



**Luzerne County Council
February 09, 2021 Meeting
Video/Teleconference via TEAMS
Minutes**

Call to Order

The Luzerne County Council convened for a Voting Session on February 09, 2021, at 6:13PM via TEAMS Video/Teleconference. The meeting was called to order by Council Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Walter L. Griffith, Jr.
Harry Haas
Linda McClosky Houck
Lee Ann McDermott
Tim McGinley
Chris Perry
Kendra M. Radle
Sheila Saidman, Esq.
Robert Schnee
Stephen J. Urban
Matthew Vough

Also Present

C. David Pedri, Esq., County Manager
Romilda P. Crocamo, Chief County Solicitor
Vito DeLuca, Esq.
Sharon Lawrence, Clerk of Council

Recognitions/Ceremonial Proclamations

Mr. McGinley read a proclamation submitted by the County Cares Commission honoring and thanking Donnie Evans who raised over \$100,000, and Abby Lovallo, an 11-year-old who helped Donnie raise over \$3,000 to secure pop shields for the Nanticoke Police department.

Additions to/Deletions from Voting Session Agenda

Mr. Griffith requested his ordinance amending the Administrative Code be added to the Voting Session for introduction as Item 5. Mr. McGinley stated it would be added.

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. SJ Urban

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Motion Passed (11-0)

The Voting Session Agenda is Adopted

Motions

Motion to suspend Bylaws regarding the requirement a majority of those participating in the meeting must be physically present by: Ms. Houck

Second: Ms. Radle

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Motion to suspend Bylaws regarding the conduct of public meetings to the extent that the current format is inconsistent with the term of the State's Emergency Declaration by: Ms. Radle

Second: Mr. Vough

Vote:

Ten (10) Ayes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

One (1) Nay by Mr. Griffith

Motion Passed (10-1)

Public Comment on Agenda Items

Due to COVID-19 all meetings are currently held via Video/Teleconference.

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Mark Rabo (Hazleton) commented Verbally regarding the ordinance regarding Community Development funds for rental assistance and the ordinance to amend the Administrative Code.

Ron Knapp (Nanticoke) commented Verbally regarding the Tax Collectors and credit card payments.

Richard Manta (Back Mountain) commented Verbally regarding Tax Collectors.

1. Motion to adopt minutes of the January 26, 2021 Voting Session

Motion by: Ms. Radle

Second: Ms. Saidman

Vote:

Nine (9) Ayes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Two (2) Nays by Mr. Griffith and Mr. SJ Urban

Motion Passed (9-2)

The January 26, 2021 Voting Session Minutes are Adopted

Old Business

None

Agenda Items

1. Motion to adopt ordinance Amending the Luzerne County Zoning Map to Re-Zone One Parcel of Property totaling 1.54 acres in Ross Township from B-1, Neighborhood Business District Zone to A-1, Agriculture District Zone

Motion by: Mr. SJ Urban

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

2. CARES Funding and Cyber-Attack Reimbursement Email, Agenda Submittal and PFM Information

ORDINANCES AUTOMATICALLY INTRODUCED

2a. Introduction of ordinance Amending the 2020 Fiscal Year Budget for Luzerne County (Capital Funds)

Mr. SJ Urban suggested the Cyber Attack funds and the Cares funds be separated and identified as such when placed in the line item.

Motion to amend the ordinance and place the Cyber Attack funds into the

Capital Plan by: Ms. Houck

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Amended and Introduced

2b. Introduction of ordinance Amending the 2020 Fiscal Year Budget for Luzerne County (Reserve Funds)

Motion to amend the ordinance and place the Cares funds into the

Reserve by: Ms. Houck

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Amended and Introduced

2c. Introduction of ordinance Amending the 2021 Fiscal Year Budget for Luzerne County (Debt Service)

Motion to amend the ordinance and apply the Federal & State funds for the voting machines to Debt Service by: Ms. Houck

Second: Mr. Haas

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Amended and Introduced

Attorney DeLuca commented on the Executive Session and stated Council met in Executive Session via TEAMS from 5:15 to 6:05 and received a report from the Office of Law regarding potential litigation and collective bargaining. No deliberation took place and no decisions were made.

3. Introduction of ordinance Amending the 2021 Fiscal Year Budget for Luzerne County (Community Development)

Motion by: Ms. Radle

Second: Mr. Perry

Mr. SJ Urban noted the budget ordinance should be automatically introduced and did not require a vote.

Ms. Radle and Mr. Perry withdrew their motions.

Ordinance is Automatically Introduced

4. Motion to adopt resolution Setting Compensation Rates for Elected Tax Collectors and Home Rule Municipalities for the Billing and Collecting of Luzerne County Taxes Effective January 1, 2022

Motion by: Mr. Schnee

Second: Mr. Perry

Mr. Haas would like make an amendment. He would like to strike out the 6th WHEREAS paragraph and replace it with “the Luzerne County Council desires to save taxpayers money and collect county taxes in house.” and remove the NOW, THEREFORE BE IT RESOLVED paragraph and replace it with “the Luzerne County Treasurer’s Office shall collect all county taxes for Non Home Rule municipalities.”

