



County of Lackawanna

Lackawanna County
Government Center
at The Globe
123 Wyoming Ave
Scranton, Pennsylvania
18503

Meeting Minutes

Board of Commissioners

Wednesday, September 2, 2020

10:00 AM

Call to Order

The meeting was called to order at 10:03am.

Present 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

Reading and Approval of Minutes

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this be Dispense with the Reading and Approve as Prepared. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

Proclamation Presentation

[20-0177](#)

Proclamation declaring September 10, 2020 as “Suicide Prevention Awareness Day” in Lackawanna County.

Presented

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

No emails submitted

Resolutions

[20-0176](#)

Approving Current Payables

Attachments: [3H50CEEQ](#)

[3H50CEEP](#)

[Res 20-0176](#)

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this Resolution be Adopted. The motion carried by the following vote.

Commissioner Chris Chermak: another payment made to Joyce, Jackman and Bell-\$160,000- is that a duplicate?

Controller Gary DiBileo: there are two invoices for Joyce Jackman Bell-that is

for our Worker's Comp. it is not a duplicate.

Commissioner Debi Domenick: is there is problem with the name Joyce- because you bring them up every meeting? either legal or insurance fees. You should do your due diligence- either before or after the commissioners meeting, you should look that up. I feel for wither personal or political reasons, you look at, or pick on the Joyce family. Our personal business has no business in government.

Commissioner Chris Chermak: that is farthest from the truth- I am just looking at what the people's money is being spent on- some of these bills are astronomical.

Commissioner Debi Domenick: I can ask questions all day long- some of these are small- and one was for when he was Acting Tax Claim Director, Joe Joyce. Keep opinions out of government.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0178](#)

Approving a Plan of Financing by the Scranton-Lackawanna Health and Welfare Authority for the Scranton Preparatory School

Attachments: [Health and Welfare Authority\lackawanna county_scranton prep_2020_002](#)
[Res 20-0178](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0179](#)

Entering into an Agreement with Precise Trial

Attachments: [LackwannaCountyCourthouseInstall-PreciseTrial-08-26-2020](#)
[Res 20-0179](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0180](#)

Approving the Proposal Submitted by Thomson Reuters

Attachments: [Thomson Reuters Virtual Hearings CaseLines Proposal](#)
[Res 20-0180](#)

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0182](#)

Entering into a License Agreement with the Scranton Cultural Center

Attachments: [Court Contract, fall 2020revision B final](#)
[Res 20-0182](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0181](#)

Entering into an Intergovernmental Cooperative Agreement

Attachments: [Domestic Relations Cooperative Agreement](#)
[Res 20-0181](#)

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0183](#)

Entering into a Cooperation Agreement with the AllOne Foundation

Attachments: [All One Foundation COOP AGREEMENT.8.26.20](#)
[Res 20-0183](#)

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0184](#)

Entering into a Cooperation Agreement with SLHDA

Attachments: [SLHDA Coop](#)
[Res 20-0184](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0185](#)

Entering into a Food Service First Amendment

Attachments: [Aramark Amendment #1_CPI_8.26.20](#)
[Res 20-0185](#)

A motion was made by Commissioner Debi Domenick, seconded by Commissioner Chris Chermak, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0186](#)

Accepting the Quote from ES&S

Attachments: [DS450 Addendum to Agreement Complete - 08.31.2020](#)
[Lackawanna County PA - DS450 Quote - 06.25.2020](#)
[Res 20-0186](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

[20-0187](#)

Authorizing the Lackawanna County RASA/VOJO Grant

Attachments: [DA RASA-VOJO Grant](#)
[Res 20-0187](#)

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this Resolution be Adopted. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni

Opportunity for the Public to Address the Board

Brian J. Ross: Hello, I'm registered to vote in Lackawanna County. Can you please answer this:

If a person has applied for a mail in ballot, does that prevent them from voting in person?

