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SCRANTON CITY COUNCIL MEETING

HELD:

Monday, July 30, 2018

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

CATHENE S. NARDOZZI, RPR - OFFICIAL COURT REPORTER

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CITY OF SCRANTON COUNCIL:

PATRICK ROGAN, PRESIDENT

TIM PERRY, VICE PRESIDENT

WAYNE EVANS

WILLIAM GAUGHAN

KYLE DONAHUE

LORI REED, CITY CLERK

JEANNIE DAVIDSON, SECRETARY

AMIL MINORA, ESQUIRE - SOLICITOR

1 (Pledge of Allegiance recited and  
2 moment of reflection observed.)

3 MR. ROGAN: Roll call, please.

4 MS. DAVIDSON: Mr. Perry.

5 MR. PERRY: Here.

6 MS. DAVIDSON: Mr. Donahue.

7 MR. DONAHUE: Here.

8 MS. DAVIDSON: Mr. Evans.

9 MR. EVANS: Here.

10 MS. DAVIDSON: Mr. Gaughan.

11 MR. GAUGHAN: Here.

12 MS. DAVIDSON: Mr. Rogan.

13 MR. ROGAN: Here.

14 MR. EVANS: I would like to make a  
15 motion to take from the table Resolution No.  
16 59 2018, and place it in Seventh Order for  
17 final vote.

18 MR. PERRY: Second.

19 MR. ROGAN: On the question?

20 MR. GAUGHAN: Yes, on the question,  
21 I'm going to be voting "no". I'm going to  
22 detail additional reasons why I don't think  
23 we should bring this back for a final vote  
24 because there are discrepancies between  
25 Mr. Abrahamsen's firm's first submittal,

1 supplemental submittal and his second  
2 supplemental submittal and, quite frankly, I  
3 mean, I think this is ridiculous that we are  
4 going to allow a law firm to do work with  
5 the city with their track record over the  
6 last few years so I'll be voting "no" and  
7 have an explanation at the end of the  
8 meeting.

9 MR. ROGAN: Just to clarify, this is  
10 motion is just to bring it up for a final  
11 vote, I'm sure we will have a debate  
12 regarding the merits of the legislation.  
13 Any citizens wishing to discuss this piece  
14 of legislation can do so during fourth  
15 order, citizens' participation.

16 All those in favor signify by saying  
17 aye.

18 MR. PERRY: Aye.

19 MR. EVANS: Aye.

20 MR. ROGAN: Aye. Opposed?

21 MR. GAUGHAN: No.

22 MR. DONAHUE: No.

23 MR. ROGAN: The ayes have it and so  
24 moved.

25 Please dispense with the reading of

1 the minutes.

2 MS. REED: THIRD ORDER. 3-A. TAX  
3 ASSESSOR'S REPORT FOR HEARING DATE HELD JULY  
4 25, 2018.

5 MR. ROGAN: Are there any comments?  
6 If not, received and filed.

7 MS. REED: 3-B. TAX ASSESSOR'S  
8 REPORT FOR HEARING DATES TO BE HELD AUGUST  
9 8, 2018 AND AUGUST 15, 2018.

10 MR. ROGAN: Are there any comments?  
11 If not, received and filed.

12 MS. REED: 3-C. TAX ASSESSOR'S  
13 RESULTS REPORT FOR HEARING DATE HELD JULY  
14 18, 2018.

15 MR. ROGAN: Are there any comments?  
16 If not, received and filed.

17 MS. REED: 3-D. MINUTES OF THE  
18 COMPOSITE PENSION BOARD MEETING HELD JUNE  
19 20, 2018.

20 MR. ROGAN: Are there any comments?  
21 If not, received and filed.

22 MS. REED: 3-E. AGENDA FOR THE  
23 BOARD OF ZONING APPEALS MEETING TO BE HELD  
24 AUGUST 8, 2018.

25 MR. ROGAN: Are there any comments?

1 If not, received and filed.

2 Do any council members have  
3 announcements at this time?

4 MR. EVANS: I actually have a few,  
5 if you don't find. First of all, the  
6 Friends of Connors Park presents the third  
7 annual Bob McGoff 5-K Run/One Mile Walk.  
8 It's a \$20 registration fee, Sunday August  
9 26, 2018, the. Race starts at 9 a.m. at  
10 Connors Park 515 Orchard Street in South  
11 Side. To sign up you can go to  
12 [Runsignup.com/ bobmcgoff](http://Runsignup.com/bobmcgoff). Also, the  
13 proceeds will benefit St. Francis Assisi  
14 Kitchen and scholarships for four 2019  
15 graduates.

