

LUZERNE COUNTY COUNCIL

April 21, 2014
6:01 PM
Council Meeting Room
Luzerne County Courthouse
Wilkes-Barre PA

MINUTES

CALL TO ORDER

The Luzerne County Council convened for a voting meeting in the Council Meeting Room of the Luzerne County Courthouse on April 21, 2014 at 6:08 P.M. The meeting was called to order by Chairman Rick Morelli. The Pledge of Allegiance was said followed by a moment of silence.

ROLL CALL

James Bobeck
Edward Brominski
Kathy Dobash
Harry Haas
Linda McClosky Houck
Tim McGinley
Rick Morelli
Eileen Sorokas
Stephen A. Urban
Stephen J Urban
Rick Williams

ABSENT

ALSO PRESENT

Robert Lawton, County Manager
C. David Pedri, Chief County Solicitor
Brittany Burgess, Clerk of Council

PUBLIC COMMENT (Agenda Items):

Mark Rabo (Hazleton) commented on the lease being voted on for Judge Dixon’s magisterial court. He stated that he urges the approval because the additional space is needed.

Charles Olah (Kingston) inquired about the audit being online. He also commented on internal controls and outstanding Community Development loans.

Walter Griffith (Trucksville) spoke regarding the audit summary and the executive session held to discuss ABCs. He also commented on the lease approval for Judge Dixon.

Andy Reilly, Director of the Office of Community Development, provided an update regarding the outstanding loans. He stated that a conference call would take place the following day regarding the loans. He also stated that a list of outstanding loans in listed on the website. He provided additional information regarding the City Vest parking lot, the Sterling Annex, and the terms of the loans. He added that the City of Wilkes-Barre is in first lien holder’s position in regards to the property. He explained that job creation is a main factor in determining if a loan is good or bad according to HUD.

Mr. Reilly added that City Vest had not yet disbanded and is still responsible for the Sterling site. He assured Council that they hold an insurance policy that would cover any incidents on the site.

Discussion ensued regarding HUD monitoring Office of Community Development loans, successful loans given out, as well as the approximate cost per job and timeline for job creation

once a loan is given. The option of paying off the City of Wilkes-Barre's lien in order to be in first lien holder's position was presented.

2012 Audit Summary:

Andrea Caladie, ParenteBeard, presented to Council the components of the 2012 Audit. She also provided an overview of the financial statements and explained the major funds and debt service funds involved. She stated that the budgeted revenue for 2012 was \$113 million and the actual was \$109 million. She added that the budgeted expenditures for 2012 were \$85.9 million and the actual was \$89.9 million in addition to the \$22.3 million being paid in debt service. The 2012 budget ended being over by \$7.4 million. An unmodified opinion was issued and several items were audited that had never been audits in the past.

APPROVAL OF MEETING MINUTES:

Motion to approve the meeting minutes from the March 25, 2014 Council meeting:

Motion: Mr. Bobeck

Second: Ms. Houck

Ayes with three (3) nays by Ms. Dobash, Mr. Stephen A. Urban, and Mr. Stephen J. Urban

Motion passed

OPERATIONAL SERVICES COMMITTEE:

Motion to approve a resolution urging PennDOT to include bike paths in their construction plans:

Motion: Mr. Bobeck

Second: Mr. Stephen A. Urban

Roll Call Vote

All Ayes

Motion passed

ECONOMIC DEVELOPMENT/REAL ESTATE COMMITTEE:

Motion to approve a resolution allowing the execution of a lease for Judge Dixon:

Motion: Mr. Brominski

Second: Mr. Williams

Discussion took place regarding the lease being proposed. The bid process was also explained. There was concern regarding section 6 of the lease specifying the use of the space as a district court, which may not allow for additional services being provided from that facility.

Motion to table the approval of the lease:

Motion: Ms. Houck

Second: Ms. Dobash

Roll Call Vote

All Ayes

Motion passed

HUMAN SERVICES/LEGISLATIVE COMMITTEE:

Motion to approve the sending of a letter urging the continuation of funding for the SCAAP program:

Motion: Mr. Bobeck

Second: Mr. Stephen A. Urban

All Ayes

Motion passed

AUTHORITIES, BOARDS, AND COMMISSIONS COMMITTEE:

Motion to approve a resolution declaring a vacancy on the Luzerne County Children and Youth Advisory Board due to the resignation of a member:

Motion: Mr. Brominski
Second: Mrs. Sorokas
Roll Call Vote
All Ayes
Motion passed

Motion to open the floor to nominations for appointment to the Area Agency on Aging Advisory Council:

