



**Luzerne County Council
Voting Session
September 14, 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, September 14, 2021, at 6:07 PM. The meeting was called to order by Chair Tim McGinley.

Pledge of Allegiance and Moment of Silence

Roll Call

Present

Harry Haas (virtually)
Linda McClosky Houck
Lee Ann McDermott (virtually)
Tim McGinley
Chris Perry
Sheila Saidman, Esq. (virtually)
Robert Schnee
Stephen J. Urban
Matthew Vough (virtually)

Also Present

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

Absent

Walter L. Griffith, Jr.
Kendra M. Radle

Recognitions/Ceremonial Proclamations

NONE

Motion to suspend the Bylaws requiring the presence of a majority of members to be physically present

Motion by: Ms. Houck

Second: Mr. Schnee

Vote:

Nine (9) Ayes – Unanimous

Motion Passed (9-0)

Additions to/Deletions from Voting Session Agenda

Mr. Haas would like to remove Item #2 from the Voting Session Agenda.

Motion by: Mr Haas

Second: Mr. SJ Urban

Roll Call Vote:

Five (5) Yes by Mr. Haas, Ms. Houck, Mr. Perry, Mr. Schnee and Mr. SJ Urban

Four (4) No by Ms. McDermott, Mr. McGinley, Ms. Saidman and Mr. Vough

Motion Passed (5-4)

Item #2 is Removed from the Voting Session Agenda

Adoption of Voting Session Agenda

Motion to Adopt Voting Session Agenda by: Mr. Perry

Second: Ms. Houck

Vote:

Nine (9) Ayes – Unanimous

Motion Passed (9-0)

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.

Mark Rabo (Hazleton) commented Verbally regarding the Public Auction.

Motion to adopt minutes of the August 17, 2021 Special Meeting

Motion by: Mr. Schnee

Second: Ms. Saidman

Vote:

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

One (1) Nay by Mr. SJ Urban

Motion Passed (8-1)

The August 17, 2021 Special Meeting Minutes are Adopted

Motion to adopt minutes of the August 24, 2021 Voting Session

Motion by: Mr. Schnee

Second: Ms. Saidman

Vote:

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

One (1) Nay by Mr. SJ Urban

Motion Passed (8-1)

The August 24, 2021 Voting Session Minutes are Adopted

Attorney DeLuca commented on 2 Executive Sessions.

Council met in Executive Session on Friday, September 10th at 4PM and received a report from the Acting County Manager and Legal Counsel related to the progress of the Children & Youth investigation.

Council met again in Executive Session today at approximately 5:15-5:30 until about 6PM and reviewed the matter of Hazzouri vs Luzerne County and received a report from/recommendation from Counsel assigned to that matter.

Old Business

Mr. SJ Urban commented on the Avoca Borough Meeting and the LEO Contract.

Agenda Items

1. Motion to introduce ordinance Amending an Intergovernmental Agreement with Butler Township for the Repair and Dedication of Roads in Accordance with the Pennsylvania Intergovernmental Cooperation Law, Act 177 of 1996, Previously adopted as Act 180 of 1972

Motion by: Mr. Schnee

Second: Ms. Houck

Roll Call Vote:

Eight (8) Yes – Unanimous

Ms. Saidman was not at her computer for the Roll Call Vote.

Motion Passed (8-0)

Ordinance is Introduced

2. Motion to adopt resolution Authorizing the Law Firm of Joyce, Carmody, & Moran P.C. to be Added to Luzerne County's Approved Panel of Law Firms Providing Insurance Defense Services

REMOVED

3. Motion to adopt ordinance Amending the 2021 Fiscal Year Budgets for Luzerne County (DA Position)

Motion by: Ms. Houck

Second: Mr. Schnee

Roll Call Vote:

Nine (9) Yes – Unanimous

Motion Passed (9-0)

Ordinance is Adopted

4. Motion to adopt resolution Ratifying the Declaration of Disaster Emergency for the Period of September 1 to September 5, 2021 that was Executed by the Acting Luzerne County Manager on September 1, 2021 in Response to Hurricane Ida and its Impacts on Luzerne County

Motion by: Ms. Houck

Second: Mr. Perry

Roll Call Vote:

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

One (1) Abstention by Mr. SJ Urban

Motion Passed (8-0) with (1) Abstention

Resolution is Adopted

5. Motion to adopt resolution Approving the Settlement of Pending Litigation in the Matter of Hazzouri v. Luzerne County

Motion by: Ms. McDermott

Second: Ms. Saidman

Roll Call Vote:

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

One (1) Abstention by Mr. SJ Urban

Motion Passed (8-0) with (1) Abstention

Resolution is Adopted

6. Motion to adopt resolution Providing Payment in Lieu of Taxes with Indelible Housing, Inc.

Motion by: Mr. Schnee

Second: Ms. Houck

Roll Call Vote:

Seven (7) Yes by Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry, Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) No by Mr. Haas

One (1) Abstention by Mr. SJ Urban

Motion Passed (7-1) with (1) Abstention

Resolution is Adopted

7. Motion to adopt ordinance Amending the Luzerne County Flood Protection Authority's Articles of Incorporation

Motion by: Ms. Houck

Second: Mr. Schnee

Motion to Postpone by: Mr. McGinley

Second: Mr. SJ Urban

Roll Call Vote to Postpone:

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

Three (3) No by Ms. Houck, Mr. Perry and Mr. Schnee

Motion Passed (6-3)

Resolution is Postponed

8. Motion to approve Assistant to Clerk Job Description

Motion by: Mr. Schnee

Second: Ms. Saidman

Roll Call Vote:

Nine (9) Yes - Unanimous

Motion Passed (9-0)

9. Motion to introduce ordinance Establishing the Luzerne County Arts Advisory Board

Motion by: Mr. Perry

Second: Ms. Saidman

Roll Call Vote:

Nine (9) Yes - Unanimous

Motion Passed (9-0)

Ordinance is Introduced

10. Motion to adopt resolution Authorizing the County Manager to Execute the Sale of County-Owned Properties to Alan and Brenda Pugh

Roll Call Vote:

Eight (8) Yes by Mr. Haas, Ms. Houck, Ms. McDermott, Mr. McGinley, Mr. Perry,

Ms. Saidman, Mr. Schnee and Mr. Vough

One (1) Abstention by Mr. SJ Urban

Motion Passed (8-0) with (1) Abstention

Resolution is Adopted

Public Comment on Non-Agenda Items:

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Joe McCabe (Exeter) commented Verbally regarding the Four Season Golf Course flooding and the Water Street Bridge.

Marie Jacketti (Hazleton) commented Verbally regarding the Hazleton Land Bank.

Mark Rabo (Hazleton) commented Verbally regarding the task force position, Land Bank Law, and the Pittston City and Hazleton Land Banks.

Adjournment

Motion to Adjourn: Mr. Schnee

Second: Mr. Perry

Vote:

Nine (9) Ayes – Unanimous

Meeting Adjourned at 7:58 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