16 Also, at the race we will be giving  
17 our second annual city council couple to the  
18 winner of a three-race series, two of the  
19 Run Around Scranton races and the McGoff  
20 race as far as that's concerned.

21 Also, what is being billed as  
22 Lackawanna Arts weekend, downtown will be a  
23 pretty exciting place this weekend. This  
24 Friday, of course, is First Friday. Always  
25 a great event. There is also the 14th

1 annual Scranton Jazz Festival on Friday,  
2 Saturday and Sunday. The main stage is at  
3 the Radisson Hotel and there will be  
4 entertainment all over downtown at various  
5 venues during the jazz walk each evening.  
6 Check out the artists and schedule at  
7 [Scrantonjazzfestival.org](http://Scrantonjazzfestival.org).

8 Also, Scranton Made and their  
9 dedicated group of organizers of the  
10 Lackawanna Arts Fest on courthouse square  
11 which begins at 12 a.m. on Saturday until 8  
12 p.m. is the area's largest arts festival and  
13 features over 150 vendors, live music, food,  
14 interactive art and much more. That's all I  
15 have.

16 MR. PERRY: I have one, the National  
17 Night Out will be held Tuesday, August 7, at  
18 Scranton High School from 6 to 9 p.m. The  
19 event is held nationally each year on the  
20 first Tuesday in August to promote police  
21 and community partnership. There will be a  
22 lot of activities for kids including finger  
23 painting, free food, there will be  
24 entertainment and police and fire  
25 demonstrations, and I know I talk about this

1 every year because it's a really good event  
2 for the community and it's just something  
3 for the kids to see up close, all of the  
4 equipment that the police and the fire have  
5 it's something special, so if you have the  
6 opportunity bring the kids out to see it.  
7 Thank you.

8 MR. GAUGHAN: The North Scranton  
9 Neighborhood Association will held their  
10 monthly meeting in Weston Park on Monday,  
11 August 6 at 6:00 p.m. The topic of the  
12 meeting will be the proposed development in  
13 North Scranton concerning the new  
14 construction of apartment buildings in the  
15 area of the Hollows and Wale Street area.  
16 Any neighbors interested in what is being  
17 proposed for development in this area should  
18 attend this meeting at the park on August 6.  
19 Thank you.

20 MR. ROGAN: Today will be council's  
21 last meeting before the August recess.  
22 Council will resume meetings on Monday,  
23 September 10 at 6:00 p.m.

24 On Monday, September 3, city hall  
25 will be closed for the Labor Day holiday.



1 DPW is off that day as well. Refuse and  
2 recycling will one day behind the week of  
3 that holiday.

4 MS. REED: FOURTH ORDER. CITIZENS'  
5 PARTICIPATION.

6 (The following speakers offered  
7 public comment as follows: Joan Hodowanitz  
8 spoke on city business and matters of  
9 general concern. Gerard Hetman spoke on  
10 matters of general concern. Ron Ellman  
11 spoke on matters of general concern. Marie  
12 Schumacher spoke on city business and  
13 matters of general concern. Al Young spoke  
14 on city business.)

15 MS. REED: FIFTH ORDER. 5-A.  
16 MOTIONS.

17 MR. ROGAN: Mr. Perry, any motions  
18 or comments?

19 MR. PERRY: Yes. Thank you. Well,  
20 first, Mr. Young, the last time we spoke  
21 things were going in the right direction. I  
22 mean, it's -- I'm heartbroken. I don't know  
23 the ins and out of decisions or the legality  
24 of it, but that's a phone call I'll  
25 definitely make to find out one way or the

1 other because as far as I know any time  
2 anything has been put in front of us we have  
3 done nothing about taken care of it as fast  
4 as we could to help your issue and to hear  
5 all of these snags come back on a legal  
6 issue it's very disheartening and I know I  
7 don't just speak for myself on this I speak  
8 for all of us when we hear this. It's  
9 just-- I mean, this has been going on too  
10 long and I'll make phone calls or go take a  
11 visit, take a walk today and see if I can at  
12 least get my head around why the ping pong  
13 game, I don't understand it. But I can't  
14 talk too intelligently about it because I  
15 don't know all of the ins and outs yet.

