



Luzerne County Council
March 10, 2020
Luzerne County Court House
Council Meeting Room
200 N. River Street
Wilkes-Barre, Pa. 18711

Minutes
March 10, 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 March 10, 2020 at 6:31 PM. The meeting was called to order by Council Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Led by Cub Scout Pack 106 of Mountaintop

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

None

Additions to/Deletions from Voting Session Agenda

ADDITIONS:

Mr. Griffith would like to move Work Session Items 6, 7 and 8 (Intergovernmental Agreements with Conyngham Borough, Sugarloaf Township and Butler Township for the Repair and Dedication of Roads) to the Voting Session Agenda for Introduction so they may be further discussed in the Work Session.

Mr. McGinley stated they would be added to the Voting Agenda at the end of the County Manager Section.

Adoption of Voting Session Agenda

Motion to Adopt Agenda by: Mr. Schnee

Second: Mr. Stephen J. Urban

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

The Voting Session Agenda is Adopted

Vito DeLuca announced Council held an Executive Session from 5:15-6:20PM regarding potential litigation relating to the Storm Water Ordinance passed by Council.

Mr. DeLuca stated Chief Solicitor Ms. Crocamo will give a brief statement.

Ms. Crocamo stated after careful consideration including an internal review of case law, discussions with other Pennsylvania County Solicitors and based on the advice from an Attorney who is considered an expert in this field, the Office of Law will not recommend filing litigation on behalf of Luzerne County. Ms. Crocamo provided further details and information to Council and the Public.

Public Comment on Voting Session Agenda Items

Brian Shiner (Kingston) commented on repository properties.

Mark Rabo (Hazleton) commented on repository properties and the letter to President Trump.

John Newman (Nanticoke) commented on the letter to President Trump.

Joe Hillan (Newport Township) commented on the repository property Brown Row and passed out a picture of the property to Council.

Brian Dwyer (Larksville) commented on repository properties and the letter to President Trump.

Motion to adopt Minutes of the February 25, 2020 Voting Session

Motion by: Ms. Saidman

Second: Mr. Vough

Vote:

Ten (10) Ayes 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)

The February 25, 2020 Voting Session Minutes are Adopted

Old Business

None

1. Motion to adopt resolution authorizing the County Manager to Execute a Lease Agreement between Luzerne County and YonKondy Enterprises, LLC for cafeteria space in the Luzerne County Courthouse

Motion by: Mr. Schnee

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

2. Motion to adopt resolution Entering into a Lease for a portion of land at the Luzerne County Annex for use by the Flower Tent

Motion by: Ms. McDermott

Second: Mr. Perry

Mr. Griffith would like to amend an incorrect date in the Lease.

Motion to change date in Item 4 from November 4, 2019 to June 25, 2020 by:

Mr. Griffith

Second: Mr. Stephen J. Urban

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Lease is Amended

Mr. Griffith noted that the School Taxes discussed at the prior meeting were still outstanding.

Motion to table by: Mr. Griffith

Second: Mr. Stephen J. Urban

Roll Call Vote:

Three (3) Yes by Mr. Griffith, Ms. Houck and Mr. Stephen J. Urban

Eight (8) No by Mr. Haas, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion Failed (3-8)

Mr. McGinley suggested adding “the lease will be approved after the delinquent taxes have been paid in full.” to the resolution.

Motion to Amend Resolution by: Mr. McGinley

Second: Mr. Schnee

Ms. Saidman suggested the word “delinquent” be changed to “any”.

Ms. Houck suggested altering the effective date to be upon proof of payment.

After discussion, the amendment will be to the effective date and will read, “This Resolution shall become effective upon provision of proof that any taxes are paid in full.”

