



Luzerne County Council
October 27, 2020 Meeting
Video/Teleconference via TEAMS
Minutes

Call to Order

The Luzerne County Council convened for a Voting Session on October 27, 2020 at 6:01PM via TEAMS Video/Teleconference. The meeting was called to order by Council 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

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

Recognitions/Ceremonial Proclamations

Mr. McGinley announced the retirements of:

Mary P. Boylan, Caseworker 2, MHDS

Bryan J. Feddock, Deputy Sheriff 1, Sheriff

Donna Hays, Clerk 1, Treasurer

Mary Louise Majikes, HR Generalist, Human Resources

Lana R. Messmer, Social Service Aide 3, C&Y

Paul J. Riley, Desk Sergeant, LCCF

Letters of thanks and congratulations will be sent out to them from Council.

Additions to/Deletions from Meeting Agenda

Mr. Haas would like to add the motion to recuse. He would like to hear about it and discuss future employment with the law firm representing the County. Mr. McGinley stated he was going to add it to Old Business as it was ongoing litigation. Mr. Haas agreed to add it to Old Business.

Mr. Griffith would like to add to the agenda his motions to add his budget amendments. He would also like to add to the agenda a discussion regarding people not receiving their ballots. Mr. McGinley suggested discussing it in the work session. Mr. Griffith suggested adding it to Old Business. Mr. McGinley stated it would be added to Old Business.

Mr. McGinley thought it was too early in the process for budget amendments but would leave it up to Council. Mr. Griffith made a motion to add the budget amendments to the agenda. Mr. SJ Urban, Ms. Houck and Mr. Haas stated they supported adding them. Mr. Perry and Ms. Saidman indicated they would like to wait. After further discussion, Mr. McGinley called for a vote.

Mr. Schnee made an amendment to the motion to vote on the amendments at a midway point (November 16th). Ms. Houck pointed out that is a separate motion. Mr. McGinley clarified the vote will be to add Mr. Griffith's amendments to the agenda.

Roll Call Vote:

Five (5) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott and Mr. SJ Urban

Six (6) No by Mr. McGinley, Mr. Perry, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion Failed (5-6)

Mr. Schnee made a motion to add to the agenda a motion to do amendments at a midway point (November 16th). Mr. McGinley added it to the agenda.

Adoption of Voting Session Agenda

Mr. McGinley asked for a motion to adopt the agenda with the addition of the 2 items under Old Business (motion to recuse and the ballots) and the addition/motion from Mr. Schnee for the November 16th meeting to include budget amendments.

Motion to Adopt Voting Session Agenda by: Ms. Houck

Second: Mr. Perry

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 by: Ms. Houck

Second: Mr. Schnee

Vote:

Eleven (11) Ayes – Unanimous

Motion Passed (11-0)

Motion to suspend Bylaws regarding the conduct of public meetings to the extent that the current format is inconsistent with the term of the State's Emergency Declaration

by: Ms. Saidman

Second: Ms. McDermott

Vote:

Ten (10) Ayes 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) Nay by Mr. Griffith

Motion Passed (10-1)

Public Comment on Agenda Items

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WRITTEN comments are submitted electronically via EMAIL or TEAMS. 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.

Mark Rabo (Hazleton) commented Verbally regarding Authorities, Boards and Commissions appointments and the ballot litigation.

Richard Manta (Back Mountain) commented Verbally regarding the ballot litigation.

Keith Hunter commented Verbally regarding the ballot litigation.

Ronald Knapp (Nanticoke) commented Verbally regarding the ballot litigation.

Jason Carr (Saylorsburg) commented Verbally regarding the lawsuit.

Betsy Green commented Verbally regarding the lawsuit.

David Bogansky (Hazle Township) commented Verbally regarding the lawsuit.

Motion to adopt Minutes of the October 13, 2020 Voting Session

Motion by: Ms. Radle

Second: Ms. McDermott

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 October 13, 2020 Voting Session Minutes are Adopted

OLD BUSINESS

ADDED ITEM Motion to Recuse (Haas)

Mr. Haas indicated he wanted to hear from the lawyers. Mr. DeLuca commented regarding the Office of Law. Mr. Griffith provided questions for Attorney Moran.

Attorney Moran spoke and answered questions from Council.

Mr. Haas made a motion for Luzerne County to withdraw the motion to recuse. Mr. SJ Urban seconded the motion. After further discussion, Mr. Haas asked for an Executive Session. Council moved to an Executive Session.

EXECUTIVE SESSION 7:43PM – 8:12PM

Mr. DeLuca commented on the Executive Session. He stated Council discussed the lawsuit involving the Trump campaign and Attorney Moran gave a report. No deliberations took place and no decisions were made .