16 With that said, there is an issue on  
17 the 3200 block, the end of the 3200 block of  
18 Powell Court. There is a blocked storm  
19 drain. I don't know if it's a single or  
20 dual use so I don't know the responsibility,  
21 if it lies on us or the water company, so if  
22 we can make our first step to get the ball  
23 rolling and send that off to public works  
24 for a site check. I actually have some  
25 pictures, Lori, I'll e-mail with them with



1 any motions or comments?

2 MR. DONAHUE: The only thing I have,  
3 Mrs. Reed, would you able to send a letter  
4 to the Law Department requesting an update  
5 on what's going on, to set up a meeting to  
6 request an update on what's going on with  
7 the Young property? That's all I have.  
8 Thank you.

9 MR. ROGAN: Thank you. Mr. Evans,  
10 any motions or comments?

11 MR. EVANS: A few. First of all, my  
12 understanding the reassessment is revenue  
13 neutral in the first year and 5 percent in  
14 the year following a reassessment, which  
15 could be normal for any city or municipality  
16 to be allowed to do that.

17 As far the HUP test and reassessment  
18 I don't think they're mutually exclusive, I  
19 think actually a reassessment helps with a  
20 HUP test because we are going to be  
21 identifying properties as we go. I don't  
22 disagree that we should be doing that now.  
23 The administration is responsible for that.  
24 I have chided them on several occasions to  
25 do that and I'll continue to do that as

1 well. To my knowledge, the only entity that  
2 ever has done that is Allegheny County so we  
3 would be the first, at least on this side of  
4 the state, to challenge the properties and  
5 see if they should be classified as non-tax  
6 exempt via the HUP test.

7 On the AirBnB, the funding is in  
8 place for a new zoning code. The RFP is out  
9 and we expect that be to started either the  
10 last quarter of this year or the first  
11 quarter of 2019.

12 The information Marie has been  
13 asking for, I have it, I received it via  
14 e-mail. I didn't get a response yet from  
15 Evan, but as soon as I get a response I'll  
16 let you know as well.

17 On another topic, today I'm going to  
18 talk a little bit about the subject of  
19 smaller locally owned businesses and what  
20 I'm going to discuss today is another  
21 outgrowth of the idea session, as a matter  
22 of fact, that was mentioned before on small  
23 business. To that point, I'm going to  
24 periodically propose policy changes within  
25 the City of Scranton that will help and

1 enhance our existing and small business  
2 community. First, I would like to expand on  
3 what a locally owned business means to our  
4 community. I think we can all agree that  
5 they certainly play a central role in any  
6 healthy city and are among the best economic  
7 engines that drive a city to advancing  
8 growth and opportunity. Small business  
9 ownership has historically been a pathway to  
10 the middle class for generations of  
11 Americans and Scrantonians alike and it  
12 continues to be a vital tool for expanding  
13 prosperity.

14 According to the Institute for Local  
15 Self Reliance, there are five key reasons  
16 that we should all support the small and  
17 locally owned business community. By the  
18 way, when I use the word "we" I mean we as  
19 local public officials. Number one, local  
20 small businesses are linked to higher  
21 incomes and less inequality. Number two, an  
22 entrepreneurship fuels job creation. Three,  
23 independent businesses generate more tax  
24 revenue at a lower public cost. Four, local  
25 businesses foster community cohesion and

1 well-being; and, five, community scaled  
2 businesses reduce pollution and improve  
3 environmental sustainability.

4 So the first policy change I would  
5 like to discuss is the purchasing and  
6 procurement policy of the City of Scranton.  
7 Studies have shown that when local  
8 governments purchase goods and services from  
9 local independent businesses there is a  
10 positive feedback loop that is created which  
11 increases economic activity, employment and  
12 tax revenue. So in effect you are using the  
13 tool of city spending to foster economic  
14 development by sourcing products and  
15 services locally.

16 To that end, I have asked BA Bulzoni  
17 to review the City's current purchasing and  
18 procurement policy with an eye towards  
19 buying more locally. It is my understanding  
20 that we're doing some of that now, but I'm  
21 not aware of a formal policy to that effect  
22 that is currently in place. I hope to have  
23 something to report on when we return from  
24 our recess and I am confident that is  
25 something we can easily achieve.