Roll Call Vote to Amend Resolution:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Amended

Roll Call Vote to Approve Resolution:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

3. Motion to adopt resolution approving a proposed Memorandum of Understanding between Luzerne County and Teamsters Local Union 401 (Aging)

Motion by: Mr. Vough

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

4. Motion to adopt resolution approving a proposed Memorandum of Understanding between Luzerne County and Teamsters Local Union 401 (C&Y)

Motion by: Mr. Schnee

Second: Ms. Saidman

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) No by Mr. Griffith

Motion Passed (10-1)

Resolution is Adopted

5. Motion to adopt resolution approving a proposed Memorandum of Understanding between Luzerne County and Teamsters Local Union 401 (MHDS)

Motion by: Ms. Radle

Second: Ms. Saidman

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) No by Mr. Griffith

Motion Passed (10-1)

Resolution is Adopted

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

Motion by: Mr. Schnee

Second: Ms. Radle

Mr. Stephen J. Urban would like to add Mental Health to the Ordinance.

Motion to Amend Ordinance by: Mr. Stephen J. Urban

Second: Mr. Schnee

After discussion, Mr. Stephen J. Urban withdrew his motion and Mr. Schnee withdrew his second.

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

7. 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

Motion by: Mr. Haas

Second: Mr. Vough

Mr. Stephen questioned properties on the list that were in the flood plain.

Ms. Crocarno addressed Mr. Urban's concern as well as other questions posed by Council Members.

Mr. Pedri suggested the entire process be reviewed by the Real Estate Committee for future consideration.

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) No by Mr. Griffith

Motion Passed (10-1)

Resolution is Adopted

8. Motion to approve Letter to President Trump regarding STOP Executive Order #13508

Motion to approve letter and packet by: Mr. Haas

Second: Mr. Schnee

Motion to amend letter to include CC: Federal Legislators and the Vice-President by:

Ms. Saidman

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Letter is Amended

Motion to change salutation to "Dear President Trump" by: Ms. Houck

Second: Mr. Haas

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Letter is Amended

Roll Call Vote to Approve Letter with 2 Amendments:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Letter is Approved

ADDED FROM WORK SESSION:

ADDED ITEM

9. Motion to introduce ordinance Entering into an Intergovernmental Agreement with Conyngham Borough for the Repair and Dedication of Road in Accordance with the Pennsylvania Intergovernmental Cooperation Law, Act 177 of 1996, previously adopted as Act 180 of 1972

Motion by: Mr. Griffith

Second: Mr. Schnee

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

ADDED ITEM

10. Motion to introduce ordinance Entering into an Intergovernmental Agreement with Sugarloaf Township for the Repair and Dedication of Road in Accordance with the Pennsylvania Intergovernmental Cooperation Law, Act 177 of 1996, previously adopted as Act 180 of 1972

Motion by: Mr. Schnee

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

ADDED ITEM

11. Motion to introduce ordinance Entering into an Intergovernmental Agreement with Butler Township for the Repair and Dedication of Road in Accordance with the Pennsylvania Intergovernmental Cooperation Law, Act 177 of 1996, previously adopted as Act 180 of 1972

Motion by: Ms. Radle

Second: Mr. Vough

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

Public Comment:

Richard Manta (Back Mountain) commented on the Rain Tax and usage of the \$5.00 fee.

Mark Rabo (Hazleton) commented on the Rain Tax, DA Report and Road & Bridge.

Brian Shiner (Kingston) commented on the repository properties.

Jason Carr (Saylorsburg) commented on the repository properties.

Joe McCabe (Exeter) spoke about President Trumps' visit.

Ron Knapp (Nanticoke) commented on President Trumps' visit and the citizens he met.

Mike Stash (Lehman Township) commented on the Rain Tax.

Ed Gustitus (Kingston) commented on the Rain Tax.

Brian Dwyer (Larksville) commented on the Rain Tax, the \$5.00 Fee and the Corona Virus.

John Newman (Nanticoke) commented on the Rain Tax, the Budget, the Lobbyist Group, WVSA and Northeast Revenue.

Motion to Adjourn: Mr. Vough

Second: Ms. Houck

Vote:

Eleven (11) Ayes – Unanimous

Meeting Adjourned at 8:26PM

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