



**Luzerne County Council
Voting Session
September 13, 2022
Council Meeting Room
Luzerne County Court House
200 N. River Street
Wilkes-Barre, PA 18701
AND
Video/Teleconference via ZOOM
MINUTES**

Call to Order

The Luzerne County Council convened for a Voting Session in the Council Meeting Room of the Luzerne County Courthouse on September 13, 2022 at 6:21 PM. The meeting was called to order by Chair Kendra Radle.

Chair Radle stated this past weekend was the 21st Anniversary of 9-11 and dedicated the Moment of Silence to those we lost that day, the first responders and all affected by the events of 9-11.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Carl Bienias
Kevin Lescavage
John Lombardo
Lee Ann McDermott
Tim McGinley
Matt Mitchell
Chris Perry
Kendra M. Radle
Brian Thornton
Stephen J. Urban
Gregory S. Wolovich, Jr.

Also Present

Randy Robertson, County Manager
Harry Skene, Chief County Solicitor
Shannon Crake-Lapsansky, Assistant Solicitor (virtually)
Sharon Lawrence, Clerk of Council

Recognitions and Ceremonial Proclamations

County Manager Robertson spoke about 9-11 and commended our First Responders Lucy Morgan, Fred Rosencrans, and Brian Szumski.

Deletions from Voting Session Agenda

Mr. Thornton questioned and spoke about an ordinance he requested be placed on the agenda that was not. Chair Radle responded and Council Members offered commentary.

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. McGinley

Second: Mr. Lombardo

Roll Call Vote:

Eight Yes by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle and Mr. Wolovich

Three No by Mr. Lescavage, Mr. Thornton and Mr. SJ Urban

Motion Passed (8-3)

The Voting Session Agenda is Adopted

Attorney Skene commented on Executive Session. Attorney Skene stated that before the meeting today and Executive Session was held regarding Personnel matters.

Public Comment on Agenda Items

WRITTEN comments are submitted electronically via EMAIL or ZOOM. A copy of the full written comment for each speaker is posted under the corresponding meeting agenda. VERBAL comments can be heard in their entirety by accessing the public comment portion of the meeting recording posted next to the meeting agenda.

Walter Griffith (Trucksville) commented Verbally regarding Item 3 information on the Election Integrity Grant ordinance, Item 4 information on the resolution confirming the appointment of Division Head of Operational Services, and Item 6 ordinance amending the 2022 Budget.

Mark Rabo (Hazleton) commented Verbally regarding the Election Integrity Grant.

Beth Hartman (Hanover Township) commented Verbally regarding the name of the Operational Services Division Head, Children & Youth and Drop Boxes.

