

**RESOLUTION R-2018-126
LUZERNE COUNTY COUNCIL**

A Resolution by the Luzerne County Council Authorizing the County Manager to Execute a Retainer Agreement for Litigation for the Recovery of Certain 9-1-1 and/or E9-1-1 Fees that are Required to Have Been Billed, Collected and/or Remitted by Telecommunication Providers

WHEREAS, Section 4.07.B.3 of the Luzerne County Home Rule Charter provides that the County Manager shall have the authority to recommend the initiation 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 initiate litigation involving the County; and

WHEREAS, phone companies were not properly charging their large business customers for each line that could call 9-1-1, while small business and residents paid in full for each line; and

WHEREAS, the Luzerne County Manager recommended the initiation of litigation in this matter and Luzerne County Council agreed that the initiation of such litigation was appropriate; and

WHEREAS, at a public meeting on August 28, 2018, a majority of County Council for the County of Luzerne approved the initiation of litigation to recover any money due to the County as a result of the phone companies failure to charge large businesses for each line that could call 9-1-1; and

WHEREAS, County Council for the County of Luzerne, at the recommendation of the County Manager, desires to engage the legal services of an outside law firm specializing in such litigation.

NOW, THEREFORE, BE IT RESOLVED, County Council for the County of Luzerne hereby approves the Fee Agreement, subject to the terms contained therein, with the law firm of Joyce, Carmody & Moran, P.C. for legal services related to the litigation to recover certain 9-1-1 and/or 9-1-1 fees.

This Resolution shall become effective six days after adoption.

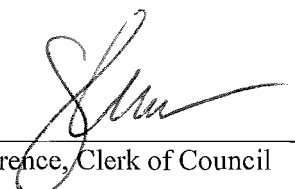
ADOPTED at a meeting of the Luzerne County Council held September 11, 2018.

ROLL CALL VOTE (10-0)

YES: Haas, Houck, Kelleher, McGinley, Perry, Saidman, Schnee, SA Urban, Vough and Waitkus

Attest: _____

Sharon Lawrence, Clerk of Council



LUZERNE COUNTY COUNCIL

By: Tim McGinley
Tim McGinley, Chair

LUZERNE COUNTY MANAGER

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