



Luzerne County Flood Protection Authority

1989 Wyoming Avenue
Forty Fort, PA 18704

Minutes April 22, 2025 Regular Session

The LCFPA Board met for an executive session on April 21st, 2025.

Call to Order

On April 22, 2025, at 1:04 P.M., the Luzerne County Flood Protection Authority Board convened their regular monthly meeting at the Luzerne County Flood Protection Authority Administrative Offices, 1989 Wyoming Ave, Forty Fort. It was noted that all meetings are electronically recorded.

Mr. Yannuzzi, Chairman, called to order the April 22, 2025 meeting.

Pledge of Allegiance and Moment of Silence

Present

Mr. Dominic Yannuzzi, P.E., Chairman
Mr. William Hardwick
Mr. Jay Delaney
Mr. John Maday
Mr. Coray Mitchell

Also Present

Christopher Belleman, P.E., Executive Director
Christopher Slusser Esq., Slusser Law Firm, LCFPA Solicitor
Jeffrey Rockman Esq., Slusser Law Firm, LCFPA Solicitor
Laura Holbrook, LCFPA Deputy Director
Deana Prochaska, Administrative Assistant (Recording Secretary)
Kayla Roselle, LCFPA Project Engineer
Jen Andes, Reporter, Times Leader
Public Members

Statement from the LCFPA Board Chairman

Mr. Yannuzzi: On behalf of the Board as Chairman, I want to welcome everyone here today. Before we get into public comment, I want to make the following statement.

The LCFPA is non-political authority, the board is 100% volunteer. LCFPA previously entered into a lease with the Department of Homeland Security/Immigration Customs & Enforcement. Discussions between the LCFPA and DHS regarding the Lease began over two years ago, under a previous Board and under the previous Administration in Washington, D.C. Entering into the Lease did not constitute the Board's approval or disapproval of ICE's policies and procedures. The decision to enter into the lease was purely a business decision. A substantial portion of this

building that we're in today is not in use. By entering into the lease, the Luzerne County Flood Protection Authority is fulfilling its duty to its levee fee ratepayers by converting its unused space into an income-producing venture which will assist the Luzerne County Flood Protection Authority in its operations and its maintenance of the Wyoming Valley levee system, which protects 12 municipalities that constitute about one-third of the population of Luzerne County, or about 100,000 people. Other than the Department of Homeland Security and Immigration Customs and Enforcement, there were no other individuals or organizations who were interested in leasing the space, which was publicly advertised. The board's approval of this lease was previously discussed at a duly advertised regular meeting last year. In accordance with the Pennsylvania Sunshine Law, the public was provided with advance notice of that meeting, and it was also provided with a copy of the agenda, which reflected the board's intention to discuss whether or not to enter into the lease. The public had full and fair opportunity to engage in public comment at that time. The board will accept public comment regarding the lease at this meeting, but will not engage in debate or answer questions from members of the public regarding the lease. Each individual who signed the sign-in sheet that wishes to speak will have three minutes at the podium. So, with that, I'm going to go down the list here, and I'm going to call everybody's name on this list that says that they want to participate, and I will have a timer up here for you to see as you speak.

Public Input

Claire Schechter: I'm sorry I didn't know earlier about all the things you just related. Nonetheless, when I did hear recently about this lease, I put together something I wanted to tell you all, and I certainly hope you respect my opinion on this.

In my opinion, the board of the Luzerne County Flood Protection Authority should be ashamed and embarrassed to think that you seem to be willing to sacrifice such a wonderful record of time and time again protecting Luzerne County from dangerous floods by aligning yourself with one of the worst groups of malicious and non-law-abiding thugs to be found in our country today. The current day ICE has no important purpose other than fulfilling assigned quotas of deportees. In pursuit of that goal, ICE has demonstrated that they will snatch and grab people off the streets of the United States and possibly soon here in Luzerne County. We do not know for sure. They send them away from their jobs, their schools, their families without even a thought of due process to which they are definitely entitled. And that's what you've been hooking up with. Board, if you sign a contract to refit a building as ICE's local headquarters. And by the way, does anybody know whether or not there's going to be a cell block in there? We don't know. I hope you do. It's not too late to change your mind, you know. Just tell ICE you changed your mind, and you don't want any part, any parts of their plans for Luzerne County. Just say no to ICE and wake up tomorrow morning and look at yourselves in the mirror and be especially proud of what you see then. You'll see a member of an Authority that's no longer endangering, but once again protecting your friends, neighbors, teachers, doctors, janitors, farm workers, immigrants, all of whom live proudly with you together here in Luzerne County. Thank you very much for listening to me. Thank you.