Motion: Mr. Brominski
Second: Ms. Houck
All Ayes

Motion to nominate Stephen Broskoske:

Motion: Mr. Williams
Second: Mr. Brominski

Motion to nominate Deborah Walsh:

Motion: Mr. Brominski
Second: Ms. Houck

Motion to nominate Joseph Yozviak:

Motion: Ms. Houck
Second: Mr. McGinley

Motion to nominate Debbie Switzer:

Motion: Mr. Stephen A. Urban
Second: Ms. Sorokas

Motion to close the floor to nominations:

Motion: Mr. Brominski
Second: Ms. Houck
All Ayes

Motion to approve a resolution appointing Stephen Broskoske to the Area Agency on Aging Advisory Council for a term ending December 31, 2016:

Motion: Mr. Brominski
Second: Ms. Houck
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Debbie Switzer to the Area Agency on Aging Advisory Council for a term ending December 31, 2016:

Motion: Ms. Houck
Second: Mr. Stephen A. Urban
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Deborah Walsh to the Area Agency on Aging Advisory Council for a term ending December 31, 2016:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Joseph Yozviak to the Area Agency on Aging Advisory Council for a term ending December 31, 2016:

Motion: Ms. Houck
Second: Mr. McGinley
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Children and Youth Advisory Board:

Motion: Mr. Haas
Second: Mr. Brominski
All Ayes

Motion to nominate Ray Whalen:

Motion: Mr. Williams
Second: Mr. Haas

Motion to nominate Mary Delaney:

Motion: Mr. Brominski
Second: Ms. Dobash

Motion to nominate Barry Finn:

Motion: Ms. Houck
Second: Mr. Brominski

Motion to close the floor to nominations:

Motion: Mr. Brominski
Second: Mr. Stephen J. Urban
All Ayes

Motion to approve a resolution appointing Mary Delaney to the Children and Youth Advisory Board for a term ending April 27, 2017:

Motion: Mr. Brominski
Second: Ms. Dobash
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Barry Finn to the Children and Youth Advisory Board for a term ending April 27, 2017:

Motion: Mr. Williams
Second: Ms. Houck
Roll Call Vote

All ayes
Motion passed

Motion to approve a resolution appointing Ray Whalen to the Children and Youth Advisory Board for a term ending April 27, 2017:

Motion: Mr. Williams
Second: Mr. Stephen A. Urban
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Convention Center Authority:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban
All Ayes

Motion to nominate Tom Woods:

Motion: Mr. Stephen A. Urban
Second: Mr. Stephen J. Urban

Motion to nominate John Loyack:

Motion: Mr. Williams
Second: Mr. Bobeck

Motion to nominate Frank Conyngham:

Motion: Mr. McGinley
Second: Ms. Houck

Motion to close the floor to nominations:

Motion: Mr. Williams
Second: Mr. Brominski
All Ayes

Roll call vote to determine appointee to be named in resolution:

Seven (7) votes for Tom Woods by Mr. Brominski, Ms. Dobash, Mr. Haas, Ms. Sorokas, Mr. Stephen A. Urban, Mr. Stephen J. Urban, and Mr. Williams
Three (3) votes for Frank Conyngham by Ms. Houck, Mr. McGinley, and Chair Morelli
One (1) vote for John Loyack by Mr. Bobeck
Tom Woods to be named in resolution as appointee

Motion to approve a resolution appointing Tom Woods to the Convention Center Authority for a term ending December 31, 2015:

Motion: Mr. Stephen J. Urban
Second: Mr. Stephen A. Urban
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Drug and Alcohol Executive Commission:

Motion: Mr. Brominski
Second: Ms. Sorokas
All Ayes

Motion to nominate Darcy Brodmerkel:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban

Motion to nominate Cara Devine-Homza:

Motion: Ms. Houck
Second: Mr. Bobeck

Motion to nominate Bonnie Lou Dodson:

Motion: Ms. Houck
Second: Mr. Bobeck

Motion to close the floor to nominations:

Motion: Mr. Brominski
Second: Ms. Sorokas
All Ayes

Motion to approve a resolution appointing Darcy Brodmerkel to the Drug and Alcohol Executive Commission for a term ending April 27, 2017:

Motion: Mr. Bobeck
Second: Mr. Brominski
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Cara Devine-Homza to the Drug and Alcohol Executive Commission for a term ending April 27, 2017:

Motion: Ms. Houck
Second: Mr. Brominski
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Bonnie Lou Dodson to the Drug and Alcohol Executive Commission for a term ending April 27, 2017:

Motion: Ms. Houck
Second: Ms. Sorokas
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Housing Authority:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban
All Ayes

Motion to nominate Albina Fonzo:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban

Motion to close the floor to nominations:

Motion: Mr. Stephen J. Urban
Second: Mr. Brominski
All Ayes

Motion to approve a resolution appointing Albina Fonzo to the Housing Authority for a term ending April 27, 2019:

Motion: Mr. Brominski
Second: Mr. Stephen J. Urban
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Luzerne County Community College Board of Trustees:

Motion: Mr. Brominski
Second: Ms. Sorokas
All Ayes

Motion to nominate Brian Gill:

Motion: Ms. Houck
Second: Mr. Bobeck

Motion to nominate Joseph Van Jura:

Motion: Mr. Bobeck
Second: Mr. Haas

Motion to nominate Christine Kreamer:

Motion: Mr. Williams
Second: none

Motion to close the floor to nominations:

Motion: Mr. Bobeck
Second: Mr. Brominski
All Ayes

Motion to approve a resolution appointing Brian Gill to the Luzerne County Community College Board of Trustees for a term ending December 31, 2019:

Motion: Mr. Brominski
Second: Ms. Houck
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Joseph Van Jura to the Luzerne County Community College Board of Trustees for a term ending December 31, 2019:

Motion: Ms. Sorokas
Second: Mr. Brominski
Roll Call Vote

All ayes
Motion passed

Motion to open the floor to nominations for appointment to the MHDS program Advisory Board:

Motion: Mr. Stephen J. Urban
Second: Mr. Williams
All Ayes

Motion to nominate Raelene Daring:

Motion: Mr. Williams
Second: Ms. Sorokas

Motion to nominate Joseph Crowley:

Motion: Ms. Houck
Second: Mr. Brominski

Motion to close the floor to nominations:

Motion: Mr. Brominski
Second: Mr. Stephen J. Urban
All Ayes

Motion to approve a resolution appointing Joseph Crowley to the MHDS Program Advisory Board for a term ending April 27, 2017:

Motion: Ms. Houck
Second: Mr. Brominski
Roll Call Vote
All ayes
Motion passed

Motion to approve a resolution appointing Raelene Daring the MHDS Program Advisory Board for a term ending April 27, 2017:

Motion: Ms. Sorokas
Second: Mr. Bobeck
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Planning Commission:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban
All Ayes

Motion to nominate Richard Kramer:

Motion: Mr. Brominski
Second: Mr. Stephen A. Urban

Motion to nominate James Lavelle:

Motion: Mr. Williams
Second: Mr. Brominski

Motion to close the floor to nominations:

Motion: Mr. Brominski

Second: Ms. Sorokas
All Ayes

Motion to approve a resolution appointing Richard Kramer to the Planning Commission for a term ending December 31, 2017:

Motion: Mr. Brominski
Second: Ms. Sorokas
Roll Call Vote
All ayes with one (1) nay by Mr. Stephen J. Urban
Motion passed 10-1

Motion to approve a resolution appointing James Lavelle the Planning Commission for a term ending December 31, 2017:

Motion: Mr. Bobeck
Second: Ms. Sorokas
Roll Call Vote
All ayes
Motion passed

Motion to open the floor to nominations for appointment to the Workforce Investment Board:

Motion: Mr. Brominski
Second: Mr. Williams
All Ayes

Motion to nominate Mary Malone:

Motion: Ms. Houck
Second: Mr. Bobeck

Motion to close the floor to nominations:

Motion: Mr. Brominski
Second: Mr. Haas
All Ayes

Motion to approve a resolution appointing Mary Malone to the Workforce Investment Board for a term ending September 30, 2016:

Motion: Mr. Brominski
Second: Mr. Williams
Roll Call Vote
All ayes
Motion passed

COMMITTEE OF THE WHOLE:

Motion to approve a \$40,000.00 local match to the Susquehanna Warrior Trail Project for a DCNR grant from the funds anticipated to be received from Marcellus Shale Legacy funds in 2014 with contingencies:

Motion: Mr. Haas
Second: Ms. Sorokas
All ayes
Motion passed

Motion to approve a proclamation to be presented to Stephanie Jallen for her success in the Paralympics:

Motion: Mr. Haas

Second: Mr. Stephen A. Urban

All ayes

Motion passed

Motion to approve Resolution 2014-15 as corrected:

Motion: Ms. Dobash

Second: Ms. Sorokas

Roll Call Vote

Six (6) Ayes by Mr. Brominski, Ms. Dobash, Ms. Sorokas, Mr. Stephen A. Urban, Mr. Stephen J. Urban, and Mr. Williams

Five (5) Nays by Mr. Bobeck, Mr. Haas, Ms. Houck, Mr. McGinley, and Chair Morelli

Motion passed 6-5

Motion to approve the request to re-zone a 6.99 acre parcel in West Wyoming Borough from Mining District (M-1) to a Single-Family Residential District (R-1):

Motion: Ms. Sorokas

Second: Ms. Houck

All ayes

Motion passed

Motion to approve a resolution declaring a vacancy on the ACE Commission due to the resignation of a member:

Motion: Mr. Stephen A. Urban

Second: Ms. Sorokas

Roll Call Vote

All Ayes

Motion passed

Motion to approve a resolution declaring a vacancy on the Recreational Facilities Advisory Board due to the resignation of a member:

Motion: Ms. Sorokas

Second: Mr. Stephen J. Urban

Roll Call Vote

All Ayes

Motion passed

Motion to approve a resolution declaring a vacancy on the Workforce Investment Board due to the resignation of a member:

Motion: Mr. Brominski

Second: Mr. Stephen A. Urban

Roll Call Vote

All Ayes

Motion passed

Motion to approve a resolution declaring a vacancy on the Children and Youth Advisory Board due to the resignation of a member:

Motion: Mr. Stephen A. Urban

Second: Mr. Williams

Roll Call Vote

All Ayes

Motion passed

Motion to approve a resolution declaring a vacancy on the Redevelopment Authority due to the resignation of a member:

Motion: Mr. Williams

Second: Ms. Sorokas

Roll Call Vote

All Ayes

Motion passed

Mr. Brominski read a statement expressing his disappointment in the County Manager.

Motion to ask the County Manager to resign and advertise to fill the position:

Motion: Mr. Brominski

Second: Ms. Dobash

Conversation took place regarding the pros and cons experienced by Council in relation to the County Manager.

Public Comment was allowed on this motion:

Brian Shiner (Kingston) stated that it is ridiculous to ask the County Manager to resign. He added that Council is dysfunctional and the County has come along way. He stated that Council could control what the County Manager does through resolutions or ordinances.

George Race (Exeter) commented that Luzerne County was in bad shape and that Mr. Lawton came into a disaster. He urged Council to give him a chance and to consider all that he has to put up with. He added that the County Manager needs more time just like the Charter needs more time.

Charles Olah (Kingston) stated that a performance review process is needed. He also stated that Council always wants to turn things around.

Frank Sorrick (Wilkes-Barre) commented that the County Manager responded to his questions instantly. He stated that he understands the frustrations of Council.

Malcolm Hudgeon (Wilkes-Barre) stated that it is odd that Council behaves this way. He added that high school and college students behave in a more cohesive manner. He stated that it is not an easy task for the County Manager.

Mark Rabo (Hazleton) commented on the founding fathers and government study commission. He stated that a new study should be done with a new charter.

Ray Gustave (West Wyoming) commented that he didn't always agree with the County Manager, but an evaluation process needs to be but in place to give the County Manager the opportunity to correct his actions. He added that the motion blind-sided a lot of people.

Ed Chesnovitch (Jackson Township) stated that the topic should go back to a committee.

Roll Call Vote

Five (5) Ayes by Mr. Brominski, Ms. Dobash, Ms. Sorokas, Mr. Stephen A. Urban, and Mr. Stephen J. Urban

Six (6) Nays by Mr. Bobeck, Mr. Haas, Ms. Houck, Mr. McGinley, Mr. Williams, and Chair Morelli

Motion failed 5-6

PUBLIC COMMENT (Any Item):

Brian Shiner (Kingston) inquired as to which loans HUD was looking into and when the outstanding loan list would be updated.

Mark Rabo (Hazleton) commented on the job creation requirements of HUD. He also commented on the DCED, the KOZ program, and the lease for Judge Dixon.

Ray Gustave (West Wyoming) stated that the City Vest property is comprised of several parcels.

Atty. Pedri announced that an executive session was held prior to the voting meeting to discuss ABC applicants and recommendations of the ABC Committee.

MOTION TO ADJOURN:

Motion: Mr. Bobeck

Second: Mr. Haas

All Ayes

Meeting adjourned at 8:54 pm.

Respectfully Submitted,
Brittany M. Burgess
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 clerkcouncil@luzernecounty.org