



**Luzerne County Council
Voting Session
July 13, 2021
Council Meeting Room
Luzerne County Courthouse
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 Tuesday, July 13, 2021, at 6:05PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Walter L. Griffith, Jr.
Harry Haas
Linda McClosky Houck
Lee Ann McDermott
Tim McGinley
Chris Perry
Kendra M. Radle
Sheila Saidman, Esq.
Robert Schnee
Stephen J. Urban
Matthew Vough

Also Present

Romilda P. Crocamo, Esq., Acting County Manager
Vito DeLuca, Chief County Solicitor
Sharon Lawrence, Clerk of Council

Mr. McGinley stated he had some announcements and:

- **Thanked IT for all the work they did hosting the virtual meetings all year.**
- **Indicated since this is the first Hybrid Meeting if there are any glitches, they will be worked out going forward.**
- **Cautioned everyone that the new microphones are very sensitive and to please be careful as even a whisper can be picked up.**
- **Thanked Building and Grounds for the great job they did cleaning and sanitizing the room.**
- **Stated CDC Guidelines are being followed and any non-vaccinated person should wear a mask. Social distancing is also being followed.**
- **Spoke about the County Cares Commission Resource Day in Kirby Park**
- **Thanked Budget & Finance for all their hard work with the Audit**

Attorney DeLuca commented on two Executive Sessions. One was July 5th at 6PM conducted over TEAMS regarding an employment matter. Tonight at 5PM there was an Executive Session regarding litigation, Musko vs Luzerne County and also employment matters.

Recognitions/Ceremonial Proclamations

NONE

Additions to/Deletions from Voting Session Agenda

Ms. McDermott would like to move Work Session Agenda Item 11a, Pugh's and Dotter's interest to purchase county-owned parcels, to the Voting Session.

Mr. McGinley asked for objections, non heard, it will be added to the Voting Session Agenda as Item 16.

Ms. McDermott felt the Motion to suspend Bylaws regarding the requirement a majority of those participating in the meeting must be physically present, is no longer needed. Mr. McGinley agreed.

Mr. McGinley removed Item 6 (Musko Litigation) from the Agenda.

Mr. Griffith would like to remove Item 5 (Clean Energy) from the agenda.

Mr. McGinley suggested moving it to the Work Session as there is someone present to provide information. Mr. Griffith agreed.

Mr. Griffith requested to add a motion to have a discussion about mandatory drug testing to the agenda. Mr. McGinley suggested it go on the Work Session. Mr. Griffith agreed.

Ms. Saidman would like to move Item 13 (Homestead Exclusion Ordinance) to the Work Session. Mr. McGinley stated any Council Member can bring forth an ordinance so it should remain on the Voting Session.

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. Griffith

Second: Ms. Houck

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

The Voting Session Agenda is Adopted

Motions

~~**Motion to suspend Bylaws regarding the requirement a majority of those participating in the meeting must be physically present.**~~

REMOVED

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.

Mark Rabo (Hazleton) commented Verbally regarding Hazleton Public Transit Intermodal and the Government Study Commission.

Alan Pugh (Dallas Township) commented Verbally regarding the Dotter property, his properties, proposals for other properties, and the options of submitting a sealed bid or having a live auction.

Richard Manta (Back Mountain) commented Verbally regarding LCTA, Hazleton Transit and live auctions.

Motion to adopt minutes of the June 22, 2021 Voting Session

Mr. McGinley noted the minutes contained 3 typographical errors, page 5, in Section 8b, bolded as follows:

- c) For the seventh year immediately following the date upon which the improvement becomes assessable, **seventy** percent (60%) of the assessed value of the eligible improvement shall be exempt.
- d) For the eighth year immediately following the date upon which the improvement becomes assessable, **sixty** percent (40%) of the assessed value of the eligible improvement shall be exempt.
- e) For the ninth year immediately following the date upon which the improvement becomes assessable, **sixty** percent (20%) of the assessed value of the eligible improvement shall be exempt.

The written percentages will be corrected to match the numeric percentages.

Motion by: Ms. Saidman

Second: Mr. Schnee

Vote:

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

Two (2) Nays by Mr. Griffith and Mr. SJ Urban

Motion Passed (9-2)

The June 22, 2021 Voting Session Minutes are Adopted

Old Business

Mr. Griffith asked for an update on the codification. Mr. McGinley responded the RFP has been sent to the Office of Law for review.

