



Luzerne County Council
February 27, 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 27, 2018 at 6:01 PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Mr. McGinley asked everyone to remember the families of the Parkland tragedy.

Roll Call

Present

Edward A. Brominski
Linda McClosky Houck
Eugene Kelleher
Tim McGinley
Chris Perry
Sheila Saidman, Esq.
Robert Schnee
Matthew Vough
Jane Walsh Waitkus

Absent

Harry Haas
Stephen A. Urban

Also Present

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

Recognitions/Ceremonial Proclamations

none

Additions to/Deletions from Voting Session Agenda

Ms. Houck requested a Vote be added regarding participation in the Work Group related to the proposed Plains Twp. TIF. Mr. McGinley stated it would be added as Item 9a.

Adoption of Voting Session Agenda

Motion to Adopt: Mr. Kelleher

Second: Ms. Waitkus

Vote:

Nine (9) Ayes – Unanimous

The Voting Session Agenda is adopted (9-0)

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 violates the Charter and the Ethics Code but if Mr. Yannuzzi steps down from the Flood Protection Authority then there would be no problem with approving the contract. Mr. Shiner agreed with the addition of item 9a for a vote on participation in the Work Group related to the proposed Plains Twp. TIF. He provided additional concerns regarding the matter. Mr. Shiner did not think the process regarding the Housing Authority appointment was sufficient.

Walter Griffith (Trucksville) stated the State of the County Report should be presented during a Council meeting as per the Charter and not at a separate meeting. Mr. Griffith asked for the settlement amounts on the Moser v Luzerne County settlement and the Lacey v Chacke v Area on Aging settlement. Ms. Crake provided information and Ms. Lawrence handed out resolutions containing the amounts. Ms. Crocamo also provided attorney information requested by Mr. Griffith.

Old Business

New World Contract: Ms. Crocamo stated it is being reviewed and not finalized yet.

Payroll RFP Vendor List: Mr. Pedri stated there is a Vendor list in the agenda packet.

New

Business

1. Motion to approve minutes of February 13, 2018 meeting

Motion by: Ms. Waitkus

Second: Ms. Saidman

Vote:

Eight (8) Ayes by Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) Nay by Mr. Brominski

Motion Passed (8-1)

The February 13, 2018 Voting Meeting Minutes are Adopted

2. Motion to adopt resolution approving the settlement of pending litigation in the matter of Moser (Simon) v. Luzerne County

Motion by: Mr. Perry

Second: Mr. Kelleher

Roll Call Vote:

Eight (8) Yes by Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Brominski

Resolution is Adopted (8-1)

3. Motion to adopt resolution approving the settlement of pending litigation in the matter of Lacey v. Chacke v. Area Agency on Aging

Motion by: Ms. Waitkus

Second: Mr. Vough

Roll Call Vote:

Eight (8) Yes by Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Brominski

Resolution is Adopted (8-1)

4. Motion to adopt resolution designating the County Manager, Director of Operations and/or the County Engineer as Authorized Signatory for Execution of Documents, Notices, Required Exhibits and Management of Projects through the Pennsylvania Department of Transportation's Reimbursement Agreement System (RAS)

Motion by: Mr. Kelleher

Second: Ms. Saidman

Roll Call Vote:

Nine (9) Yes – Unanimous

Resolution is Adopted (9-0)

5. Motion to adopt resolution authorizing the County Manager to Execute a Lease Agreement between Luzerne County Department of Human Services and McCarthy Realty for Children and Youth and the Area Agency on Aging

Motion by: Mr. Schnee

Second: Ms. Saidman

Roll Call Vote:

Nine (9) Yes – Unanimous

Resolution is Adopted (9-0)

6. Motion to adopt resolution authorizing Farmland Preservation Board to execute the Agreement for the Sale and Purchase of an Agricultural Conservation Easement

Motion by: Ms. Waitkus

Second: Mr. Vough

Roll Call Vote:

Nine (9) Yes – Unanimous

Resolution is Adopted (9-0)

7. Motion to adopt resolution urging the passage of Reclaim (Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More Act of 2017) ACT – H.R. 731

Motion by: Mr. Schnee

Second: Ms. Waitkus

Roll Call Vote:

Eight (8) Yes by Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Brominski

Resolution is Adopted (8-1)

