



**Luzerne County Council**  
March 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, March 27, 2018 at 6:11 PM. The meeting was called to order by Chair Tim McGinley.

**Pledge of Allegiance and Moment of Silence**

**Roll Call**

**Present**

Edward A. Brominski (via phone)  
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**

C. David Pedri, Esq., County Manager  
Romilda P. Crocamo, Esq., Chief County Solicitor  
Sharon Lawrence, Clerk of Council

### **Recognitions/Ceremonial Proclamations**

Mr. McGinley read and presented a proclamation to Karen Saunders, President, Northeast Regional Cancer Institute in recognition of the 15<sup>th</sup> 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 Ronald Orkwis, Captain, retired from the Luzerne County Correctional Facility. A letters of thanks and congratulations will be sent out to him from Council.

### **Additions to/Deletions from Voting Session Agenda**

None

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

**Motion to Adopt:** Ms. Waitkus

**Second:** Mr. Haas

**Vote:**

Eleven (11) Ayes – Unanimous

**The Voting Session Agenda is adopted (11-0)**

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

**Brian Shiner (Kingston)** stated the public hearings were not in keeping with the Luzerne County Home Rule Charter. The Manger has no ability to bring an ordinance to Council with automatic introduction except where specified in the Charter. Mr. Shiner asked if there was a Council member on the phone and Mr. McGinley responded that Mr. Brominski was on the phone. Mr. Shiner stated that should have been announced at the beginning of the meeting. Mr. Shiner spoke about the error he previously pointed out in the February 27<sup>th</sup> minutes and noticed that error was corrected in the minutes posted on the website. He asked how that was possible without a vote. Mr. McGinley responded that it was the opinion of the Solicitor that a typographical error can be corrected without a vote.

**Mark Rabo (Hazleton)** stated he agreed with Mr. Shiner regarding the public hearings and meeting minutes. Mr. Rabo stated that the contract with Northeast Revenue expired December 2017 and wanted to know how they could be involved with the sale of repository properties. Mr. Pedri responded and explained the contract's expiration date and extensions, noting that a 1 year extension was initiated for 2018. Mr. Rabo would like the date of the 1 year extension. Mr. Pedri agreed to get it to him.

**Ed Gustitus (Kingston)** commented on the repository properties and that the County should get rid of them.

**Charles Olah (Kingston)** spoke about the Capital Plan Budget and projects.

## **Old Business**

None

## **New Business**

### **1. Motion to adopt minutes of the March 13, 2018 voting meeting**

**Motion by:** Mr. Kelleher

**Second:** Mr. Perry

#### **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

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

#### **Motion Passed (9-2)**

**The March 13, 2018 Voting Meeting Minutes are Adopted**

**Ms. Houck suggested even though the typographical error (designation after Mr. Vough's name) in the February 27, 2018 Voting Meeting Minutes was corrected, Council should vote to amend the minutes as well.**

**Motion to amend minutes of the February 27, 2018 voting meeting by:** Ms. Houck

**Second:** Mr. Schnee

#### **Vote:**

Ten (10) Ayes 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) Nay by Mr. Brominski

#### **Motion Passed (10-1)**

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

### **2. Motion to adopt ordinance amending the Capital Plan Budget for Luzerne County (elevator modernization)**

**Motion by:** Mr. Schnee

**Second:** Ms. Saidman

**Mr. Haas would like to amend the ordinance and move the roof surplus (\$297,500.00) to an unencumbered line in the Capital Plan Budget and then make any potential transfers from there.**

**Motion to Amend by:** Mr. Haas

**Second:** Ms. Houck

**Ms. Houck would also like to see the money returned to an unencumbered line item and then in June when the new Capital Plan is presented, look at all the projects and prioritize funding.**

**Mr. Pedri provided commentary on the Capital Plan and the necessity of the projects.**

**Mr. Kelleher, Mr. Perry and Ms. Saidman did not feel the projects should wait.**

**Mr. Urban questioned the authority of the Manager to introduce the ordinances.**

**Ms. Crocamo cited the section evidencing the Manager did have authority.**

**Ms. Waitkus was concerned with the nature of the projects and did not want to delay the projects.**

**Mr. McGinley provided his thoughts on safety and felt strongly about the projects.**

**Mr. Urban questioned the elevator maintenance contract and if work was performed to avoid the repairs.**

**Ms. Crocarno stated what Mr. Haas is proposing is a new ordinance and the process would need to start all over with an introduction, public hearing, etc.**