Mr. Griffith noted the Bylaws only allow for 2 members of Council to attend CCAP and that should be amended and discussed at a future meeting.

Agenda Items

1. Motion to adopt resolution Authorizing the County Manager to Execute a Right of Way Agreement between Luzerne County and Transcontinental Gas Pipe Line Company, LLC

Motion by: Mr. Schnee

Second: Mr. Vough

Roll Call Vote:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) Abstention by Mr. SJ Urban

Motion Passed (10-0) with (1) Abstention

Resolution is Adopted

2. Motion to adopt resolution Requesting a Multimodal Transportation Fund Grant from the Pennsylvania Commonwealth Financing Authority

Motion by: Ms. Saidman

Second: Ms. Radle

Motion to change the name of the County Manager in the body of the resolution from C.

David Pedri., Esq., County Manager to just County Manager by: Mr. Vough

Second: Mr. Schnee

Roll Call Vote to Amend:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Amended

Roll Call Vote to Approve:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) No by Mr. SJ Urban

Motion Passed (10-1)

Resolution is Adopted

3. Motion to introduce ordinance Amending the 2021 Fiscal Year Budgets for Luzerne County (911)

Motion by: Ms. McDermott

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

4. Motion to introduce ordinance Amending the 2021 Fiscal Year Budgets for Luzerne County (Probation)

Motion by: Ms. Radle

Second: Mr. Perry

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Introduced

~~5. Motion to adopt resolution Establishing a Property Assessed Clean Energy Program in the County of Luzerne and Taking and Authorizing Other Action in Connection Therewith~~

MOVED TO WORK SESSION

~~6. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Richard Musko v. Wilkes-Barre/Wyoming Valley Airport, Valley Aviation and Luzerne County~~

REMOVED

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

Motion by: Ms. McDermott

Second: Mr. Perry

Roll Call Vote:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) Abstention by Mr. SJ Urban

Motion Passed (10-0) with (1) Abstention

Resolution is Adopted

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

Motion by: Mr. Schnee

Second: Mr. Perry

Motion to change the local match amount to \$168,811.00 by: Mr. Haas

Second: ~~Ms. Saidman~~

Ms. Saidman withdrew her second.

Second: Ms. Houck

Roll Call Vote to Amend:

Six (6) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. Saidman, Mr. SJ Urban and Mr. Vough

Five (5) No by Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle and Mr. Schnee

Motion Passed (6-5)

Resolution is Amended

Roll Call Vote to Approve:

Nine (9) Yes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, *Mr. Schnee and Mr. Vough

One (1) No by Mr. Griffith

One (1) Abstention by Mr SJ Urban

*Mr. Schnee originally voted No and then changed his vote to Yes before the final count.

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

Resolution is Adopted

9. Motion to adopt resolution Adopting the Hidden Heroes Community Plan

Motion by: Ms. Radle

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

10. Motion to create a County Council Ad Hoc Committee regarding County Council Email

Motion by: Ms. Saidman

Second: Ms. Radle

Roll Call Vote:

Nine (9) Yes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

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

Motion Passed (9-2)

Mr. McGinley announced the Committee members:

Ms. Saidman, Chair

Ms. Radle

Mr. Griffith

11. Designation of CCAP Voting Delegates

Mr. McGinley stated nominations are open.

Mr. Haas nominated: Sheila Saidman

Ms. Saidman declined.

Mr. Griffith nominated: Stephen J Urban

Second: Mr. Perry

Mr. Saidman nominated: Walter Griffith

Second: Mr. SJ Urban

Mr. Perry nominated: Tim McGinley

Second: Mr. Griffith

Mr. Haas nominated: Lee Ann McDermott

Second: Mr. SJ Urban

Ms. Saidman nominated: Kendra Radle

Second: Mr. Griffith

Motion to Close Nominations by: Mr. Haas

Second: Mr. SJ Urban

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Mr. McGinley stated according to the Charter appointments must be made by resolution.

