



**Luzerne County Council**  
August 27, 2019  
Council Meeting Room  
Luzerne County Courthouse  
200 N. River Street  
Wilkes-Barre, PA 18701

**Minutes**  
**August 27, 2019 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, August 27, 2019, at 6:10 PM. The meeting was called to order by Chair Tim McGinley.

**Pledge of Allegiance and Moment of Silence**

**Roll Call**

**Present**

Patrick M. Bilbow  
Harry Haas  
Linda McClosky Houck  
Tim McGinley  
Rick Morelli  
Chris Perry  
Sheila Saidman, Esq.  
Robert Schnee  
Stephen A. Urban  
Matthew Vough  
Jane Walsh Waitkus

**Also Present**

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

**Ms. Crake stated Council held an Executive Session prior to the public hearing on personnel, more specifically, discussions regarding the Collective Bargaining Agreement.**

### **Recognitions/Ceremonial Proclamations**

#### **Retirement:**

Mr. McGinley announced the retirement of Lawrence Klemow, Senior Law Clerk, Courts. A letter of thanks and congratulations will be sent out to him from Council.

#### **Proclamation:**

Mr. McGinley read and presented a proclamation regarding the Avondale Mine Disaster of 1869 to Steve Konrad, President of the Plymouth Historical Society. Council proclaimed September 6<sup>th</sup>, 2019 as Avondale Day in Luzerne County. Mr. Konrad spoke about the disaster and handed out programs for the 150<sup>th</sup> Commemorative Memorial as well as reviewed the upcoming events.

### **Additions to/Deletions from Voting Session Agenda**

Ms. Houck noted there was a request to add the CALO grant to the Voting Session Agenda. Mr. McGinley confirmed the same and stated there was an email sent out regarding the grant and resolution. Mr. McGinley added it to the Voting Session Agenda as Item 5. Council agreed.

### **Adoption of Voting Session Agenda**

**Motion to Adopt:** Ms. Saidman

**Second:** Mr. Morelli

#### **Vote:**

Eleven (11) Ayes – Unanimous

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

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

**Walter Griffith (Trucksville)** stated he had comments on agenda items 1,2,3 and 4.

Mr. Griffith stated the Flower Tent lease agreement was for less money than last time. He noted he already spoke about the 2019 Fiscal Year Budget Ordinance during the public hearing and reiterated that additional language needed to be added. Mr. Griffith spoke about the Capital Plan. He offered suggestions and commented on the parking garage and potential revenue. Mr. Griffith stated the collective bargaining agreement should have been made available to the public prior to the Executive Session and vote.

### **Old Business**

None

**New Business**

**Motion to adopt minutes of the August 13, 2019 Voting Meeting**

**Motion by:** Mr. Schnee

**Second:** Mr. Bilbow

**Vote:**

Eight (8) Ayes by Mr. Bilbow, Mr. Haas, Ms. Houck, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee and Ms. Waitkus

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

Two (2) Abstentions by Mr. Vough and Mr. Morelli

**Motion Passed (8-1) with (2) Abstentions**

**The August 13, 2019 Voting Meeting Minutes are Adopted**

**1. Motion to adopt resolution entering into a lease for a portion of land at the Luzerne County Annex for use by the Flower Tent**

**Motion by:** Ms. Waitkus

**Second:** Mr. Stephen A. Urban

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**2. Motion to adopt ordinance amending the 2019 Fiscal Year Budget for Luzerne County (Part-Time Drug Task Force Officer Positions)**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Ms. Houck would like to make (3) amendments.**

**Amendment 1**

**In Section 2, last line of the paragraph, change to “Office of Attorney General to pay the salary for five Part-Time Drug Task Force Officers:”**

**Motion by:** Ms. Houck

**Second:** Mr. Vough

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Amendment 1 Passed (11-0)**

**Amendment 2**

**In Section 2, after the budget line items, add “Five Part-Time Drug Task Force Officer positions shall be added to the 2019 Position Budget.”**

**Motion by:** Ms. Houck

**Second:** Mr. Stephen A. Urban

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Amendment 2 Passed (11-0)**

**Amendment 3**

In Section 2, after the amendment 2 added wording, add **“These positions shall be maintained so long as funding through the Pennsylvania Attorney General’s Office for these positions is available.”**

**Motion by:** Ms. Houck

**Second:** Mr. Stephen A. Urban

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Amendment 3 Passed (11-0)**

**Motion to Adopt Amended Ordinance**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Ordinance is Adopted**

**3. Motion to adopt ordinance adopting the 2020 Long-Range Operational, Fiscal and Capital Plan for Luzerne County**

**Motion by:** Ms. Saidman

**Second:** Mr. Perry

Mr. McGinley would like to make (5) amendments.

