

LUZERNE COUNTY CONVENTION CENTER AUTHORITY SPECIAL MEETING

MARCH 24, 2022

Prior to the Special Meeting of the Luzerne County Convention Center Authority, an Executive Session was held beginning at 12PM.

A Special Meeting of the Board of Directors of the Luzerne County Convention Center Authority was called to order by Chairwoman Donna Cupinski on March 24, 2022 at 1:23PM. Chairwoman Cupinski asked all those present to please silence their cell phones.

The Pledge of Allegiance, led by Eugene Rafalli, was said by all in attendance.

ROLL CALL – PRESENT: Carmen Ambrosino, Donna Cupinski, Guillermo Lara (via telephone), Frank Orloski Jr., John Pickering (via telephone), Eugene Rafalli, John Ruckno, Anthony Ryba (via telephone), Lori Spencer (via telephone), and Tom Woods. Peter Biscontinini was absent. Also present were members of ASM Global Administration – General Manager Will Beekman, Assistant General Manager/Director of Finance Carrie Grantuskas, and Director of Marketing Steve Poremba. Mary Jo Kishel of Rosenn, Jenkins & Greenwald was also in attendance.

Chairwoman Donna Cupinski stated that there was no public comment. She thanked everyone for waiting during the long Executive Session, especially those on the phone.

OLD BUSINESS:

Chairwoman Cupinski stated that the first thing that they have is the litigation issue involving Sylvie Pomictier, Last Chance for Animals, and the ACLU. Mary Jo Kishel wrote up a Resolution authorizing Donna Cupinski as Chairwoman, and the Executive Committee to work on this with Mary Jo Kishel and Thomas Campenni to resolve anything that may be outstanding, or if there is anything additional that comes up, they will take it back to the Board. Chairwoman Cupinski did not read the Resolution, but she will provide a copy for the minutes.

Chairwoman Cupinski asked for a motion to approve the Resolution.

A motion was made by Gene Rafalli and seconded by Frank Orloski, Jr to approve the Resolution.

Chairwoman Cupinski asked if there was any discussion and there was none.

ON THE QUESTION: All those in favor of approving the Resolution signified by saying “AYE”. **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained.

The motion carries.

Chairwoman Cupinski stated that the next issue involves the easement that the Land Development Committee (with different members) has been working on, going on two years

now. It involves the property next door to us that is owned by Sonny Singh. It addresses things such as snow removal, lighting, road maintenance – things like that, that we worked out an Agreement between the two parcels. Who is going to do what, who is going to pay for it, what percentages? We finally finished it up last night and this morning with a little bit of additional language. Chairwoman Cupinski thanked Carmen Ambrosino for his work. He brought out some things that we did not think about.

Chairwoman Cupinski would like to ask the Board for a motion to approve the Agreement.

A motion was made by Tom Woods and seconded by Gene Rafalli to approve the Agreement.

Chairwoman Cupinski asked if there was any discussion and there was none.

ON THE QUESTION: All those in favor of the motion to approve the Agreement signified by saying “AYE”. **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained.

The motion carries.

Chairwoman Cupinski stated that we are going to keep the Land Development Committee intact because although it is an Ad-Hoc Committee, we did something great by finalizing this. There may still be some outstanding issues with regard to the traffic light – whose land it’s on and things like that. So, we will keep that Committee intact for now.

The next item concerns the single audit. We had SVOG Grant money and we had the draft of our audit to which we included a draft of the single audit. The Finance Committee met before the meeting and approved going forward and allowing Snyder & Clemente to produce the final report.

It comes down to Chairwoman Cupinski and the Executive Committee to direct Snyder & Clemente to do so and to put it on the Clearinghouse.

Chairwoman Cupinski asked for a motion to approve this Resolution.

A motion was made by John Ruckno and seconded by Tom Woods to approve this Resolution.

Chairwoman Cupinski asked if there was any discussion and there was none.

ON THE QUESTION: All those in favor of the motion to approve the Resolution signified by saying “AYE”. **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained.

The motion carries.

NEW BUSINESS:

The Penguins have approached Will (Beekman) requesting a new dasher board system and all of the components that go with it. The cost from one company is estimated to be \$450,000.00. Chairwoman Cupinski, through emails, let the Buildings and Grounds Committee know about the request, and the consensus was to proceed with the upgrade if (1) we get a grant for it or (2)

the Penguins are willing to pay one-half of the cost.