To put another way, would I be wiped from the physical voter roll at my polling place if I received a vote by mail ballot?

Chief of Staff Brian Jeffers: yes, it does- if they received a mail-in ballot they must bring it in with them if they want to vote in person. If they lost their ballot they can go to the polls and get a provisional. No, they will always stay on the books- they are just voting like they would with an absentee.

Patricia Lynn Nestor: There is a pdf online about how to get a concealed carry permit in Lackawanna County. It states walk ins at the sheriff's office until 4:00 pm.

I'm disabled. I have difficulty ambulating. I do not have a car.

Last week I arranged a ride to the courthouse to go to the sheriff's office to fill out the paperwork in person as per the online instructions. I couldn't open the door. After waiting ten minutes a deputy opened the door and asked if I had an appointment. When I said no, she stated that I had to make one. The radio on her hip must be broken because she wouldn't even call up to ask if they could take me or when an appointment would be available. I was standing there

with a walker that I use to ambulate. My physical disabilities are obvious and I had to endure a lot of pain to get there only to be turned away. I called and made my appointment. The soonest available was February 2021! One of my friends has been trying since March to get her concealed carry permit. She finally got it after repeatedly calling for *five months.* I spoke to the clerk in the guns n ammo department at the Field & Stream store at Viewmont Mall. He stated his customers are complaining about long wait times as well. His customer said December of 2020 was his appointment! This is unbelievable! The second amendment is our right. Waiting 5-6 months for a government service for what is my Constitutional right is plain wrong and needs to be remedied *without excuses.* The citizens of this county are not going to tolerate this. I paid taxes on two properties in 2020. I shouldn't have to wait until next year for an essential service. If you agree that the Bill of rights is nonessential, then please let the voters know! I'll be taking names and spreading the word.

Chief of Staff Brian Jeffers: I spoke to the sheriff about this. When we started our Declaration of Emergency, and the Courts did as well, back in March, the Courthouse has been closed to the public for walk-ins since then. The sheriffs department is taking appointments and are overwhelmed, and they are conducting 14-16 permits a day, and that's more than per day than 2019. The website was not updated so I apologize for that, and we will reach out to the individual to see if they can be accommodated.

Commissioner Jerry Notarianni: these are extraordinary times, and I understand people are frustrated, but on the other hand there are a lot of things people are frustrated about during the course of this pandemic. There are a lot of things to be concerned about, and we have to put people's health first, we have to follow the rules of the government that they impose.

Commissioner Chris Chermak: I have a concealed permit myself, and I know they are overwhelmed. People will have to bear with us during this mess.

Rella Scassellati, Jessup: I am very concerned and fearful of the possibility of a catastrophic explosion from the transport of Liquid Natural Gas through our communities with the New Fortress Energy LNG Project.

The high-volume transport of LNG through our communities by truck and/or rail poses a risk of fire and explosion, potentially resulting in the loss of life and property. Routes under consideration will travel through towns and in many areas abut residential homes.

Our emergency services are not equipped to handle a BLEVE Event, (Boiling Liquid Expanding Vapour Explosion). Emergency responders are generally unable to extinguish LNG fires, except very small ones. As a 2019 study commissioned by PHMSA reported

Citizenry cannot be safely and completely evacuated from a 1-2-mile high-hazard zone in the event of an LNG spill.

In the event of an uncontrolled LNG release directly from a tank container or tank car, some of the LNG will regasify in the warmer, ambient air and form a natural gas vapor cloud. If the incident causing the release creates a source of ignition (e.g., a spark), the vapor cloud could begin to burn immediately at the point of release. Burning LNG poses a significant thermal hazard as it is hotter and burns more rapidly than oil or gasoline fires. Its thermal radiation may injure people and damage property a considerable distance from the fire

itself. Some information on the proposed project;

Asphyxiation (which can result if LNG vapors deplete breathable oxygen in a confined space), lung damage (which can result if LNG vapors are inhaled), cryogenic burns (which can occur if LNG contacts human skin). When natural gas is cooled to a temperature of approximately -260°F [-160°C] at atmospheric pressure it condenses to a liquid called liquefied natural gas (LNG). One volume of this liquid takes up about 1/600th the volume of natural gas at a stove burner tip. As LNG warms above its storage temperature, the liquid begins to vaporize.

