



**Luzerne County Council
Voting Session
March 14, 2023
Council Meeting Room
Luzerne County Court House
200 N. River Street
Wilkes-Barre, PA 18701
AND
Video/Teleconference via ZOOM**

MINUTES

Call to Order

The Luzerne County Council convened for a Voting Session in the Council Meeting Room of the Luzerne County Courthouse on March 14, 2023 at 6:01 PM. The meeting was called to order by Chair Kendra Radle.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Carl Bienias
Kevin Lescavage
John Lombardo
Lee Ann McDermott
Tim McGinley
Matt Mitchell
Chris Perry
Kendra Radle
Brian Thornton
Stephen J. Urban
Gregory S. Wolovich, Jr.

Also Present

Brian Swetz, Acting County Manager
Harry Skene, Chief County Solicitor (virtually)
Sharon Lawrence, Clerk of Council

Attorney Skene announced there was an Executive Session prior to the meeting concerning a litigation matter. Mr. Thornton added it was regarding the prison.

Recognitions and Ceremonial Proclamations

Chair Radle read proclamations for C.A.S.U.A.L. and Attorney Neil O'Donnell

Deletions from Voting Session Agenda

NONE

Adoption of Voting Session Agenda

Motion by: Ms. McDermott

Second: Mr. Bienias

Vote:

Eleven (11) Ayes - Unanimous

Motion Passed (11-0)

The Voting Session Agenda is Adopted

Public Comment on Agenda Items

WRITTEN comments are submitted electronically via **EMAIL** or **ZOOM**. A copy of the full written comment for each speaker is posted under the corresponding meeting agenda. **VERBAL** comments can be heard in their entirety by accessing the public comment portion of the meeting recording posted next to the meeting agenda.

Tom Dombroski (Dallas) commented Verbally regarding the DAMA ARPA Grant and violation.

Dave Bronsburg (Wilkes-Barre) commented Verbally regarding ARPA money and uses.

Elizabeth Hartman (Hanover Township) commented Verbally regarding Item 6 (Resolution Depositing \$109,601.98 into the Reserve Fund), the tax increase for citizens and the Hunter settlement.

Mark Rabo (Hazleton) commented Verbally regarding on Whole Home Repairs, BPRC interviews and ARPA money.

Jamie Walsh (Ross Township) commented Verbally regarding ARPA money and projects.

Maryann Velez (Duryea) commented Verbally regarding ARPA questions for Booth Management.

Walter Griffith (Trucksville) commented Verbally regarding Item 3 (resolution regarding the Lease with McCarthy Realty, Inc. for Property Located at 93-97 North State Street, Wilkes-Barre), Item 6 (Resolution Depositing \$109,601.98 into the Reserve Fund), Item 9 (Motion to adopt resolution Authorizing the Use of \$16,448,671.00 in American Rescue Plan Act Funds for Miscellaneous Luzerne County Internal Projects) and ARPA applications.

**Chair Radle read Public Comment Email from:
Greg Griffin (Swoyersville)**

AGENDA ITEMS – CLERK OF COUNCIL

Motion to approve minutes of the February 28, 2023 Voting Session

Motion by: Mr. McGinley

Second: Mr. Lombardo

Vote:

Ten (10) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) Nay by Mr. SJ Urban

Motion Passed (10-1)

The February 28, 2023 Voting Session Minutes are Approved

OLD BUSINESS

NONE

AGENDA ITEMS

1. Motion to adopt ordinance Amending the 2023 Fiscal Year Budget For Luzerne County (Whole Home Repairs)

Motion by: Mr. Wolovich

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

2. Motion to adopt ordinance Amending the 2023 Fiscal Year Budget for Luzerne County (State Foreclosure Grant)

Motion by: Mr. Lombardo

Second: Mr. Bienias

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

3. Motion to adopt resolution regarding the Lease with McCarthy Realty, Inc. for Property Located at 93-97 North State Street, Wilkes-Barre

