



**Luzerne County Council**  
May 08, 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, May 08, 2018 at 6:07 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  
Sheila Saidman, Esq.  
Robert Schnee  
Stephen A. Urban (via phone)  
Matthew Vough (via phone)  
Jane Walsh Waitkus

**Mr. McGinley announced Mr. Vough and Mr. Stephen A. Urban will be participating by phone.**

**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. Saidman

**Vote:**

Eleven (11) Ayes – Unanimous

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

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

**Brian Shiner (Kingston)** spoke about the \$5.00 registration fee and the Marcellus Shale Act 13 Grants. He pointed out that applicants needed to submit a plan to receive the grant money yet there is not a plan in place regarding the money from the \$5.00 fee. Mr. Shiner feels there needs to be a plan in place before Council imposes the fee.

**Stephen J. Urban (Wilkes-Barre)** spoke against the \$5.00 registration fee. He questioned if County employees were certified to use the heavy equipment needed to make repairs. Mr. Urban pointed out that the money collected will only repair 1-2 bridges and there will still be many in need of repair. The fee will be a burden to residents and will drive people out of the area. He hopes that Council will not pass it.

**Charles Olah (Kingston)** commented on the \$5.00 fee and road conditions. He noted other areas make repairs and maintain roads in a different manner and that Luzerne County should look to change how things are done so that the roads will be in better shape and require less repairs.

**George Kochis (Kingston)** realizes the Flood Protection Authority is separate but the County should take the money from the dike and make the road repairs instead of imposing a fee.

**Ed Gustitus (Kingston)** spoke about the \$5.00 fee. He asked if the County will receive the fee for all registered vehicles including the exemptions. Mr. Gustitus commented on the list of County Roads and areas that seem to consistently need repair. Mr. McGinley responded that the state will match dollar for dollar the money that is collected.

### **Old Business**

None

## **New Business**

### **1. Motion to adopt minutes of the April 24, 2018 Voting Meeting**

**Motion by:** Mr. Perry

**Second:** Ms. Waitkus

**Vote:**

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

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

**Motion Passed (9-2)**

**The April 24, 2018 Voting Meeting Minutes are Adopted**

### **2. Motion to adopt resolution approving The Greater Wilkes-Barre Industrial Fund, Inc.'s Cooperation Agreement for Grant Funding for the Misericordia University Science Hall Expansion Project**

**Motion by:** Mr. Kelleher

**Second:** Mr. Schnee

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

### **3. Motion to adopt resolution approving The Greater Wilkes-Barre Industrial Fund, Inc.'s Cooperation Agreement for Grant Funding for the 8 West Market Street Redevelopment-Citi Tower Project**

**Motion by:** Mr. Schnee

**Second:** Mr. Perry

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

### **4. Motion to adopt resolution authorizing the County Manager to execute a Lease Agreement between Luzerne County and the Lamar Company for the billboard on River Street**

**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, Ms. Saidman, Mr. Schnee, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Stephen A. Urban

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

**5. Motion to adopt ordinance of the County of Luzerne for the implementation of a fee for local use as provided by 75 Pa.C.S. §1935 allowing a County to impose a County Fee of \$5.00 for each non-exempt vehicle registered to an address located within its borders**

**Motion by:** Mr. Kelleher

**Second:** Mr. Perry

**Mr. Schnee would like to add a sunset provision to the Ordinance.**

**Ms. Crake stated that since Mr. Schnee requested this at the last meeting, a proposed Ordinance with the provision was drawn up and is in the packet before Council. The provision holds should PennDOT terminate its initiative of the dollar for dollar match, the County's participation and the collection of the fee would automatically be repealed without further action from Council.**

**Motion to Amend Ordinance by:** Mr. Schnee

**Second:** Mr. Kelleher

**Roll Call Vote on Amendment:**

Eleven (11) Yes – Unanimous

**Ordinance is Amended (11-0)**

**Mr. Kelleher and Mr. Perry affirmed their motions on the amended Ordinance.**

**Mr. Haas would like to amend the Ordinance to include a Homestead reduction of the millage amount equivalent to \$5.00 for the 2019 fiscal budget.**

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

**Second:** Ms. Houck

**Ms. Crake stated that the amendment would need to be a separate ordinance. (budget amendment).**

**Mr. Haas withdrew his motion to amend the Ordinance.**

**Roll Call Vote on Amended 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)**

**6. Motion to adopt ordinance authorizing an Amendment to the 2018 Budget to allow for a Transfer from the Reserve Fund (Electronic Poll Books)**