1                   Also, the concept may be a great  
2                   opportunity for the shared services  
3                   committee working with the school district.  
4                   It shouldn't always be about the low price  
5                   for a product or service. As I noted  
6                   earlier, keeping our money local allows it  
7                   to be recycled within in our community,  
8                   within our city and a lower public cost and  
9                   results clearly indicate that many economic  
10                  benefits beyond a lower price are created by  
11                  simply buying local.

12                  Again, I can't stress enough how  
13                  important maintaining and growing our  
14                  locally owned small business community is.  
15                  It is our responsibility to remove  
16                  government obstacles and to encourage their  
17                  growth in every way we can. We should all  
18                  be absolutely committed to making this  
19                  happen.

20                  A quick note on parking, especially  
21                  downtown. I'd like to remind everyone that  
22                  on street parking in the downtown is free  
23                  after 5 p.m. Monday through Friday and all  
24                  day and evenings Saturday and Sunday.  
25                  During those timeframes there are hundreds



1           and hundreds and hundreds of free parking  
2           spaces throughout the downtown so please  
3           take advantage of that and visit our  
4           businesses and restaurants, shop, stop for  
5           dinner, even take a yoga class, whatever you  
6           want to do, we have a diverse and  
7           interesting downtown as well as a diverse  
8           neighborhood commercial area so please  
9           take advantage of all that we have to offer and  
10          check that out. And I have the rest for  
11          agenda items. Thank you.

12                   MR. ROGAN: Thank you. Mr. Gaughan,  
13                   any motions or comments?

14                   MR. GAUGHAN: Yes, thank you. First  
15                   comment that I'd like to make is in regards  
16                   to Mr. Young and, obviously, we have talked  
17                   about this for the last few years, which is  
18                   troubling and concerning in and of itself.  
19                   The bottom line here is and, Mr. Young, I've  
20                   had numerous conversations with you, he is  
21                   being held hostage basically in his own  
22                   home. Number one, because there is a big  
23                   hole in his backyard; number two, because he  
24                   couldn't sell his home if even if he tried;  
25                   and number three, it's my belief that once

1 lawyers get involved common sense sometimes  
2 goes out the window.

3 It was quite sometime ago when  
4 Mr. Young came to council. The city deemed  
5 that an emergency, which it is, it is a  
6 public safety emergency, anyone who has not  
7 seen his backyard and hasn't seen the  
8 proximity to an alley which is right behind  
9 his property and the children that play in  
10 that neighborhood would understand that it  
11 is a major, major hazard. So the fact that  
12 here we are years later still waiting for  
13 the city to make a move, and I understand  
14 the complexity of the situation because of  
15 the Meadow Brook Creek project, but the  
16 emergency takes precedent over that. We  
17 have had conversations with the  
18 administration, we thought we were getting  
19 some place, and as Mr. Young pointed out,  
20 you take one step forward and five steps  
21 back.

22 It's my belief that -- I agree with  
23 Mr. Young that the five of us, five council  
24 members, need to go to the mayor and demand  
25 that he settle this once and for all. Get

1           rid of the attorneys, get rid of the  
2           lawsuits, and take care of the issue because  
3           if this was in your backyard or if it was in  
4           anybody else's backyard you would expect the  
5           same. So I would ask that the five of my  
6           colleagues call the mayor, set up a meeting  
7           and let's get in issue taken care of once  
8           and for all.

9                       My last comment is about the caucus  
10           that we had this afternoon with the  
11           Pennsylvania Economy League. First of all,  
12           it's my belief that the caucus should have  
13           been more than a half hour. It's not nearly  
14           enough time, I had an additional questions  
15           that I was not able to get it, so that's  
16           number one. Number two, I asked for this  
17           caucus months ago and it is completely  
18           unacceptable that not one person from the  
19           administration bothered to show up and sit  
20           at that table and answer questions. I asked  
21           not only for the Pennsylvania Economy League  
22           to come but for the mayor and the business  
23           administrator because they are the ones that  
24           are crafting the budget. You know, it's not  
25           like we are talking about installing a

1 sidewalk at Mt. Pleasant, we are talking  
2 about the financial stability of the city  
3 over the next few years and our exit from  
4 Act 47. So the fact that -- and I  
5 understand Mr. Bulzoni had a prior  
6 commitment and he did show up at the end and  
7 sat in the audience, but it's unacceptable  
8 that no one from the city bothered to come  
9 and answer any questions or chime in on the  
10 city's financial health over the next few  
11 years.

