



Luzerne County Council
May 22, 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 22, 2018 at 6:01 PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Harry Haas
Linda McClosky Houck
Eugene Kelleher
Tim McGinley
Chris Perry
Sheila Saidman, Esq.
Robert Schnee
Stephen A. Urban
Matthew Vough
Jane Walsh Waitkus

Absent

Edward A. Brominski

Also Present

C. David Pedri, Esq., County Manager
Shannon Crake-Lapsansky, Esq., Assistant County Solicitor
Sharon Lawrence, Clerk of Council

Recognitions/Ceremonial Proclamations

Mr. McGinley announced there was a proclamation in recognition of Lyme Disease Month and Michele Cassetori, NEPA Regional Leader, was present. Mr. McGinley read the proclamation and asked Ms. Cassetori to come forward to accept. After accepting the proclamation, Ms. Cassetori spoke briefly about Lyme Disease and her organization.

Additions to/Deletions from Voting Session Agenda

None

Adoption of Voting Session Agenda

Motion to Adopt: Mr. Kelleher

Second: Ms. Saidman

Vote:

Ten (10) Ayes – Unanimous

The Voting Session Agenda is adopted (10-0)

Public Comment on Voting Session Agenda Items

Brian Shiner (Kingston) spoke about an article in the paper regarding UGI and the possibility of rates dropping in December. He suggested Council delay approving the contract that would lock them in to a rate now and look into the matter. Mr. Shiner commented on the BPRC ordinance and suggested a change in the language. He also stated cities may want to be included and would then also to contribute.

Walter Griffith (Trucksville) stated the Public Hearing held earlier was not recorded and the Charter mandates that Public Hearings some way are documented. Mr. Griffith commented on the \$15,000.00 BPRC reimbursement from the Redevelopment Authority and suggested not to use an amount in the agreement and to strengthen the language.

Old Business

Business Interruption Insurance

Ms. Crake provided information regarding the County's Business Interruption Insurance. She stated that a claim can only be submitted after an interruption of 72 hours.

New Business

1. Motion to adopt minutes of the May 08, 2018 Voting Meeting

Motion by: Ms. Saidman

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

One (1) Nay by Mr. Stephen A. Urban

Motion Passed (9-1)

The May 08, 2018 Voting Meeting Minutes are Adopted

2. Introduction of ordinance adopting the 2019 Long-Range Operational, Fiscal and Capital Plan for Luzerne County
Automatically introduced (no vote required) by County Manager C. David Pedri

3. Motion to adopt resolution authorizing the County Manager to execute a Software Acquisition and Licensing Contract with Microsoft Corporation regarding Microsoft Contract

Motion by: Mr. Kelleher

Second: Mr. Schnee

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

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

Resolution is Adopted (9-1)

4. Motion to adopt resolution authorizing the County Manager to execute a contract with UGI to Realize Utility Cost Savings

Motion by: Ms. Waitkus

Second: Mr. Kelleher

Roll Call Vote:

Ten (10) Yes - Unanimous

Resolution is Adopted (10-0)

Motion to adjourn to Executive Session by: Mr. Schnee

Second: Ms. Saidman

Vote:

Ten (10) Ayes – Unanimous

Council Adjourned to Executive Session (10-0)

Motion to Reconvene Voting Session by: Mr. Kelleher

Second: Mr. Schnee

Vote:

Ten (10) Ayes – Unanimous

Council Reconvened Voting Session (10-0)

5. Motion to adopt resolution approving the Collective Bargaining Agreement between Luzerne County and AFSCME, AFL-CIO, District Council 87 (Residual Unit)

Motion by: Mr. Schnee

Second: Ms. Waitkus

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

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

Resolution is Adopted (9-1)

Ms. Crake affirmed the Executive Session was regarding Personnel and Litigation. The litigation was about the pending action with regard to the TIF.