Motion by: Mr. Thornton

Second: Mr. McGinley

Roll Call Vote:

Ten (10) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) No by Mr. SJ Urban

Motion Passed (10-1)

Resolution is Adopted

4. 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: Mr. McGinley

Second: Mr. Bienias

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

5. ABC Nominations and Appointments to:

5a. Blighted Property Review Committee (term ending 12/31/23)

Motion by: Mr. Thornton

Mr. McGinley noted that on the letter from Mr. Reilly the Redevelopment Authority appointed Mr. Rabo to the wrong committee.

Motion to Table by: Mr. McGinley

Second: Mr. Lombardo

Roll Call Vote:

Ten (10) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) No by Mr. SJ Urban

Motion Passed (10-1)

Resolution is Tabled

6. Motion to adopt resolution Depositing \$109,601.98 into the Reserve Fund

Motion by: Mr. Lombardo

Second: Mr. Bienias

Motion to Table by: Mr. Thornton

Second: Mr. SJ Urban

Roll Call Vote:

Four (4) Yes by Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Seven (7) No by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry and Ms. Radle

Motion Failed (4-7)

After further discussion, it was determined that it should not be a resolution and needs to be an ordinance.

Motion to Table by: Ms. Radle

Second: Mr. Bienias

Roll Call Vote:

Ten (10) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

One (1) No by Mr. McGinley

Motion Passed (10-1)

Resolution is Tabled

7. Motions regarding ARPA funds for eligible citizens

Motion to set aside 5 million dollars for eligible citizens by: Mr. Lombardo

Second: Mr. Thornton

Mr. Lescavage suggested it should be a minimum of 5 million.

Mr. Lombardo amended his motion and Mr. Thornton amended his second to a minimum of 5 million.

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

8. Motions regarding ARPA funds for Chambers

Motion for the (3) three Chambers to work together to provide Small Business Grants and to set aside a minimum of 5 million dollars by: Mr. McGinley

Second: Mr. Thornton

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

9. Motion to adopt resolution Authorizing the Use of \$16,448,671.00 in American Rescue Plan Act Funds for Miscellaneous Luzerne County Internal Projects

Motion by: Mr. Lombardo

Second: Mr. Wolovich

Mr. Thornton asked for the projects to be named for the public. Chair Radle cited the projects.

Motion to amend resolution and change the amount to 1.5 million and only approve the 911 project by: Mr. McGinley

Second: Mr. Wolovich

Roll Call Vote to Amend:

Five (5) Yes by Mr. McGinley, Mr. Perry, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Six (6) No by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. Mitchell and Ms. Radle

Motion Failed (5-6)

Roll Call Vote to Approve:

Eight (8) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. Mitchell, Mr. Perry, Ms. Radle and Mr. Wolovich

Three (3) No by Mr. McGinley, Mr. Thornton and Mr. SJ Urban

Motion Passed (8-3)

Resolution is Adopted

10. Motion to adopt resolution Approving Additional Parameters for the Distribution of American Rescue Plan Act Funds to Luzerne County Grant Applicants

Motion by: Mr. Thornton

Chair Radle stated the Additional Parameters need to be named.

Mr. Thornton withdrew his motion.

Motion for the Mitchell plan by: Mr. Lombardo

Second: Ms. McDermott

Mr. Mitchell stated there was one application missing from his list, the Swoyersville Little League for \$40,000.00 and that would increase the total to \$56,273,217.80.

The caps are:

Municipal/Municipal Authorities \$2 million dollars

Non-Profits \$500,000.00

Small Businesses \$200,000.00

Chair Radle confirmed there was a motion and a second for the plan set forth by Mr. Mitchell.

Motion to amend the Municipal/Municipal Authorities cap to \$3 million dollars

by: Mr. SJ Urban

Second: Mr. Thornton

Council discussed the affect changing the cap would have on the projects and the total amount being awarded.