12 It was also really concerning to me  
13 as we checked through some of the  
14 recommendations in the exit plan that there  
15 was either a non-answer from PEL or the fact  
16 that they didn't know what the progress was  
17 from the city or that there was no progress.  
18 There are simple things in that plan from  
19 the debt management policy to the fact, and  
20 this goes back to 2015, to get all of the  
21 ordinances and regulations and rules from  
22 the Pennsylvania Boards and create a  
23 governance policy, and still we are here in  
24 2018 and there is none so that's concerning.

25 So, you know, I hope that when we

1           come back in September before we get into  
2           the budget that we can ask PEL and the mayor  
3           and the business administrator to come back  
4           before many council so that we can have  
5           these conversations and so we can understand  
6           where we are going to be in the next two or  
7           three years as we exit Act 47. Thank you.

8                     MR. ROGAN: Thank you. Just a  
9           couple of comments. The double pension was  
10          brought up again, and unfortunately,  
11          crafting legislation takes a lot longer than  
12          we would like but it is something that's  
13          continuing to be worked on and there will be  
14          legislation, that much I can guarantee you  
15          to put reforms in place to stop the double  
16          pension situation from happening again and  
17          this is something I have been working on,  
18          geez, probably over two years at this point.  
19          Unfortunately, it does take a while. It  
20          took us a year just to get the state police  
21          report so it is something that we are still  
22          actively working on.

23                     The second item, which is one that a  
24          lot of other towns have done and a couple of  
25          people brought it up to me, a number of

1 other towns around Scranton have banners on  
2 a lot of their main streets for hometown  
3 heroes, and I think that's a great program,  
4 it's something I think we should look at  
5 doing. It's a great way to honor our  
6 veterans and really it also spruces up those  
7 streets. When you drive down some of the  
8 streets in surrounding communities that have  
9 those hometown hero banners not only is it  
10 an honor to the veterans, their families, a  
11 measure of pride and it makes the streets  
12 look nice.

13 So if my colleagues would agree, I'd  
14 like to send a letter to the administration  
15 asking that the city look into some type of  
16 hometown heroes program. It might be  
17 something we want to partner with maybe one  
18 of the local nonprofits with, maybe the  
19 Chamber of Commerce. I do think it's a  
20 great idea and I have to thank the residents  
21 that brought it up to me. Scranton is not  
22 doing this type of program when other towns  
23 are and it really has been popular in other  
24 areas. So if everyone agrees, I'd like to  
25 send that letter to the mayor.

1                   And, finally, just following up on  
2                   the caucus with PEL, I do agree, I actually  
3                   didn't get a chance to ask any questions as  
4                   well because we did run out on time.

5                   Overall, though, I'm glad the  
6                   representatives of PEL came in and really  
7                   being on council as long as I have this is  
8                   by far the most positive report financially  
9                   that very have received from PEL. You know,  
10                  the financial standpoint with the city not  
11                  having to raise taxes in two years, we are  
12                  paying our bills which, again, shouldn't be  
13                  an accomplishment, but ten years ago, even  
14                  lesser than that it was a big accomplishment  
15                  just to have money on hand to be able to pay  
16                  bills.

17                  So I'm grateful for the amount of  
18                  progress that we have made. I'm not sure  
19                  others and the newspaper will probably harp  
20                  on the areas of concern, but all in all the  
21                  city has made tremendous progress over the  
22                  last number of years and that's something  
23                  I'm hoping will continue to move forward and  
24                  hoping to continue a cooperative  
25                  relationship not only with PEL, but with our

1 other community partners. And that is all.  
2 Thank you.

3 MS. REED: 5-B. NO BUSINESS AT THIS  
4 TIME.

5 SIXTH ORDER. 6-A. NO BUSINESS AT  
6 THIS TIME.

7 SEVENTH ORDER. 7-A. FOR  
8 CONSIDERATION BY THE COMMITTEE ON PUBLIC  
9 WORKS - FOR ADOPTION - FILE OF THE COUNCIL  
10 NO. 26, 2018 - GRANTING A TEMPORARY  
11 CONSTRUCTION AND PERMANENT MAINTENANCE  
12 EASEMENT AGREEMENT ON PROPERTY OWNED BY THE  
13 CITY OF SCRANTON TO SCRANTON LACKAWANNA  
14 INDUSTRIAL BUILDING COMPANY FOR THE  
15 INSTALLATION OF SIDEWALKS AT THE MOUNT  
16 PLEASANT CORPORATE CENTER ALONG MOUNT  
17 PLEASANT DRIVE AS MORE FULLY DESCRIBED IN  
18 EXHIBIT "A".