6. Motion to adopt resolution declaring County owned properties located at and surrounding 111 N. Pennsylvania Ave as not available for sale

Motion by: Mr. Schnee

Second: Mr. Stephen A. Urban

Roll Call Vote:

Ten (10) Yes – Unanimous

Resolution is Adopted (10-0)

7. Motion to adopt ordinance amending Ordinance 2016-06 regarding the Blighted Property Review Committee

Motion by: Mr. Haas

Second: Ms. Houck

Mr. Kelleher requested Mr. Haas or Ms. Crake to comment on the comments of “may” versus “shall” language. Ms. Crake and Mr. Haas provided commentary. Mr. Haas stated he had no objection changing “may” to “shall” and Ms. Crake stated it can be changed but did not feel it would control or dictate the situation.

Motion to Amend Ordinance (change may to shall) by: Mr. Haas

Second: Ms. Houck

Vote:

Ten (10) Ayes – Unanimous

Ordinance is Amended (10-0)

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

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

Ordinance is Adopted (9-1)

8. Nominations and Appointments to Boards and Commissions:

8a. Luzerne County Area Agency on Aging Advisory Council (1) for a term ending (12/31/2020) 12/31/18 (term end date changed due to Aging Bylaws for new appointments)

Motion to open nominations by: Mr. Kelleher

Second: Mr. Vough

Vote:

Ten (10) Ayes – Unanimous

Nominations Open

Mr. Haas nominated: Mario Fiorucci

Second: Mr. Schnee

Motion to close nominations by: Mr. Kelleher

Second: Mr. Schnee

Vote:

Ten (10) Ayes – Unanimous

Nominations Closed

Motion to adopt a resolution appointing Mario Fiorucci to the Luzerne County Area Agency on Aging Advisory Council for a term ending 12/31/18

Motion by: Mr. Schnee

Second: Mr. Perry

Roll Call Vote:

Ten (10) Yes – Unanimous

Resolution is Adopted (10-0)

8b. Luzerne County Children & Youth Advisory Board (2) for terms ending 12/31/2020

Motion to open nominations by: Mr. Kelleher

Second: Mr. Haas

Vote:

Ten (10) Ayes – Unanimous

Nominations Open

Ms. Saidman nominated: Anthony Bartoli

Second: Mr. Vough

Mr. Kelleher nominated: Margaret Farrell

Second: Mr. Schnee

Motion to close nominations by: Mr. Haas

Second: Ms. Saidman

Vote:

Ten (10) Ayes – Unanimous

Nominations Closed

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

Motion by: Mr. Vough

Second: Mr. Schnee

Roll Call Vote:

Ten (10) Yes – Unanimous

Resolution is Adopted (10-0)

Motion to adopt a resolution appointing Margaret Farrell 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:

Ten (10) Yes – Unanimous

Resolution is Adopted (10-0)

Public Comment

Anthony Stanziola (Freeland) spoke about the added \$5.00 registration fee and a 1969 loophole that allowed motorists to opt out from getting a license plate altogether. Mr. Stanziola stated he attended a town meeting and requested that an ordinance be passed stating Foster Township is exempt from the \$5.00 fee.

Matthew Howton (Mountaintop) stated he is a resident of Mountaintop and Supervisor for Wright Township. He is present in conjunction with Mr. John Hargreaves to support a Gypsy Moth Program John will be talking about.

John Hargreaves (Mountaintop) passed out photos taken on his property the day before. Mr. Hargreaves spoke about a private program that ran through Walden Park and beyond and how it worked, the 285 homes he canvassed and what he learned and asked for assistance from the County with the Gypsy Moths and how to do it better. Mr. Hargreaves ran out of time and Ms. Waitkus and Mr. McGinley suggested he stay for the work session to offer further commentary.

Brian Shiner (Kingston) stated that Council voted on a collective bargaining agreement without information made public. Mr. Shiner cited the Sunshine Law and Council needs to follow it.

Motion to adjourn: Mr. Kelleher

Second: Mr. Stephen A. Urban

Vote:

Ten (10) Ayes – Unanimous

Meeting Adjourned at 7:25 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