



**Luzerne County Council
Voting Session
August 23, 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 August 23, 2022 at 7:45 PM. The meeting was called to order by Chair Kendra Radle.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Carl Bienias
Kevin Lescavage
John Lombardo
Lee Ann McDermott (virtually)
Tim McGinley
Matt Mitchell
Chris Perry
Kendra M. Radle
Brian Thornton
Stephen J. Urban
Gregory S. Wolovich, Jr.

Also Present

Randy Robertson, County Manager
Harry Skene, Chief County Solicitor
Shannon Crake-Lapsansky, Assistant Solicitor (virtually)
Sharon Lawrence, Clerk of Council

Recognitions and Ceremonial Proclamations

NONE

Deletions from Voting Session Agenda

Motion to move Voting Session Agenda Item 5 to the Work Session

Agenda by: Mr. Lescavage

Second: Mr. SJ Urban

Roll Call Vote:

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

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

Motion Passed (6-5)

Voting Session Item 5 is moved to the Work Session Agenda as Item 8.

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. McGinley

Second: Mr. Lombardo

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

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.

Chair Radle read Public Comment Email from:
Claudia Glennan (Salem Township)

Mark Rabo (Hazleton) commented Verbally regarding the LSA.

Mark Shaffer (Wilkes-Barre) commented Verbally regarding the LSA.

Beth Hartman (Hanover Township) commented Verbally regarding the Rivera litigation.

Alyssa Fusaro (Luzerne) commented Verbally regarding electronic equipment for the Board of Elections.

Motion to adopt minutes of the August 09, 2022 Voting Session

Motion by: Mr. McGinley

Second: Mr. Lombardo

Vote:

Ten (10) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) Nay by Mr. SJ Urban

Motion Passed (10-1)

The August 09, 2022 Voting Session Minutes are Adopted

Agenda Items

1. Motion to adopt ordinance Adopting the 2023 Long-Range Operational, Fiscal and Capital Plan for Luzerne County

Motion by: Mr. Thornton

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

2. Motion to Introduce Ordinance Authorizing and Approving a Project of the Redevelopment Authority of the County of Luzerne (The “Authority”); Authorizing and Directing the Incurrence of Lease Rental Debt, in the Aggregate Principal Amount Not to Exceed Fifty-Five Million Dollars (\$55,000,000) Pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania, Known as the Local Government Unit Debt Act, as Reenacted, Amended and Supplemented (The “Debt Act”); Determining that Such Debt Shall Be Incurred Under the Debt Act as Lease Rental Debt to be Evidenced by a Guaranty Agreement of the County Securing One or More Series of Federally Taxable and/or Tax Exempt Revenue Bonds or Notes (Collectively, The “Bonds”), to be Issued by the Authority at the Same or Different Times to Finance a Project (The “Project”) of the Authority Consisting of (1) Financing the Design, Acquisition, Construction and Equipping of the Reconstruction of the Nanticoke/West Nanticoke Bridge in the County and/or Such Other Public Infrastructure Projects as Approved by the County and the Authority, and (2) Paying the Costs and Expenses of Issuing the Bonds; Authorizing and Directing the Proper Officers of the County: (A) to Prepare, to Certify and to File the Debt Statement and Borrowing Base Certificate Required by Section 8110 of the Debt Act; (B) to Cause to be Prepared and Filed, Statements Required by Section 8026 of the Debt Act Which are Necessary to Qualify All of Such Lease Rental Debt for Exclusion from the Appropriate Debt Limits as Self-Liquidating Debt; (C) to Execute, to Attest, to Seal and to Deliver a Guaranty Agreement Among the County, the Authority and the Purchaser Named Therein;

Approving the Form of the Guaranty Agreement; Specifying the Amount of the Guaranty Obligation of the County Pursuant to Such Guaranty Agreement and the Sources of Payment of Such Guaranty Obligation; Authorizing the Proper Officers of the County to Take All Other Required, Necessary or Desirable Related Action in Connection with Such Project and the Execution and Delivery of the Guaranty Agreement; Providing for the Effectiveness of this Ordinance; Providing for the Severability of Provisions of this Ordinance; and Providing for the Repeal of All Inconsistent Ordinances or Resolutions or Parts of Ordinances or Resolutions

Motion by: Mr. Thornton

Second: Mr. Lombardo

Roll Call Vote:

Ten (10) Yes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. Thornton and Mr. Wolovich

One (1) No by Mr. SJ Urban

Motion Passed (10-1)

Ordinance is Introduced

3. Motion to adopt resolution Approving the Dedication for Public Use the Portion of County Road 38, also Known as Mountain Drive, to the Township of Sugarloaf

Motion by: Mr. Wolovich

Second: Mr. McGinley

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

4. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Michael Rivera v. Mark Rockovich, Luzerne County, et. al

Motion by: Mr. Thornton

Second: Mr. Lombardo

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

ITEM REMOVED AND MOVED TO WORK SESSION

5. Motion to adopt resolution Authorizing the County Manager to Execute a Contract with Runbeck Election Services for the Purchase of a Mail Ballot Sorting System and Five Year Licensing and Service Agreement

6. Motion to adopt ordinance Amending the Administrative Code at Section 7.01(A) by Adding Section 7.01(A)(1) Issuance of Electronic Equipment

Motion by: Mr. Bienias

Second: Mr. SJ Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Ordinance is Adopted

7. Motion to adopt ordinance Amending the Administrative Code Adding Section 7.03(A) Prohibitions, 7.03(A)(1) Election Drop Boxes and 7.03(A)(2) Automatic Section Repealer of 7.03(A)(1)

Motion by: Mr. SJ Urban

Second: Mr. Lescavage

Roll Call Vote:

Five (5) Yes by Mr. Bienias, Mr. Lescavage, Mr. Thornton, Mr. SJ Urban and Mr. Wolovich

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

Motion Failed (5-6)

Ordinance Failed

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.

Alyssa Fusaro (Luzerne) commented Verbally regarding voting machines and legal duties of the Board of Elections.

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

Kara Krueger (Plains) commented Verbally regarding the vote on the drop boxes.

Jaclyn Roughsedge-Norris (Larksville) commented Verbally regarding a support letter for HB 1828 and the ARP 5% match and non-profits.

Vivian Kreidler-Licina (Nescopeck) commented Verbally regarding helping the people.

Chair Radle and Vice Chair Lombardo read Public Comment Email from:

Cindy Brannan (Wright Township)

Carol Rosser (Sweet Valley)

Mark Rabo (Hazleton)

Walter Griffith (Trucksville)

Motion to adjourn: Mr. Bienias

Second: Mr. Lombardo

Vote:

Ten (10) Ayes by Mr. Bienias, Mr. Lescavage, Mr. Lombardo, Ms. McDermott, Mr. McGinley, Mr. Mitchell, Mr. Perry, Ms. Radle, Mr. SJ Urban and Mr. Wolovich

One (1) Nay by Mr. Thornton

Motion Passed (10-1)

Meeting adjourned at 8:55 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