Michael Mattei: I was here last time to convey my feelings about this. So, my reasons for being here should not at all be a surprise. We know Kilmar's story. It's been circulating in the news recently. He had protected status. It was ordered by a court that he should not be sent back to El Salvador because his life was in danger. ICE did it anyway. Chalked it up to an administrative oversight, as a mistake. It wasn't a mistake. They knew exactly what they were doing. And it's illegal. They detained Mahmood for expressing the wrong political opinion in a public forum. No due process. That's illegal. Fabian Schmidt, he didn't do anything. All he did was come back and visit his family in Germany. He had the flu. They detained him. They beat him while he was ill, to the point of hospitalization. Certainly, did nothing to warrant that. Clearly illegal immorality of it goes without saying. Christina Salazar, a resident of Houston, Texas. Now, she was deported. She

was an undocumented immigrant. Her husband is a US citizen. She was deported because she missed her immigration hearing. She missed her immigration hearing because she had an emergency C-section to deliver her twins. And she called and she said, I'm recovering from surgery. I cannot make it. Can we reschedule? They rescheduled. Held her hearing anyway in abstention. Kicked her out of the country with her two newborn children. Who, being born in the United States, are US citizens. Again, the immorality of that goes without saying. Once again, clearly illegal. Deportation of US citizens, not new. Deportation without due process. Hearings held in abstention by deliberately providing immigration courts with false information so that people never get their notice to appear. Not new. This is not a Trump problem. This is not a political problem. This is an ICE problem. Mark Little. Now, this was early Obama administration. US citizen was detained by ICE. Gave them proper documentation while detained. Said, hey, look, see, I'm a US citizen. They deported him to Mexico anyway. Only made his way back after 130-some-odd days of having wandered on foot. You still have a chance. You have not approved the bid yet. You still have a chance. Take it.

Christopher S. Delmar Gutierrez: I'll try to be a little brief. I don't want ICE in my neighborhood. I don't want them in my county. I don't want them to have any sort of offices here. ICE has been so far detaining people and arresting, deporting them, often without due process. Without due process, every single person in Luzerne County is liable to be arrested and detained because they'll never be able to prove whether or not they are a U.S. citizen, whether or not they're here illegally. They are grabbing green card holders. They're grabbing U.S. citizens, one of which was just detained for a full 10 days. They're taking people off the streets, abducting them effectively, and running around with no oversight. These guys are being backed by the federal government and not being corralled. They're not being forced to follow the law. They are not returning people when they're supposed to, and the people who they are deporting out of the country are not able to be returned, including people, as we've seen in the news quite regularly, who are not supposed to have been detained or deported in the first place. So, without due process and without any oversight, every single person in Luzerne County, every single person in this room, no matter what their citizenship status, they could have been born here. Their parents born here. Grandparents born here. Going back generations. Without due process, they have no way to prove that in court, and they can be detained and perhaps even deported to prisons in El Salvador for the crime of having dark skin and tattoos. Aside from this sheer act of immorality and barbarism and, quite frankly, the thuggishness on our streets, we have to look forward into the future about our own, say, business dealings in the community. Next year, New Jersey is going to be hosting the World Cup, the largest sporting event in world history. And I can guarantee you that all of the local hotels and businesses around there are going to be booked out. People are going to be coming to the Poconos, coming to Luzerne County, in order to stay and then go to the matches. Are they going to want to do that if we are grabbing people off the streets, if we are detaining tourists at the border? If we're deporting people, like a German tourist who was up hiking in, I believe, Maine, got arrested by ICE and deported despite having everything legal and in line? I don't think so. I don't know any U.S. citizen who wants to go as a tourist to, say, North Korea, because the United States has put out a warning against tourism there due to illegal and unjust seizures and arrests. I wouldn't want to come here. I wouldn't want to spend my money in northeastern Pennsylvania if I knew that I could be grabbed, detained, and deported just for existing in the region. Thank you.