**Motion by:** Mr. Kelleher

**Second:** Ms. Waitkus

**Vote:**

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

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

**Ordinance is Adopted (9-2)**

**7. Motion to introduce ordinance amending Ordinance 2016-6 regarding the Blighted Property Review Committee**

**Motion by:** Mr. Haas

**Second:** Mr. Perry

**Roll Call 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

**Ordinance is Introduced (10-1)**

**8. Motion to adopt resolution declaring a vacancy on the Luzerne County Children & Youth Advisory Board (Caffrey)**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

**9. Nominations and Appointments to Boards and Commissions:**

**9a. Accountability, Conduct and Ethics Commission (1 Democrat) to complete a term ending 03/13/2020**

**Motion to open nominations by:** Mr. Kelleher

**Second:** Mr. Schnee

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Open**

**Mr. Kelleher nominated:** Karen Metta

**Second:** Ms. Saidman

**Motion to close nominations by:** Mr. Brominski

**Second:** Ms. Houck

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Closed**

**Motion to adopt a resolution appointing Karen Metta, a Democrat, to the Accountability, Conduct and Ethics Commission to complete a term ending 03/13/2020**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

**9b. Luzerne County Area Agency on Aging Advisory Council (1) for a term ending 12/31/2020**

**9c. Luzerne County Children & Youth Advisory Board (2) for terms ending 12/31/2020**

**Motion to open nominations by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Open**

**Mr. Schnee nominated:** Francis Scarnulis

**Second:** Ms. Saidman

**Mr. Kelleher nominated:** John Bonin

**Second:** Mr. Perry

**Motion to close nominations by:** Mr. Kelleher

**Second:** Ms. Saidman

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Closed**

**Motion to adopt a resolution appointing Francis Scarnulis to the Luzerne County Children & Youth Advisory Board for a term of 1/1/18 to 12/31/2020**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

**Motion to adopt a resolution appointing John Bonin to the Luzerne County Children & Youth Advisory Board for a term of 1/1/18 to 12/31/2020**

**Motion by:** Mr. Kelleher

**Second:** Ms. Saidman

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

**9d. Luzerne County Convention Center Authority Board (1) to complete a term ending 12/31/2021**

**Motion to open nominations by:** Mr. Kelleher

**Second:** Mr. Schnee

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Open**

**Mr. Kelleher nominated:** Joseph Cotter

**Second:** Mr. Schnee

**Motion to close nominations by:** Mr. Haas

**Second:** Mr. Brominski

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Closed**

**Motion to adopt a resolution appointing Joseph Cotter to the Convention Center Authority Board to complete a term ending 12/31/2021**

**Motion by:** Mr. Kelleher

**Second:** Mr. Perry

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

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

**9e. Luzerne County Recreational Facilities Advisory Board (1) to complete a term ending 01/01/2019**

**Motion to open nominations by:** Mr. Kelleher

**Second:** Mr. Schnee

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Open**

**Ms. Houck nominated:** Neil Kaufer

**Second:** Ms. Saidman

**Motion to close nominations by:** Mr. Haas

**Second:** Ms. Waitkus

**Vote:**

Eleven (11) Ayes – Unanimous

**Nominations Closed**

**Motion to adopt a resolution appointing Neil Kaufer to the Luzerne County Recreational Facilities Advisory Board to complete a term ending 01/01/2019**

**Motion by:** Ms. Houck

**Second:** Mr. Schnee

**Roll Call 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**

**Stephen J. Urban (Wilkes-Barre)** “thanked” those who voted for the fee and hopes the people will remember them at re-election. He feels it is a disgrace to impose \$5.00 in order to get \$5.00. Mr. Urban noted that heavy equipment and similar vehicles that are causing the damage are exempt. It is a shame.

**Brian Shiner (Kingston)** commented on the \$5.00 fee and Levee Fee money. He stated that if Council would return the money to the Levee System it would drastically reduce the Levee Fee. Mr. Shiner did not agree with the funding principle of the Blighted Property Review Committee.

**Charles Olah (Kingston)** commented on the \$5.00 fee. He was disappointed that the fee was imposed on citizens that did not know it is only going to a few roads with limited provisions and no guarantee from the State. He proposed to eliminate voting in the voting sessions as the vote is always going to be the same. Mr. Olah pointed out that Old Business was not addressed.

**Joe McCabe (Exeter)** wondered if the Marcellus Shale money can be used for road & bridge repair. Mr. McCabe spoke about the lights that are out on the Water Street Bridge. It is a dangerous situation and it needs to be fixed. Mr. Pedri responded regarding the Marcellus Shale money and the Water Street Bridge situation.

**Motion to adjourn:** Mr. Haas

**Second:** Mr. Kelleher

**Vote:**

Eleven (11) Ayes – Unanimous

**Meeting Adjourned at 7:29 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)