



**Luzerne County Council**  
March 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, March 13, 2018 at 6:05 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  
Robert Schnee  
Stephen A. Urban  
Matthew Vough  
Jane Walsh Waitkus

**Absent**

Sheila Saidman, Esq.

**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**

None

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

**Motion to Adopt:** Mr. Kelleher

**Second:** Ms. Waitkus

**Vote:**

Ten (10) Ayes – Unanimous

**The Voting Session Agenda is adopted (10-0)**

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

**Walter Griffith (Trucksville)** stated since the 2019 Capital Plan will be submitted shortly and it doesn't make sense to approve the amendments to the Capital Plan and Budget on the agenda. Mr. Griffith feels that ADP is not needed as we have New World. Mr. Griffith asked for settlement figures regarding the Piazza litigation and Ms. Crake responded with the information and figures. Mr. McGinley noted that there is an Executive Session prior to the vote regarding the matter and further information will be provided.

**Brian Shiner (Kingston)** hopes the transfer for ADP funding is not approved and commented on the New World modules. Mr. Shiner feels the public has a right to know where every cent is going regarding the Piazza settlement.

**Charles Olah (Kingston)** stated ROI's for ADP, New World and Microsoft have been calculated. He commented on an approved Ordinance that allows Engineering to approve their own expenses. Mr. Olah stated the budget transfers are a way of avoiding any review of Capital spending.

**Ed Gustitus (Kingston)** said he agreed with prior speakers regarding the amendments to the Capital Plan and Budget transfers. He feels the Reserve Fund should be for emergencies. Mr. Gustitus wants to see the Piazza settlement done and over with.

**Sam Troy (Wilkes-Barre)** spoke about outsourcing the County payroll and commended Ms. Houck for her statements in the newspaper regarding ADP. He urged Council to vote against any settlement for Mr. Piazza. Mr. Troy wondered how the elevator project was arrived at and that the money should be put back in the General Fund.

### **Old Business**

None

**New Business**

**1. Motion to adopt minutes of February 27, 2018 meeting**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:**

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

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

One (1) Abstention by Mr. Haas

**Motion Passed (7-2) with (1) Abstention**

**The February 27, 2018 Voting Meeting Minutes are Adopted**

**2. Motion to adopt resolution requesting a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation**

**Motion by:** Mr. Kelleher

**Second:** Mr. Schnee

**Roll Call Vote:**

Ten (10) Yes - Unanimous

**Resolution is Adopted (10-0)**

**3. Introduction of ordinance amending the Capital Plan Budget for Luzerne County (elevator modernization)**

Ordinance Introduced by County Manager David Pedri

No Vote

**4. Introduction of ordinance amending the Capital Plan Budget for Luzerne County (entrance improvements)**

Ordinance Introduced by County Manager David Pedri

No Vote

**5. Introduction of ordinance authorizing an amendment to the 2018 Budget to allow for a transfer from the Reserve Fund (ADP)**

Ordinance Introduced by County Manager David Pedri

No Vote

**6. Motion to adopt resolution declaring a vacancy on the Luzerne County Accountability, Conduct and Ethics Commission**

**Motion by:** Mr. Kelleher

**Second:** Mr. Haas

**Roll Call Vote:**

Ten (10) Yes – Unanimous

**Resolution is Adopted (10-0)**

**7. Motion to adopt resolution amending the appointment of a member to the Luzerne County Board of Tax Assessment Appeals**

**Motion by:** Mr. Schnee

**Second:** Mr. Haas

**Roll Call Vote:**

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

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

**Resolution is Adopted (8-2)**

**8. Council Member nominations and appointments to:**

**8a. Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board (1 year term 03/31/2018 to 04/01/2019)**

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

**Second:** Mr. Perry

**Vote:**

Ten (10) Ayes – Unanimous

**Nominations Open**

**Mr. Kelleher nominated:** Jane Walsh Waitkus

**Second:** Mr. Perry

**Motion to Close Nominations by:** Ms. Houck

**Second:** Mr. Kelleher

**Vote:**

Ten (10) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing a County Council Member to the Luzerne-Wyoming Counties Mental Health and Developmental Services Program Advisory Board by:**

Mr. Kelleher

Second: Mr. Vough

**Roll Call Vote:**

Ten (10) Yes – Unanimous

**Resolution is Adopted (10-0)**

**9. Boards and Commissions nominations and appointments to:**

**Mr. Kelleher asked Shannon Crake to provide commentary on the applicants. Ms. Crake stated there will be an independent review conducted regarding the eligibility of one of the applicants.**