**Amendment 1**

**Project Code 1900.05 Security Camera Project**

**Change Estimated Cost from \$350,000.00 to \$300,000.00**

**Motion by:** Mr. Schnee

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Amendment 1 Passed (11-0)**

**Amendment 2**

**Project Code 800.24 Workstation Upgrades**

**Change Estimated Cost from \$353,000.00 to \$250,000.00**

**Motion by:** Ms. Saidman

**Second:** Mr. Schnee

**Roll Call Vote:**

Ten (10) Yes by Mr. Bilbow, Mr. Haas, Ms. Houck, Mr. McGinley, Mr. Morelli, Mr. Perry, Ms. Saidman, Mr. Schnee Mr. Vough and Ms. Waitkus

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

**Amendment 2 Passed (10-1)**

**Amendment 3**

**Project Code 100.74 County Parkade Garage Rehabilitation**

**Changes Estimated Cost from \$500,000.00 to \$300,000.00**

**Motion by:** Ms. Waitkus

**Second:** Mr. Schnee

**Roll Call Vote:**

Eight (8) Yes by Mr. Bilbow, Mr. Haas, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee  
Mr. Vough and Ms. Waitkus

Three (3) No by Ms. Houck, Mr. Morelli and Mr. Stephen A. Urban

**Amendment 3 Passed (8-3)**

**Amendment 4**

**Add Cooling Tower @DRO**

**Add Estimated Cost of \$50,000.00**

**Motion by:** Mr. Perry

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Amendment 4 Passed (11-0)**

**Amendment 5**

**Add Capital Plan Emergency Fund**

**Add Estimated Cost of \$303,000.00**

**Motion by:** Ms. Waitkus

**Second:** Ms. Saidman

**Mr. Haas would like to make an amendment to Amendment 5:**

**Add the \$303,000.00 to the 911 Upgrades**

**Motion by:** Mr. Haas

**Second:** Mr. Stephen A. Urban

**Roll Call Vote on the amendment to Amendment 5:**

Three (3) Yes by Mr. Haas, Ms. Houck and Mr. Stephen A. Urban

Eight (8) No by Mr. Bilbow, Mr. McGinley, Mr. Morelli, Mr. Perry, Ms. Saidman, Mr. Schnee  
Mr. Vough and Ms. Waitkus

**Amendment to Amendment 5 Failed (3-8)**

**Roll Call Vote on Amendment 5:**

Ten (10) Yes by Mr. Bilbow, Ms. Houck, Mr. McGinley, Mr. Morelli, Mr. Perry, Ms. Saidman,  
Mr. Schnee, Mr. Stephen A. Urban, Mr. Vough and Ms. Waitkus

One (1) No by Mr. Haas

**Amendment 5 Passed (10-1)**

**Motion to Adopt Amended Ordinance**

**Motion by:** Ms. Saidman

**Second:** Mr. Perry

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Ordinance is Adopted**

**4. Motion to adopt resolution approving the Collective Bargaining Agreement between Luzerne County and AFSCME, AFL-CIO, District Council 87 (Court Appointed Support Staff Unit)**

**Motion by:** Ms. Waitkus

**Second:** Ms. Saidman

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**ADDED ITEM**

**5. Motion to adopt resolution Authorizing Luzerne County to Accept Redevelopment Assistance Capital Program (RACP) Grant on behalf of Change Academy Lake of the Ozarks (CALO)**

**Motion by:** Mr. Stephen A. Urban

**Second:** Mr. Perry

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**6. Authorities Nominations and Appointments to:**

**6a. Luzerne County Convention Center Authority (1) to complete a term to 12/31/2021**

**Motion to Open Nominations by:** Mr. Vough

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Perry nominated:** John Pickering

**Second:** Mr. Schnee

**Mr. Stephen A. Urban nominated:** Ed Harry

**Second:** Mr. Haas

**Motion to Close Nominations by:** Mr. Vough

**Second:** Mr. Morelli

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Roll Call Vote (1 name):**

**Mr. Bilbow:** Pickering

**Mr. Haas:** Harry

**Ms. Houck:** Harry

**Mr. McGinley:** Pickering

**Mr. Morelli:** Pickering

**Mr. Perry:** Pickering

**Ms. Saidman:** Pickering

**Mr. Schnee:** Pickering

**Mr. Stephen A. Urban:** Harry

**Mr. Vough:** Pickering

**Ms. Waitkus:** Pickering

**Results:**

Pickering 8

Harry 3

**Motion to adopt resolution appointing John Pickering to the Luzerne County Convention**

**Center Authority:**

**Motion by:** Ms. Waitkus

**Second:** Mr. Schnee

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**6b. Luzerne County Housing Authority (1) term to 12/31/23**

**Motion to Open Nominations by:** Mr. Vough

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Ms. Houck nominated:** Kathleen Chernavage

**Second:** Mr. Vough

**Motion to Close Nominations by:** Mr. Haas

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Kathleen Chernavage to the Luzerne County**

