

RESOLUTION R-2018-120
LUZERNE COUNTY COUNCIL

*A Resolution by the Luzerne County Council Approving the Settlement of
Pending Litigation in the Matter of Albert J. Flora v. County of Luzerne, et al.*

WHEREAS, Section 4.07.B.3 of the Luzerne County Home Rule Charter provides the County Manager shall have the authority to recommend the settlement of litigation involving the County, subject to the approval of County Council; and

WHEREAS, Section 2.09.B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to settle litigation involving the County; and

WHEREAS, on April 23, 2013, Albert J. Flora filed a Complaint against Luzerne County alleging First Amendment retaliation, violation of Equal Protection rights, violation of the Pennsylvania Constitution, and wrongful termination; and

WHEREAS, the Complaint alleges that Plaintiff is the former Luzerne County Acting Chief Public Defender when he was terminated from his employment; and

WHEREAS, Albert J. Flora desires to settle with Luzerne County in the afore-mentioned matter; and

WHEREAS, the Luzerne County Manager has recommended settlement of the above-captioned litigation; and

WHEREAS, Luzerne County Council also desires to resolve the pending litigation in this matter.

NOW, THEREFORE, BE IT RESOLVED, the Luzerne County Council approves the settlement of pending litigation for all claims asserted against Luzerne County in the matter of *Albert J. Flora v. County of Luzerne, et al.*, in the amount of \$250,000.00. This settlement is a full and complete settlement and release of any and all claims by Albert J. Flora against the County of Luzerne.

This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held August 28, 2018.

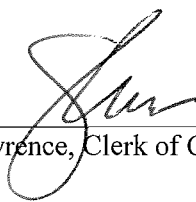
ROLL CALL VOTE (8-3)

YES: Brominski, Kelleher, McGinley, Perry, Saidman, Schnee, Vough and Waitkus


NO: Haas, Houck, and SA Urban

Attest: _____

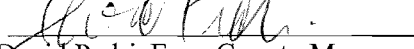
Sharon Lawrence, Clerk of Council



LUZERNE COUNTY COUNCIL

By: 
Tim McGinley, Chair

LUZERNE COUNTY MANAGER

By: 
C. David Pedri, Esq., County Manager