



Luzerne County Council
January 22, 2019
Luzerne County Court House
Council Meeting Room
200 N. River Street
Wilkes-Barre, Pa. 18711

Minutes
January 22, 2019 Voting Session

Call to Order

The Luzerne County Council convened for a Voting Session in the Council Meeting Room of the Luzerne County Courthouse on Tuesday, January 22, 2019, at 6:40 PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Harry Haas
Linda McClosky Houck
Eugene Kelleher
Tim McGinley
Chris Perry
Sheila Saidman, Esq.
Robert Schnee
Jane Walsh Waitkus

Absent

Stephen A. Urban
Matthew Vough

Also Present

C. David Pedri, Esq., County Manager
Shannon Crake Lapsansky, Esq., Assistant County Solicitor
Sharon Lawrence, Clerk of Council

Recognitions/Ceremonial Proclamations

Mr. McGinley introduced Logan Alden Padden who recently obtained the rank of Eagle Scout. Mr. McGinley read a Proclamation from Council and presented it to him.

Mr. McGinley announced there was a proclamation in recognition of the 121st anniversary of the Wilkes-Barre Council 302 of the Knights of Columbus. As a representative was not present, Mr. McGinley stated it would be sent out to them so they may have it for their ceremony and tribute to Past Grand Knight Stephen P. Marko.

Mr. McGinley announced the retirement of Roger Redmond, Security and the retirement of Mark Tomasura, Clerk 3, Prothonotary. Letters of thanks and congratulations will be sent out to them from Council.

Additions to/Deletions from Voting Session Agenda

None

Adoption of Voting Session Agenda

Motion to Adopt: Ms. Waitkus

Second: Ms. Saidman

Vote:

Eight (8) Ayes – Unanimous

The Voting Session Agenda is adopted (8-0)

Public Comment on Voting Session Agenda Items

Walter Griffith (Trucksville) commented on Agenda Items 1 & 2, ordinances amending the Capital Plan, and stated he was in agreement with Ms. Houck on how the ordinances were introduced. Mr. Griffith asked for the particulars on Agenda item 4, the Magni Settlement. Mr. McGinley responded and stated that information would be provided prior to the vote.

Old Business

None

New Business

Motion to adopt minutes of the January 08, 2019 Voting Meeting

Motion by: Mr. Schnee

Second: Ms. Saidman

Vote:

Eight (8) Ayes – Unanimous

Motion Passed (8-0)

The January 08, 2019 Voting Meeting Minutes are Adopted

1. Motion to adopt ordinance amending the Capital Plan Budget for Luzerne County

Motion by: Mr. Schnee

Second: Ms. Saidman

Mr. Haas asked what specific line items it would be earmarked for. Mr. McGinley stated it will go in to the Capital Plan and is not earmarked for anything. Ms. Houck stated there was a line item for it and an amended Capital Plan should be published. Ms. Crake stated it would go to the encumbered funds line item, 194.50.4315.445.10.

Roll Call Vote:

Eight (8) Yes – Unanimous

Ordinance is Adopted (8-0)

2. Motion to adopt ordinance amending the Capital Plan Budget for Luzerne County (911)

Ms. Crake indicated the project number created for 911 in the Capital Plan Budget is 900.01.

Motion by: Mr. Kelleher

Second: Ms. Waitkus

Roll Call Vote:

Eight (8) Yes – Unanimous

Ordinance is Adopted (8-0)

3. Motion to adopt resolution providing prior approval for the execution of Utility Supply Contracts

Motion by: Mr. Kelleher

Second: Mr. Schnee

Roll Call Vote:

Eight (8) Yes – Unanimous

Resolution is Adopted (8-0)

4. Motion to adopt resolution approving the settlement of pending litigation in the matter of Donna Magni v. Luzerne County, et al

Motion by: Ms. Saidman

Second: Ms. Waitkus

Ms. Crake stated the proposed settlement is \$150,000.00 of which approximately \$47,000.00 would be the county's contribution and the rest would be paid by the insurance carrier.

