



County of Lackawanna

Lackawanna County
Administration Building
200 Adams Avenue
Scranton, Pennsylvania
18503

Meeting Minutes

Board of Commissioners

Wednesday, November 1, 2017

10:00 AM

Commissioner's Conference Room

Call to Order

The meeting was called to order at 10:10am.

Present 3 - Patrick M. O'Malley, Jerry Notarianni and Laureen A. Cummings

Reading and Approval of Minutes

A motion was made that this be Approved on the Consent Agenda. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

Proclamation Presentation

[17-0277](#)

Small Business Spotlight: The Windsor Inn, Jermyn

Presented

Opportunity for the Public to Address the Board (Agenda Items Only)

Commissioner Patrick O'Malley- reassessment article in the paper on Sunday recent pictures of our homes in the paper. Address are public information- but you don't turn around, they didn't even ask about taking pictures of our house- my family is home alone a lot of the times. It was a picture in the paper and a road map to where I live pretty much- really bothered me. Crazy world, just had another terrorist attack in NYC. I understand our addressed and the assessments and all that, yes they are public. But, I really didn't get it-they didn't have to ask us permission, I am not out there to put my family out there like this- I know I am a public official-it scared me and scared my wife. From 1993 forward I have been an elected official- it bothered me-Commissioner Cummings lives alone, and her car was vandalized. My kids' Halloween decorations, all in the yard, were in disarray, which never happened to us before. Ever.

Commissioner Laureen Cummings- I live alone, single, and the paper showed my car- which was ransacked. Who allowed this to happen? Have you all lost your mind? This is insane. Commissioner O'Malley has young kids, is here always working- if anything should happen to me, the first thing that will happen is a lawsuit against the Scranton Times. They have taken it to an extreme- they publish whatever the hell they want. This is beyond the pale. What part of domestic violence do they not understand- the nerve- pictures of my car and home in the paper. A little over the top. Shouldn't be happening. If

people want to look up the address, and take the time, but now everybody knows where it is. The people who run the paper has lost their minds. Did they put the judge's home in the paper? No. I have gotten phone calls, asking what am going to do? I didn't run to have people taking pictures of my house and car to show to the world. But you're talking about a family, it's off limits. I don't agree with it. I am appalled. I don't understand it.

Commissioner Patrick O'Malley- Ludacris, don't understand it. I understand my address being out there, and my phone number, the assessed value. But a picture of my home?

Commissioner Jerry Notarianni- I have no issue with it at all.

Commissioner Laureen Cummings - I do. Major. Irresponsible media outlet in the northeast.

Ordinances - Second Reading

[17-0272](#)

Ordinance #250

Second Reading

General Obligation Bonds

Attachments: [Ordinance 250.1](#)
[ordinance lackawanna county parameters 2019](#)
[EXHIBIT](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this Ordinance be Adopted on Second Reading. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

Resolutions

Andy Wallace-2018 Budget hearings on November 2nd 10AM: Commissioners' Conference Room, County Administration Building, 6th Floor, 200 Adams Avenue, Scranton

12:30PM: Moscow Borough Building, 123 VanBrunt Street, Moscow, PA 18444

3PM: Olyphant Borough Building, 113 Willow Ave., Olyphant, PA 18447

6PM: Scott Township Building, 1038 Montdale Rd., Scott Township, PA 18447

And an additional budget hearing Glenburn.

Bid openings for the Lackawanna County Government Center. December meeting updates have been changed to now be held December 6th and 20th.

[17-0275](#)

Approving Current Payables

Attachments: [3H507OM5](#)
[3H507OM4](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this Resolution be Adopted. The

motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

[17-0273](#)

Authorizing an Abatement of Taxes

Attachments: [Carbondale Abatement](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Jerry Notarianni, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 2 - Patrick O'Malley and Jerry Notarianni

Abstain: 1 - Laureen Cummings

[17-0268](#)

Entering into a Lease Agreement

Attachments: [CCISLease](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 2 - Patrick O'Malley and Laureen Cummings

Nay: 1 - Jerry Notarianni

[17-0269](#)

Entering into a MATP Grant Agreement

Attachments: [FY17-18 MATP Grant Agreement](#)
[Lackawanna County FY17-18 Initial Allocation](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

[17-0270](#)

Entering into a Memorandum of Understanding

Attachments: [Lackawanna County PA MOU2](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Jerry Notarianni, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 2 - Patrick O'Malley and Jerry Notarianni

