luzerne County."

Councilman Williams spoke about future agenda items to include the Baseball and legal opinions thereof.

Councilwoman Houck thanked all those who have been working with her on the ABC's and thanked Stephen A. Urban for counsel and suggestions about Retirement Board election process.

Councilman Kelleher thanked Ms. Houck for her work on Council matters.

Councilman Haas reiterated that he has resigned all positions on Boards and political committees.

Councilman Curry spoke about the power point presentation to be shown after the meeting that portrays the Manager selection process.

Councilman Stephen A. Urban stated that 2 names were released before Transition Team was disbanded and that there were no comments on those releases.

Councilman Stephen J. Urban stated that he has abstained from voting on the issues of Manager because he was not involved in the process and said the process can start over from the beginning.

FUTURE AGENDA ITEMS

Jan. 12th – Work session on Budget at EMA

Jan 18th – Interviews for Elections, Assessment Boards and Discussion on Ethics Code

Jan 23rd – Work session on Ethics Commission and Interviews

MOTION TO ADJOURN:

Motion – Kelleher

Second – Curry

Meeting adjourned at 8:20 PM.

Respectfully Submitted,

Colette J. Check

Clerk to Council