



Luzerne County Council
February 26, 2019
Luzerne County Court House
Council Meeting Room
200 N. River Street
Wilkes-Barre, Pa. 18711

Minutes
February 26, 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, February 26, 2019, at 6:15 PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Patrick M. Bilbow
Harry Haas
Linda McClosky Houck
Eugene Kelleher
Tim McGinley
Chris Perry
Sheila Saidman, Esq.
Robert Schnee
Stephen A. Urban
Matthew Vough
Jane Walsh Waitkus

Also Present

Shannon Crake Lapsansky, Esq., Assistant County Solicitor
Sharon Lawrence, Clerk of Council

Absent

C. David Pedri, Esq., County Manager

Recognitions/Ceremonial Proclamations

Mr. McGinley read and presented a proclamation to Karen Saunders, President, Northeast Regional Cancer Institute in recognition of the 16th annual C.A.S.U.A.L. (Colon Cancer Awareness Saves Unlimited Adult Lives) Day to increase colon awareness throughout Northeastern Pennsylvania. After accepting the proclamation, Ms. Saunders spoke briefly about C.A.S.U.A.L. Day, the Northeast Regional Cancer Institute and their colon cancer awareness efforts.

Mr. McGinley announced the retirements of:

Angela P. Grasso, Case Manager 2, Area Agency on Aging

Janet Hall, Executive Director, Convention and Visitors Bureau

Nicholas Veet, Lead Worker, Building and Grounds

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: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

The Voting Session Agenda is adopted (11-0)

Shannon Crake stated there was an Executive Session held prior to the meeting regarding personnel matters.

Public Comment on Voting Session Agenda Items

The following residents spoke in opposition of the Huntington Township rezoning ordinance:

Tamsie Oliveri (Huntington Township)

Kent Straub (Shickshinny)

George Schuckers (Huntington Mills)

Marion Hidlay (Huntington Mills)

James Thomas (Huntington Township)

All had similar concerns regarding decreased property values, additional noise, cars, high traffic, run-off, and lighting coming from the Dollar General. They indicated they offered to purchase the property from the Fire Hall in order to keep it residential. They answered questions from Council and asked Council not to approve the rezoning ordinance.

Attorney Francis J. Hoegen stated there was a miscommunication about being on the agenda (he thought they were on it tonight and they are not) so he formally requested to be placed on the March 12th agenda regarding a LERTA. Mr. McGinley confirmed he would be on the March 12th Work Session.

Old Business

None

New Business

Motion to adopt minutes of the February 19, 2019 Voting Meeting

Motion by: Mr. Kelleher

Second: Mr. Perry

Vote:

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

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

One (1) Abstention by Mr. Bilbow

Motion Passed (9-1) with (1) Abstention

The February 19, 2019 Voting Meeting Minutes are Adopted

1. Motion to introduce ordinance amending the Luzerne County Zoning Map to re-zone a 0.70 acre parcel of property in Union Township from Construction District (C-1) Zone to a Highway Business District (B-3) Zone

Motion by: Ms. Houck

Second: Mr. Kelleher

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

One (1) No by Mr. Stephen A. Urban

One (1) Abstention by Mr. Bilbow

Ordinance is Introduced (9-1) with (1) Abstention

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

Motion by: Ms. Saidman

Second: Mr. McGinley

Roll Call Vote:

Ten (10) No by Mr. Haas, Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Stephen A. Urban, Mr. Vough and Ms. Waitkus

One (1) Abstention by Mr. Bilbow

Ordinance Failed (10-0) with (1) Abstention

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

3a. Luzerne County Board of Elections and Registration (1) to complete a term to 1/24/2020

Motion to Open Nominations by: Mr. Kelleher

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Schnee nominated: James Wills
Second: Ms. Waitkus
Ms. Houck nominated: Diane Dreier
Second: Mr. Stephen A. Urban
Motion to Close Nominations by: Ms. Saidman
Second: Mr. Kelleher

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Roll Call Vote (1 name):

Mr. Bilbow: Abstained

Mr. Haas: Wills

Ms. Houck: Dreier

Mr. Kelleher: Wills

Mr. McGinley: Wills

Mr. Perry: Wills

Ms. Saidman: Dreier

Mr. Schnee: Wills

Mr. Stephen A. Urban: Dreier

Mr. Vough: Wills

Ms. Waitkus: Wills

Results:

Wills 7

Dreier 3

Abstentions 1

Motion to adopt a resolution appointing James Wills to the Luzerne County Board of Elections and Registration to complete a term to 1/24/2020 by: Mr. Stephen A. Urban

Second: Ms. Saidman

Roll Call Vote:

Ten (10) Yes by Mr. Haas, Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Stephen A. Urban, Mr. Vough and Ms. Waitkus

One (1) Abstention by Mr. Bilbow

Resolution is Adopted (10-0) with (1) Abstention

3b. Luzerne County Convention and Visitors Bureau Board of Directors (2) terms to 12/31/2022

Motion to Open Nominations by: Mr. Kelleher

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. Waitkus nominated: Justin Pekarovsky

Second: Mr. Kelleher

Mr. Stephen A. Urban nominated: Bob Borwick

Second: Ms. Saidman

Mr. Haas nominated: Lois Komensky

Second: Mr. Stephen A. Urban

Mr. McGinley stated since no further names were available for nomination it was not necessary to continue with nominations.