Motion to adopt minutes of the August 23, 2022 Voting Session

Motion by: Mr. McGinley

Second: Mr. Bienias

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

The August 23, 2022 Voting Session Minutes are Adopted

Motion to adopt minutes of the August 29, 2022 Special Meeting

Motion by: Mr. Wolovich

Second: Mr. Bienias

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

The August 29, 2022 Special Meeting Minutes are Adopted

DRAFT

Agenda Items

1. Motion to Adopt Ordinance Authorizing and Approving a Project of the Redevelopment Authority of the County of Luzerne (The “Authority”); Authorizing and Directing the Incurrence of Lease Rental Debt, in the Aggregate Principal Amount Not to Exceed Fifty-Five Million Dollars (\$55,000,000) Pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania, Known as the Local Government Unit Debt Act, as Reenacted, Amended and Supplemented (The “Debt Act”); Determining that Such Debt Shall Be Incurred Under the Debt Act as Lease Rental Debt to be Evidenced by a Guaranty Agreement of the County Securing One or More Series of Federally Taxable and/or Tax Exempt Revenue Bonds or Notes (Collectively, The “Bonds”), to be Issued by the Authority at the Same or Different Times to Finance a Project (The “Project”) of the Authority Consisting of (1) Financing the Design, Acquisition, Construction and Equipping of the Reconstruction of the Nanticoke/West Nanticoke Bridge in the County and/or Such Other Public Infrastructure Projects as Approved by the County and the Authority, and (2) Paying the Costs and Expenses of Issuing the Bonds; Authorizing and Directing the Proper Officers of the County: (A) to Prepare, to Certify and to File the Debt Statement and Borrowing Base Certificate Required by Section 8110 of the Debt Act; (B) to Cause to be Prepared and Filed, Statements Required by Section 8026 of the Debt Act Which are Necessary to Qualify All of Such Lease Rental Debt for Exclusion from the Appropriate Debt Limits as Self-Liquidating Debt; (C) to Execute, to Attest, to Seal and to Deliver a Guaranty Agreement Among the County, the Authority and the Purchaser Named Therein; Approving the Form of the Guaranty Agreement; Specifying the Amount of the Guaranty Obligation of the County Pursuant to Such Guaranty Agreement and the Sources of Payment of Such Guaranty Obligation; Authorizing the Proper Officers of the County to Take All Other Required, Necessary or Desirable Related Action in Connection with Such Project and the Execution and Delivery of the Guaranty Agreement; Providing for the Effectiveness of this Ordinance; Providing for the Severability of Provisions of this Ordinance; and Providing for the Repeal of All Inconsistent Ordinances or Resolutions or Parts of Ordinances or Resolutions

Motion by: Mr. Lombardo

Second: Mr. McGinley

Roll Call Vote:

Eight (8) Yes by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, and Mr. Wolovich

Three (3) No by Mr. Lescavage, Mr. Thornton and Mr. SJ Urban

Motion Passed (8-3)

Ordinance is Adopted

2. Motion to adopt resolution Authorizing the Additional Use of American Rescue Plan Act Funds to Make Roof Repairs at the Luzerne County Correctional Facility

Motion by: Mr. McGinley

Second: Mr. Perry

Motion to have 50% of the new money going to be assigned come from the Capital Plan Fund and the remainder from the American Rescue Funds by: Mr. McGinley

Second: Mr. Wolovich

Roll Call Vote to Amend:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Amended

Roll Call Vote to Adopt:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

3. Motion to Introduce ordinance Amending the 2022 Fiscal Year Budget for Luzerne County (Election Integrity Grant)

Motion by: Mr. Lombardo

Second: Ms. McDermott

The original Ordinance posted 9-9-22 on the County Website did not contain GL numbers.

There was an updated ordinance posted to the County Website on 9-13-22. Discussion

followed as to whether the changes and posting were in violation of the Sunshine Act.

Motion to Postpone Updated Ordinance by: Mr. Lescavage

Second: Mr. SJ Urban

Roll Call Vote:

Seven (7) Yes by Mr. Bienias, Mr. Lescavage, Ms. McDermott, Mr. Mitchell, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Four (4) No by Mr. Lombardo, Mr. McGinley, Mr. Perry and Ms. Radle

Motion Passed (7-4)

Ordinance is Postponed

Motion to Introduce Ordinance as it was posted on September 9, 2022 by: Mr. McGinley

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

4. Motion to adopt resolution Confirming the Appointment of Division Head of Operational Services

Motion to adopt resolution confirming the appointment of Greg Kurtz by: Mr. Lombardo

Second: Mr. Bienias

Motion to Table by: Mr. McGinley

Second: Mr. Wolovich

Roll Call Vote to Table:

Four (4) Yes by Mr. Lescavage, Mr. McGinley, Mr. SJ Urban and Mr. Wolovich

Seven (7) No by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. Mitchell, Mr. Perry, Ms. Radle and Mr. Thornton

Motion to Table Failed (4-7)

Motion to Amend Salary to \$91,087.00 by: Mr. Thornton

Second: Mr. Lescavage

Roll Call Vote to Amend:

Five (5) Yes by Mr. Bienias, Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Six (6) No by Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry and Ms. Radle

Motion to Amend Failed (5-6)

Roll Call Vote to Adopt:

Seven (7) Yes by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry and Ms. Radle

Four (4) No by Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Motion Passed (7-4)

Resolution is Adopted

5. Motion to adopt resolution Urging Northeast Pennsylvania Lawmakers to Increase Funding to Luzerne County for Mental Health Related Services

Motion by: Mr. Bienias

Second: Mr. Perry

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

6. Motion to Introduce ordinance Amending the 2022 Fiscal Year Budget For Luzerne County

Motion by: Mr. McGinley

Second: Mr. Perry

Roll Call Vote:

Two (2) Yes by Mr. McGinley and Mr. Perry

Nine (9) No by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. Mitchell, Ms. Radle, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Motion Failed (2-9)

Ordinance Failed

7. Motions regarding Budget Calendar and Process

7a. Motion to remove from Table

Motion by: Mr. Thornton

Second: Mr. Bienias

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Budget Calendar and Process is Removed from Table

7b. Motion to approve Budget Calendar and Process

Motion by: Mr. Bienias

Second: Mr. SJ Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Budget Calendar and Process is Approved

8. Nominations and Appointments to Boards and Commissions

8a. Arts Advisory Board (4 openings/3 applicants) 1 required term to 12/31/22; 1 required term to 12/31/24; subsequent terms are to 12/31/23 OR 12/31/25

Motion to Open Nominations for term to 12/31/22 by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Mr. Lombardo nominated: Judith Mulder

Second: Mr. Mitchell

Mr. Thornton nominated: Brian Pipech

Second: Mr. Bienias

Motion to Close Nominations: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Roll Call Vote (1 name):

Mr. Bienias: Mulder

Mr. Lescavage: Mulder

Mr. Lombardo: Mulder

Ms. McDermott: Mulder

Mr. McGinley: Mulder

Mr. Mitchell: Mulder

Mr. Perry: Mulder

Ms. Radle: Mulder

Mr. Thornton: Pipech

Mr. Stephen J. Urban: Pipech

Mr. Wolovich: Mulder

Results:

Mulder 9

Pipech 2

Motion to adopt resolution Appointing Judith Mulder to the Arts Advisory Board (term ending 12/31/22) by: Mr. SJ Urban

Second: Mr. Thornton

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to Open Nominations for term to 12/31/24 by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Ms. McDermott nominated: Brian Pipech

Second: Mr. Wolovich

Motion to Close Nominations: Mr. Lombardo

Second: Mr. Wolovich

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Roll Call Vote to adopt resolution Appointing Brian Pipech to the Arts Advisory Board (term ending 12/31/24):

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to Open Nominations for term to 12/31/25 by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Mr. Bienias nominated: Lisa Reynolds

Second: Ms. McDermott

Motion to Close Nominations: Mr. Lombardo

Second: Mr. Thornton

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Roll Call Vote to adopt resolution Appointing Lisa Reynolds to the Arts Advisory Board (term ending 12/31/25):

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

8b. County Cares Commission (1 opening/2 applicants) 1 term to 12/31/25

Motion to Open Nominations by: Mr. Thornton

Second: Ms. McDermott

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Mr. Lombardo nominated: Brian Vick

Second: Mr. Mitchell

Mr. Thornton nominated: Theodore John Fitzgerald

Second: Mr. Bienias

Motion to Close Nominations: Mr. Lombardo

Second: Mr. Mitchell

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Roll Call Vote (1 name):

Mr. Bienias: Fitzgerald
Mr. Lescavage: Fitzgerald
Mr. Lombardo: Vick
Ms. McDermott: Vick
Mr. McGinley: Vick
Mr. Mitchell: Vick
Mr. Perry: Vick
Ms. Radle: Vick
Mr. Thornton: Fitzgerald
Mr. Stephen J. Urban: Fitzgerald
Mr. Wolovich: Fitzgerald

Results:

Vick 6

Fitzgerald 5

Motion to adopt resolution Appointing Brian Vick to the County Cares

Commission by: Mr. McGinley

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

8c. Children & Youth Advisory Board (3 openings/4 applicants) 3 terms to 12/31/24