Nay: 1 - Laureen Cummings

[17-0271](#)

Entering into an Aging Contract Amendment

Attachments: [AAA-TSS Senior Companion Amendment FY 7-1-17 to 6-30-20](#)

A motion was made by Commissioner Patrick O'Malley, seconded by

Commissioner Laureen Cummings, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

[17-0274](#)

Establishing a Lackawanna County Food Policy Council

Attachments: [Food Policy Council](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings

[17-0276](#)

Accepting a Proposal from Penn State for Foster Care Evaluation

Attachments: [OYFS-Penn State -Foster Care Ind Living Contract 10-1-17 -9-30-18](#)

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Jerry Notarianni, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 2 - Patrick O'Malley and Jerry Notarianni

Abstain: 1 - Laureen Cummings

Opportunity for the Public to Address the Board

Bob Bolus, Scranton: PTSD meeting with the doctor. Affects military, prison co's, and average citizens who have witnessed a traumatic event. Could include the medical college for brain mapping on PTSD. We will be in the only ones in the country to take this forward and study it. I feel so strongly about this, a lot of things have started in the country out of Scranton. I believe we are on the right track. I was in Harrisburg when President Trump spoke about our esteemed commissioner. I was on Hannity- everything triggers here, and going with PTSD, I believe it needs to start here, and I hope that this moves forward- mental health- everyone is elated that we have this brain mapping that no one else has. People didn't bother to respond- many elected officials-I tried to invite city council to come, and they referred to me as a skunk- these people may be educated, but they are not smart. This is about our people, that they represent, and they didn't show up. But you guys did. We need a deal, and need to rebuild our community. Assessment on the mall, the church at holy cross-I didn't comply and paid the price politically here. Garage payments-mall should be assessed properly, SSD is broke and raping the city. Mall needs to pay fair price, and reassess. The University had the debates-they run a business, no more free rides- reassessment shouldn't have been taken off the ballot. The people need to be heard. Challenge your assessment at appeal. A lot of issues and the people of this community will get a louder voice, no fairness. I saved a historical church- and am paying the price- have to go to court and fight it. Everybody has a voice and an opinion. We need to take care of our community, the elderly and people who need help with their bills.

Mulligan- broke the law, and wants to run the city. SB had a mechanic- look how much money he made- not fair- the city needs the cooperation of its leaders.

Joan Hodawanitz, Scranton: article in this morning's paper- about the appeals board. Board of Commissioner nominates the board appointees. But then they don't answer to you anymore. You are responsible to the voters- we elect and can vote out of office. You appoint to the board; I sit on the library board and proud to do so. I did submit a resume when I was appointed. Since members of boards are not answerable to the electorate, I think our resumes should be part of the public record, when we are appointed. Political campaign appointments should not disallow someone to sit on the board. When you are appointing someone to a board it should be part of the agenda, and the resumes should be included. Now that reassessment is off the ballot, what are you going to do about it? Budget: lobbying for the library.

Marie Schumacher, Scranton: want to publicly thank the two judges for the treat that they gave yesterday about the reassessment question on the ballot. Hope to move forward with the state and try to create a statewide reassessment change of law. Food policy council not a function of government. Another creeping growth of government. A proposal from Penn State- was it solicited?

Controller Gary DiBileo: bids deadline-tomorrow November 2nd at 11am. 11:15am opening.

Commissioners' Other Business

Commissioner Patrick O'Malley: we appealed it to the commonwealth court- this morning. We should let the voters breathe, and make that decision. We do millage increases, but this is a different type of vote, and I wanted to have the families have an opportunity to make a decision on their own. I believe that people are smart and will make a decision. I hope people come out and vote next Tuesday.

Commissioner Laureen Cummings: I have been asked, and told, it's our duty to vote on reassessment. I am against reassessment because I don't think people will be able to afford and pay back the loan we would have to take out-up to 13 million- I will make a motion now-to not perform a reassessment. (no one seconded) I didn't shirk my responsibility.

So how can we take out money for the Globe and not ask about that on a ballot? Well, we are consolidating our leases and we will be saving around 1 million on those- the building cost 1 .3 million- the loan for renovations hasn't -loan was generated, not a bond issue- bids not accepted yet for the globe.

Anyone here that writes all these opinions on line- are you here.