**Motion to Open Nominations (Globally) by:** Mr. Kelleher

**Second:** Mr. Brominski

**Vote:**

Ten (10) Ayes - Unanimous

**Nominations Open**

**9a. Luzerne County Accountability, Conduct and Ethics Commission (Republican 4 year term 01/01/2018 to 12/31/2021)**

**Mr. Brominski nominated:** Walter Griffith

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

**Ms. Crake provided additional information regarding eligibility of the applicant nominated.**

**Motion to Table resolution appointing a member to the Luzerne County Accountability Conduct and Ethics Commission by:** Mr. Kelleher

**Second:** Mr. Schnee

**Vote:**

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

One (1) Nay by Mr. Brominski

**Resolution is Tabled (9-1)**

**9b. Luzerne/Wyoming Counties Area Agency on Aging Advisory Board (3 year term 01/01/2018 to 12/31/2020)**

**Mr. Kelleher nominated:** Marianne Infantino

**Second:** Mr. Schnee

**Motion to adopt resolution appointing a member to the Luzerne/Wyoming Counties Area Agency on Aging Advisory Board by:** Ms. Waitkus

**Second:** Mr. Kelleher

**Roll Call Vote:**

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

One (1) No by Mr. Brominski

**Resolution is Adopted (9-1)**

**9c. Luzerne County Board of Elections and Registration (Republican 4 year term 01/01/2018 to 12/31/2021)**

**Mr. Kelleher nominated:** Keith Gould

**Second:** Ms. Waitkus

**Motion to adopt resolution appointing a member to the Luzerne County Board of Elections and Registration by:** Mr. Kelleher

**Second:** Mr. Schnee

**Roll Call Vote:**

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

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

**Resolution is Adopted (8-2)**

**Motion to Close Nominations (Globally) by:** Mr. Schnee

**Second:** Mr. Kelleher

**Vote:**

Ten (10) Ayes - Unanimous

**Nominations Closed**

**After Nominations were closed Council went back and voted on each Resolution.**

**Motion to adjourn to Executive Session by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:**

All Ayes – Unanimous

**Council Adjourned to Executive Session (10-0)**

**Motion to Reconvene Voting Session by:** Mr. Schnee

**Second:** Mr. Vough

**Vote:**

All Ayes – Unanimous

**Council Reconvened Voting Session (10-0)**

**10. Motion to adopt resolution approving the settlement of pending litigation in the matter of Leonard Piazza v. County of Luzerne**

**Motion by:** Ms. Waitkus

**Second:** Mr. Kelleher

**Roll Call Vote:**

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

Four (4) No by Mr. Brominski, Mr. Haas, Ms. Houck and Mr. Stephen A. Urban

**Resolution is Adopted (6-4)**

**Public Comment**

**Brian Shiner (Kingston)** spoke about the bonding of a tax collector in Hazle Twp. and the resolution Council passed 1-24-17. Mr. Shiner pointed out the ACE Commission met and should not be meeting without a citizen member present per the Ethics Code. Mr. Pedri responded regarding the Hazle Twp. tax collector. Ms. Houck voiced a concern regarding the Bond and it needs to be addressed. Further commentary was provided by Ms. Crocarno and Mr. Pedri.

**Charles Olah (Kingston)** questioned Old Business appearing on the agenda. He spoke about the Records Retention Building and square footage. Mr. Olah commented on cancellation costs and capital spending.

**Ed Gustitus (Kingston)** spoke about skate boarding and possible damage to the Riverfront. He commented on the Detectives raise, consultant expenses, and the bond expense and centralization of tax collectors.

**Walter Griffith (Trucksville)** pointed out a typographical error in the minutes. Mr. Griffith requested that his name be removed from the ABC Eligibility List. He provided commentary regarding the Piazza Settlement.

**Chris Zomerfeld (Larksville)** appeared regarding his tax issue and Mr. Pedri gave an update. Mr. Zomerfeld spoke about the signs in the parking lot and other issues he had in the past.

**Stephen A. Urban** asked about payments in lieu of taxes and Mr. Pedri responded that correspondence will be going out to some non-profits. Mr. Urban also spoke about tax assessment and the need to update the non-profit status of entities.

**Motion to adjourn:** Ms. Waitkus

**Second:** Mr. Kelleher

**Vote:**

Ten (10) Ayes – Unanimous

**Meeting Adjourned at 8:02 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)