Anthony Farah: I paid the levee fee, and I'm disgusted by the actions that the Flood Authority has worked with ICE as far as securing this lease. If you get some more information, my friends and I have filed a right-to-know request to see the lease agreement from the Flood Authority. When we talked to you here last time, it seemed like a non-issue that you would have disclosed and maybe redacted a few statements but denied our request to see the lease agreement. So, we're

concerned what's in this lease agreement that may be detrimental to this community. Different facilities that may be constructed that would further imprison our community. And, you know, going forward, we know that the Luzerne County Flood Authority has signed NDAs as far as they can't talk about this lease agreement or the improvements. But I mean, as they, even though you're non-political, you're still a community organization and need to be held accountable to our community. If you signed NDAs, like some locked down business agreement, then you're not community members. You're not a representative of our community. I'm proud of what the Flood Authority does and the ways that they protect us. But you're being detrimental to the protection of our community. So, by having ICE in here, you might as well let the floodgates open, figuratively and literally. And going forward, this Flood Authority needs to be more open and disclose this information. Otherwise, we can no longer trust you. And, you know, of different actions that we can do on our behalf to limit the Flood Authority's influence, it depends on your actions today. You know, you may not be political, but the actions that you're supporting are political, regardless of your intentions. You know, you're just trying to make some money to cover some deficits that the Flood Authority might have. But this is not the way of doing things. You know, what ICE does here reflects on you. You know, you can't wash your hands of ICE and just claim that this is, you know, out of your power, this is some government authority that is not under control. Obviously, we had a pay increase for our esteemed legal counsel to help cover your NDAs and cover this right to know request that has been denied. But we'll carry this right to know request until we get the information that we desire and to better inform our community so they can protect themselves from you, from ICE. Thank you.

Aaron McGinniss: I'm grateful to the Flood Protection Authority for the opportunity to enter into dialogue today. I do wish that it were a dialogue. I know from your statement that you're not going to be doing any back and forth. This is my first time attending a meeting, but I've read many of the minutes from the last couple of years, and I saw, for example, the important conversations with the community members about e-bikes on the levee, and I felt like that back and forth was really vital to a mutual understanding of community improvement. I still have hope for the same today. And I think today's attendance kind of speaks for itself. I'd like to acknowledge that this lease has been a long time in the making. I know it's taken a lot of your time, a lot of your volunteer time and energy to coordinate with DHS and GSA on this, and I would be remiss not to note that. Secondly, I want to acknowledge that this lease agreement is with ICE's Homeland Security Investigations Directorate, or HSI, and not with the Enforcement and Removal Operations Directorate, or ERO, which I think is who comes to mind when most of us think about ICE. If this meeting were happening six months ago, I heard you say that it was discussed a year ago, I didn't find any mention of that in the minutes, but I might not be speaking with you about this today. But the problem is that we're in April 2025, we're 92 days into an administration that has enacted massive and rapid changes in government roles and priorities. So HSI has likely told you that it's ERO, it's not HSI, who's responsible for immigration enforcement. They probably told you that HSI's focus is on transnational crime. But unfortunately, we've already seen in the past three months that such crime, allegations of terrorism and transnational gang allegiance, has already been used as an excuse for the illegal rendition of lawful permanent residents of the United States without due process. No evidence, no representation, no judge, no jury, no appeal. And they've been sent to a foreign maximum-security prison with no oversight and no transparency. And even U.S. citizens have been ethnically profiled and detained without cause, as we've already heard. So given this, I have no reason to believe that opening the doors for HSI is not also opening the doors for ERO in our community. And that means we're opening the door to federal agents seizing my neighbors, seizing your neighbors, seizing all of our neighbors, and driving them in an unmarked SUV to this building and taking them over for a one-way flight. So, when the federal administration once again respects and abides by the laws of this country, including the Constitution itself, then perhaps this

lease could be revisited. But until that time, out of concern for our neighbors, I vehemently oppose any local presence of ICE in Luzerne County, and I request the immediate termination of your agreement with DHS, and let ICE find collaborators somewhere else.