Motion to adopt resolution appointing Stephen J Urban as a CCAP Voting

Delegate by: Mr. Griffith

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Walter Griffith as a CCAP Voting

Delegate by: Mr. SJ Urban

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Tim McGinley as a CCAP Voting

Delegate by: Ms. McDermott

Second: Mr. Perry

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Lee Ann McDermott as a CCAP Voting

Delegate by: Mr. Griffith

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Kendra Radle as a CCAP Voting

Delegate by: Mr. Griffith

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

12. Motion to approve the Luzerne/Schuylkill WDB Annual Budget as per Regulations defined in the Workforce Innovation and Opportunity Act (WIOA)

Motion by: Ms. Saidman

Second: Mr. Perry

Motion to Table by: Ms. Houck

Second: Ms. Saidman

Roll Call Vote:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) No by Mr. SJ Urban

Motion Passed (10-1)

Motion is Tabled

13. Motion to introduce ordinance Authorizing the Luzerne County Assessor's Office to Approve a Homestead Exclusion of \$50,000 of Assessed Property for FY2020 and 2021 and for the Office of Treasurer to Disburse Funds to Eligible Property Owners from line item 125.20.4176.400.11(CARES Act Budget and Finance General Government Operation U.S. Treasury COVID-19 Fiscal Recovery) Obtained Through Federal Funding from The American Rescue Plan Act of 2021

Motion by: Mr. Haas

Second: Ms. Houck

Mr. Haas made changes to his ordinance as follows:

- Change \$50,000 to \$48,500
- Remove FY (Fiscal Year)

Roll Call Vote:

Ten (10) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

One (1) No by Mr. McGinley

Motion Passed (10-1)

Ordinance is Introduced

14. Motion to introduce Ordinance Placing the Question of Whether a Government Study Commission should be Elected on the Ballot at the November 2, 2021 General Election

Motion by: Mr. Griffith

Second: Mr. SJ Urban

Roll Call Vote:

Two (2) Yes by Mr. Griffith and Mr. SJ Urban

Nine (9) No by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion Failed (2-9)

15. Motion to authorize the County Council Chair to sign an engagement letter with Stevens & Lee

Motion by: Ms. Radle

Second: Ms. Saidman

Roll Call Vote:

Nine (9) Yes by Mr. Griffith, Mr. Haas, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Two (2) Yes by Ms. Houck and Mr. SJ Urban

Motion Passed (9-2)

ADDED ITEM

16. Motions regarding Real Estate Committee Recommendations for Pugh's and Dotter's interest to purchase county-owned parcels

Ms. McDermott stated there currently is not a procedure on how to handle duplicate bids for County owned property. She recapped the situation regarding bids from Pugh and Dotter. The Real Estate Committee came up with 2 options, have an auction or ask for sealed bids. Attorney DeLuca provided commentary.

Motion to hold an auction by: Ms. Houck

Second: Mr. Perry

Roll Call Vote:

Ten (10) Yes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee, Mr. SJ Urban and Mr. Vough

One (1) Abstention by Mr. Griffith

Motion Passed (10-0) with (1) Abstention

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.

Martin Dartoe (Wilkes-Barre) commented Verbally regarding drug testing for county employees and thanked Council for going back to in person meetings.

Beth Hartman (Hanover Township) commented Verbally regarding drug testing all county employees and obtaining court records.

Meaghan Weber (Hanover Township) commented regarding mandatory drug testing on all county employees, Children & Youth, Judges, Mental Health and Kids for Cash.

Mr. Spak commented Verbally regarding the Climate Crisis.

Frank Chest (Newport Township) commented Verbally regarding financial relief for the people.

Charles Olah (Kingston) commented Verbally regarding the County Manager Search Committee, selection, interviews and a corporate recruiter.

Dr. Reisinger (Kingston) commented Verbally regarding the levee and riverfront projects.

Joe McCabe (Exeter) commented Verbally regarding reassessment and the WVSA Rain Tax.

Richard Manta (Back Mountain) commented Verbally regarding the Rain Tax and busing.

Mark Rabo (Hazleton) commented Verbally regarding Hazleton Public Transit and the Hazleton Land Bank.

Robert Griffin (Forty-Fort) commented Verbally regarding the climate situation, COVID, riverfront flooding, food and water preparation for emergencies.

Sean Donahue (Hazleton) commented Verbally regarding the Governor's Office, Department of Human Services, welfare for Lackawanna and Luzerne, and WIB Reporting

EMAILS:

Beth Hartman (Hanover Township)

Meaghan Weber (Hanover Township)

Adjournment

Motion to Adjourn: Mr. Haas

Second: Mr. Perry

Vote:

Eleven (11) Ayes – Unanimous

Meeting Adjourned at 9:20 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