Motion by: Mr. Haas

Second: Mr. Griffith

Roll Call Vote:

Four (4) Yes by Mr. Griffith, Mr. Haas, Ms. Houck and Ms. McDermott

Seven (7) No by Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

Motion to Amend Failed (4-7)

Mr. Griffith would like to amend the compensation rates to:

2022: \$2.50 per collected bill

2023: \$2.50 per collected bill

2024: \$2.60 per collected bill

2025: \$2.60 per collected bill

Motion by: Mr. Griffith

Second: Ms. Radle

Roll Call Vote:

Six (6) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Ms. Radle and Mr. SJ Urban

Five (5) No by Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion to Amend Passed (6-5)

Mr. Griffith would like to amend the paragraph “All Municipal Elected Tax Collectors shall open a separate non-interest bearing bank account....” to include the County EIN number.

Motion by: Mr. Griffith

Second: Ms. Houck

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion to Amend Passed (11-0)

Mr. Griffith would like to place \$1,000.00 as the penalty amount in the blank in item 6.

Motion by: Mr. Griffith

Second: Mr. Haas

Roll Call Vote:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

One (1) No by Mr. McGinley

Motion to Amend Passed (10-1)

Mr. Griffith would like to amend the resolution by adding “any additional costs for appointing and maintaining of a Deputy Tax Collector shall be paid by the Tax Collector. If the municipality or surety company does not authorize a Deputy Tax Collector, the County Manager, or his/her designee, shall be added as an alternative signatory on the bank account utilized by the Tax Collector.”

Motion by: Mr. Griffith

Second: Mr. Haas

Motion to Table the Motion: Mr. Schnee

Second: Ms. Saidman

Motion to Table the Resolution: Mr. Schnee

After discussion, Mr. Schnee withdrew his motion to table the resolution.

After further discussion it was determined a motion cannot be tabled.

Mr. Schnee and Ms. Saidman then withdrew their motions to table the motion.

Roll Call Vote:

Five (5) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott and Mr. SJ Urban

Six (6) No by Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion to Amend Failed (5-6)

Ms. Saidman would like to change her vote on the \$1,000.00 penalty from a Yes to a No. After discussion, it was determined that the vote was called and cannot be changed but would be reflected in the minutes.

Mr. Griffith would like to see the cost of any increase in bond due to the addition of the Deputy Tax Collector identified and the responsibility for the same specified in the resolution. After discussion, the amendment read “The cost of the surety bond for the appointed Deputy Tax Collector for the Luzerne County Tax District will be borne by the elected Tax Collector.”

Motion by: Mr. Griffith

Second: Ms. Radle

Roll Call Vote:

Nine (9) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. SJ Urban and Mr. Vough

Two (2) No by Mr. McGinley and Mr. Schnee

Motion to Amend Passed (9-2)

Roll Call Vote to Adopt Resolution with Amendments:

Nine (9) Yes by Mr. Griffith, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

Two (2) No by Mr. Haas and Ms. Houck

Motion Passed (9-2)

Resolution is Adopted

ADDED ITEM

5. Motion to introduce ordinance Amending the Administrative Code at Section 2.10 – Luzerne County Authorities, Boards and Commissions

Motion by: Mr. Griffith

Second: Mr. SJ Urban

Roll Call Vote:

Four (4) Yes by Mr. Griffith, Mr. Haas, Ms. Houck and Mr. SJ Urban

Seven (7) No by Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion Passed (4-7)

Ordinance is Introduced

Ms. Houck noted that the Election Board is advertising for a new Chair and Council needs to declare a vacancy first. Mr. McGinley responded that Ms. Tait specified a resignation date and a vacancy cannot be declared until that date. Mr. McGinley also stated he will contact Mr. Ouellette to make sure he is aware a vacancy must be declared first in order to proceed.

Mr. Griffith asked for an update on the \$5.00 Fee. Attorney Crocamo stated she will look into it and provide an update.

Mr. Griffith asked for an update on codification. Mr. McGinley responded.

Public Comment on Agenda Items

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Mark Rabo (Hazleton) commented Verbally regarding Authorities, Tax Collectors and the Election Inquiry Committee.

Ron Knapp (Nanticoke) commented Verbally regarding the Evans-Lovallo proclamation, the proclamation process and Tax Collectors.

Richard Manta (Back Mountain) commented Verbally regarding Tax Collectors, the Community Development ERA, tax penalties and the Election Inquiry Committee.

Mr. McGinley Public Comment Emails from:

- Daniel Marrigi
- Denise Williams

Mr. McGinley announced the composition of the Transportation Authority Consolidation Committee:

- LeAnn McDermott, Chair
- Robert Schnee, Vice-Chair
- Kendra Radle

Adjournment

Motion to Adjourn: Ms. Radle

Second: Mr. Schnee

Vote:

Eleven (11) Ayes – Unanimous

Meeting Adjourned at 9:45PM

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