Scott Pritchard: I just want to say, my predecessors have covered everything ICE has been doing over the past 90 days particularly. Now, when you entered into this agreement, they were a whole different animal to talk to. But what they have been doing lately is so atrocious, so anti-democratic and anti-constitutional, that we can't invite that into our community because what's going to happen to us? Right now, our police are doing an amazing job protecting our community. We don't need the chaos that they are going to bring into that. We have a huge immigrant population in this. I work in the schools. I have seen these kids day in, day out for over a decade. And to think they are going to have to worry that their parents are going to be taken. Their parents are going to have to worry not only about being taken, about whether or not they are here legally. And that is going to completely upset our community. It is going to destroy what we have built here. And far from it making us safer, it's going to make it more destructive. Now, I understand that the initial reason for you going into this is because you need more money to fill that space, and that's totally understandable. But this organization has proved that they are not willing to abide by the rule of law. They are not willing to abide by our standards. And they're going to throw us into a far bigger problem than we have.

Mary Ann Dillon: I am a sister of mercy who happens to live in Forty Fort. And I speak this afternoon for myself and for others. And on this day, on this particular day, in the spirit of the late Pope Francis, whose attention to neighborliness, to the needs for all of us to honor one another, to recognize that there are persons different from us who also have a right to being treated as neighbors and so forth. Like the previous speakers, I am deeply troubled by the potential of ICE having a designated space here in this community in Forty Fort. I am also troubled by the fact that what is a really wonderful, warm, neighborly community could be unintentionally divided in a way that was not good for everyone. I appreciate the fact that the decision to rent space, to lease space here to ICE, was one that was driven primarily by the opportunity for enhancing the income of the Flood Authority. But I ask you to think about whether that benefit outweighs the potential benefit of the sacredness and the goodness of this community retaining its identity. Thank you so much.

Laura Pinero: Yeah, I'm the one that filed the right to know request to see the lease. First of all, I don't think it's appropriate for the head of any county agency that operates with county funding with our tax dollars to sign an NDA with anyone for any reason, because you're doing business on behalf of the public. You're not in business to make a profit. So there's no intellectual property rights or trade secrets or anything like that. Also, I'm very, very, very much opposed to ICE being around here. They've already been here. They've been in Kingston. I showed the picture when we had the meeting with the mayor. They took a little boy. They were all together. They were like elementary school age or middle school age. They were waiting for the bus. They took him in front of the other kids. They were wearing no IDs, no badges. They were dressed in black. They had masks on, and they put him in a van in front of other little children. Your kids, grandchildren, nieces, nephews they're in the school system. You want them coming home saying, guess what? And what kind of an impression does that make to little kids about law enforcement in general? So, they've already done this. Somebody took a picture and put it online. So, they're already doing things like this, and having it so close to the airport, they could put anybody on a plane and fly them to wherever they want anytime they want. It's not a commercial place. It's easy to hide records and things like that. So it's got me and everyone else very upset, and you need to terminate this lease immediately. Thank you.