Chairwoman Cupinski asked for a motion allowing Will to communicate these options to the Penguins.

Frank Orloski, Jr. made the motion and it was seconded by Carmen Ambrosino.

Chairwoman Cupinski asked if there was discussion and there was none.

ON THE QUESTION: All those in favor of the motion to consider various options for the dasher system request by the Penguins saying "AYE". **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained.

The motion carries.

GOOD OF THE ORDER:

Chairwoman Cupinski stated that tomorrow (March 25th) is Will Beekman's birthday and that Carrie Grantuskas celebrated her birthday on March 12th. On April 4th, Tom Woods and his wife will celebrate their 58th wedding anniversary. Carmen Ambrosino and his wife recently celebrated their 50th wedding anniversary.

Chairwoman Cupinski asked for a motion to adjourn the meeting.

Tom Woods made the motion and Frank Orloski, Jr. seconded the motion to adjourn the meeting.

ON THE QUESTION: All those in favor of the motion to adjourn the meeting signified by saying "AYE". **OPPOSED:** No one opposed the motion. **ABSTAIN:** No one abstained.

Chairwoman Cupinski again thanked all of the Board Members for sticking through the meeting. We had a lot to discuss in Executive Session and it was very important. Thank you for being here or being on the phone.

Tom Woods stated that Chairwoman Cupinski did a nice job

APPROVED:

A handwritten signature in cursive script that reads "Carmen Ambrosino". The signature is written in black ink and is positioned above a horizontal line.

Mr. Carmen Ambrosino, Secretary

LUZERNE COUNTY CONVENTION CENTER AUTHORITY

RESOLUTION

At a special meeting of the Board of Directors of the Luzerne County Convention Center Authority, a Pennsylvania municipal authority (the "Authority") held and duly convened on March 24, 2022, at which a quorum was present and voting throughout, the following resolution was duly adopted:

RESOLVED, that the Board authorizes the Chairwoman, together with the Executive Committee, to resolve any and all outstanding issues regarding the litigation commenced by the American Civil Liberties Union on behalf of Silvie Pomicter and Last Chance for Animals in 2016, including, without limitation, negotiating a settlement thereof, preparing, executing and filing any and all documents, instruments, and certificates, and making all payments in furtherance of such resolution; provided, however, that should they deem it to be necessary, the Chairwoman and the Executive Committee shall come back to the Board for additional discussion.

Resolution adopted: 10 voted for
0 voted against

IN WITNESS WHEREOF, the undersigned has duly executed this Resolution as of March 24, 2022.



Carmen Ambrosino, Secretary

LUZERNE COUNTY CONVENTION CENTER AUTHORITY

RESOLUTION

At a special meeting of the Board of Directors of the Luzerne County Convention Center Authority, a Pennsylvania municipal authority (the "Authority") held and duly convened on March 24, 2022, at which a quorum was present and voting throughout, the following resolution was duly adopted:

WHEREAS, pursuant to a resolution duly adopted by the Board of Directors on April 14, 2020, the directors authorized and directed the Executive Committee to authorize the Chairman, any and all other officers of the Authority, and any and all other appropriate persons to take any and all actions they deemed necessary and desirable to apply for that certain Shuttered Venue Operators Grant ("SVOG") program ("Program") that had been established by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, as amended by the American Rescue Plan Act as well as any and all other federal, state, or local grant opportunities which may become available from time to time, including, without limitation, the execution of any and all applications, agreements, documents, instruments, and certificates, and the payment of any and all fees and costs in furtherance thereof; and


WHEREAS, the Authority applied for and was awarded an SVOG (the "Authority SVOG"); and

WHEREAS, in any year in which the Authority spends more than \$750,000 in federal grants, the Authority may be required to submit a single audit to the Federal Audit Clearinghouse (the "Clearinghouse") and resolve any and all findings by the auditor pursuant to such submission;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Committee is hereby authorized and directed to authorize the Chairwoman, any and all other officers of the Authority, and any and all other appropriate persons to submit one or more audits of the Authority to the Clearinghouse as may be required in connection with the Authority SVOG and take any and all other actions as they may deem necessary and desirable to meet the requirements of the Authority SVOG, including, without limitation, the execution and/or filing of any and all applications, agreements, documents, instruments, and certificates, and the payment of any and all fees and costs in furtherance thereof.

Resolution adopted: 10 voted for

0 voted against


Carmen Ambrosino, Secretary