19 MR. ROGAN: What is the  
20 recommendation of the Chair for the  
21 Committee on Public Works?

22 MR. GAUGHAN: As Chairperson for the  
23 Committee on Public Works, I recommend final  
24 passage of Item 7-A.

25 MR. PERRY: Second.



1 MR. ROGAN: On the question? Roll  
2 call, please?

3 MS. DAVIDSON: Mr. Perry.

4 MR. PERRY: Yes.

5 MS. DAVIDSON: Mr. Donahue.

6 MR. DONAHUE: Yes.

7 MS. DAVIDSON: Mr. Evans.

8 MR. EVANS: Yes.

9 MS. DAVIDSON: Mr. Gaughan.

10 MR. GAUGHAN: Yes.

11 MS. DAVIDSON: Mr. Rogan.

12 MR. ROGAN: Yes. I hereby declare  
13 Item 7-A legally and lawfully adopted.

14 MS. REED: 7-B. FOR CONSIDERATION  
15 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT  
16 FOR ADOPTION - RESOLUTION NO. 65, 2018 -  
17 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
18 CITY OFFICIALS TO APPLY FOR AND EXECUTE A  
19 GRANT FOR THE REDEVELOPMENT ASSISTANCE  
20 CAPITAL PROGRAM (RACP) THROUGH THE  
21 COMMONWEALTH OF PENNSYLVANIA'S OFFICE OF THE  
22 BUDGET IN THE AMOUNT OF EIGHT HUNDRED  
23 THOUSAND \$800,000.00 DOLLARS; ACCEPTING AND  
24 DISBURSING THE GRANT; AND COORDINATE THE USE  
25 OF THE GRANT FUNDS WITH SCRANTON-SAMTER, LP,

1 FOR THE PROJECT TO BE NAMED THE "SAMTER  
2 REDEVELOPMENT PROJECT".

3 MR. ROGAN: What is the  
4 recommendation of the Chairperson for the  
5 Committee on Community Development?

6 MR. DONAHUE: As Chair for the  
7 Committee on Community Development, I  
8 recommend final passage of Item 7-B.

9 MR. PERRY: Second.

10 MR. ROGAN: On the question? Roll  
11 call, please?

12 MS. DAVIDSON: Mr. Perry.

13 MR. PERRY: Yes.

14 MS. DAVIDSON: Mr. Donahue.

15 MR. DONAHUE: Yes.

16 MS. DAVIDSON: Mr. Evans.

17 MR. EVANS: Yes.

18 MS. DAVIDSON: Mr. Gaughan.

19 MR. GAUGHAN: Yes.

20 MS. DAVIDSON: Mr. Rogan.

21 MR. ROGAN: Yes. I hereby declare  
22 Item 7-B legally and lawfully adopted.

23 MS. REED: 7-C. FOR CONSIDERATION  
24 BY THE COMMITTEE ON RULES - FOR ADOPTION -  
25 RESOLUTION NO. 66. 2018 - APPOINTMENT OF

1 PRITESHA PATEL, 678 ADAMS AVENUE, SCRANTON,  
2 PENNSYLVANIA, 18510 AS THE ALTERNATE NO. 1  
3 MEMBER OF THE BOARD OF ZONING APPEALS FOR  
4 THE CITY OF SCRANTON. MS. PATEL WILL FILL  
5 THE ALTERNATE NO. 1 POSITION THAT WAS  
6 VACATED BY PAUL MARCKS WHEN HE BECAME A  
7 REGULAR MEMBER OF THE BOARD. MS. PATEL WILL  
8 FILL THE UNEXPIRED TERM OF MR. MARCKS WHICH  
9 EXPIRES ON JULY 1, 2020.