Motion to Open Nominations by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Ms. McDermott nominated all (3) applicants: Frank, Watson and Wilder

Second: Mr. Bienias

Motion to Close Nominations: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Motion to adopt resolution Appointing Alec Frank to the Children & Youth Advisory

Board by: Ms. McDermott

Second: Mr. Wolovich

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Robin Watson to the Children & Youth Advisory

Board by: Ms. McDermott

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Joshua Wilder to the Children & Youth Advisory

Board by: Mr. Lombardo

Second: Mr. Thornton

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

7d. Farmland Preservation Board (2 openings/3 applicants) 2 terms to 12/31/24

Motion to Open Nominations by: Mr. McGinley

Second: Mr. Bienias

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Mr. Wolovich nominated both (2) applicants: Martin and Yost

Second: Mr. Lombardo

Motion to Close Nominations: Ms. McDermott

Second: Mr. Thornton

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Motion to adopt resolution Appointing Martin Smith to the Farmland Preservation

Board by: Mr. Thornton

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Richard Yost to the Farmland Preservation

Board by: Mr. Lombardo

Second: Mr. Thornton

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

7e. Forty-Fort Airport Board (7 openings/5 applicants) 7 terms to 12/31/24

Motion to Open Nominations by: Ms. McDermott

Second: Mr. Wolovich

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Mr. Bienias nominated all (4) applicants: Frantz, Palissery, Ritsick and Serafin

Second: Mr. Mitchell

Motion to Close Nominations: Ms. McDermott

Second: Mr. Wolovich

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Motion to adopt resolution Appointing Alice Frantz to the Forty-Fort Airport Advisory

Board by: Mr. Thornton

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Nandakumar Palissery to the Forty-Fort Airport

Advisory Board by: Mr. Wolovich

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Theodore Ritsick to the Forty-Fort Airport

Advisory Board by: Mr. Mitchell

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution Appointing Scott Serafin to the Forty-Fort Airport Advisory

Board by: Mr. Lombardo

Second: Mr. Bienias

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

7f. Planning Commission (3 openings/2applicants) 3 terms to 12/31/25

Motion to Open Nominations by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Open

Ms. McDermott nominated: Peter Mikitish

Second: Mr. Lombardo

Motion to Close Nominations: Mr. Bienias

Second: Mr. Wolovich

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Nominations Closed

Motion to adopt resolution Appointing Peter Mikitish to the Planning

Commission by: Mr. Lombardo

Second: Mr. Bienias

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Public Comment on Non-Agenda Items:

WRITTEN comments are submitted electronically via EMAIL or ZOOM. A copy of the full written comment for each speaker is posted under the corresponding meeting agenda. **VERBAL** comments, in their entirety, can be heard by accessing the public comment portion of the meeting recording posted next to the meeting agenda.

Ron Knapp (Nanticoke) commented Verbally regarding CSI and status of prison sites.

Greg Griffin (Swoyersville) commented Verbally regarding the ARP Process, applications, the 5% match and funding for citizens.

Walter Griffith (Trucksville) commented Verbally regarding hiring information and transparency.

Michael Lynch (Plains) commented Verbally regarding job postings, qualifications and the LCCF roof.

Beth Hartman (Hanover Township) commented Verbally regarding shutoff notices from PAWC and LCCF.

Motion to adjourn: Mr. Lombardo

Second: Mr. Bienias

Vote:

Ten (10) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. SJ Urban and Mr. Wolovich

One (1) Nay by Mr. Thornton

Motion Passed (10-1)

Meeting adjourned at 8:21 PM

Respectfully Submitted,

Sharon Lawrence

Clerk of Council

* Audio of this meeting can be found in its entirety on the County Council webpage <http://www.luzernecounty.org/county/luzerne-county-council> or by contacting the Office of the Clerk of Council at (570) 825-1634 or via email to sharon.lawrence@luzernecounty.org