Michael Nicotera: All right. So, I mean, yeah. Obviously, echoing everything else other concerned citizens have said before, you people should absolutely be ashamed of yourselves for deciding to go ahead with this and deciding to engage in a completely, in my view, absurd legal battle with a completely normal right-to-know request. You seem like intentionally vague and obfuscatory legal challenges to the right-to-know request. People, how should I put it? Just not, like, the complete lack of transparency and the rush to lawyer up and spend money on your recently paid-increased legal counsel to make, like, you know, to make this as slow and inconvenient as possible has really shown, like, a certain lack of good faith on part of this unelected flood protection authority council. Expansive and detailed information on the lease was posted in the press in multiple places. The Citizen's Voice had an article from a year ago, and suddenly there's supposedly a national security or, like, defense concern once concerned citizens start asking questions about the details of what is likely a standard commercial lease. I think that's pretty insane. I also think it's worth considering. This is relatively modern office space. This is where it's going to be. This is relatively modern office space here. I don't understand why there needs to be an extensive renovation of the space other than to install detention facilities perhaps. We don't know about that because a lot of this information is being kept under NDA and being kept secret. We're also right next to, as Tara said earlier, a civilian airfield which could absolutely host things like helicopters for flying people out after detention here. I think it's truly disgraceful that we haven't heard more answers from the council. I think that community accountability is so important for an institution like this that I just have no idea why you guys are acting in the way that you are. I think you should really be ashamed of yourselves. Thank you for your time.

Dwayne McDevitt: The people that are speaking against ICE, I believe, are 100% wrong. We all know what's happened over the past few years. In the corrections facility, ICE used to come pick people up who were not American citizens who committed crimes, heinous crimes, some of them. Anymore, in the past three years, ICE never showed up at the jail. The magistrate would let them go. They just committed a robbery, sold drugs, unauthorized to carry a firearm. My question to the crowd who's against ICE, are you willing to take these people into your home? The reason I say that is because this is our home. I am on the side of everybody in the United States. You come into our country illegally, that's a crime. You committed a crime on day one. The gentlemen and women that are coming in, mostly gentlemen, are military-aged men. I've seen it myself with my own two eyes. Wilkes-Barre had a problem. I'll know this because of corrections. Wilkes-Barre had a problem where a building was bought by a gentleman by Wilkes College. Every night, a white van would pull up and drop off men with garbage bags filled with clothes from New York. These are people who were flown in from Texas on the border and brought to our area. This is what people really have to understand. Some of these people that come here illegally are criminals. I mean, they are human beings 100%, but there's a proper way to come to our country. There's a process. Anybody can come through that process. Anybody can come through the process and become an American citizen. It takes time. Why should they be allowed to jump the line? The gentleman who was sent over to Venezuela is where he's from. He's 100% proven, MS-13 member leader. Some people will laugh and say he's not. Look it up. It's public knowledge. I believe ICE belongs here because the system we have in Luzerne County does not hold anybody who's an illegal in the prison anymore. Magistrates let them go. No address, no ID, no phone number. They're allowed to leave. Minimal bail, ROR. 100% wrong. Wilkes-Barre's crime rate has jumped dramatically. Kingston has jumped dramatically. Forty Fort has jumped dramatically. This is the problem. I am 100% pro-law enforcement, pro-ICE, and pro-America. You should just come to this country legally. You guys can have this building. I wish you had a bigger building. As far as the people

saying they'll be detained here, they won't be. They'll be brought to the county prison to be detained. Detained at the county prison by the members of ICE. I'm proud of you.

Regular Meeting

Motion was made to ratify the minutes of the Authority meeting held on March 18, 2025.

Motion by: Mr. Hardwick

Second by: Mr. Mitchell

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

LCFPA Activities/Projects

A. Staff Activities/Project

B. Board Activities/Project

Bills and Communications

Motion was made to approve the payment of the bills as presented.

Motion by: Mr. Yannuzzi

Second by: Mr. Maday

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Report of the Treasurer

Motion was made to submit the report of the Treasurer into the record as stated.

Motion by: Mr. Hardwick

Second by: Mr. Delaney

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

New Business

2024 Levee Fee Update.

Motion was made to award the Site Construction Contract for the "Forty Fort Levee Maintenance Garage Expansion Project" to Kobalt Construction, Inc. in the amount of \$397,960.00, including alternates 2.1 for \$4,050.00, and 2.2 for \$3,300.00.

