



**Luzerne County Council
Voting Session
May 24, 2022
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 May 24, 2022 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 (virtually)
Kevin Lescavage
John Lombardo
Lee Ann McDermott
Tim McGinley
Chris Perry
Kendra M. Radle
Brian Thornton
Stephen J. Urban
Gregory S. Wolovich, Jr.

Also Present

Brian Swetz, Acting County Manager
Harry Skene, Acting County Solicitor
Shannon Crake-Lapsansky, Assistant Solicitor (virtually)
Sharon Lawrence, Clerk of Council

Attorney Skene commented on the Executive Session. He stated Council held an executive session this evening and litigation matters and personnel matters.

Recognitions and Ceremonial Proclamations

Chair Radle read a proclamation from Council proclaiming the month of May 2022 as MENTAL HEALTH MONTH. Chair Radle stated the proclamation was presented last week at the Children’s Mental Health Art Contest held on May 16th in the Courthouse Rotunda.

Chair Radle read a proclamation from Council proclaiming May 23rd as "Teen Mental Health Awareness Day" in Luzerne County. Chair Radle announced Sarah Pesi and Giavanna Cella were on the ZOOM call to accept the proclamation. Sarah Pesi and Giavanna Cella spoke about teen mental health and thanked Council.

Deletions from Voting Session Agenda

Mr. Thornton requested Work Session Item 8 be moved to the Voting Session (the Water Street Bridge matter). Chair Radle asked for a legal opinion regarding moving the item with regard to the Sunshine Act. Attorney Crake-Lapsansky indicated it could be moved.

Motion to Move Work Session Item 8 to the Voting Session by: Mr. Thornton

Second: Mr. Lombardo

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

The Item is moved to the Voting Session as Item 13.

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. Lombardo

Second: Mr. Thornton

Vote:

Ten (10) Ayes - Unanimous

Motion Passed (10-0)

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.

Walter Griffith (Trucksville) commented Verbally regarding the CASA Event and the Hazleton Transit Match.

Mark Rabo (Hazleton) commented Verbally regarding the Hazleton Transit Match and the Water Street Bridge.

John Newman (Nanticoke) commented Verbally regarding Kirby Avenue.

Agenda Items

Motion to adopt minutes of the May 10, 2022 Voting Session

Motion by: Mr. McGinley

Second: Mr. Wolovich

Vote:

Nine (9) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) Nay by Mr. SJ Urban

Motion Passed (9-1)

The May 10, 2022 Voting Session Minutes are Adopted

Motion to adopt minutes of the May 16, 2022 Special Meeting

Motion by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Nine (9) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) Nay by Mr. SJ Urban

Motion Passed (9-1)

The May 16, 2022 Special Meeting Minutes are Adopted

1. Introduction of ordinance adopting the 2023 Long-Range Operational, Fiscal and Capital Plan for Luzerne County

Automatically introduced (no vote required) by Acting County Manager Brian Swetz.

2. Motion to adopt ordinance Amending the 2022 Fiscal Year Budgets for Luzerne County (D&A)

Motion by: Ms. McDermott

Second: Mr. McGinley

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Ordinance is Adopted

3. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Kareliz Nin v. Luzerne County Children & Youth Services and Luzerne County

Motion by: Mr. Lescavage

Second: Mr. Lombardo

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

4. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Mark Baynock v. Luzerne County

Motion by: Mr. Lombardo

Second: Mr. Thornton

Roll Call Vote:

Nine (9) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) No by Mr. SJ Urban

Motion Passed (9-1)

Resolution is Adopted

5. Motion to adopt resolution Approving CASA's Annual Fundraiser Event to be Held at the Luzerne County Courthouse

Motion by: Mr. McGinley

Second: Mr. Thornton

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

6. Motion to adopt resolution Authorizing the Use of American Rescue Plan Act Funds to Resurface Kirby Avenue in Fairview Township

Motion by: Mr. Lombardo

Second: Mr. Wolovich

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

7. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Eugenia Galli v. Luzerne County, Luzerne-Wyoming County Mental Health and Development and Amy Tomkoski

Motion by: Mr. Thornton

Second: Mr. Perry

Roll Call Vote:

Ten (10) No – Unanimous

Motion Failed (0-10)

8. Motion to adopt resolution Committing a Local Match for State Operating Assistance for the Luzerne County Transportation Authority

Motion by: Mr. McGinley

Second: Mr. Wolovich

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

9. Motion to adopt resolution Committing a Local Match for State Operating Assistance for the Hazleton Public Transit

Motion by: Mr. Perry

Second: Mr. Lombardo

Mr. Wolovich requested the amount be decreased to \$158,792.00 (80%) as was done last year. Chair Radle confirmed the amount would be changed throughout the resolution.