There are no legal fees on top of that. Mr. McGinley and Ms. Crocamo clarified the legal fees. Mr. McGinley noted this was discussed in a late Executive Session last week and will go to trial on the 28th.

Roll Call Vote:

Six (6) Yes by Kelleher, McGinley, Perry, Saidman, Schnee and Waitkus

Two (2) No by Haas and Houck

Resolution is Adopted (6-2)

5. Actions regarding ordinance amending the Luzerne County Zoning Map to re-zone a 2.153 acre parcel of property in Huntington Township from Suburban Residence District (S-1) Zone to Highway Business District (B-3) Zone

5a. Motion to remove from table for consideration

Motion by: Mr. Schnee

Second: Ms. Waitkus

Ms. Crake stated it can be removed from the table for consideration but it can't be voted on tonight because of the Zoning Code requirements that notice must be given to residents and advertised. Mr. Eddy confirmed it must be advertised twice (consecutive weeks) in the newspaper no later than 7 days before the date of the meeting and also be posted. Ms. Crake stated that anyone would have the right to speak during public comment and/or before the vote at that meeting.

Roll Call Vote:

Eight (8) Yes – Unanimous

Motion Passed (8-0)

5b. Ordinance status update

Mr. McGinley stated Mr. Eddy already provided the update. Council can move forward and may choose to have a public hearing but zoning guidelines must be followed. It will most likely be the second meeting in February to allow for the zoning requirements to be met.

6. Motion to adopt resolution declaring a vacancy on the Luzerne County Planning Commission (McLaughlin)

Motion by: Mr. Schnee

Second: Mr. Kelleher

Roll Call Vote:

Eight (8) Yes – Unanimous

Resolution is Adopted (8-0)

7. Motion to adopt resolution accepting the declination of an appointment to the Luzerne County Planning Commission and declaring a vacancy (Kramer)

Motion by: Mr. Kelleher

Second: Mr. Perry

Roll Call Vote:

Eight (8) Yes – Unanimous

Resolution is Adopted (8-0)

8. Authorities, Boards and Commissions Nominations and Appointments to:

8a. Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board (1) term 1/1/19 to 12/31/2021

Motion to Open Nominations by: Mr. Kelleher

Second: Ms. Saidman

Vote: Eight (8) Ayes - Unanimous

Nominations Open

Mr. Kelleher nominated: Todd Hastings

Second: Ms. Saidman

Motion to Close Nominations by: Ms. Houck

Second: Mr. Schnee

Vote: Eight (8) Ayes - Unanimous

Nominations Closed

Roll Call Vote to approve a resolution appointing Todd Hastings to the Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board:

Eight (8) Yes – Unanimous

Resolution is Adopted (8-0)

9. Motion to adopt resolution declaring a vacancy on the Luzerne County Housing Authority

Motion by: Mr. Haas

Second: Mr. Kelleher

Roll Call Vote:

Eight (8) Yes – Unanimous

Resolution is Adopted (8-0)

Public Comment

Jamie Fleming (Pittston) introduced herself and others in her group. She stated she was a Nurse in the OR at General Hospital and they were here representing the Union. She passed out packets to Council and asked Council to read through the material and support them in their contract negotiations with CHS. Ms. Fleming spoke about the contract negotiations and answered questions from Council.

Greg Griffin (Swoyersville) gave Council an update on his committee and the opioid epidemic.

Walter Griffith (Trucksville) asked who the outside attorney was in the Magni litigation, how much the County paid the outside attorney to represent the County and why did we hire an outside attorney. Ms. Crake and Ms. Crocamo responded any cost to the county was the deductible and the insurance company chooses and pays the law firm.

Motion to adjourn: Ms. Waitkus

Second: Mr. Kelleher

Vote:

Eight (8) Ayes – Unanimous

Meeting Adjourned at 7:15PM

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