



**Luzerne County Council**  
February 13, 2018  
Luzerne County Court House  
Council Meeting Room  
200 N. River Street  
Wilkes-Barre, Pa. 18711

**Minutes**  
**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, February 13, 2018 at 6:01 PM. The meeting was called to order by Chair Tim McGinley.

**Pledge of Allegiance and Moment of Silence**

**Roll Call**

**Present**

Edward A. Brominski  
Harry Haas  
Linda McClosky Houck  
Eugene Kelleher  
Tim McGinley  
Chris Perry  
Sheila Saidman, Esq.  
Robert Schnee  
Stephen A. Urban  
Matthew Vough (via phone)  
Jane Walsh Waitkus

**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 presented a proclamation to the Luzerne County EMA in recognition of their service during a recent river ice event. Lucy Morgan and her team were present to accept the proclamation. Ms. Morgan introduced her staff, spoke about the event and thanked Council. Count Manager David Pedri also commended Lucy and her team.

Mr. Kelleher spoke about a proclamation he presented on behalf of Council to Margaret Roberts Nesbitt in honor of her 100<sup>th</sup> birthday.

Mr. McGinley announced Kevin Gallagher, Captain; Bruce Lykon, Correctional Officer; James Edwards, Corporal; and Betty Quinn, Correctional Officer, retired from the Luzerne County Correctional Facility. Letters of thanks and congratulations will be sent out to each of them from Council.

**Mr. Crake announced there was an Executive Session prior to the Meeting regarding litigation matters, specifically Lacey v. Chacke v. Area Agency on Aging and Cody v. Luzerne County. Chief Solicitor Crocamo gave a status update of all pending litigation.**

### **Additions to/Deletions from Voting Session Agenda**

None

### **Adoption of Voting Session Agenda**

**Motion to Adopt:** Mr. Kelleher

**Second:** Ms. Waitkus

**Vote:**

Eleven (11) Ayes – Unanimous

**The Voting Session Agenda is adopted (11-0)**

### **Public Comment on Voting Session Agenda Items**

**Brian Shiner (Kingston)** commented on the Lease Agreement between Luzerne/Wyoming Counties Area Agency on Aging and Greater Hazleton Senior Center Services, Inc. for the Hazleton Active Adult Center. He stated it was signed by Dominic Yannuzzi who also serves on the Flood Protection Authority. Mr. Shiner stated that Council needs to look at the Charter and the Ethics Code regarding this before taking action on the Lease Agreement.

**Charles Olah (Kingston)** Mr. Olah noted the New World contract expired at the end of 2017 and questioned if there was a renewal? He also wanted to see a list of bidders for the payroll RFP.

**Ed Chesnovitch (Jackson Township)** commented on Old Business. Mr. Chesnovitch stated he asked how many have taken the Oath. Mr. McGinley provided information to him regarding the Oaths and pointed out that a procedure for taking the Oath is on the County Website.

## **Old Business**

None

## **New Business**

### **1. Motion to approve minutes of January 23, 2018 meeting**

**Motion by:** Ms. Waitkus

**Second:** Mr. Schnee

**Vote:**

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

Two (2) Nays by Mr. Brominski and Mr. Stephen A. Urban

**Motion Passed (9-2)**

**The January 23, 2018 Voting Meeting Minutes are Adopted**

### **2. Motion to adopt resolution authorizing the County Manager to execute a Lease Agreement between Luzerne/Wyoming Counties Area Agency on Aging and Greater Hazleton Senior Center Services, Inc. for the Hazleton Active Adult Center**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

### **3. Motion to adopt resolution approving the settlement of pending litigation in the matter of Tyler Price v. County of Luzerne, et al. Inc.**

**Motion by:** Mr. Schnee

**Second:** Mr. Perry

**Roll Call Vote:**

Nine (9) Yes by Mr. Haas, Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

Two (2) No by Mr. Brominski and Mr. Stephen A. Urban

**Resolution is Adopted (9-2)**

### **4. Motion to adopt resolution authorizing the County Manager to execute an Emergency Communication Tower License Agreement with the Hazleton City Authority regarding a tower location located off of Arthur Gardner Hwy, Hazleton City**

**Motion by:** Ms. Waitkus

**Second:** Mr. Stephen A. Urban

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**5. Council Member Nominations and Appointments:**

**5a. Motion to adopt resolution appointing a County Council Member to the Greater Hazleton CAN DO Board of Directors**

**Motion to Open Nominations by:** Mr. Haas

**Second:** Mr. Kelleher

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Schnee nominated:** Chris Perry