8. Actions regarding 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 to Remove from Table by: Ms. Saidman

Second: Mr. Schnee

Vote:

Seven (7) Ayes by Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

Two (2) Nays by Mr. Brominski and Ms. Houck

Resolution is Removed from Table (7-2)

Motion to Adopt Resolution by: Mr. Kelleher

Second: Mr. Schnee

Roll Call Vote:

Eight (8) Yes by Ms. Houck, Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Brominski

Resolution is Adopted (8-1)

9. Actions regarding the Work Group related to the proposed Plains Twp. TIF

9a. Motion to participate in the Work Group related to the proposed Plains Twp. TIF

by: Mr. Perry

Second: Ms. Waitkus

Roll Call Vote:

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

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

Motion Passed (7-2)

9b. Council Member nominations and appointments to the Work Group related to the proposed Plains Twp. TIF

Motion to Open Nominations by: Mr. Schnee

Second: Ms. Saidman

Vote: Nine (9) Ayes - Unanimous

Nominations Open

Mr. Kelleher nominated: Tim McGinley

Second: Mr. Schnee

Ms. Houck nominated: Sheila Saidman

Second: Mr. Brominski

Motion to Close Nominations by: Mr. Brominski

Second: Mr. Kelleher

Vote: Nine (9) Ayes - Unanimous

Nominations Closed

Roll Call Vote:

Seven (7) for Tim McGinley by Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee, Mr. Vough, and Ms. Waitkus

Two (2) for Sheila Saidman by Mr. Brominski and Ms. Houck

(McGinley 7 – Saidman 2)

Motion to adopt resolution appointing a Council Member (Tim McGinley) to a Work Group related to the proposed Plains Twp. TIF by: Mr. Kelleher

Second: Mr. Schnee

Roll Call Vote:

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

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

Resolution is Adopted (7-2)

10. Authorities Nominations and Appointments to:

10a. Luzerne County Housing Authority

Motion to Remove from Table by: Mr. Kelleher

Second: Ms. Waitkus

Vote:

Nine (9) Ayes – Unanimous

Item is Removed from Table (9-0)

Motion to Open Nominations by: Mr. Kelleher

Second: Mr. Schnee

Vote:

Six (6) Ayes by Mr. Kelleher, Mr. McGinley, Mr. Perry, Mr. Schnee, Mr. Vough, and Ms. Waitkus

Three (3) Nays by Mr. Brominski, Ms. Houck and Ms. Saidman

Nominations Open

Mr. Kelleher nominated: Robert Wanyo

Second: Mr. Schnee

Motion to Close Nominations by: Mr. Kelleher

Second: Mr. Vough

Vote: Nine (9) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing a member to the Luzerne County Housing Authority by: Mr. Kelleher

Second: Mr. Perry

Roll Call Vote:

Six (6) Yes by Mr. Kelleher, Mr. McGinley, Mr. Perry, Mr. Schnee, Mr. Vough, and Ms. Waitkus

Three (3) No by Mr. Brominski, Ms. Houck and Ms. Saidman

Resolution is Adopted (6-3)

Public Comment

Walter Griffith (Trucksville) questioned the amount the attorneys are being paid from the General Fund for the settlements. Mr. Griffith commented on the TIF and how the County gives money away. Ms. Crocamo provided this information to Mr. Griffith at the end of Public Comment.

Brian Shiner (Kingston) commented on the Oaths of Office filed in the Prothonotary's Office. He stated they are incorrect and the wording is not the wording on the Ordinance approved by Council.

Ed Chesnovitch (Jackson Township) agrees with Mr. Shiner regarding the Oaths. He provided commentary regarding the Valley Crest TIF. Mr. Chesnovitch also stated that Chase Road is not drivable and according to information he obtained will not be fixed until next year. Mr. Pedri stated that the paperwork was filed and it is in the hands of PennDOT.

Chris Zomerfeld (Larksville) spoke about tax issues he is having regarding his property. Mr. McGinley advised Mr. Zomerfeld that the matter was not within the jurisdiction of Council. He needs to address the matter with the County Manager. Mr. Pedri told Mr. Zomerfeld he will schedule a meeting with him to review the matter further.

Motion to adjourn: Mr. Kelleher

Second: Ms. Waitkus

Vote:

Nine (9) Ayes – Unanimous

Meeting Adjourned at 6:50 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