Evening meetings coming up. One tonight in Carbondale, one last week in Dickson city. No one is showing up at these things. Examples of homes in the paper as to why the reassessment has to happen. I am against the entire property tax law, not just reassessment. State legislation wrote a terrible law, and municipalities have to deal with it. People are creating this inequity- building brand new. Municipalities at their cap. No one comes to these appeals, per Mr. Foley, to fight for their community about the taxes.

John Foley: AH, Scranton, Dunmore, and some old forge school district. About every two weeks hearings.

Commissioner Lauren Cummings: that's how the law works- the municipalities have to come in and fight. Some did not know that. Flawed law- the only way to fix these inequities is to do a reassessment—at a cost to the county. So through attrition, buildings will? - Flawed law, needs to change. I don't have the power to do that. Reassessment on sale and transfer? This reassessment is dividing this community like never before. People do lose their homes on taxes, and people will not be able to all afford the tax increase- check out what has happening to other counties. Tom-millage

Tom Durkin: millage calculated annually. Based on total assessed value of all county properties. Assessor's office keeps a database of taxed and non-taxed properties. We annually determine what the tax levy is by taking total value of all tax proper and multiply by the millage rate; taxes County will be collecting the next year. When we prepared our budget, we go through the process of figuring out all expenditures, then get total assessed value of properties, multi by millage rate, then apply the mileage and historic collection rate is, about 90% annually collected, to determine if county budget will have deficit or a surplus. Board and finance people look for potential savings. This is the 14th time for me on the budget. A trying process. If can come up with enough savings, then can produce a balanced budget, and millage rate does not change, and then you approve an ordinance to approve the millage rate. If a significant deficit, then you would have to make a decision to raise taxes, then we would adjust he millage rate.

Commissioner Lauren Cummings - current mileage is 57.42 mills

Tom Durkin - 78 million of tax. Reassessment would be on a 100% collection.

Commissioner Lauren Cummings - municipal taxing authority has to reduce millage in the year a reassessment is implemented. So we would still be bringing in 78 million after a reassessment, even if millage lowered to 28.

Tom Durkin: 4 things- property can increase in value, can increase more than the average value of all property, can increase but less prop then all county, can increase at the same rate, and can decrease.

1.5 billion- now; after reassessment- 3 billion. So by law, millage would have to be reduced to 1 ½

Commissioner Lauren Cummings - I wanted people to understand, and not just give one opinion, and have three different scenarios from tom, and I thank him for his time. How can we waste employees at the county? We are salaried. That is about all I have to say on reassessment- as for the suit we will appeal, property law is flawed, even in Luzerne where they just did their reassessment, its already messed up with the appeals.

Appeals board- I stand by the people I appointed. The ballot-I will continue to educate the people on property tax and prop reassessment. People don understand how taxes work, their bills, their right to appeal. Thank to Judge Minora- I agree with his dissenting opinion. Thank you for the PTSD meeting. I tried to do what I was elected to do.

Commissioner Jerry Notarianni- I agreed the state law is flawed. I made a motion months ago to get a reassessment and no one seconded me- not reassess continue to hinder our economic development-the chamber letter- we can't continue to do the same- it should be fair-when they began the reassessment over 8700 properties weren't even on the tax rolls- that is all part of a reassessment. We have hired pictometry to do those types of things. Two

of Tom's examples, the taxes went down. It is not meant to hurt anyone, it is meant to make it fair. If we don't change the way the appeals board is trained and educated it will continue. There is a bottom, we can only cut so much- we need to be progressive- every county that has reassessed is doing well. We cannot keep doing the same thing and expecting a different outcome. I am in favor and I think it is necessary.

Commissioner Patrick O'Malley: appeals board- a cross section of the community, way it has always been. I couldn't second the motion, because I still feel that on Tuesday the people can make their opinion known. People are still going to go out and vote. I hope that the commonwealth court comes back and lets the people know that their decision should be known. November 3rd 'addiction' boxing match. Active shooter seminar- Tuesday November 14th at 911 center. November 15th commissioners meeting at 6pm at 911. PTSD meeting- thank you for bringing your doctor in. Happy Veterans Day!

Adjournment

A motion was made by Commissioner Patrick O'Malley, seconded by Commissioner Laureen Cummings, that this be Adjourned at 11:58am. The motion carried by the following vote.

Aye: 3 - Patrick O'Malley, Jerry Notarianni and Laureen Cummings