



Luzerne County Council
February 25, 2020
Luzerne County Court House
Council Meeting Room
200 N. River Street
Wilkes-Barre, Pa. 18711

Minutes
February 25, 2020 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 February 25, 2020 at 5:30 PM. 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
Vito DeLuca, Esq.
Sharon Lawrence, Clerk of Council

Recognitions/Ceremonial Proclamations

Mr. McGinley announced the retirements of William Finnegan, Asst. District Attorney, District Attorneys' Office and Michael J. Luchetti, Corrections Officer, LCCF. Letters of thanks and congratulations will be sent out to them from Council,

State of the County Report

Manager Pedri provided Council with a handout of his presentation. He covered highlights, discussed the report and answered questions from Council. The report will be available online.

Vito DeLuca stated Council was in Executive Session from 5:00-5:15 where they received a report from Administration. No deliberation took place and no decisions were made.

Additions to/Deletions from Voting Session Agenda

ADDITIONS:

Mr. Griffith would like to move Work Session Item 9 (resolution transferring 2020 Adopted Budget Funds from Account 510.16 for Merit Raises) to the Voting Session Agenda.

Motion by: Mr. Griffith

Second: Ms. Houck

Vote:

Eleven (11) Ayes - Unanimous

Motion Passed (11-0)

Work Session Item 9 is Added to the Voting Agenda

Mr. McGinley stated it would be added to the Voting Agenda as Item 9.

Mr. Griffith would like to move Work Session Item 8 (resolution to seek a Declaratory Statement from the Court of Common Pleas regarding Luzerne County Home Rule Charter Section 8.04-Board of Elections and Registration (H)) to the Voting Session Agenda.

Motion by: Mr. Griffith

Second: Ms. Houck

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Work Session Item 8 is Added to the Voting Agenda

Mr. McGinley stated it would be added to the Voting Agenda as Item 8.

DELETIONS:

Mr. Griffith would like to remove Voting Session Item 4 (resolution approving the sales of certain parcels of property held in repository by Northeast Revenue Services, LLC acting as the Luzerne County Tax Claim Bureau) from the Voting Session Agenda.

Motion by: Mr. Griffith

Second: Mr. Stephen J. Urban

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Item is Removed from the Voting Agenda

Mr. Haas would like to move deleted Voting Session Item 4 (resolution approving the sales of certain parcels of property held in repository by Northeast Revenue Services, LLC acting as the Luzerne County Tax Claim Bureau) to the Work Session Agenda.

Motion by: Mr. Haas

Second: Mr. Griffith

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Deleted Voting Session Item 4 is Added to the Work Session

Mr. McGinley stated it would be added to the Voting Agenda as Item 8.

Adoption of Voting Session Agenda

Motion to Adopt Agenda by: Mr. Vough

Second: Mr. Perry

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

The Voting Session Agenda is Adopted

Public Comment on Voting Session Agenda Items

Anthony Paglianite (Avoca) spoke about the \$5.00 Fee.

Mark Rabo (Hazleton) spoke about the \$5.00 Fee.

Richard Manta (Back Mountain) spoke about the \$5.00 Fee, Mr. DeLuca and the WVSA Injunction.

Ronald Knapp (Nanticoke) spoke about the \$5.00 Fee and the County Credit Rating.

Brian Shiner (Kingston) spoke about the \$5.00 Fee.

Brian Dwyer (Larksville) spoke about the \$5.00 Fee.

John Newman (Nanticoke) spoke about the \$5.00 Fee.

Jason Carr (Saylorsburg) spoke about the \$5.00 Fee.

1. Motion to adopt minutes of the February 11, 2020 Voting Session

Motion by: Mr. Haas

Second: Ms. Saidman

Mr. Griffith would like to amend the minutes to reflect the verbatim opinion of the Solicitor regarding the Board of Elections appointment.

Motion by: Mr. Griffith

Second: Mr. Stephen J. Urban

Vote to Amend Minutes:

Four (4) Ayes Mr. Griffith, Mr. Haas, Ms. Houck and Mr. Stephen J. Urban
Seven (7) Nays by Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman,
Mr. Schnee and Mr. Vough

Motion Failed (4-7)

Vote to Adopt Minutes:

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. Stephen J. Urban

Motion Passed (9-2)

The February 11, 2020 Voting Session Minutes are Adopted

Old Business

Walter Griffith presented questions regarding:

- Campaign Finance Reports
- ACE Chair and Report to Council
- Codification
- Oaths of Office not Recorded
- Distribution of New World Training Recording
- \$34M Bond in New World

2. Motion to adopt resolution approving the settlement of pending litigation in the Brizzy v. Luzerne County Children and Youth Services, et al.