**Second:** Mr. Kelleher

**Motion to Close Nominations by:** Mr. Brominski

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Roll Call Vote to adopt a resolution appointing Chris Perry to the Greater Hazleton CAN DO Board of Directors:**

Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**6. Boards & Commissions Nominations and Appointments:**

**6a. Luzerne County Board of Elections and Registration;**

**6a-1. (Democrat) term 1/1/18 to 12/31/2021)**

**Motion to Open Nominations by:** Mr. Kelleher

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Schnee nominated:** Peter Ouellette

**Second:** Mr. Brominski

**Motion to Close Nominations by:** Mr. Haas

**Second:** Mr. Kelleher

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Peter Ouellette (Democrat) to the Luzerne County Board of Elections and Registration for a term 1/1/18 to 12/31/2021 by:** Ms. Saidman

**Second:** Mr. Brominski

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**6b. Luzerne/Wyoming Counties Area Agency on Aging Advisory Board;**

**6b-1. term 1/1/18 to 12/31/2020)**

**Mr. Schnee nominated:** Charlotte Kitler

**Second:** Mr. Perry

**Motion to adopt resolution appointing Charlotte Kitler to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board for a term 1/1/18 to 12/31/2020 by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:** Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**6b-2. term 1/1/18 to 12/31/2018)**

**Mr. Schnee nominated:** Dominick Trombetta

**Second:** Ms. Waitkus

**Motion to adopt resolution appointing Dominick Trombetta to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board for a term 1/1/18 to 12/31/2018**

**by:** Ms. Saidman

**Second:** Ms. Waitkus

**Roll Call Vote:** Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**6b-3. term 1/1/18 to 12/31/2018)**

**Mr. Schnee nominated:** Patrice Shutt

**Second:** Mr. Kelleher

**Motion to adopt resolution appointing Patrice Shutt to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board for a term 1/1/18 to 12/31/2018 by:** Mr. Kelleher

**Second:** Ms. Waitkus

**Roll Call Vote:** Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**6b-4. term 1/1/18 to 12/31/2018)**

**Mr. Schnee nominated:** Patricia Besermin

**Second:** Mr. Perry

**Motion to adopt resolution appointing Patricia Besermin to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board for a term 1/1/18 to 12/31/2018**

**by:** Mr. Kelleher

**Second:** Mr. Schnee

**Roll Call Vote:** Eleven (11) Yes – Unanimous

**Resolution is Adopted (11-0)**

**7. Authorities Nominations and Appointments:**

**7a. Luzerne County Housing Authority**

**7a-1. (Resident) term 1/1/18 to 12/31/2022)**

**Motion to Table by:** Ms. Houck

**Second:** Mr. Brominski

**Vote:** Eleven (11) Ayes – Unanimous

**Item is Tabled (11-0)**

**Motion to close nominations for all appointments by:** Mr. Haas

**Second:** Mr. Kelleher

**Vote:** Eleven (11) Ayes – Unanimous

### **Public Comment**

**Brian Shiner (Kingston)** stated Council is in violation of the Ethics Code by approving the Lease Agreement between Luzerne/Wyoming Counties Area Agency on Aging and Greater Hazleton Senior Center Services, Inc. for the Hazleton Active Adult Center and cited the section. Mr. Shiner feels Council should rescind their decision before adjourning the meeting.

**Ed Chesnovitch (Jackson Township)** agreed with Mr. Shiner and wanted to know if Council was going to act and rescind their decision on the contract. Mr. Chesnovitch would like Old Business listed on the agenda. Mr. McGinley responded Old Business has been on the agendas. Mr. Chesnovitch stated there were no items listed and Mr. McGinley stated he has items he wrote down and will cover.

**Following Public Comment, Ms. Crake stated the Solicitors Office could take another look at the Lease Agreement between Luzerne/Wyoming Counties Area Agency on Aging and Greater Hazleton Senior Center Services, Inc. for the Hazleton Active Adult Center if Council so desired.**

**A motion was made to reconsider the resolution authorizing the County Manager to execute a Lease Agreement between Luzerne/Wyoming Counties Area Agency on Aging and Greater Hazleton Senior Center Services, Inc. for the Hazleton Active Adult Center**

**by:** Mr. Stephen A. Urban

**Second:** Ms. Houck

**Vote:** Eleven (11) Ayes – Unanimous

**Resolution is Reconsidered (11-0)**

**Motion to Table Resolution by:** Ms. Houck

**Second:** Mr. Kelleher

**Vote:** Eleven (11) Ayes – Unanimous

**Resolution is Tabled (11-0)**

**Motion to adjourn:** Mr. Haas

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes – Unanimous

**Meeting Adjourned at 6:44 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](mailto:sharon.lawrence@luzernecounty.org)