Mr. Haas withdrew his motion and Mr. SJ Urban withdrew his second.

Mr. Haas made a new motion to advise the Manager to withdraw the motion to recuse in the supreme court case immediately.

Motion by: Mr. Haas

Second: Mr. Perry

Roll Call Vote:

Five (5) Yes by Mr. Griffith, Mr. Haas, Ms. McDermott, Mr. Perry and Mr. SJ Urban

Six (6) No by Ms. Houck, Mr. McGinley, Ms. Radle, Ms. Saidman, Mr. Schnee and Mr. Vough

Motion Failed (5-6)

ADDED ITEM Ballots (Griffith)

Mr. Griffith discussed ballots not being received and cited specific instances.

Mr. Pedri responded.

AGENDA ITEMS

1. Motion to adopt resolution Authorizing the Submission of a Multimodal Transportation Fund Grant to the Pennsylvania Department of Transportation

Motion by: Ms. Saidman

Second: Mr. Perry

Roll Call Vote:

Eleven (11) Yes - Unanimous

Motion Passed (11-0)

Resolution is Adopted

2. Motion to adopt ordinance Amending the Luzerne County Zoning Map to Re-Zone Four Parcels of Property totaling 7.25 acres in Lake Township from Mixed Zoning Districts of B-3 and A-1 Zones to Single Family Residence District (R-1) Zone

Motion by: Ms. Houck

Second: Mr. Schnee

Roll Call Vote:

Eleven (11) Yes - Unanimous

Motion Passed (11-0)

Ordinance is Adopted

3. Motion to adopt resolution declaring a vacancy on the Luzerne County Convention and Visitors Bureau Board of Directors

Motion by: Ms. McDermott

Second: Mr. SJ Urban

Roll Call Vote:

Eleven (11) Yes - Unanimous

Motion Passed (11-0)

Resolution is Adopted

4. Authorities Nominations and Appointments to:

4a. Luzerne County Housing Authority (1) term to 12/31/2024

Motion to Open Nominations by: Ms. Saidman

Second: Ms. McDermott

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. McDermott nominated: Alan Yendrzejewski

Second: Mr. Schnee

Motion to Close Nominations by: Mr. SJ Urban

Second: Ms. Houck

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Alan Yendrzejewski to the Luzerne County

Housing Authority by: Ms. Houck

Second: Mr. SJ Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

4b. Luzerne County Redevelopment Authority (1) term to 12/31/2024

Motion to Open Nominations by: Mr. SJ Urban

Second: Mr. Perry

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Griffith nominated: Scott Linde
Second: Ms. Saidman
Motion to Close Nominations by: Mr. SJ Urban
Second: Mr. Vough
Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Scott Linde to the Luzerne County Redevelopment

Authority by: Ms. Saidman

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

4c. Luzerne County Transportation Authority (1) complete term to 12/31/2023

Motion to Open Nominations by: Ms. Radle

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Mr. Vough nominated: Arthur Bobbouine

Second: Ms. Saidman

Mr. Schnee nominated: Jeffrey Kubitz

Second: Mr. Perry

Mr. Haas nominated: Robert Chepalonis

Second: Ms. Houck

Mr. Griffith nominated: John Young

Second: Ms. Radle

Motion to Close Nominations by: Ms. Houck

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Roll Call Vote (1 name):

Mr. Griffith: Young

Mr. Haas: Chepalonis

Ms. Houck: Chepalonis

Ms. McDermott: Young

Mr. McGinley: Young

Mr. Perry: Kubitz

Ms. Radle: Young

Ms. Saidman: Young

Mr. Schnee: Kubitz

Mr. Stephen J. Urban: Young

Mr. Vough: Bobbouine

Results:

Bobbouine 1
Chepalonis 2
Kubitz 2
Young 6

John Young is selected with 6 votes.

Motion to adopt resolution appointing John Young to the Luzerne County Transportation

Authority by: Mr. Griffith

Second: Ms. Houck

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

5. Boards and Commissions Nominations and Appointments to:

5a. Luzerne County Children & Youth Advisory Board (1 complete term to 12/31/2020 and 1 complete term to 12/31/21)

Motion to Open Nominations by: Ms. McDermott

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. McDermott nominated (complete 2020 term): Denise Acosta

Second: Ms. Radle

Mr. Schnee nominated (complete 2021 term): Nicole Buckman

Second: Ms. Saidman

Motion to Close Nominations by: Ms. Saidman

Second: Ms. Radle

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Denise Acosta to the Luzerne County Children & Youth Advisory Board by: Ms. McDermott