Nominations Closed

Roll Call Vote (2 names):

Mr. Bilbow: Abstained

Mr. Haas: Borwick, Komensky

Ms. Houck: Borwick, Komensky

Mr. Kelleher: Borwick, Pekarovsky

Mr. McGinley: Borwick, Pekarovsky

Mr. Perry: Borwick, Pekarovsky

Ms. Saidman: Borwick, Pekarovsky

Mr. Schnee: Borwick, Pekarovsky

Mr. Stephen A. Urban: Borwick, Komensky

Mr. Vough: Borwick, Pekarovsky

Ms. Waitkus: Borwick, Pekarovsky

Results:

Borwick 10

Pekarovsky 7

Komensky 3

Abstentions 2

Motion to adopt a resolution appointing Bob Borwick to the Luzerne

County Convention and Visitors Bureau Board of Directors by: Mr. Kelleher

Second: Mr. Stephen A. Urban

Roll Call Vote:

Ten (10) Yes by Mr. Haas, Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Stephen A. Urban, Mr. Vough and Ms. Waitkus

One (1) Abstention by Mr. Bilbow

Resolution is Adopted (10-0) with (1) Abstention

Motion to adopt a resolution appointing Justin Pekarovsky to the Luzerne

County Convention and Visitors Bureau Board of Directors by: Ms. Waitkus

Second: Mr. Stephen A. Urban

Roll Call Vote:

Ten (10) Yes by Mr. Haas, Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Stephen A. Urban, Mr. Vough and Ms. Waitkus

One (1) Abstention by Mr. Bilbow

Resolution is Adopted (10-0) with (1) Abstention

3c. Luzerne County Planning Commission (1) term to 12/31/2022

Motion to Open Nominations by: Mr. Vough

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Vough nominated: William Kane

Second: Mr. Schnee

Motion to Close Nominations by: Mr. Vough

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing William Kane to the Luzerne County Planning Commission for a term to 12/31/2022 by: Mr. Stephen A. Urban

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

3d. Luzerne County Recreational Facilities Advisory Board (2) terms to 12/31/2021

Motion to Open Nominations by: Ms. Houck

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Schnee nominated: Lois Komensky

Second: Mr. Vough

Mr. Haas nominated: Joseph Czarnecki

Second: Mr. Stephen A. Urban

Motion to Close Nominations by: Mr. Vough

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing Joseph Czarnecki to the Luzerne County Recreational Facilities Advisory Board for a term to 12/31/2021 by: Mr. Kelleher

Second: Mr. Stephen A. Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

Motion to adopt a resolution appointing Lois Komensky to the Luzerne County Recreational Facilities Advisory Board for a term to 12/31/2021 by: Ms. Saidman

Second: Mr. Stephen A. Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

3e. Luzerne County Workforce Investment Board (1) term to 12/31/2022

Motion to Open Nominations by: Mr. Kelleher

Second: Mr. Perry

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Kelleher nominated: Michelle Mikitish
Second: Mr. Vough
Motion to Close Nominations by: Ms. Houck
Second: Mr. Vough

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing Michelle Mikitish to the Luzerne/Schuylkill Workforce Investment Board for a term to 12/31/2022 by: Ms. Saidman

Second: Mr. Stephen A. Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

3f. Luzerne/Wyoming Counties Area Agency on Aging Advisory Board (2) terms to 12/31/2021

Motion to Open Nominations by: Ms. Houck

Second: Mr. Stephen A. Urban

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Schnee nominated: Eddie Day Pashinski

Second: Mr. Kelleher

Mr. Stephen A. Urban made a motion to request an opinion from the State Ethics Commission regarding Mr. Pashinski's eligibility to serve on a Luzerne County Authority, Board or Commission as he is an elected official.

Second: Mr. Haas

Mr. Schnee rescinded his nomination.

Mr. Kelleher rescinded his second.

Ms. Crake noted the request must be made by Eddie Day Pashinski.

Mr. Kelleher nominated: William Lewis

Second: Mr. Stephen A. Urban

Motion to Close Nominations by: Mr. Kelleher

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing William Lewis to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board for a term to 12/31/2021 by: Mr. Stephen A. Urban

Second: Mr. Kelleher

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

3g. Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board (1) term to 12/31/2021

Motion to Open Nominations by: Mr. Kelleher

Second: Ms. Houck

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Kelleher nominated: Dr. Carl Charnetski

Second: Ms. Saidman

Motion to Close Nominations by: Mr. Vough

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing Dr. Carl Charnetski to the Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board for a term to 12/31/2021 by: Mr. Stephen A. Urban

Second: Mr. Kelleher

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

3h. Northeastern Pennsylvania Health & Higher Education Authority (1) term to 12/31/2023

Motion to Open Nominations by: Mr. Stephen A. Urban

Second: Mr. Perry

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Kelleher nominated: Joseph Donahue

Second: Mr. Stephen A. Urban

Motion to Close Nominations by: Mr. Vough

Second: Mr. Schnee

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt a resolution appointing Joseph Donahue to the Northeastern Pennsylvania Health & Higher Education Authority for a term to 12/31/2023 by: Mr. Stephen A. Urban

Second: Mr. Vough

Roll Call Vote:

Eleven (11) Yes – Unanimous

Resolution is Adopted (11-0)

Public Comment

Brian Shiner (Kingston) commented on the county issue regarding Ms. Crispell, Solicitor Mike Butera and Dave Parsnik. He stated the newspaper reported there was an Executive Session at which the investigation would be discussed. Mr. Shiner stated that a discussion regarding personnel would only apply to the Clerk of Council Ms. Lawrence and County Manager Mr. Pedri and not an employee of the Executive Branch. He cited sections from the Charter regarding the same. Mr. Shiner wanted to know who was paying for Ms. Crispell's private counsel and questioned a request that Solicitor Crocamo responded to representing Luzerne County. Ms. Crocamo responded regarding the Auditor General question and confirmed the County was not paying for Ms. Crispell's private attorney.

Motion to Adjourn: Mr. Kelleher

Second: Mr. Stephen A. Urban

Vote:

Eleven (11) Ayes - Unanimous

Meeting Adjourned at 7:15 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