Motion by: Mr. Delaney

Second by: Mr. Maday

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to award the General Construction Contract for the "Forty Fort Levee Maintenance Garage Expansion Project" to Gottstein Corporation in the amount of \$1,600,433.00, including alternates 1.4 for \$27,379.00, 1.6 for \$95,515.00, and 1.7 for \$54,881.00

Motion by: Mr. Hardwick

Second by: Mr. Mitchell

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to award the General Construction Contract for the "LCFPA Command Center Tenant Offices Fit-Out" to Bognet, Inc., 1298 North Church Street, Hazle Township PA in the amount \$160,417.00. Lowest responsible bid out of five (5) bids submitted.

Motion by: Mr. Maday

Second by: Mr. Hardwick

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to award the Electrical Construction Contract for the "LCFPA Command Center Tenant Offices Fit-Out" to Larry McCullion & Son Electrical Construction Services, 672 W. White Bear Drive, Summit Hill PA in the amount \$154,610.00. This was the sole bid received.

Motion by: Mr. Hardwick

Second by: Mr. Delaney

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to award the "Wyoming Valley Levee Landscape Maintenance" 2025 contract to Green Valley Landscaping Inc., 52 Reese Street, Plains, PA in the not to exceed amount \$37,180.00.

Motion by: Mr. Maday

Second by: Mr. Mitchell

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to approve the proposed Resolution R-2025-01 "A Resolution in Support of Approving the Request of a PA Small Water and Sewer Program Grant of \$118,350.00 from the Commonwealth Financing Authority of Pennsylvania to be Used for the Hicks Creek Drainage Structure Rehabilitation Project".

Motion by: Mr. Yannuzzi

Second by: Mr. Maday

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to approve the proposed Resolution R-2025-03 "A Resolution in Support of Approving the Request of a Greenways, Trails and Recreation Program Grant of \$240,000.00 from the Commonwealth Financing Authority of Pennsylvania to be Used for the Levee Trail Rehabilitation Project".

Motion by: Mr. Mitchell

Second by: Mr. Hardwick

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to approve the proposed Resolution R-2025-02 "A Resolution by the Luzerne County Flood Protection Authority to Amend the Fee Schedule on Occupancy License Agreements."

Motion by: Mr. Yannuzzi

Second by: Mr. Maday

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to approve the temporary pause on both the Duryea and Exeter levee design efforts based on the ending of the FEMA BRIC grant program. The pause would be in place until alternate grant programs are available that would help fund the respective anticipated construction costs.

Motion by: Mr. Delaney

Second by: Mr. Yannuzzi

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Motion was made to approve Cost Amendment No. 1 in the amount \$179,617.50 to an existing agreement with Greenman-Pederson Inc. (GPI), 53 Glenmaura National Blvd., Scranton, PA for their services on the "Duryea Levee Rehabilitation Project". The original agreement was approved on September 16, 2021, in the amount \$450,170. This work will be paid through the Wyoming Valley Levee Raising Project Mitigation Program Fund.

Motion by: Mr. Yannuzzi

Second by: Mr. Maday

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

On the question:

Mr. Hardwick: So, the original amount approved was \$450,170.00. We're now just approving \$179,617.50. Yes?

Mr. Belleman: That's correct.

Next Regular Meeting

May 20, 2025 at 1:00p.m.
1989 Wyoming Ave
Forty Fort, PA 18704

Adjourn

Motion was made to adjourn the April 22, 2025 meeting of the Luzerne County Flood Protection Authority Board.

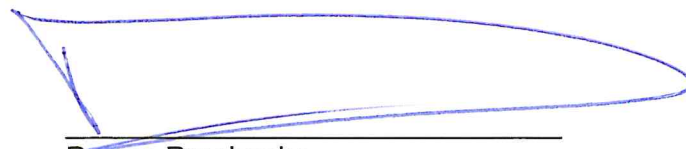
Motion by: Mr. Maday

Second by: Mr. Hardwick

Motion passed by a vote of 5-0. "AYES" – YANNUZZI, HARDWICK, DELANEY, MADAY, MITCHELL.

Meeting adjourned at 1:59 P.M.

Respectfully submitted,



Deana Prochaska
Recording Secretary