Second: Ms. Houck

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Nicole Buckman to the Luzerne County Children & Youth Advisory Board by: Mr. Schnee

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

5b. Luzerne County Farmland Preservation Board (1) term to 12/31/2022

Motion to Open Nominations by: Ms. Houck

Second: Mr. Perry

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. Houck nominated: Bryan McManus

Second: Ms. McDermott

Motion to Close Nominations by: Ms. Houck

Second: Ms. McDermott

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Bryan McManus to the Luzerne County Farmland Preservation Board by: Ms. Houck

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

6c. Luzerne County Forty-Fort Airport Advisory Board (2) terms to 12/31/2022

Motion to Open Nominations by: Ms. Saidman

Second: Ms. Houck

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. Houck nominated: Mark Gentry

Second: Mr. Griffith

Ms. McDermott nominated: Richard Blum

Second: Mr. Perry

Motion to Close Nominations by: Ms. Saidman

Second: Ms. McDermott

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Mark Gentry to the Luzerne County Forty-Fort Airport Advisory Board by: Ms. Houck

Second: Mr. SJ Urban

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Motion to adopt resolution appointing Richard Blum to the Luzerne County Forty-Fort Airport Advisory Board by: Ms. Saidman

Second: Ms. McDermott

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

6d. Luzerne/Schuylkill Workforce Investment Board (1) complete term to 06/30/2023

Motion to Open Nominations by: Ms. Saidman

Second: Mr. Perry

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. Saidman nominated: Carmen Kahiu

Second: Mr. Perry

Motion to Close Nominations by: Mr. Vough

Second: Ms. Saidman

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Carmen Kahiu to the Luzerne/Schuylkill Workforce Investment Board by: Ms. Houck

Second: Ms. Saidman

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

6e. Luzerne County Drug & Alcohol Executive Commission (1) term to 12/31/2022

Motion to Open Nominations by: Ms. Houck

Second: Ms. McDermott

Vote:

Eleven (11) Ayes - Unanimous

Nominations Open

Ms. Houck nominated: Ian Urbanski

Second: Mr. Schnee

Motion to Close Nominations by: Mr. Vough

Second: Mr. Haas

Vote:

Eleven (11) Ayes - Unanimous

Nominations Closed

Motion to adopt resolution appointing Ian Urbanski to the Luzerne County Drug & Alcohol Executive Commission by: Ms. Saidman

Second: Ms. Radle

Roll Call Vote:

Eleven (11) Yes – Unanimous

Motion Passed (11-0)

Resolution is Adopted

Mr. SJ Urban asked the Chair to see if any member of the majority would reconsider their vote regarding the motion to advise the Manager to withdraw the motion to recuse in the supreme court case immediately. Ms. Radle stated she would reconsider her vote.

Motion to reconsider the motion to advise the Manager to withdraw the motion to recuse in the supreme court case immediately by: Ms. Radle

Second: Mr. SJ Urban

Roll Call Vote:

Eight (8) Yes by Mr. Griffith, Mr. Haas, Ms. Houck, Ms. McDermott, Mr. Perry, Ms. Radle, Mr. Schnee and Mr. SJ Urban

Three (3) No by Mr. McGinley, Ms. Saidman and Mr. Vough

Motion Passed (8-3)

Motion is Reconsidered

Motion to advise the Manager to withdraw the motion to recuse in the supreme court case immediately by: Mr. Haas

Second: Mr. Perry

Roll Call Vote:

Seven (7) Yes by Mr. Griffith, Mr. Haas, Ms. McDermott, Mr. Perry, Ms. Radle, Mr. Schnee and Mr. SJ Urban

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

Motion Passed (7-4)

ADDED ITEM

7. Motion for the November 16th, 2020 Voting Meeting to include budget amendments.

Motion by: Mr. Schnee

Second: Mr. Griffith

Roll Call Vote:

Eleven (11) Yes - Unanimous

Motion Passed (11-0)

Public Comment on Non-Agenda Items:

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Richard Manta (Back Mountain) commented Verbally regarding the lawsuit.

Mark Rabo (Hazleton) commented Verbally regarding the lawsuit.

Brian Dwyer (Larksville) commented Verbally regarding in person council meetings.

Marion DeAngelis commented Verbally regarding the multimodal grant and separate legal representation for County Council.

Jason Carr (Saylorburg) commented Verbally regarding ballots.

Walter Griffith commented Verbally regarding a \$210,000 transfer. Mr. McGinley stated it would be addressed in the Work Session.

Motion to Adjourn: Mr. Schnee

Second: Ms. Saidman

Vote:

Eleven (11) Ayes – Unanimous

Meeting Adjourned at 9:30 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