Industry states "LNG Is Safe!" In fact, they say, LNG is not even flammable. And this is strictly true. Methane does not burn in liquid form. But just like gasoline, it starts to vaporize immediately in air. It's the vapor that is flammable, and reliably so.

New Fortress Energy plans to make and ship 3.5 to 4 million gallons of liquefied natural gas (LNG) per day from Wyalusing Township to an export port in New Jersey. That volume of product will require moving approximately 350-400 40-foot tanker trucks or 100 rail cars per day through Lackawanna County.

Lackawanna County was not consulted by DEP as they approved a major facility for the manufacture of LNG in Bradford County. DEP did not assess how the LNG would be moved from Wyalusing Township to an export terminal on the Delaware River in New Jersey.

Lackawanna County gets no portion of the state Impact Fee from gas drilling; hence the costs of the harms of this project will be shifted to Lackawanna County.

The project confers no economic or any other benefit to Lackawanna County.

Therefore as a resident of Lackawanna County, I respectfully request:

The Commissioners please look out for the safety and wellbeing of our County by opposing the New Fortress Energy LNG project.

I urge you to take action in the form a resolution directed to Governor Wolf (in his capacity as a voting member of the Delaware River Basin Commission), and directed to all voting members of the DRBC, conveying, The Lackawanna County Commissioners call upon the members of the Delaware River Basin Commission to disapprove the Dock 2 project, Docket D-2017-009-2. Thank you for your time and consideration.

Solicitor Frank Ruggiero: thank you for the detailed email. There are a few responses to this. First, we as the county, or you as the Board, do not have the authority to regulate State owned highways, roads and or Interstates. So commerce, which occurs on those State owned highways, is either controlled at the state level, and more so, regulated at the federal level through interstate and intrastate commerce. So notwithstanding her requests, the Board is essentially without legal authority to challenge what they, the group and the email sent in, have raised.

That said, it raises a larger issue for the Board to consider, where does the regulation then end. And I understand the point of the LNG, but there are other industry's- gasoline, propane, home fuel oil and other flammable products, which are transported across state lines and through the state in the name of commerce and protected by federal and state levels. So for those reasons, not withstanding Ms. Scassellati's request, the Board could not, and should not entertain the request in any form to regulate any form of interstate or intrastate commerce.

In regards to her request of approving a resolution, the Board can prepare and vote on a resolution, but if it has no force or effect then it has no force or effect, so it is not prudent and it serves no purpose other than to appease some people. I will be happy to answer any additional questions.

Commissioner Jerry Notaranni: we understand we don't have the authority to stop it- can we let them know we don't favor it?

Solicitor Frank Ruggiero: I would not recommend we do that. Where does the regulation end necessarily? Such as gasoline, or propane- I am no expert but there are all flammable fuels transported via intrastate and intrastate.

Commissioners' Other Business

Commissioner Debi Domenick: the moratorium on foreclose expired yesterday. There is money available in Lackawanna county in the rent relief program- please visit our website. Rent and mortgage relief available. Being processed through our economic development office.

Commissioner Chris Chermak: the census-coming due soon- please go online and fill out the form- it takes only a few minutes It determines where all of the federal money comes from, for local municipalities. Please complete it! thank you.

Adjournment

A motion was made by Commissioner Chris Chermak, seconded by Commissioner Debi Domenick, that this be Adjourned at 11am. The motion carried by the following vote.

Aye: 3 - Chris Chermak, Debi Domenick and Jerry Notarianni