Mr. Lescavage and Mr. Thornton spoke about West Pittston being excluded.

Mr. Lombardo spoke about reviewing/not reviewing individual projects.

Mr. SJ Urban spoke about the original process of scoring and the applications.

Chair Radle stated there was a motion and a second for Mr. Mitchell's plan and a motion and a second for an amendment to amend the Municipal/Municipal Authorities cap to 3 million.

Ms. Lawrence asked for clarification on what was being amended. The plan, and/or the caps

Mr. Lombardo stated his motion was for the plan and the caps.

Chair Radle stated that the amendment was for the caps which in turn would (by default) change the list as the list was a print out of the caps being applied.

Mr. Swetz reminded Council that a resolution was passed to award a total of 60 million and the amendment would change the amount.

Chair Radle asked Attorney Skene for an opinion regarding the resolution with 60 million.

Mr. Wolovich stated he was in favor of the original list.

Further discussion took place between Council Members.

Roll Call Vote on Amendment:

Three (3) Yes by Mr. Lescavage, Mr. Thornton and Mr. SJ Urban

Eight (8) No by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Me. Mitchell, Mr. Perry, Ms. Radle and Mr. Wolovich

Motion Failed (3-8)

Chair Radle asked for a Roll Call Vote on Mr. Mitchell's plan and caps:

Ms. Lawrence asked for clarification if the process was being approved.

Chair Radle stated it was approving the caps.

Mr. McGinley asked for clarification on approving caps.

Mr. Lombardo stated it was approving Mr. Mitchell's caps.

Mr. McGinley restated that it was not approving the plan.

Mr. Lombardo confirmed that it was the caps and not necessarily the plan.

Chair Radle repeated the caps for Council.

Roll Call Vote on Caps:

Six (6) Yes by Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry and Ms. Radle

Five (5) No by Mr. Bienias, Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Motion Passed (6-5)

Mr. Bienias asked if he could change his vote.

Motion to Reconsider by: Mr. Lombardo

Second: Mr. Thornton

Roll Call Vote to Reconsider:

Ten (10) Yes by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

One (1) No by Mr. Lescavage

Motion Passed (10-1)

Roll Call Vote on Caps:

Seven (7) Yes by Mr. Bienias, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry and Ms. Radle

Four (4) No by Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Motion Passed (7-4)

11. Motion to allow John R. Mould III to advertise county owned property for sale

Motion by: Mr. McGinley

Second: Mr. Wolovich

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

12. Motion to allow the Redevelopment Authority of the City of Pittston to advertise county owned property for sale

Motion by: Mr. Wolovich

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

13. Motion to allow Jeffrey J. Kobal to advertise county owned property for sale

Motion by: Ms. McDermott

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Public Comment on Non-Agenda Items:

WRITTEN comments are submitted electronically via **EMAIL** or **ZOOM**. A copy of the full written comment for each speaker is posted under the corresponding meeting agenda. **VERBAL** comments, in their entirety, can be heard by accessing the public comment portion of the meeting recording posted next to the meeting agenda.

Melinda Hunter (Wilkes-Barre) commented Verbally regarding the Hunter Settlement and training.

Elizabeth Hartman (Hanover) commented Verbally regarding the Hunter Settlement and the Pittston Bridge.

Mark Rabo (Hazleton) commented Verbally regarding the vote to table the BPRC appointment.

Walter Griffith (Trucksville) commented Verbally regarding transparency and the internal projects.

Jamie Walsh (Ross Township) commented Verbally regarding APRA Grants and projects.

Chair Radle read Public Comment Emails from:

Angela Gavlick

Michalenes Mission

Motion to adjourn: Mr. Lombardo

Second: Ms. McDermott

Vote:

Ten (10) Ayes – Unanimous

Mr. Thornton was out of the room.

Motion Passed (10-0)

Meeting adjourned at 7:30 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