**Mr. McGinley suggested Mr. Haas make a motion to table and new ordinances be written.**

**Mr. Haas rescinded his amendment.**

**Motion to Table by:** Mr. Haas

**Second:** Ms. Houck

**Roll Call Vote:**

Five (5) Yes by Mr. Brominski, Mr. Haas, Ms. Houck, Mr. SA Urban, and Mr. Vough

Six (6) No by Mr. Kelleher, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee and Ms. Waitkus

**Motion to Table Failed (5-6)**

**Roll Call Vote to Approve Ordinance:**

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

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

**Ordinance is Adopted (7-4)**

**3. Motion to adopt ordinance amending the Capital Plan Budget for Luzerne County (entrance improvements)**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:**

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

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

**Ordinance is Adopted (7-4)**

**4. Motion to adopt ordinance authorizing an amendment to the 2018 Budget to allow for a transfer from the Reserve Fund (ADP)**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Motion to Table by:** Ms. Houck

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

**Roll Call Vote:**

Seven (7) Yes by Mr. Brominski, Mr. Haas, Ms. Houck, Mr. Schnee, Mr. SA Urban, Mr. Vough And Ms. Waitkus

Four (4) No by Mr. Kelleher, Mr. McGinley, Mr. Perry and Ms. Saidman

**Ordinance is Tabled (7-4)**

**5. Motion to adopt resolution authorizing the County Manager to amend a Lease Agreement between Luzerne County and the U.S. Government for the Marine Facility on Wyoming Avenue**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Roll Call Vote:**

Ten (10) Yes by Mr. Brominski, 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 Ms. Saidman

**Resolution is Adopted (10-1)**

**6. 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. Schnee

**Second:** Mr. Vough

**Roll Call Vote:**

Eleven (11) Yes - Unanimous

**Resolution is Adopted (11-0)**

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

**Second:** Mr. Kelleher

**Vote:**

All Ayes – Unanimous

**Council Adjourned to Executive Session (11-0)**

**Motion to Reconvene Voting Session by:** Ms. Waitkus

**Second:** Mr. Schnee

**Vote:**

All Ayes – Unanimous

**Council Reconvened Voting Session (11-0)**

**Ms. Crocamo announced the Executive Session subject matter, Collective Bargaining Agreements, as outlined in agenda items 7, 8 and 9.**

**7. Motion to adopt resolution approving the Collective Bargaining Agreement between Luzerne County and Teamsters Local Union 401 for Area Agency on Aging**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:**

Ten (10) Yes by Mr. Brominski, 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

**Resolution is Adopted (10-1)**

**8. Motion to adopt resolution approving the Collective Bargaining Agreement between Luzerne County and Teamsters Local Union 401 for Children & Youth Services**

**Motion by:** Ms. Waitkus

**Second:** Mr. Kelleher

**Vote:**

Ten (10) Yes by Mr. Brominski, 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

**Resolution is Adopted (10-1)**

**9. Motion to adopt resolution approving the Collective Bargaining Agreement between Luzerne County and Teamsters Local Union 401 for Mental Health/Developmental Services**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:**

Ten (10) Yes by Mr. Brominski, 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

**Resolution is Adopted (10-1)**

**Public Comment**

**Ed Gustitus (Kingston)** commented on the elevator project and maintenance contracts and agreed with Mr. Urban's comments. He spoke about ADP and how the contract was executed. Mr. Gustitus also spoke about the necessity of the \$5.00 registration fee, the Sterling, roads, mismanagement, and the Coal Street project.

**Mark Rabo (Hazleton)** stated he was distressed about what happened at the previous meeting with an applicant for the ACE Commission who needed to have an independent review. Mr. Rabo commented and questioned the TIF settlement monies and the \$5.00 registration fee and match.

**Brian Shiner (Kingston)** commented on the State Auditor General Report from last year regarding children who died or nearly died. He spoke about Children & Youth Services, the license downgrade and noted the current license expires March 27, 2018. Mr. Shiner stated he is receiving phone calls regarding Children & Youth Services and is concerned. Mr. Pedri asked Mr. Shiner to provide him with any names.

**Charles Olah (Kingston)** commented on the how the agenda is established, items referred by the Real Estate Committee, the Coal Street escrow and expenses, and the Capital Plan Budget.

**Chris Zomerfeld (Larksville)** spoke about his ongoing tax issue, zoning, a family member and his contact with Children & Youth, and security.

**Motion to adjourn:** Mr. Kelleher

**Second:** Mr. Vough

**Vote:**

Eleven (11) Ayes – Unanimous

**Meeting Adjourned at 7:50 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](mailto:sharon.lawrence@luzernecounty.org)