10 MR. ROGAN: As Chairperson for the  
11 Committee on Rules, I recommend final  
12 passage of Item 7-C.

13 MR. PERRY: Second.

14 MR. ROGAN: On the question? Roll  
15 call, please?

16 MS. DAVIDSON: Mr. Perry.

17 MR. PERRY: Yes.

18 MS. DAVIDSON: Mr. Donahue.

19 MR. DONAHUE: Yes.

20 MS. DAVIDSON: Mr. Evans.

21 MR. EVANS: Yes.

22 MS. DAVIDSON: Mr. Gaughan.

23 MR. GAUGHAN: Yes.

24 MS. DAVIDSON: Mr. Rogan.

25 MR. ROGAN: Yes. I hereby declare

1 Item 7-C legally and lawfully adopted.

2 MS. REED 7-D - PREVIOUSLY TABLED -  
3 FOR CONSIDERATION FOR THE COMMITTEE ON RULES  
4 - FOR ADOPTION - RESOLUTION NO. 59 2018 -  
5 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE  
6 CITY OFFICIALS TO EXECUTE AND ENTER INTO A  
7 PROFESSIONAL SERVICE CONTRACT WITH  
8 ABRAHAMSEN, CONABOY & ABRAHAMSEN, P.C. FOR  
9 SPECIAL LABOR COUNSEL LEGAL SERVICE FOR THE  
10 CITY OF SCRANTON.

11 MR. ROGAN: As the Chairperson for  
12 the Committee on Rules, I recommend final  
13 passage of Item 7-D.

14 MR. PERRY: Second.

15 MR. ROGAN: On the question?

16 MR. GAUGHAN: Yes, on the question.  
17 You know, I'm not going to beat a horse to  
18 death because I think I have made my points  
19 over the last few weeks, but I do want to  
20 point out one thing. Mr. Abrahamsen and his  
21 firm submitted a supplemental submittal on  
22 July 16 when I had requested -- you know,  
23 when I pointed out that they did not fill  
24 out the RFQ correctly, so they did submit  
25 something on July 16 and it gave the person

1           who contributed, to whom they contributed  
2           to, the date and then the amount. When I  
3           pointed out, again, that it still was not  
4           filled out correctly they submitted an  
5           additional document on July 20.

6                         Now, the problem with this is, I  
7           will point out a few issues. Number one,  
8           there are political contributions that are  
9           on this second submittal that were not on  
10          the first. For example, April 4, 2013,  
11          Mr. Abrahamsen donated to Bill Courtright in  
12          the amount of \$2,500. That was not included  
13          on the first submittal. There are different  
14          dates for contributions, for example,  
15          July -- on the submittal from July 20 it  
16          says that Mr. Abrahamsen donated to  
17          Mr. Courtright on September 21, 2013,  
18          September 25, 2013, those dates are  
19          different than the ones that he submitted on  
20          July 16. There is several other examples of  
21          this, I'm not going to go through every one  
22          of them, but the bottom line here is it's  
23          extremely sloppy.

24                         And, you know, based on all of this  
25          information that I presented over the last

1            few weeks coupled with the serious concerns  
2            that I have about this law firm, I can't in  
3            good conscience vote for this contract and  
4            I'm not sure how any of my colleagues can  
5            vote for it as well. The firm has made  
6            close to a million dollars over the last few  
7            years from doing business with this city and  
8            the fact that a simple RFQ was not filled  
9            out correctly is extremely concerning. I  
10           mean, if they are not forthright with this  
11           information now and it was in the RFQ, you  
12           know, what if something comes up and we need  
13           to request additional information. How are  
14           we sure that they are giving us the correct  
15           documentation and that what they are giving  
16           us is truthful? You know, the fact that the  
17           dates are different, contributions to the  
18           mayor were left out of the initial  
19           supplemental document that was provided is  
20           extremely troubling.

21                    The second point, we did meet with  
22                    the city solicitor. She did provide answers  
23                    to the questions that I had asked and I do  
24                    appreciate that. We do not see eye-to-eye  
25                    on this issue. I do not think that it was

1 fair that the city added language in the RFQ  
2 that the firm who understands the unique  
3 culture of Scranton's labor unions will be  
4 given preference. This was not in the  
5 original RFP back in 2014 when we had seven  
6 bidders for this contract. This year we  
7 only have two I think because of the  
8 language that was put in there. So, you  
9 know, it's my belief that we should be  
10 trying to get as many bidders as possible to  
11 get the best deal for the city.