Motion by: Mr. Schnee

Second: Ms. Saidman

Ms. Crocamo spoke about the Settlement.

Roll Call Vote:

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

One (1) Nay by Mr. Griffith

Motion Passed (10-1)

Resolution is Adopted

3. Motion to adopt resolution approving the settlement of pending litigation in the matter of Estate of Trisha Cooper v. Luzerne County Correctional Facility

Motion by: Ms. Saidman

Second: Ms. Radle

Ms. Crocamo spoke about the Settlement.

Roll Call Vote:

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

One (1) Nay by Mr. Griffith

Motion Passed (10-1)

Resolution is Adopted

DELETED AND MOVED TO WORK SESSION

4. ~~Motion to adopt resolution approving the sales of certain parcels of property held in repository by Northeast Revenue Services, LLC acting as the Luzerne County Tax Claim Bureau~~

5. Motion to adopt resolution acknowledging the Appointment of a Member of the County Retirement System to the Retirement Board

Motion by: Ms. Radle

Second: Mr. Stephen J. Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

6. Motion to introduce ordinance creating the County Cares Commission (Vough)

Motion by: Ms. Radle

Second: Mr. Vough

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

7. Motion to adopt ordinance amending Luzerne County Ordinance No. 2018-04 regarding the Implementation of a Fee for Local Use as Provided by 75 Pa.C.S. §1935

Motion by: Mr. Stephen J. Urban

Second: Mr. Haas

Mr. Stephen J. Urban would like to replace his previous ordinance with a revised copy that correctly sunsets the fee instead of repealing the fee.

Mr. McGinley confirmed the motions made stand.

Mr. Schnee would like to amend the Ordinance and change the termination date from December 31, 2020 to December 31, 2021.

Motion by: Mr. Schnee

Second: Ms. Radle

Roll Call Vote to Amend Ordinance:

Seven (7) Yes by Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Four (4) No by Mr. Griffith, Mr. Haas, Ms. Houck and Mr. Stephen J. Urban

Motion Passed (7-4)

Ordinance is Amended

Roll Call Vote to Adopt Ordinance:

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

One (1) Nay by Mr. Stephen J. Urban

Motion Passed (10-1)

Ordinance is Adopted

ITEM ADDED

8. Motion to adopt resolution to seek a Declaratory Statement from the Court of Common Pleas regarding Luzerne County Home Rule Charter Section 8.04-Board of Elections and Registration (H)

Motion by: Mr. Griffith

Second: Mr. Stephen J. Urban

After discussion, Mr. Griffith and Mr. Stephen J. Urban withdrew their motions.

No further action was taken.

ITEM ADDED

9. Discussion regarding resolution transferring 2020 Adopted Budget Funds from Account 510.16 for Merit Raises

Motion by: Ms. Houck

Second: Mr. Stephen J. Urban

Mr. Pedri stated that Administration supports but there is an issue with the numbers.

Mr. Swetz reviewed the timeline for implementing the raises, dollar amounts and source of funds. The only portion that is General Fund is \$6,957.77

Mr. McGinley would like to amend the resolution and change the amount of \$56,595.05 to \$6,957.77.

Motion by: Mr. McGinley

Second: Mr. Perry

Roll Call Vote to Amend Resolution:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Amended

Roll Call Vote to Adopt Resolution:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Public Comment:

Richard Manta (Back Mountain) commented on monies received from tax revenue and monies in various funds. He also questioned who is required to pay the \$5.00 Fee.

Mark Rabo (Hazleton) spoke about the \$5.00 Fee.

Anthony Paglianite (Avoca) spoke about the \$5.00 Fee.

Ronald Knapp (Nanticoke) commented on Road & Bridge surplus supplies and funds.

Brian Dwyer (Larksville) spoke about the \$5.00 Fee and the “Rain Tax”.

John Newman (Nanticoke) commented on the Election Board appointments and potential issues.

Jason Carr (Saylorsburg) commented on road repairs, an automobile purchase (District Attorney) and purchasing repository properties and assessed values.

Stephen J Urban pointed out other dates in the \$5.00 Fee Resolution were not changed and questioned if they should be updated. After discussion, all other dates will remain the same.

Walter Griffith spoke about assessments and Real Estate Law.

Mr. McGinley announced Ms. Saidman will replace Mr. Perry on the Strategic Initiatives Committee and Mr. Perry will replace Ms. Saidman on the Real Estate Committee.

Motion to Adjourn: Mr. Schnee

Second: Ms. Saidman

Vote:

Eleven (11) Ayes – Unanimous

Meeting Adjourned at 7:43PM

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