Motion to Amend by: Mr. Wolovich

Second: Mr. SJ Urban

Roll Call Vote to Amend:

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

Six (6) No by Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle and Mr. Thornton

Motion to Amend Failed (4-6)

Roll Call Vote to Adopt:

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

Three (3) No by Mr. Lescavage, Mr. SJ Urban and Mr. Wolovich

Motion Passed (7-3)

Resolution is Adopted

10. Motion to Ratify resolution Accepting the Designee as Acting County Manager

Motion by: Ms. McDermott

Second: Mr. Lombardo

Roll Call Vote:

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

Two (2) No by Mr. Lescavage and Mr. SJ Urban

Motion Passed (8-2)

Resolution is Ratified

11. Appointments to Boards and Commissions

11a. Luzerne County Arts Advisory Board

Motion to Open Nominations by: Ms. McDermott

Second: Mr. Lombardo

Vote:

Ten (10) Ayes – Unanimous

Motion Passed (10-0)

Nominations Open

Mr. Lombardo nominated: Carl Frankel

Second: Mr. Perry

Motion to Close Nominations: Ms. McDermott

Second: Mr. Thornton

Vote:

Ten (10) Ayes – Unanimous

Motion Passed (10-0)

Nominations Closed

Motion to adopt resolution Appointing Carl Frankel to the Luzerne County Arts Advisory

Board by: Mr. Thornton

Second: Ms. McDermott

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

11b. Luzerne County Community College Board of Trustees

Motion to Open Nominations by: Ms. McDermott

Second: Mr. McGinley

Vote:

Ten (10) Ayes – Unanimous

Motion Passed (10-0)

Nominations Open

Mr. SJ Urban nominated: Marie Roke-Thomas

Second: Mr. Wolovich

Mr. Lombardo nominated: Joseph Long

Second: Mr. Wolovich

Motion to Close Nominations: Ms. McDermott

Second: Mr. McGinley

Vote:

Ten (10) Ayes – Unanimous

Motion Passed (10-0)

Nominations Closed

Roll Call Vote (1 name):

Mr. Bienias: Long

Mr. Lescavage: Long

Ms. McDermott: Long

Mr. McGinley: Long

Mr. Perry: Long

Ms. Radle: Long

Mr. Thornton: Long

Mr. Stephen J. Urban: Roke-Thomas

Mr. Wolovich: Long

Results:

Long 9

Roke-Thomas 1

Motion to adopt resolution Appointing Joseph Long to the Luzerne County Community College Board of Trustees by: Mr. McGinley

Second: Mr. SJ Urban

Roll Call Vote:

Ten (10) Yes – Unanimous

Motion Passed (10-0)

Resolution is Adopted

12. Motion to adopt ordinance Amending the Administrative Code at Section 2.08 - County Council Investigations and Inquiries, Subsection A

Motion by: Mr. Thornton

Second: Mr. SJ Urban

Roll Call Vote:

Six (6) Yes by Mr. Bienias, Mr. Lescavage, Ms. McDermott, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

Four (4) No by Mr. Lombardo, Mr. McGinley, Mr. Perry and Ms. Radle

Motion Passed (6-4)

Ordinance is Adopted

ADDED ITEM

13. Motion to adopt resolution Authorizing the Use of American Rescue Plan Act Funds for Inspection of the Water Street Bridge

Motion by: Mr. Lescavage

Second: Mr. Lombardo

Roll Call Vote:

Nine (9) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) Abstention by Mr. SJ Urban

Motion Passed (9-0) with (1) Abstention

Resolution is Adopted

Public Comment on Non-Agenda Items:

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Mark Rabo (Hazleton) commented Verbally regarding the Hazleton Transit Match and LSA.

Walter Griffith (Trucksville) commented Verbally regarding ABC appointments, the Acting County Manager exit interview and LSA.

Theodore James Fitzgerald (Wilkes-Barre) commented Verbally regarding the Water Street Bridge, LSA loan and passed out invitations to Council for an event to welcome the new County Manager.

Thomas Bassett (Pittston City) commented Verbally regarding issues and concerns with the Election Board.

Chair Radle read Public Comment Email from:
Mike and Debbie Smith

John Newman (Nanticoke) commented Verbally regarding the Hazleton Transit and LCTA.

Motion to adjourn: Mr. McGinley

Second: Mr. Perry

Vote:

Nine (9) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Mr. SJ Urban and Mr. Wolovich

One (1) Nay by Mr. Thornton

Motion Passed (9-1)

Meeting adjourned at 7:08 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