12 Finally, you know, the fact that  
13 Mr. Abrahamsen attempted to sue me for  
14 asking for backup documentation for the work  
15 he did in exchange for \$400,000 is extremely  
16 troubling, not only pointed out by me, but  
17 my colleagues and members of the public last  
18 year. And I would like people to think of  
19 it this way, it's a simple analogy, if you  
20 went to a mechanic to fix your car and he  
21 charged you \$5,000 you would want to see a  
22 receipt for what he did or that amount of  
23 money. If the mechanic gave you a hard time  
24 when you asked for the backup documentation.  
25 If he gave you one receipt and then it

1           wasn't right and gave you another receipt,  
2           that wasn't right, you had to continue to  
3           ask for information, then he attempted to  
4           sue you because you were asking why he  
5           charged you \$5,000 I don't think, I'm  
6           guessing, that none of my colleagues up here  
7           or no one in the audience, no one in the  
8           public would hire that mechanic again, so  
9           logic should tell all of us that we should  
10          not hire this law firm again. Rebid it for  
11          all of the reasons that I have given over  
12          the last few weeks. So I do not think that  
13          this law firm should get in contract for all  
14          of the reasons that I have pointed out and I  
15          would hope that my colleagues would use  
16          common sense and vote against this contract.  
17          Thank you.

18                   MR. ROGAN: Is there anyone else on  
19                   the question?

20                   MR. EVANS: On the question, one  
21                   thing I wanted to give some credit to is  
22                   Attorney Eskra, the city solicitor, not just  
23                   for responding to city council's questions,  
24                   but to my knowledge this contract and the  
25                   Labella contract were the first RFPs that



1           made a requirement by the city the  
2           completion of attachment "e" and full  
3           disclosure of campaign contributions to  
4           political candidates, so I think that brings  
5           a very bright light and additional  
6           transparencies to the process so I don't  
7           think that can be understated. Otherwise, I  
8           think it's time to vote.

9                       MR. PERRY: Yeah, on the question, I  
10           wasn't clear about the completion for the  
11           RFQ and without having it fully filled out I  
12           was not for this contract. In the meantime,  
13           we did get everything that we needed to  
14           hear. I was against Mr. Abrahamsen's  
15           lawsuit against Councilman Gaughan, I was  
16           vocal about it at the time. He since has  
17           retracted that and, you know, I believe he  
18           has actually contacted Mr. Gaughan and said,  
19           "Don't worry about it," and that's good for  
20           me.

21                      MR. GAUGHAN: Well, he has not  
22           contacted me personally, nor would I  
23           entertain a phone call because I don't  
24           really think that's appropriate, he did drop  
25           the lawsuit. But, look, I think a precedent

1 has been set here, gentlemen, that in the  
2 future should we ever request additional  
3 documentation or ask for additional  
4 information that, you know, we are under the  
5 guise of a possible threat that we may get  
6 sued. So I think that everyone should take  
7 that in strong consideration before we hire  
8 this firm again. Thank you.

9 MR. DONAHUE: Yeah, on the question,  
10 I'm going to -- I agree with Councilman  
11 Gaughan, I think if the requirements are put  
12 in a RFQ when it goes out it should go out  
13 with everything that the RFQ required, we  
14 shouldn't have to request additional  
15 information so that's why I believe it  
16 should be rebid and I will be voting against  
17 this. Thank you.

18 MR. ROGAN: Roll call, please?

19 MS. DAVIDSON: Mr. Perry.

20 MR. PERRY: Yes.

21 MS. DAVIDSON: Mr. Donahue.

22 MR. DONAHUE: No.

23 MS. DAVIDSON: Mr. Evans.

24 MR. EVANS: Yes.

25 MS. DAVIDSON: Mr. Gaughan.

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MR. GAUGHAN: No.

MS. DAVIDSON: Mr. Rogan.

MR. ROGAN: Yes. I hereby declare  
Item 7-D legally and lawfully adopted.

If there is no further business,  
I'll entertain a motion to adjourn.

MR. PERRY: Motion to adjourn.

MR. ROGAN: Meeting adjourned.

C E R T I F I C A T E

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3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the  
5 notes of testimony taken by me at the hearing of the  
6 above-captioned matter and that the foregoing is a true  
7 and correct transcript of the same to the best of my  
8 ability.  
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13 CATHENE S. NARDOZZI, RPR  
14 OFFICIAL COURT REPORTER  
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