**Housing Authority:**

**Motion by:** Ms. Houck

**Second:** Mr. Vough

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

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

**7a. Luzerne County Children and Youth Advisory Board (1) to complete a term to 12/31/2022**

**Motion to Open Nominations by:** Mr. Haas

**Second:** Mr. Perry

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Ms. Houck nominated:** Mark Umphred

**Second:** Mr. Stephen A. Urban

**Motion to Close Nominations by:** Mr. Vough

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Mark Umphred to the Luzerne County Children and Youth Advisory Board:**

**Motion by:** Mr. Stephen A. Urban

**Second:** Ms. Houck

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**7b. Luzerne County Farmland Preservation Board (1) term to 12/31/2021**

**Motion to Open Nominations by:** Mr. Schnee

**Second:** Ms. Waitkus

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Schnee nominated:** Ransom Young

**Second:** Mr. Stephen A. Urban

**Motion to Close Nominations by:** Mr. Vough

**Second:** Mr. Morelli

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Ransom Young to the Luzerne County Farmland Preservation Board:**

**Motion by:** Ms. Waitkus

**Second:** Mr. Perry

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**7c. Luzerne County Forty-Fort Airport Advisory Board (2) terms to 12/31/2021**

**Motion to Open Nominations by:** Mr. Stephen A. Urban

**Second:** Mr. Schnee

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Schnee nominated:** Meredith Rynkiewicz

**Second:** Ms. Saidman

**Mr. Schnee nominated:** William Greiner

**Second:** Mr. Bilbow

**Motion to Close Nominations by:** Mr. Morelli

**Second:** Mr. Stephen A. Urban

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Meredith Rynkiewicz to the Luzerne County Forty-Fort Airport Advisory Board:**

**Motion by:** Mr. Bilbow

**Second:** Mr. Stephen A. Urban



**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**Motion to adopt resolution appointing William Greiner to the Luzerne County Forty-Fort Airport Advisory Board:**

**Motion by:** Mr. Stephen A. Urban

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**7d. Luzerne County Recreational Facilities Advisory Board (1) term to 12/31/2021**

**Motion to Open Nominations by:** Ms. Waitkus

**Second:** Mr. Stephen A. Urban

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Stephen A. Urban nominated:** Scott Letcher

**Second:** Mr. Schnee

**Motion to Close Nominations by:** Mr. Morelli

**Second:** Mr. Stephen A. Urban

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Scott Letcher to the Luzerne County Recreational Facilities and Advisory Board:**

**Motion by:** Mr. Stephen A. Urban

**Second:** Mr. Schnee

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**7e. Luzerne/Schuylkill Workforce Investment Board (1) term to 06/30/2023**

**Motion to Open Nominations by:** Ms. Waitkus

**Second:** Mr. Stephen A. Urban

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Open**

**Mr. Bilbow nominated:** Joseph Aquilina

**Second:** Mr. Schnee

**Motion to Close Nominations by:** Mr. Stephen A. Urban

**Second:** Mr. Morelli

**Vote:** Eleven (11) Ayes - Unanimous

**Nominations Closed**

**Motion to adopt resolution appointing Joseph Aquilina to the Luzerne/Schuylkill**

**Workforce Investment Board:**

**Motion by:** Mr. Stephen A. Urban

**Second:** Ms. Waitkus

**Roll Call Vote:**

Eleven (11) Yes – Unanimous

**Motion Passed (11-0)**

**Resolution is Adopted**

**Public Comment**

**Ed Gustitus (Swoyersville)** commented on the Chamber of Commerce KOZ extension request.

**Walter Griffith (Trucksville)** hoped that after Public Comment, the terms of the Collective Bargaining Agreement will be disclosed to the public. Mr. Griffith feels it is unfair that large corporations get tax forgiveness (KOZ) but the small business owner or taxpayer does not. Mr. Griffith thanked the Office of Community development for the Division Street Bridge. He spoke about paid parking, the County parking garage and parking at other locations. Mr. McGinley stated the terms of the Collective Bargaining Agreement will be discussed in the Work Session.

**Brian Shiner (Kingston)** asked when Council voted to have the Solicitor issue an opinion on the amendment to the Administrative Code. Mr. McGinley responded there was not a vote. Mr. Shiner asked who requested the opinion and Mr. McGinley stated he always has the Solicitor review resolutions and ordinances. Mr. Shiner stated that answered his question.

**Mike Stachowiak (Nanticoke)** spoke about firearms, the Magistrates Office in the Nanticoke Municipal Building and ADA violations. He passed out minutes from the City of Nanticoke's August 21, 2019 meeting, Pennsylvania Law 913, and a Letter of Finding of Compliance and Noncompliance.

**Motion to Adjourn:** Mr. Stephen A. Urban

**Second:** Mr. Perry

**Vote:**

Eleven (11) Ayes - Unanimous

**Meeting Adjourned at 7:27 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)