

No. 2022-____

RESOLUTION

A Resolution of Luzerne County Council Approving a Budget Transfer to Allot Funds Related to the Settlement of Litigation

WHEREAS, through Resolution 2021-123, Luzerne County Council approved the settlement of litigation in the matter of Hazzouri v. Luzerne County, et al., which contemplated the purchase of the Hazzouri residence for \$650,000.00 with contributions from West Pittston Borough's insurance carrier in the amount of \$15,000.00 and Luzerne County's insurance carrier in the amount of \$50,000.00; and

WHEREAS, pursuant to Section 5.07 of the Home Rule Charter of Luzerne County, County Council adopted the 2022 Fiscal Year Budget which accounted for anticipated revenue and expenses; and

WHEREAS, Section 5.10.E. of the Home Rule Charter states at any time during the fiscal year, County Council may, by resolution adopted by an affirmative vote of at least a majority of its current members, make transfers of part or all of any unencumbered balance from any division, elective office, the Judiciary, Office of Court Administration, or other administrative unit or budgetary function to any other division, elective office, the Judiciary, Office of Court Administration, or other administrative unit or budgetary function; and

WHEREAS, County Council for Luzerne is required to fund the previously approved settlement contemplated by Resolution 2021-123 and desires to transfer funds in the budget at the appropriate line items in order to transfer funds from the Reserve Fund to comply with the settlement agreement in the above captioned matter.

NOW, THEREFORE, be it RESOLVED by the Luzerne County Council:

SECTION ONE. Incorporation of Preamble.

The provisions set forth in the preamble to this Resolution are incorporated herein by reference in their entirety.

SECTION TWO. Transfer of Funds Between Budget Line Items.

County Council hereby authorizes the transfer of funds between line items in the 2022 fiscal year budget thereby transferring funds from the Reserve Fund in order to fund the settlement agreement in Hazzouri v. Luzerne County, et. al.:

Subtract funds from the Reserve Fund at line item 100.99.4940.585.10 in the amount of \$585,000.00.

Add funds to the line item 100.16.4151.550.19 (Solicitor Special Legal) in the amount of \$585,000.00 for distribution to Plaintiffs in compliance with the settlement agreement.

SECTION THREE. Remainder of Budget.

All other line items in the 2022 Fiscal Year Luzerne County Budget shall remain unchanged.

SECTION FOUR. Effective Date.

This Resolution shall become effective immediately.

Adopted by County Council, this _____ day of _____, 2022.

LUZERNE COUNTY COUNCIL

AYES:

NAYS:

Attest:

Kendra Radle, Chair

Sharon Lawrence, Clerk of County Council

Romilda P. Crocamo, Esq.
Acting County Manager